The Culture of Congress in the Age of Jackson

by Joanne B. Freeman

The mace in the House Chamber, made by William Adams, 1841, which the sergeant at arms is authorized to use to restore order. (Office of the Clerk, US House of Representatives)

During an 1841 debate in the House of Representatives, Edward Stanly of North Carolina said something derogatory about Virginian Henry Wise. A few minutes later, Wise walked over to Stanly's seat. After some "earnest, and excited conversation . . . Mr. Wise made a motion as if to invite Mr. Stanly out, to which Mr. Stanly made a gesture of dissent. Mr. Wise . . . was observed to slap Mr. Stanly in the face pretty severely with his open hand. A scuffle then ensued, a number of members rushing to the scene of the contest."

At this point, as an eyewitness recalled, Wise called Stanly:

> *"a mean, contemptible puppy and miserable wretch," to which Stanly replied[,] "You are a liar," when Wise struck him, and [a] fight instantly ensued. Nearly all the members rushed to the spot where they were engaged. . . . The Speaker crying at the exten[t] of his voice[,] "Order—order—order," exclamations from the crowd of "Damn him[,] down with him"—"Where are your Bowie knives"—"Order gentlemen, for God's sake*

> *come to order"—"Go it Arnold"—"Knock him down" . . . Mr. Clarke, the Clerk of the House, seized the mace & went into the midst of the melee & exclaimed[,] "Gentlemen, respect the symbol of authority, respect yourselves." Mr. Arnold & Mr. . . . Butler of Ky. were seen in violent personal contest, & Mr. Houston of Ala. held an uplifted cane over Mr. Arnold's head, which some member arrested in its descent, & thus, probably saved Mr. A. a bloody coxcomb.*

The enormous Dixon Lewis of Alabama ultimately ended the fight, separating the brawlers by placing his bulk between them.

We might expect to see such incidents amidst the rising tensions in the decade before the Civil War, but in fact, they occurred as far back as the 1820s and ebbed and flowed through the 1830s and 1840s. These decades witnessed countless extreme outbursts on the floor of Congress. Some never advanced beyond an exchange of deliberate personal insults and talk of a duel. Some were actual fistfights. Some—canings or beatings—took place on the streets of Washington. A few were all-out brawls with dozens of congressmen jumping over desks and brandishing weapons. Such tussles occurred more frequently in the House; the Senate favored duel challenges. Although the frequency of these clashes varied from year to year, decade to decade, taken as a whole, they offer an unexpectedly rowdy image of the antebellum Congress.

In fact, such violence was something of a norm in Congress. As Benjamin Brown French, assistant clerk of the House, wrote to his sister in January of 1839, "This session is like all other sessions that I have seen—except there has, as yet, been no fighting." Indeed, the threat of violence loomed large enough to become an invaluable rhetorical tool. As one congressional columnist wrote in 1834, "A member may talk . . . and be very argumentative and speak to the point, but hardly ten of those about him will know a single word that he has said . . . but let him at once change his manner and pounce upon some fellow member with a small sprinkling . . . of personal abuse, the whole House is all attention."

Many of these encounters, particularly the most physically violent ones, involved southerners—but not only southerners were involved. Once provoked, many northerners felt compelled to defend their honor and the honor of their state and region by responding in kind, sometimes in ways that would not have been acceptable back home. As New Hampshire Representative John Parker Hale put it in 1844, "although the people whom he had the honor in part to represent did not acknowledge the obligations of that code of honor which was held in such high estimation by some, yet he could assure the House that if it were understood that members must come

into this House upon such conditions . . . the frozen regions of the North, would not be wanting in men who were prepared to go wherever duty called them." Regional preferences had to alter to suit circumstances on the national stage, where northerners, southerners, and westerners engaged in political (and cultural) conversation.

This culture of threats and counter-threats posed a real challenge to the institutional workings of Congress. Freedom of debate centered on congressional privilege: the exemption of congressmen from being questioned about words spoken in debate. What, then, was the proper response for insults uttered during debate? Should the institution attempt to reconcile the warring parties? Or should it ignore such matters—and their potentially deadly consequences?

At one time or another, Congress adopted both of these approaches. Sometimes, the House or Senate met in "secret session" to settle a personal dispute. Other times, in particularly serious cases (like an open fistfight or a death in a duel), a committee was formed to determine the proper response. Yet there were problems with this approach because the Speaker could form a biased committee through strategic appointments. On other occasions, friends negotiated some sort of truce behind the scenes, usually off the floor. Sometimes, a congressman formally (and publicly) waived the protection of privilege so that he and his opponent could settle their dispute "like men"—probably with a duel. In other cases, the entire question of privilege was simply ignored. To many northerners and southerners alike, relying on such institutional safeguards felt cowardly. Personal honor could not be maintained behind a shield of congressional privilege; the personal and the political were intertwined. The many violent outbursts provoked by the issue of slavery revealed this all too well, binding together an inflammatory combination of political principles, party politics, regional loyalties, personal morals, and personal reputations.

Throughout this period, neither the House nor the Senate enforced the rules consistently beyond declaring things "out of order," and these types of declarations were often partisan. "Order depended more upon the party passions and capricious feelings of members, than upon any established rules," complained Ohio Representative Alexander Duncan in 1841, after being called to order by a Whig. "[D]uring this debate Mr. Van Buren has been called a jackass, and his cabinet and cabinet officers knaves, fools, liars, swindlers, and thieves, but there was no Whig then to call to order; it was all right, all fair, and all in order." Even when one congressman killed another in a duel, there was no punishment. When Representative William Graves of Kentucky killed Representative Jonathan Cilley of Maine in 1838, an investigative committee ultimately decided that Congress could not try its members for crimes that should be tried in civil courts.

This is perhaps the most remarkable aspect of antebellum congressional violence both indoors and out: only a handful of congressmen were punished. No congressman was ever expelled for fighting, and only a few were formally censured. A few duelists were arrested by civil authorities but immediately released under promise of good behavior. Some brawlers paid fines that were often disproportionately small. Some had their offensive words "taken down" on the record—with no judgment attached—but even this seemingly minimal punishment elicited outrage. To men so concerned with their

reputations and constituencies, being reprimanded on the public record was unbearable.

Why all this violence during the age of Jackson? In part, it stemmed from the constellation of highly charged issues under debate. Jackson's polarizing policies and politics stirred up controversy at a time when the looming issue of slavery was becoming a dangerously charged force. Jackson's high-handed manner of dealing with Congress—and his blatant attempts to slap at his congressional opposition—didn't help matters. For example, in his last annual message to Congress, Jackson boasted of his administration's virtue and pure motives—a deliberate slap at the Whig charges of corruption that had plagued his administration. Whigs responded by demanding two committees explicitly aimed at "investigating" the workings of Jackson's administration. Jackson's public popularity made him all the more aggressive in his tactics and policies, further fueling political tensions. It also helped to personalize national politics, centering it on the figure of Andrew Jackson and framing the period's politics as a clash between Jackson's personal and political supporters and his personal and political enemies.

Congressional violence was also fueled by the press. Broadcasting the doings of Congress to a national audience with ever-increasing speed and efficiency, this burgeoning communications network made it difficult, if not impossible, for congressmen to patch up grievances through quiet accommodation and compromise. In the 1790s, they might have been able to settle matters out of the public eye, but with the exponential growth of the press in the 1820s, this changed. In 1800, roughly one million individual newspapers were sent through the US postal system; by 1820, this number had increased to six million; by 1830, it had almost tripled to sixteen million, and by 1840, thirty-nine million newspapers were sent through the mail—an increase of roughly a million newspapers a year. Between 1820 and 1840, newspaper circulation multiplied from six million to thirty-nine million.

Joined with the ever-growing multitude of reporters whose regular business was covering Congress, newspaper exposure made it difficult for combative congressmen to hide. Harsh words exchanged on the floor of the House or Senate could be instantly transmitted nationally. Sensitive to their home audiences, congressmen felt compelled to defend the reputations, rights, interests, and standing of their states with fist-clenched diligence. An expansive national audience made it difficult to tolerate offhand slights and insults; extreme accountability meant increased tolerance. That same audience was a near-irresistible attraction for publicity-seeking politicians hoping to please constituencies back home. So renowned was such constituent-pleasing claptrap that it garnered a nickname, thanks to North Carolina Representative Felix Walker, who explained to exasperated colleagues that they could ignore his long-winded speech because he was speaking only to Buncombe, North Carolina. "Buncombe speeches" were often extreme, given their local focus, particularly when they touched on the topic of slavery, so they too stoked political passions. ("Buncombe" eventually became synonymous with "empty banter," and by 1900 had been shortened to "bunk.") Ironically, the press—a nationalizing influence that stimulated democracy and legislative accountability—contributed to the chaos at the Capitol.

This chaos in Congress reflected the times. Antebellum America was a violent place—a rough-and-tumble, violently partisan, expanding nation young enough to be experiencing something of an identity crisis. Organized party politics was in its youth and often ruthless. Nativism, racism, and the nation's burgeoning crowded cities contributed to an outpouring of street violence. Regionalism ran rampant, driven by the shadow of slavery. Thus, in many ways, the culture of Congress in the age of Jackson represented the spirit and mentality of that era. Congress was truly a representative body, just as it was meant to be. In this sense, Congress is a fascinatingly unique institution—a place where national sentiment, sectional interests, and the bonds of Union are reflected and played out in the interplay of elected representatives. During the first half of the nineteenth century, Congress reflected national sentiment with a vengeance.

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