

Interpretation

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Forrest A. Nabors, *From Oligarchy to Republicanism: The Great Task of Reconstruction*. Columbia: University of Missouri Press, 2017, 399 + xix pp., \$45.

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Americans remain deeply divided about the meaning of the Civil War and Reconstruction, as recent controversies over the removal of Confederate monuments have made clear. When citizens perceive that a matter of justice is at issue, their passions are likely to be aroused. Scholars are citizens too, but they serve their country better by keeping their passions under control. *From Oligarchy to Republicanism* has the great merit of not allowing engagement with issues in the present day to influence its view of the past. The view it defends, however, cannot be called dispassionate.

Forrest Nabors asserts his independence from prevailing schools of scholarship on the Civil War and Reconstruction by a bold claim: his research has uncovered the lost philosophical and historiographical “key” to the meaning of the war and its aftermath. That key is political. The antebellum South, Nabors argues, was an oligarchy that had come to reject the principles of republicanism on which the United States was founded. Slavery was the outstanding feature of the southern oligarchy, but this institution must be considered within the broader context of its regime. The Civil War was a conflict between regimes that could not coexist within the same federal union. The task of Reconstruction was “regime change” (36)—the reestablishment of republican government in the seceded states. One cannot understand the magnitude of this task without understanding what happened in those states in the decades preceding the outbreak of war. Nor, he thinks, can one understand the troubled history of race relations in the South after the war

without understanding the shadow that the oligarchy continued to cast over that region.

Nabors borrows the “key” expression from an article that appeared in the *New York Times* in March 1865 (quoted on 283). The Republicans who controlled Congress agreed with the writer for the *Times* in viewing oligarchy as the key to the rebellion. Nabors goes on to explain its subsequent loss (290–91). “The reason that the key has never since been recovered and seriously applied to studies of the progress and outcome of Reconstruction was because...scholars became consumed by the most salient moral question that remained...The scholars became engaged in the battles of civil rights and injected themselves into unfolding political history, while retelling past history in terms of the fundamental moral question with which they were engaged.” Or, as he puts it in another place (293), “Because scholarship has played a role in the battles for civil rights, it has been difficult to maintain philosophical distance.” The scholars of Reconstruction became partisans. Nabors’s explanation is persuasive, but it raises the question whether he has succeeded better than those scholars in maintaining philosophical distance from his subject matter. After years of a costly war they blamed on the South—some of them lost their own sons in it—the Republican legislators were not likely to be models of impartiality, and it is their interpretation of the war that Nabors has adopted.

The book is divided into two main parts. Part 1 draws exclusively from the speeches and writings of the members of the Republican Party who served in the Senate and House of Representatives between 1863 and 1869. It demonstrates convincingly that the Republicans in Congress during this time possessed a coherent, well-elaborated, and historically and philosophically well-grounded understanding of the slave states as constituting an oligarchic regime. Nabors “allows the Republicans to speak for themselves without mediation or interference,” because “for many decades their full case has been advanced weakly” (24). Part 2 presents evidence from other sources that supports this case. Nabors acknowledges that he has not given consideration to the arguments in favor of rule by the few. The limits he has set for his study are reasonable in view of the sources that he had to draw on in order to contextualize, present, and then evaluate the Republican case—a truly amazing number. But his plan has an unacknowledged drawback: he is unable to consider whether the view of congressional Republicans was shared by President Lincoln. Coherent and well-grounded though it was, their case was not unassailable.

A search of Lincoln's *Collected Works* reveals a single instance of his use of the word "oligarchy." In a speech in reply to Stephen Douglas (July 17, 1858), Lincoln read from a letter by Thomas Jefferson that contains the word, but not in reference to the wealthy owners of slaves. Rather, "the power claimed for the Supreme Court by Judge Douglas, Mr. Jefferson holds, would reduce us to the despotism of an oligarchy." Republicans in Congress also spoke of the South as an "aristocracy." The *Collected Works* records a few instances when Lincoln used this word in reference to the South, but he does not appear to have developed an analysis of sectional differences based on it. At any event, there are deeper reasons for doubting that he fully shared the views of Republicans in Congress.

The constitutional warrant for the Republicans' reconstruction effort is found in Article IV, section 4: "The United States shall guarantee to every State in this Union a Republican Form of Government." The Republicans had to prove that the state governments of the South had departed from republican government within the meaning of this clause. This is harder to do than the Republicans may have acknowledged. These governments presented many republican features, and their most obvious antirepublican feature, the legal institution of slavery, was not new.

Nabors devotes special attention to a speech by one very prominent Republican, Senator Charles Sumner of Massachusetts, that was delivered over two days in February 1866. Reaction to the speech is "proof of Republican agreement that the slave South had developed in an oligarchic direction and had deviated from the plan of the American founders" (106). Sumner identified two necessary elements in republican government as understood by the founders: natural rights and consent. But, to judge from Nabors's presentation of the speech, Sumner seems not to have noticed that there is a tension between these elements. There was a danger that the Republicans in Congress would disregard the requirement for consent in their own effort to reestablish governments based on natural rights in the South. Sumner argued that the guarantee clause authorized Congress to extend voting rights by statute in the defeated states; there was no need to pass a constitutional amendment for this purpose. According to Nabors, Sumner's Republican colleagues agreed with this interpretation of the clause, but they pointed out that an amendment offered more lasting protection for voting rights. If their interpretation of the guarantee clause is correct, the Constitution authorized Congress, for the sake of defending republican government, to exercise an almost despotic authority over those states.

It is hard to see Lincoln concurring in such an interpretation. He had outlined his own plan for the reestablishment of loyal state governments in the South in his Proclamation of December 8, 1863. In that proclamation the president invoked the guarantee clause, but he did so for the purpose of *protecting* the new governments that he hoped would soon be formed. He went so far as to suggest “as not improper, that, in constructing a loyal State government in any State...the constitution [of the State], and the general code of laws, as before the rebellion, be maintained,” except with regard to slavery. It is true that the leaders of the rebellion, and anyone who refused to take an oath of loyalty to the Union, would be barred from participating in these efforts. Nevertheless, Lincoln’s plan makes little sense if he believed that southern institutions had been thoroughly tainted by the spirit of oligarchy.

Lincoln would later decline to approve a different plan that had the support of Republicans in Congress, the Wade–Davis bill. That bill’s sponsor in the Senate was Benjamin Wade of Ohio. As early as the debate over the Kansas–Nebraska bill in 1854, Wade had argued that a “final conflict” between the North and the South was inevitable because of the irreconcilability of their principles (192; the words in quotation marks are Nabors’s paraphrase). If one compares Wade’s response to the Kansas–Nebraska bill with Lincoln’s, one may find the seed of later disagreement between Congress and the executive branch over reconstruction policy. The view implied by Lincoln’s policy could be called “republican except”: he seems to have assumed that even wealthy southerners believed in republican government, *except* when it came to slavery. With slavery gone, the southern states could safely reassume their places in the Union.

From Oligarchy to Republicanism is a revelatory work in many respects. If it is as influential as it deserves to be, it will reorient the study of American political development toward questions of a more political-philosophical nature. But its readers may find that they are disturbed by a note of something like partisanship in its presentation of the Republicans’ case.