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What will be the
Final Estimate of Yancey?

BY

GEORGE PETRIE, Ph. D.

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VII. WHAT WILL BE THE FINAL ESTIMATE OF YANCEY?

BY GEORGE PETRIE,¹ PH. D., Auburn.

The time is rapidly coming when men can think and speak of our Civil War without passion and without prejudice. Indeed considerable progress has already been made in this direction. Southern writers have shown a ready appreciation of the many admirable qualities of Lincoln, who was once known to us chiefly as the leader of what we termed the "Black Republican Party." On the other hand Calhoun, the most influential of Southern statesmen, a man whose views have long been an incomprehensible riddle to our Northern friends, has received no fairer treatment or more graceful recognition than in the recent life of Webster written by Mr. Lodge, a senator from Massachusetts. These two cases are typical of a growing tendency toward fairness and even generosity on both sides in dealing with men and events connected with that period.

Now is it not strange that in the dawn of this "era of good feeling," we should hear so little about a man who played so conspicuous a role as Yancey? His name was never mentioned for

¹Dr. George Petrie, professor of History and Latin, Alabama Polytechnic Institute, Auburn, since 1891, was born at Montgomery, Ala., April 10, 1866, and is the son of Rev. Dr. George Laurens and Mary (Cooper) Petrie, and grandson of Rev. Dr. G. H. W. and Mary J. (Prince) Petrie. His father was a distinguished teacher and Presbyterian preacher, and was chaplain of the 22nd Alabama regiment, C. S. A. Dr. Petrie graduated at the University of Virginia in 1887 with the A. M. degree, and in that year became adjunct professor of modern languages and history in the Agricultural and Mechanical College (A. P. I.), Auburn, where he remained until 1889. In that year he entered Johns Hopkins University, where he completed his course for the Ph. D. degree in 1891. Since that date he has been at the A. P. I. as above noted. Dr. Petrie is the author of *Church and State in Early Maryland* (J. H. Univ. Studies, 10th series, No. 4, 1892); "Can the Teaching of American History be made Interesting?" in the *Sewanee Review*, May, 1896; "Montgomery Alabama," in *Historic Towns of the Southern States* (1900), besides a number of articles in magazines and other journals. Dr. Petrie is a most enthusiastic student and teacher of history. Several of the best papers in this volume were prepared under his direction, notably those by Walter L. Fleming, Miss Toccoa Cozart, Shepherd H. Roberts, Gaius Whitfield, Jr., Miss Emma B. Culver, and J. E. D. Yonge.—EDITOR.

the Hall of Fame. No speech of his is to be found in any collection of American oratory. No statue has been raised to his memory.²

Is there any significance in this omission? Is it an oversight due to a general lack of information and a consequent failure to appreciate his importance? Or is this omission partly intentional? Is it due to a feeling on the part of some that Yancey was the embodiment of an unwise and disastrous policy, that he was the apostle of disunion and advocated the reopening of the African slave trade, and that even his eloquence depended on sectional passions and animosity? If thoughts of this kind be at all common, will not Yancey's fame grow less and less as our national feeling of union grows stronger and stronger; and will he not in time pass into that oblivion which awaits all who are merely unsuccessful agitators?

The first question, therefore, which confronts the student who tries to determine the final estimate of Yancey is whether posterity will know him at all. Now I believe that his name will not be forgotten and that his reputation will last; and the reasons that I assign for this view do not depend on any personal opinion as to the wisdom or the unwisdom of the course he pursued, or of the policy he advocated.

Whatever one may think of these matters of policy, he must, if he has studied ante-bellum history, admit Yancey's ability and influence. For weal or for woe he played an important part. His name is inseparably linked with the series of events that terminated in the Confederacy; and the more fully their history is written, the more attention will have to be paid to him.

His association with the movement was in many ways an intimate one. He was the last great popular expounder of the doctrine of State rights, upon which more and more Southerners of all schools came to base their theories of political rights, however much they might differ as to their practical policies.

But, after all, few persons understand or care about constitutional theories and logical arguments. Even so great a jurist as Marshall is scarcely known outside the circle of lawyers. And I

² Since this was written a full life size oil painting of Yancey has been executed and placed in the portrait gallery of the Alabama Department of Archives and History at the State capitol.

am inclined to think that this is scarcely the phase of Yancey's connection with the Southern movement which will appeal most to the imagination of posterity. To them he will be chiefly known as its impassioned leader, who by his boldness, his earnestness and his eloquence did more perhaps than any one else to make these State rights doctrines a powerful force in practical politics.

But this suggests another reason why his name will not be forgotten; and it is, too, independent of our personal views of the wisdom of his policy. I refer to the permanent value of his speeches. Without discussing just yet their excellence as specimens of the art of oratory, I think the point can be clearly made that they have qualities which must give them a permanent value. They combine, like Yancey himself, logic and emotion in an unusual degree. While they present in a brief and pointed form the dominant political creed of the South, they do it not in the cool, detached manner of Calhoun, but with an earnestness and a fire that make us feel the passion of the times with a reality that is really wonderful. Now this double quality is just what will always make them invaluable to the student, who in the quiet of his study finds a keen fascination in analyzing the problems connected with slavery and State sovereignty, and yet cannot quite understand why either side should fight about them.

If then Yancey's name will live and men will continue to read and think about him, we may fairly ask: What will their opinion be? We cannot tell what it will be in all of its details. On minor matters they probably will disagree, as men now do about Jefferson and even Cromwell or Julius Caesar. But there are some things, and they are important, about which we can safely venture a prediction.

First of all, the final estimate will correct some errors which have arisen from an exaggeration or a distortion of his real views. For example, he has been considered a champion of the African slave trade and has suffered accordingly. This was an unfair inference from some words spoken with perhaps impolitic frankness at Montgomery in 1858. What he really said was that the congressional prohibition ought to be removed, first, because it went too far in terming the slave trade piracy and, second, because, according to the State rights theory the whole question

properly should be left to the several States.³ As to whether its actual revival would be desirable he clearly admitted that he had as yet reached no definite conclusion. Perhaps he meant to hold in reserve the possibility of such a revival as a political weapon to be used against abolitionists and free soilers if in his opinion their aggressions would require it.

After secession Yancey was one of the first to urge the Southern States to prohibit this same African slave trade. On Jan., 28, 1861, he said in the Alabama convention: "But, sir, if such considerations induced a doubt under the old regime, they dispel all doubt under the new. * * * With no territories to people and no balance of power to strive for and to sustain, we shall need no other supply of labor than the ordinary laws of natural increase and emigration of owners with slaves will give us in abundance. * * * At the proper time I shall move an amendment proposing that the Southern Confederacy shall prohibit the trade in slaves from any foreign quarters."⁴

There is another important matter in regard to which I think posterity will say that Yancey has sometimes been misunderstood. He has been called a disunionist and the term has been used in such a way as to imply that he regarded separation from the Union not merely as a last remedy for wrongs that could not be righted otherwise, but as a thing desirable in itself and preferable to a redress of grievances within the Union. This opinion probably had its origin in the earnestness and vigor with which he repeatedly advocated secession; but it overlooks the important fact that he did so only because he believed it no longer possible to get what he always preferred, constitutional rights, in the Union. The final estimate will, I think, recognize that Yancey and Webster were equally devoted to the Union under the constitution. But with Yancey the Union was desirable chiefly as giving the States the benefit of the constitution, while with Webster the constitution was valuable chiefly as perpetuating the Union. Yancey thought the time had come when either the Union or the constitution had to be given up, and he preferred to give up the Union.

Two days after Lincoln's election he said: "In my opinion the

³ DuBois's *Life of Yancey*, p. 358, *et. seq.* The whole matter was much discussed in the Montgomery and Richmond papers of 1858.

⁴ *Montgomery Weekly Advertiser*, Feb. 6, 1861.

election of Abraham Lincoln to the office of president of the United States by the Black Republican Party, taken in connection with his own political utterances, and the views and acts of his party in congress, and the Northern States, is an overt act against the constitution and against the Union, and as such should be sufficient cause for a withdrawal of the State of Alabama, and a resumption of all the powers she has granted to the Union, by separate State secession. And while giving utterance to this advice, I repudiate as utterly untrue that in any just sense I am a disunionist. If always to have advocated the right of all under the constitution—if never to have assailed any single provision of that constitution—if the advocacy of a policy of defense against wrong done to Southern rights, equality and honor in the Union, constitutes a friend to that "more perfect Union" represented by the constitution, then by universal acclaim I should be held to be a Union man; and if to-night I advise my State to withdraw herself from this Federal government in order to protect her rights and the rights of her people from wrongs done to them by violation of that constitution by numerical power that controls the government, I have the judgment of the constitution itself in my favor and against its violators, and am no disunionist."⁵

But in every estimate of Yancey the chief difficulty arises when one comes to pass judgment on his policy. Here is where opinions differ most widely and have done so from his own day down to ours. Some have pronounced his course the only one which the South could pursue without sacrificing its rights and its manhood, others have considered it rash, impracticable, and disastrous. Under such circumstances it is manifestly difficult to forecast with any certainty the verdict of history. Yet I think most of us will agree that certain facts will be recognized by that verdict and will be included in the final estimate.

First, then, I think there will be little dispute as to what was his policy. Its key note was struck in the once famous "Alabama Platform" which consisted of two parts, one stating a theory, the other a policy. The first said: "Neither congress nor the territorial government which it establishes has a right in any way to prohibit slavery in a territory," the second added: "No candidate

⁵ *Hodgson's Cradle of the Confederacy.*

for the presidency can get our votes unless he endorses this view." The first half was the old doctrine of Calhoun and had come with his mantle to Alabama, the other half was Yancey's addition and the motto of his life. The two ideas were characteristic of their authors; Calhoun's part was a keen and unanswerable deduction from the State rights view of our government, Yancey's a bold and unswerving stand for his rights under the constitution. Combined they epitomize Yancey's position—a position maintained with striking consistency from 1848 when the war with Mexico made the territorial question the burning issue down to 1860 when he strenuously opposed the nomination of Douglas.

In the next place, I think that when the future historian comes to inquire whether it was wiser for the South to insist, as Yancey urged, on all its rights under the constitution, or to accept some such compromise as Douglas suggested, he will have to admit that neither plan was fully tried. Yancey hoped that a united South could compel the practical politicians to accept its creed and thereby obtain a national administration pledged to maintain its rights. Whether this would have been possible will probably remain a mooted question as the South failed to unite on his political policy. Douglas maintained that his policy would secure practically all that the South required and that its success was possible if the South would unite with Northern Democrats on it. Whether either of his claims were justifiable will equally remain a subject for speculation as the South likewise failed to unite on his policy. Whether either policy if endorsed by a united South could have defeated the Republican party will perhaps always remain a fascinating problem for historians, as also the question whether Yancey's policy, even if it had led to defeat although endorsed by a united South, would have been preferable to political success upon Douglas's principles.

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