



Editorial

IN the turbulent 1840s and 50s, New Englanders were searching for the heart of America. Expansion and annexation were threatening to pull the balance of power south. As Theodore Sedgwick worried, “To *annex* may prove to be *annexed*,” which could change “at one blow the whole nature of the confederacy, and place the freemen of the north at the mercy of the Spaniards of Mexico, or the mongrels of South America.” Meanwhile immigrants were streaming into northern cities and, along with free blacks, were being routinely marginalized. Where was America? Who was American? It resolved into a matter of right—and of might.

For Henry David Thoreau, America could be found in its quaking swamps. “Americans railed against English territorial claims to the continent while simultaneously relying on the English idea of a parceled, improved land, occupied by a single, homogeneous people to assert their own territorial rights,” observes Andrew Menard. Resisting that derivative double logic in his essay “Walking” (1851), Thoreau resorted to his own defiant-defensive “double negative.” America must not be an excuse for slavery, warfare, or greedy annexation; rather, with its lowliest landscapes setting a new standard of beauty, it must be appreciated in its sublime incarnation: a figure of absolute wildness and, thus, of absolute freedom. To tame it would be to destroy it, and so Thoreau heralded the Backwoodsman as the future of America.

On 1 August 1844, in his hometown of Concord, Massachusetts, Ralph Waldo Emerson issued a scathing rebuke of slavery, “Emancipation of the Negroes in the British West Indies.” Provoked in part by the move to annex Texas, which promised to extend slavery’s reach, Emerson rejected his former commitment to a Garrisonian moral suasion and assumed a stance, as Len Gougeon shows, that was highly idiosyncratic for a white man in America: he

insisted that the slave had not only the right but the moral obligation to resist slavery's aggressions by the most effective means possible, including violence. Frederick Douglass, an ex-slave empowered by the kind of self-reliant militancy that Emerson vaunted, became for the philosopher his model of resistance: the Anti-Slave.

For many U.S. citizens in 1842, "a nation in which both freedom and slavery coexisted constituted a lasting testament to the greatness of American democracy." That year, as Erik J. Chaput details, Thomas Wilson Dorr led a popular uprising in Rhode Island that jeopardized that delicate balance. The Suffrage Party, reacting against the state's outmoded, restrictive governing charter of 1663, held a convention, adopted a constitution, and called for a vote by men twenty-one and older. When they roundly endorsed it, a shadow government was established. But if Dorr's logic of universal male suffrage were applied elsewhere, slavery's sympathizers fretted, blacks would be able to "vote down the Southern state governments at their pleasure." Ironically, to quell racist concerns among workingmen, the Suffrage Party had adopted a whites-only clause, which enraged abolitionists. Thus was the champion of the Sovereign Man defeated by an unwitting coalition of slavery's opponents and proponents.

To protect against abuses of popular sovereignty such as Dorr's, Simon Greenleaf called upon the educated lawyer to assert his authority as conciliator or Peacemaker. In 1850, Bowdoin College, in Brunswick, Maine, recruited Greenleaf, a retired Harvard law professor, to help it establish a law school. It was a bold idea, but the times demanded decisive action. In his report, which Alfred S. Konefsky characterizes as a document that betrays an "acute cultural anxiety," Greenleaf argued that the only adequate means of "maintaining order in a society increasingly buffeted by public opinion and robust expressions of democratic sentiment capable of inciting faction and disharmony" was the law, which served "to remind and guide the public about the moral virtues of a civil society." Optimism such as Greenleaf's was short lived. Within a decade the search for America was taking place not in the halls of government, nor the courtroom, nor the lecture hall, nor in its sublimely wild landscapes but on the battlefields of a divided nation.

—LINDA SMITH RHOADS