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Characteristics of Prebroadcast Debates in America

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Characteristics of Prebroadcast Debates in America

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Characteristics of Prebroadcast Debates in America

The American political system grew up with debate. Colonial assemblies debated revolution, the Constitutional Convention debated the Constitution, and Congress debated the law. These contests produced memorable speeches and launched political careers. But debate was more than a political tool in early America; it was also a means of educating the young, honing professional skills, demonstrating personal worth, and enlightening the citizenry. These different purposes, overlapping in some respects and conflicting in others, combined to form the debate traditions of the early national period and some of the expectations that remain today.

Because training in debate was thought to produce sound habits of mind, skillful debating was taken as a sign of breeding and talent. From the colleges, legal moots, and lyceums, citizens carried the lessons of forensic education into political practice. Debate would not only teach the young, but guide the decisions of the nation as well.

Education

Though education in debate began as a university activity, available to very few colonists, it soon spread into a means of professional training. Educational societies held debates and encouraged the participation of every class of citizen. Debate was seen as a means of social advancement and a bulwark for independent thinking.

Academic and Civic Training

From the Latin disputations of the great British universities, Americans inherited debate as a means of training young scholars. In these disputations, students defended opposite sides of a question in syllogisms phrased in Latin. The result was undeniably elegant, but extremely formal and ill-suited to the rough-and-tumble life in the American colonies. Nevertheless, by the 1650s, most colonial colleges required the disputations, which were seen as the best way to pursue all three legs of the Roman trivium—rhetoric, logic, and grammar—in a single exercise. Competence in the disputations signaled a student's readiness to move on to more esoteric studies and ensure that these too could be presented in an arcane form unique to academe.

Beginning about 1750, colonial educators introduced more flexible forms of argumentation, in English.¹ At first, these complemented the disputations. The comparatively colloquial language and the emphasis on issues of the day generated enthusiasm for debating in the colonial colleges. Students pursued debates in the curriculum and in extracurricular clubs. The practice lasted well beyond the Revolution, and can still be found on many college campuses.

Curricular debates usually were supervised by a faculty member. When Thomas Jefferson was a student, George Wythe oversaw the debates at William and Mary. In addition to Jefferson, Wythe trained Henry Clay and John Marshall.² Yale's President Timothy Dwight published a book devoted entirely to comments on issues debated by the senior class in the 1813–14 academic year.³ Though Dwight did not treat all the debates in precisely the same way, his standard practice was to offer some practical suggestions for the students on each side and then launch into a discussion of the main question with little reference to what the debaters may have said. All in all, the senior class held forty disputes between November 2 and April 20, a little more than six debates per month. Topics ranged from government ("Is Party spirit beneficial?" January 5, 1814), to education ("Ought emulation to be encouraged in schools?" February 5, 1814), to the supernatural ("Do spectres appear?" March 23, 1814). The president's decisions were written in a broadly instructive tone, emphasizing relevant literature and the importance of moral choice.

But the debates served as more than a forum for moral improve-

ment. In the case of the lighter topics particularly, the debating societies were also a form of entertainment. In 1795, Harvard's Hasty Pudding Club debated the breach of promise in the case of *Dido v. Aeneas*.⁴ Extracurricular societies were often run by the students without faculty assistance. John Quincy Adams participated in two such groups during his sojourn at Harvard. He must have enjoyed himself; complaining that he was too sick to attend the lectures of the day on November 12, 1786, he somehow managed to make a presentation that same evening.⁵

The comparatively limited goals of the disputations were radically expanded in the more open forensic form. Debate became known as the best way to develop the character and skills required of the citizens of a republic. As with the formal disputations, the conviction that debate and democracy are conjoined had its beginnings in England, appearing most often in pleas for the study of eloquence. Thomas Sheridan's *Course of Lectures on Elocution and the English Language* emphasized the many opportunities to put oratorical skills to good use. Sheridan was aghast that the English schools paid so little attention to the development of skills in the students' native tongue, saying that "the English are the only civilized people, either of ancient or modern times, who neglected to cultivate their language, or to methodize it in such a way, as that the knowledge of it might be regularly acquired."⁶

These neglects are the more astonishing, because, upon examination, it will appear, that there neither is, nor ever was a nation upon earth, to the flourishing state of whose constitutional government, such studies were so absolutely necessary. Since it must be obvious to the slightest enquirer, that the support of our establishment, both ecclesiastical and civil, in their due vigour, must in a great measure depend upon the powers of elocution in public debates, or other oratorical performances, displayed in the pulpit, the senate-house, or at the bar.⁷

Americans were willing to buy the argument outright in all respects save geography. For them, the United States—not England—was the nation where such skills were most necessary. In his inaugural lecture for the Boylston Chair of Rhetoric at Harvard, John Quincy Adams reminded his audience of the power and responsibility enjoyed by the eloquent in a "pure" republic. "Under governments purely republican, where every citizen has a deep interest in the affairs of the nation, and, in some form of public assembly or other, has the means of delivering his opinions, and of communi-

cating his sentiments by speech; where government itself has no aims but those of persuasion; where prejudice has not acquired an uncontrolled ascendancy, and faction is yet confined within the barriers of peace, the voice of eloquence will not be heard in vain."⁸ Adams' father also linked oratorical skill with personal success. "Eloquence will become the instrument for recommending men to their fellow citizens, and the principal means of advancement through the various ranks and offices of society."⁹

Private organizations encouraged the development of the skills that offered mastery and not a little mystery. New York's Forum was one such organization operating in the early nineteenth century. I. P. C. Sampson, the outgoing president, eulogized the speaker as a god.

In the senate, eloquence assumes a graver aspect . . . when he rises in the midnight debate, every eye is fixed, every ear listens. Wearied attention fastens on his words. By degrees, attention becomes astonishment, astonishment conviction. His hearers wonder at their former doubts; till, as he rises to the meridian of his eloquence, they lose themselves in transport and enthusiasm. . . . His eloquence is not the display of sentiment . . . his true character is force, and he delights to exert it; like the tempest, swelling and rising with the roar of the chafed element.¹⁰

These sentiments held firm throughout the nineteenth century. Touting the values of a debating society for young men in 1890, Charles Cuthbert Hall continued the virtual deification of the debater. "There is something truly magnificent in the caution, quickness, prowess and pluck of a good debater. His eye flashes with mental fire; his face is radiant with the play of ideas; his muscles are tense with their grasp of the theme; he wrestles not with flesh and blood, but with principalities and powers of the human intellect. Is there a nobler sport for men, the highest of all God's creatures?"¹¹

Beyond developing great orators debate was thought to benefit the common folk. Hall prized debate as an "antidote to dogmatism of newspapers, the crowded mode of living [and] the subtle power of personal prejudice."¹² At the grass-roots level, debate was valued as the guarantor of the "sacred right of private judgment." Thus, on the one hand, debate was a means of improving the quality of decision making, and, on the other, a means by which, theoretically, all opinions could gain some standing in the community.

The notion that debate provided access to the political life of

the nation bore important implications for an expanding democracy. If popular wisdom lodged power with the debater and all citizens could debate, then meaningful social power was available to all members of the society; the individual's only choice was whether to develop and use the skill. Debate did not have to function perfectly as a powerful social leveler. There were enough reputations founded on debate to characterize it as an important instigator of social change. Making use of this avenue for empowerment required would-be advocates to adapt to some of the more conservative conventions of the day. Debaters submitted to an authority governing most aspects of the activity, from order of procedure and speaking time to rendering a decision. Rather than threatening the system, debate helps to conserve it.

Outside the schools, people from all walks of life flocked to the speaking and debating societies that grew up in tandem with the citizen education societies known as lyceums. By 1831, more than one thousand lyceums dotted the landscape.¹³ The Boston Lyceum, one of the oldest and most active organizations in the nation, offered regular classes in debate.¹⁴ Through the 1840s, the Concord and Manchester lyceums were organized almost entirely around debates.¹⁵ Walt Whitman served as secretary for the Smithtown Debating Society in 1837 and 1838. Two years before his death, Thomas Jefferson wrote an approving letter to the organizer of a Massachusetts debating society founded in his name.

I have duly received your favor of the 6th instant, informing me of the institution of a debating society in Hingham, composed of adherents to the republican principles of the Revolution; and I am justly sensible of the honor done my name by associating it with the title of the society. The object of the society is laudable, and in a republican nation, whose citizens are to be led by reason and persuasion, and not by force, the art of reasoning becomes of first importance.¹⁶

The distinction between the lyceum and the debating society was a useful one in the early nineteenth century. Historian Carl Bode reports that most lyceum constitutions forbade the introduction of overtly political topics; the debating society was a natural recipient of the political overflow.¹⁷ In practice, by the end of the nineteenth century, lyceums hosted a number of controversial speakers whose presence if not their presentations excited partisan reaction. Despite the strictures on political debate written into lyceum bylaws, political topics found their way into programs during the antebellum

period as well. Politicians such as Lewis Cass and abolitionists such as Frederick Douglass were regular speakers on the lyceum circuit. Lyceum meetings often centered on questions of political economy that bore direct implications for partisan politics. For instance, in 1850, the Glasgow Lyceum met to consider whether “the signs of the times indicate a dissolution of the present Political Parties.”¹⁸

Whatever the explicit political content, the lyceums were popular and influential. Members dedicated themselves to “mutual education,” teaching and being taught through joint participation in a series of discussions and lectures. The meetings were geared for self-improvement, but served as entertainment also, the nineteenth century’s version of public broadcasting. In some rural areas, the lyceum or debating society was the only legal public entertainment.

The societies dovetailed neatly with the capabilities and prejudices of the young nation. With self-improvement as a stated goal, they fit comfortably within the reformist enthusiasms of antebellum society. The opportunity for universal involvement was consistent with a government “of the people, by the people, and for the people.”

Youngsters were raised on the examples of the great debates. In addition to the desktop “readers” and “spellers,” most students were given a “speaker,” brimming with selections from America’s great speeches. By the latter half of the nineteenth century, popular texts included the *Young America Speaker*, the *Young Folks Speaker*, and McGuffey’s *New Juvenile Speaker*. In these volumes and in the readers, students were introduced to American oratory with the William Wirt version of Patrick Henry’s speech on the Stamp Act and Webster’s reply to Hayne.¹⁹ The speeches were memorized and delivered in class as part of regular lessons. From an early age, children were taught the majesty of debate and edified with tales of the success of those who debated well. Advanced students might go on to James McElligott’s *The American Debater*, an early text on debate technique. McElligott stressed the unique importance of debate to an American citizen. In language similar to Adams’ or Hall’s, he extolled debate as a duty of citizenship that held the promise of greatness for everyone. “The occasions for the use of deliberative eloquence are now more numerous and important than they ever have been in any previous age of the world. Wherever the will of the people is the law of the land, wherever republican principles prevail to any considerable extent, there deliberative assemblies must often be convened.”²⁰

Legal Training

Many of America's politicians began their professional lives as attorneys and were schooled in face-to-face advocacy in this role. The country's legal tradition has always been adversarial, based on the assumption that justice is most likely to occur when plaintiff and respondent present the strongest possible cases before a neutral judge and jury. A vote for the winning argument provides the best means of ensuring justice. "We believe that truth is apt to emerge from this crucible," said attorney Joseph N. Welch, counsel for the Army during the Army-McCarthy hearings. "It usually does."²¹

Legal-debating societies involved prominent citizens in colonial America. John Jay was a member of two such organizations. In 1768, he participated in the plainly titled Debating Society of New York City. The members considered the debates "particularly valuable training for attorneys," but ranged over topics of interest beyond the bar. Accounts remain of the group's efforts to answer the question, "Was Virginius morally justified in putting his daughter, Virginia, to death to preserve her from violation by Appius?"²²

The Moot, an organization holding debates in New York from 1770-1775, was more tightly tied to legal questions, such as jurisdiction, the authority of lesser courts, and the proper wording for contracts.²³ Participants saw the Moot as a means of continuing their legal education and providing answers to questions important to the legal community. These were not school exercises, but adult activities taken seriously by the leading attorneys in New York. That they would take time away from their practices during such a volatile period is ample testimony to the value the profession attributed to debate skills.

Thomas Jefferson stressed the importance of debate to young attorneys. Writing in the same year he was admitted to the Virginia bar, Jefferson advised aspirants to find a "neighbor engaged in the same study, take each of you different sides of the same cause, and prepare pleadings according to the customs of the bar, where the plaintiff opens, the defendant answers, and the plaintiff replies."²⁴ He also recommended a study of the principles of rhetorical practice, citing particularly Hugh Blair's *Lectures on Rhetoric and Belles Lettres* (London, 1783) and Thomas Sheridan's *Course of Lectures on Elocution and the English Language* (London, 1759) as useful texts.

Success at the bar and the rostrum often coincided. Patrick Henry and John Adams were two of the more highly compensated lawyers in the colonies. Daniel Webster argued several famous cases before the Supreme Court and continued to draw a substantial income from his law practice well into his career in the Senate. On the other hand, Jefferson's legal career was comparatively inglorious. Admitted to the bar in 1767, he closed his practice in 1774. Biographer Merrill Peterson notes, kindly, that Jefferson "never achieved the celebrity of his folksy friend, Patrick Henry."²⁵ Some attribute his difficulties to problems in debate. "He had all the other qualifications; but his voice became guttural [*sic*] and inarticulate in moments of great excitement, and the consciousness of his infirmity prevented him from risking his reputation in debate."²⁶

Despite these problems, Jefferson remained convinced of the importance of debate. He advocated training in style as well as technical argumentation. Jefferson encouraged a style that would allow advocates to appeal directly to the common man. "State a moral case to a ploughman and a professor. The former will decide it as well, and often better than the latter, because he has not been led astray by artificial rules."²⁷ The third president considered verbal style one of the most important elements shaping the character of a legal career. In a letter to James Madison written in the last year of his life, Jefferson linked the study of law to the generation of political principle.

In the selection of our Law Professor, we must be rigorously attentive to political principles. You will recollect that before the Revolution, Coke Littleton was the universal elementary book of law students, and a sounder Whig never wrote, nor of profounder learning in the orthodox doctrines of the British Constitution, or in what were called English liberties. You remember also that our lawyers were then all Whigs. But when his black-letter text and uncouth but cunning learning got out of fashion, and the honeyed Mansfieldism of Blackstone became the student's hornbook, from that moment, that profession (the nursery of our Congress) began to slide into toryism, and nearly all the young brood of lawyers now are of that hue.²⁸

More than a refined sense of oratory, Jefferson's interest in style reflected his agrarian ideals and his concern that deliberation be directed toward the people. To involve the simple citizens, from whom he thought the best impulses in the nation would derive, style in law and politics had to remain plain.

The image of the lawyer as debater continued in a more or less

straight line from Patrick Henry in the eighteenth century to Daniel Webster in the nineteenth, Clarence Darrow in the twentieth, and Louis Nizer today. We have added the notion of the lawyer as carefully briefed technocrat, and were moving in that direction as early as the 1920s, but even this dimension of the profession assumes the kind of responsive argumentation that was once prosecuted orally and orally alone.²⁹ The importance of debate in law and the prominence of lawyers in the political system reinforce the procedural and personal impact of debate as an evaluative tool.

Politics

Educators' assertions that debates would be central to the political life of the American democracy were borne out in the eighteenth and nineteenth centuries. However, determining what the period of "great debates" might tell us about our modern practices is problematic. The first difficulty has to do with the forum. Most of the great debates were not campaign debates in any direct sense; they took place in deliberative bodies such as the Constitutional Convention, the colonial and state assemblies, and the Congress. The purposes and pressures of debating questions of policy in a body of peers differ rather dramatically from those confronting presidential candidates debating qualifications for office before an audience of voters. A second problem has to do with participants. Candidates at any level rarely debated one another directly in the prebroadcast era; presidential nominees never did. Finally, the culture was very different. In a world unaffected by the technology of electronic media and yet to undergo the ideological upheavals of the twentieth century, debates spoke to the sensibilities and conditions of a time that cannot easily be compared with ours.

The legacy of the great debates is nevertheless interesting for several reasons. Legislative debates were political arguments conducted under specific rules to gain an audience decision. They were prominent and closely attended; by the standards of the day, they were media events. The need to argue simultaneously before knowledgeable colleagues and the public remains an ongoing problem for debate. Presidential campaign debates involved battles by surrogates. The strengths and limitations of the surrogate tradition pose an illuminating counterpoint to contemporary candidate debates. A critical assessment of the way that debate worked then—in an age

more accustomed, through training and practice, to the rigors of traditional debate—can offer a better understanding of what might be possible.

The complexity and sheer number of legislative debates make a complete treatment impossible in this volume. We have opted instead to examine the characteristics most relevant to modern presidential debating. We will begin this section by describing the expectations and practices of legislative debate with an eye to the roles of character and argumentative style. A discussion of election debates follows.

Debates in Deliberative Assemblies

Debate satisfied a powerful social need for the new nation. The balanced, oppositional character of the government that emerged from the Constitutional Convention of 1787 expressed itself naturally in the give and take of policy debate. “The people were not an order organically tied together by their unity of interest but rather an agglomeration of hostile individuals coming together for their mutual benefit to construct a society,” argues historian Gordon Wood.³⁰ Such a system requires a way to express and resolve competition in a socially responsible fashion. Madison framed the problem in *The Federalist* #10 when he said that “The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government.”³¹ Debate provided a form readymade for the political arena. The Congress institutionalized the expression and resolution of sectional interests in the new nation. Provided that national leaders trusted one another as men of decency and honor, debate could serve as a direct expression of political differences within the context of a shared social and political commitment.

Central to the notion of resolving disputes in an orderly fashion was the use of faction against faction in an open forum. The founding fathers thought faction most mischievous when it was hidden, and debate is quintessentially public. However, “public” was thought by some to refer to the open exchange of opinions among equals, not the dissemination of those exchanges to common citizens. The difference is related to competing visions of democracy. Operating on the assumption that knowledge is a kind of power, those who defended disclosure effectively defended a broader political system.

The public character of argument became an issue in the debates over adoption of the Constitution.

The debates at the Constitutional Convention over the New Jersey and Virginia proposals for representation illustrate the delegates' use of debate to gain perspective and reach resolution. In these confrontations the delegates opted for lengthy examination of the plans in general session rather than solutions negotiated in committee "in order that a comparative estimate might be had of the two."³² The records of these debates are still sought for guidance on the framers' "original intent" for the new Constitution. James Madison, who took his role as recorder seriously, apparently intended the debates to serve as the measure of the wisdom of the delegates. Writing in the Preface to his *Notes of Debates in the Federal Convention of 1787*, he claimed that "of the ability and intelligence of those who composed the convention, the debates and proceedings may be a test; as the character of the work which was the offspring of their deliberations must be tested by the experience of the future."³³

That was not, however, the way they were treated at the time. The Constitutional Convention of 1787 that produced the U.S. Constitution was conducted behind closed doors, the records of its debates deposited in the custody of the president and kept from the people who were called on to ratify the document. In deciding to shield the debates from public view, the convention adopted the sentiments of Benjamin Franklin, who noted,

The opinions I have had of its errors, I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die. If every one of us in returning to our Constituents were to report the objections he has had to it, and endeavor to gain partizans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favor among foreign Nations as well as among ourselves, from our real or apparent unanimity.³⁴

The recordkeepers heeded Franklin's advice for more than fifty years; Madison's notes went unpublished until 1840. Some scholars feel that Madison did not publish them himself because he did not want his arguments for broad federal authority to be marshalled against his own later defenses of state sovereignty. Irving Brant believes that some of the alterations in the manuscript resulted from the fourth president's embarrassment over what he had actually said in the Constitutional Convention debates.³⁵

Those opposing ratification underscored the extent to which open deliberation was a shared premise of the infant government. Writing against adoption (October 11, 1787) by New York, George Clinton rebutted an advocate pseudonymously labeled Caesar saying, "He shuts the door of free deliberation and discussion, and declares that you must receive this government in manner and form as it is *proffered*."³⁶ Six days after Pennsylvania became the second state to ratify the Constitution, the anti-Federalists published their dissent. "The convention sat upward of four months. The doors were kept shut, and the members brought under the most solemn engagements of secrecy. Some of those who opposed their going so far beyond their powers, retired, hopeless, from the convention; others had the firmness to refuse signing the plan altogether; and many who did sign it, did it not as a system they wholly approved but as the best that could be then obtained; and notwithstanding the time spent on this subject, it is agreed on all hands to be a work of haste and accommodation."³⁷

After ratification, the spectre of the secret convention was raised by those advocating amending the Constitution, Melancton Smith of New York among them. Under the pseudonym "A Plebian," he claimed, "While it was agitated, the debates of the Convention were kept an impenetrable secret, and no opportunity was given for well-informed men to offer their sentiments upon the subject."³⁸ The subsequent deliberation revealed the faith in open public debate. "Since that, it has been the object of universal attention—it has been thought of by every reflecting man—been discussed in a public and private manner, in conversation and in print; its defects have been pointed out, and every objection to it stated; able advocates have written in its favor, and able opponents have written against it. And what is the result? It cannot be denied but that the general opinion is that it contains material errors and requires important amendments."

Abstract evaluation of the ideas expressed in the Constitution was an important, but insufficient test of its value. Debate, if not secret, offered an opportunity to assess the document in terms of personal commitments. In the eighteenth and nineteenth centuries, reputation was an important component of argument. By dichotomizing "image" and "issue," contemporary theorists have lost sight of the role that character can and has played in the assessment of claims. "Reflect," urged John Jay in support of the Constitution, "that the

present plan comes recommended to you by men and fellow citizens who have given you the highest proofs that men can give of their justice, their love for liberty and their country; of their prudence; of their application; and their talents. They tell you it is the best that they could form; and that in their opinion it is necessary to redeem you from those calamities which already begin to be heavy upon us all. You find that not only those men but others of similar characters, and of whom you have also had very ample experience, advise you to adopt it. . . . They perceive not those latent mischiefs in it, with which some double-sighted politicians endeavor to alarm you."³⁹ Character was marshalled on the other side as well. Speaking against ratification, Patrick Henry noted, "A number of characters of the greatest eminence in this country object to this government for its consolidating tendency. This is not imaginary. It is a formidable reality."⁴⁰

The debates that followed the constitutional disputes of the 1780s perpetuated the close linkage of character and claim. Advocates lent their own authority to their positions; debate was a means of comparing not only policy, but public persona as well. The great debaters, such as John Calhoun, Daniel Webster, Stephen Douglas, and others, spent a good deal of time preparing their arguments and placed great importance on the outcomes. The debates committed members to positions and established the parameters within which solutions negotiated in smaller groups would need to fit.

Some of the more important debate speeches became identified as definitive national positions. One of the nineteenth century's greatest debates began as a digression. A proposal to limit the sale of public lands and abolish the office of Surveyor General occasioned the wide-ranging deliberation on the Constitution, the Union, and the nature and scope of the powers of the federal government known as the Webster-Hayne Debate. Webster's Second Reply to Hayne, delivered January 26-27, 1830, "the most widely read and most influential utterance of its time," came to stand for the unionist position against the nullificationist challenge.⁴¹ James Madison claimed that the speech crushed nullification and "must everywhere hasten the abandonment of secession."⁴² The fame Webster achieved through this and other debates did not win him the presidency, nor did the debates ensure the success of his legislative agenda, but they were significant rallying points that established political alignments and elicited popular support. The Second Reply to Hayne,

for example, drove a wedge between western and southern Democrats over specific questions of public works and over more general concerns over patriotism and nationhood.

Although the growing split may not have given Webster the victories he sought, it was an important event in the political history of the nation. Webster's reply to Hayne was significant not only for the issues it addressed, but for the words he chose. Numerous advocates of nationhood had asserted the importance of the union. By couching the arguments in memorable rhetoric, Webster located the rationale for union in a popularly accessible form. Consider his argument for the supremacy of the people in the reported version of the Second Reply to Hayne.

Sir, whence is this supposed right derived of the State authorities to interfere with the action of this government? It has its foundation, in my opinion, in a total mistake of the origin of this government. I hold it to be a popular government coming from the people, created by the people, responsible to the people, capable of [being] amended and modified in such manner as the people may prescribe; just as popular, just as much emanating from the people as the State governments and there is no more authority in the State governments to interfere and arrest the action of any law of Congress because they think it unconstitutional, than Congress has to arrest the action of any law of any State because it is contrary to the Constitution of that State. Sir, I go the whole length. This Government has not dependence on the State governments. We the People of the United States made this Government. It is as pure an emanation of popular opinion as any State Government whatever. . . . This government came from the people, is responsible to them, and is an independent fruit of the popular [will?] How is it then that the State Governments have a right to interfere in the action of the government?⁴⁸

Tarred with aristocratic sentiments early in his career, Webster here offers a vision of popular democracy that both responds to Hayne's efforts to link northern Whigs with the Hartford Convention and coopts the populism of the secessionists. He bases his analysis on the Constitution, but bases the Constitution in turn on the will of the people. Democrats who suborn the will of the national government do not protect, but rather usurp, the rights of individual Americans. Coinciding as they did with the rapid expansion of popular democracy under Andrew Jackson, the arguments resonated not only with Webster's natural constituency in New England, but with swelling democratic feelings throughout the nation.

Turning quickly from the people to patriotism, he closed the speech with a personal pledge to nationhood.

I hope I may not see the standard raised of separate State rights, star against star, and stripe against stripe; but that the flag of the Union may keep its stars and its stripes corded and bound together in indissoluble ties. I hope I shall not see written, as its motto, *First Liberty*, and *then Union*. I hope I shall see no such delusive and deluted motto on the flag of that Country. I hope to see spread all over it, blazoned in letters of light and proudly floating over Land and Sea that other sentiment, dear to my heart, "*Union and Liberty, now and forever, one and inseparable.*"⁴⁴

By offering an opportunity to respond to personal charges in kind, debate permitted the identification of people with doctrines and framed personal testimony as a strong impetus to action. Webster could performatively negate the charges of elitism for himself and his party in the act of espousing his patriotic alternatives. The image of the maligned patriot aroused on behalf of his country grasped attention at the level of personality as well as issue. Cultural historian Daniel Boorstin notes the importance of such riveting moments in the development of national character. "The brevity of the American tradition and the scarcity of sacred political texts gave the Great Debates (Webster–Hayne, Lincoln–Douglas, etc.) a peculiar role in helping the nation publicly discover itself."⁴⁵

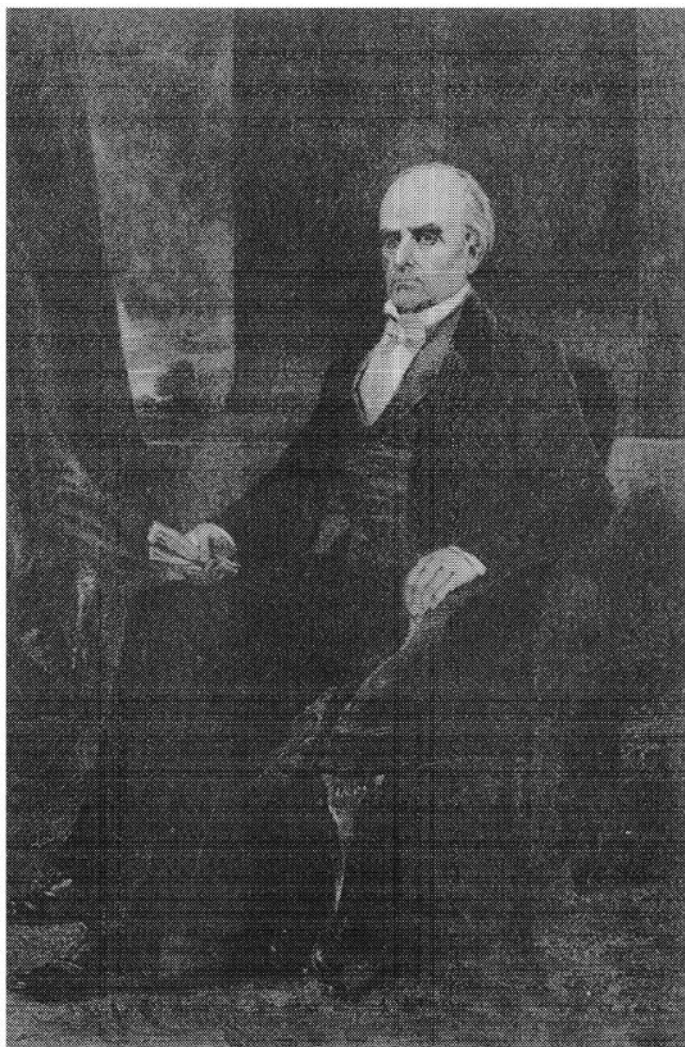
The role of debating changed substantially by the late nineteenth century; the dramatic expansion of the committee system backed more and more legislative work off the floors of the House and Senate into smaller rooms lacking galleries, size, and formality.⁴⁶ With much of the legislative burden undertaken in committee, there was less opportunity to attempt to persuade the larger bodies of the Congress in floor debate. The volume of work moved into committee between 1820 and 1905 is reflected in the rising number of committees. In 1821, there were thirty-eight standing committees in the Congress. In 1836, that number had risen to forty-nine. There were one hundred six standing committees in 1895, and one hundred fifteen by 1903.⁴⁷ Debate remained important even as the committee system grew, but its character changed. Legislative harangues outside the explicitly elective context were less well publicized. The smaller and more specialized audiences encouraged a kind of Capitol Hill argot that was not as accessible as the more self-consciously public language of debates in the antebellum period.

Woodrow Wilson believed that the committee system demeaned



ROBERT HAYNE

the deliberative process. Writing in *Congressional Government* near the turn of the century he condemned the tendency of the houses of Congress to rubber-stamp committee recommendations without careful debate.⁴⁸ Nor did the deliberations within the standing committees satisfy him. "They have about them none of the searching, critical, illuminating character of the higher order of parliamentary debate, in which men are pitted against each other as equals, and urged to sharp contest and masterful strife by the inspiration of political principle and personal ambition, through the rivalry of parties and the competition of policies." In the committees Wilson found "a joust between antagonist interests." Without the general melee of the full legislature, these could not be brought around to serve the will of the people. Wilson's regret for the loss of a style in which "men are pitted against each other" reflects the shift from a highly individualistic, personalized conception of debate to a more technical means of doing business. Whether the product of workload or zeitgeist, the burgeoning committee system



DANIEL WEBSTER

Daniel Webster turned a debate on western lands into the definitive case for union. His Second Reply to Hayne became the most widely read political document of its time.

was largely responsible for shifting high profile personality struggles from the rostrum to the backroom.

Election Debates

Beyond the strictly deliberative applications of argumentation, debate has been an important element of elections in America from 1788 through the twentieth century. That is not to say, however, that the earliest election debates looked very much like our own. Presidential candidates did not campaign for the office in person until late in the nineteenth century. Even Winfield Scott's single speech defending himself against opponents' accusations in 1840 occasioned a fuss over propriety. Not until William Jennings Bryan assumed a high profile in his 1896 race against McKinley did a presidential candidate campaign in a way we would recognize today.

The Lincoln–Douglas debates in 1858 were the most famous of the candidate election debates, but they were certainly not the first. James Madison and James Monroe debated in pursuit of a House seat from Virginia in 1788. Madison undertook his debating responsibilities reluctantly, writing to Thomas Jefferson that “The trip [to campaign in Virginia] is in itself very disagreeable, both on account of its electioneering appearance and the sacrifice of the winter.”⁴⁹ Madison and Monroe stumped together across Orange, Spotsylvania, Louisa, Culpeper, and Albemarle counties, debating face to face at each stop. Madison later conceded that the effort proved worthwhile. “I am persuaded, however, that my appearance in the district was . . . necessary. In truth, it has been evinced by the experiment that my absence would have left a room for the calumnies of anti-federal partizans, which would have defeated much better pretensions than mine.”⁵⁰ Twelve years later, presidential candidate Thomas Jefferson was able to leave the stumping to others. The *Virginia Argus* reported “A meeting of candidates for electors of the President and Vice President of the United States . . . for the purpose of haranguing the people of the county.”⁵¹

Debate remained an important element of campaigning throughout the nineteenth century. William Jennings Bryan's first campaign for the House revolved around “a series of joint debates with his Republican opponent.”⁵² Some observers attribute his nomination at the 1896 Democratic national convention to his debating skills.

Ben Tillman of South Carolina had been engaged in a vigorous debate with Senators Hill and Vilas and former Governor Russell over the currency plank of the party platform. Arranging to be heard last, Bryan delivered his well-practiced "Cross of Gold" speech. A tremendous demonstration followed the speech. One observer claimed that the moment "was an emotional high that was remembered, like hearing Patti or Jenny Lind," the popular singers of the nineteenth century.⁵³

In focusing attention during this period in American politics on the "boom"—the rowdy, shouting support for favored candidates—observers such as Ostrogorski have neglected the role of debates in the elections of the late nineteenth century.⁵⁴ Bryan's clever use of the debate format to display his skills favorably in direct and compelling contrast with more established party members allowed him to be taken seriously in a way that he might not have been able to arrange through other means. The debate form allowed him to show the "Cross of Gold" speech to advantage in contest with an opponent, a display of the sort of skill, knowledge, and leadership expected of a president.

More common than direct candidate debates in the nineteenth century was the practice of surrogate debating, a phenomenon important in presidential elections. Numerous election debates were conducted by surrogates acting on behalf of the major party candidates. These stand-ins were often prominent, talented members of the Congress or major political figures in their respective states. Former presidential aspirants Clay and Webster also stumped for the Whig candidates. In the election of 1836, two obscure Illinois politicians joined the fray when Abraham Lincoln, representing the Whigs, debated Democrat John I. Calhoun in Illinois. Lincoln debated Calhoun again in 1840 and 1844. Contemporary newspaper accounts followed the give and take of the debate closely. On March 18, 1844, the *Sangamo Journal* reported that "Though Mr. Calhoun triumphantly established the first proposition, yet Mr. Lincoln had the hardihood to assert that [the cost of the tariff] might *probably* fall upon the manufacturer, after Mr. Calhoun had shown that it positively fell upon the consumer. . . . Mr. Lincoln very candidly acknowledged his inability to prove that the tariff had anything to do with the *late* low prices throughout this country and Europe."⁵⁵ The surrogate debates illustrated the influence of party politics of the time. Barred by custom from campaigning on his

own behalf, a presidential candidate could not be elected without the efforts of the party stalwarts stumping the land. This had the dual effect of binding established candidates to the party platform and giving younger politicians national exposure.

Surrogate debaters often raised character questions, charging that their opponents were all style and no substance. Stand-ins who were not yet prominent members of the national party engaged freely in personal attack. When Democrats blamed the Whigs for hanging on to Taylor's "military coattails," Lincoln responded on the floor of the House of Representatives. "Your campaign papers have constantly been 'Old Hickories' with rude likenesses of the old general upon them; hickory poles and hickory brooms, your never-ending emblems; Mr. Polk himself was 'Young Hickory' 'Little Hickory' or something so; and even now, your campaign paper here, is proclaiming that Cass and Butler are of the true 'Hickory Strips.' No, sir, you dare not give it up."⁵⁶

Party leaders thought the proxy arguments extremely important, and paid close attention to their opponents' claims. This was true even of House and Senate races, in which candidates campaigned personally. Concerned about the vigorous assaults on his candidacy and his ticket in the Illinois elections of 1858, Stephen Douglas insisted on the importance of help on the hustings. In a letter to Charleston's Postmaster, Jacob I. Brown, Douglas wrote, "It is important that Gen. Linder should take the stump immediately, and the 'genteel thing' will be done with him. Tell him to [meet?] me at my first appointment, wherever it may be, after his return from Indiana, prepared to take the stump from that time until the election. . . . The Democrats are thoroughly aroused, and well united, and a glorious triumph awaits us as certain as the day of election comes. Yet our friends should not be idle but should put forth effort that will overcome those that are made against us."⁵⁷ This letter highlights the role of stand-ins even in nonpresidential races. Despite ample opportunities to debate Abraham Lincoln face to face in 1858, Douglas thought that surrogate activity was essential to his own candidacy and the overall success of the Democratic party in Illinois. The use of surrogates in such a contest shows that the pressure for surrogacy went beyond efforts to protect the delicate sensibilities of those who campaigned for the presidency in the early national period.

The publication of responses and selections from debate speeches

served as an important adjunct to political campaigning. Though not debates in the strict sense, campaign publications were often rendered as if they were, serving to extend the influence of the form. Like the face-to-face arguments, these print debates were invested with a sense of order and propriety. When in the summer of 1788 Andrew Brown revived his paper, the *Federal Gazette*, the inaugural issue of October 1 contained an anonymous letter from "A Friend to the Union." The Friend, later identified as Benjamin Rush, articulated a basic premise regarding fair conduct in print debates: Both sides should have access to the same audience. "If a printer offends you, attack him in your paper, because he can defend himself with the same weapons with which you wound him. Type against type is fair play; but to attack a man who has no types nor printing press, or who does not know anything about the manual of using them, is cowardly in the highest degree. If you had been in twenty Bunker Hill battles instead of one, and had fought forty duels into (sic) the bargain, and were afterwards to revenge an affront upon a man who was not a printer in your newspaper, I would not believe that you possessed a particle of true courage."

Summary

In the classroom and the Congress, the lyceum and the legislature, debate proved the mettle of policies and persons. In politics, debating reveals problem-solving abilities, habits of mind, and electoral appeal. The prominent debaters of the early national period were powerful members of their parties whose arguments digested the legislative battles of their time. Their cases were delivered on the floors of the House and Senate as well as in newspapers and town meeting halls. The wide reach of the debate form and its importance in capturing the voters catapulted talented young surrogates to national attention. Besides revealing the power of a set of ideas, the information gained from the debates allowed voters to judge the worth of those who would one day seek elective office. Public access to debate extended the sense of citizen engagement in the affairs of the democracy.

Debate served well in some respects, poorly in others. Though well adapted to deliberating questions of policy, the quality of debate often suffered when turned to purposes beyond assessing the

merits of a proposition. Debate improved the character of discussion on some important issues during the early days of the American republic, but it did not salvage wisdom from rancor or produce a clear answer to every difficult question. In Chapters 2 and 3, we will examine the benefits and pitfalls of debate as it was practiced in the prebroadcast era.