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The Effect of Mobs Upon the Majority: A Case Study of Illinois History

Anne Peterson

When Alexis De Tocqueville, in his essay *The Omnipotence of the Majority in the U.S. and its Effects* writes that “[T]here is no freedom of spirit in America,” (Tocqueville 257) he was in a sense repudiating America’s nationalistic creed. What happened to the Spirit of 1776? America was created with a good measure of pluck and inventiveness. How could a nation that was molded and shaped by the enterprising hands of Thomas Jefferson, John Adams, and James Madison fail to foster a respect for independent thought within its citizens when their government was rooted in equality and liberty—the two fundamental agents of democracy?

Ironically, both Tocqueville and Thomas Ford, Governor of Illinois from 1842-1846, argue that individualism and free thinking are not guaranteed by the Constitution even to the citizens who are bound to adhere to it, because of the inevitable strength and authority of majority opinion. From his observations of mob activity in Alton and Carthage, Illinois, Ford deduced that when “the general sentiment is in favor of martial law . . . these are fearful evidences of falling away from the true principles of liberty” (Ford 331). Both Tocqueville and Ford wrote that the tyranny of the majority exists when the judicious processes and outcomes that are based upon the Constitution are disregarded by the legislative branch of the government or by the citizens.

Ford and Tocqueville, however, cannot fully explain how minority groups such as the one led by Reverend Elijah Lovejoy persuaded the majority of citizens to advocate mob riots. Nor do they explain why Joseph and Hyrum Smith, the founders of the Mormon religion, were murdered by a mob that stormed their jail cells in the Carthage County Jail as they awaited trial. What their analysis lacks is the understanding that mobocracy, the primary factor which led to the deaths of Lovejoy and the Smiths, is not repre-

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sentative of majority opinion. I will argue that the tyranny of the
majority is more latent; it does not expose itself in violent forms: It
subverts the balances of justice in each county through the constitu-
tional law of the land, which will further its ends more than vio-
lence. This isn't to argue that Ford and Toqueville have nothing to
add to the debate. As the site and substance of majority/minority
conflict changes, Tocqueville and Ford's arguments can be made
more or less applicable. For example, the North publicly
denounced the South's exploitation of slaves as their primary labor
force. Had Lovejoy printed his abolitionist paper in the North, he
would not have met with the same response as he encountered in
Alton. The Smiths had built a Mormon community that shared a
complete consensus on all issues. Their greatest obstacles came
from people outside of their sphere, namely the people of
Carthage.

Ford's theory on how the tyranny of the majority thrives is
based on the lack of law enforcement and intelligent, ethical politi-
cians that are willing to stand up to prevent mobocracy. The
politicians that are elected to serve the majority become the puppets
to the interest groups and people who aided their election to office.
They tug at the politicians' strings, rendering them useless to initi-
ate or support policies which may contradict the position of the
interest group. County leaders incite the tyranny of the majority
when they form cliques to control the eminent political offices.
Moreover, the checks and balances of government slow the wheels
of justice to the point where people no longer want to subscribe
voluntarily to the laws of the land. Ford writes that the principal
strength of democratic government is that "[I]n free countries . . .
the mass of the people do not need government at all. Each man
governs himself and, if need be, assists to govern his neighbor.

Religious principles and feelings incline to justice. Industry inclines to peace” (Ford 39). Mobocracy, therefore, would not be the authority of choice for a community which was founded on the peaceful principles of Locke and Jefferson.

Yet communities in Illinois, Ford argues, are centered around a set of governmental, social, and religious systems advocated by the majority. If a minority candidly and openly espouses a different paradigm of government, this is oftentimes perceived as a threat to the majority. Such beliefs can upset the natural balance of the majority and incite them to quell the minority’s message through unconstitutional laws or violence.

Some of Ford’s statements are echoed by Tocqueville. Tyranny of the majority, in Tocqueville’s estimation, coalesced around “the absolute sovereignty of the will of the majority” and is administered to the public via public opinion, the moral authority of the majority. Those who are a part of the majority believe that “there is more enlightenment and wisdom in a numerous assembly than in a single man” (Tocqueville 247) and consequently each individual, even if they are unabashedly dumb or prejudiced, is assessed to have an equal measure of idea and foresight as their neighbor. The advancement of the minority’s opinions, therefore, can easily be quelled by the majority’s control on government and public opinion, thus circumventing the development and natural progression of ideas and thoughts of the time.

Individuals cherish their equality more so than their liberty because it gives the common man a “host of small enjoyments” (Tocqueville 505) and it will endure forever, unlike liberty, which is easily lost and neglected. The omnipotence of the majority plies its craft upon the people in a subtle manner; “No longer does the master say ‘think like me or die.’ He does say: ‘You are free to not to

think as I do; you can keep your life and property and all; but from this day you are a stranger among us . . .” (Tocqueville 255). The full potential of the majority’s authority eluded America because the weakly developed democratic state has in turn created citizens who are “independent and weak.” In order to do anything for themselves, they must band together to pursue their self interests. However, when the love of equality starts to spread out among the people, they do not see their own destiny tied to their neighbors.

Perhaps that is why when Reverend Lovejoy, a Presbyterian minister who came to Alton to establish a religious newspaper, could only perceive that he was exercising his rights and did not consider the effects of his message in the small town in southern Illinois. When the citizens of Alton threw his printing press in the river, Lovejoy presumed that the people of Alton had misconceived his intention, as he was not an abolitionist, but rather opposed to slavery. Lovejoy, it is assumed, promised that he would not continue the inflammatory anti-slavery slant in his newspaper. Yet when Lovejoy went back on his word, the people of Alton tried to peacefully persuade Lovejoy to return to his original promise. Lovejoy would not budge, thus setting the stage for two conflicting interests to either tolerate one another or fight for the viability of their rights.

Men could not endure such an outrage. I do not apologize for mobs, all of which I would crush forever in every part of this free country. But no language can be loaded with sufficient severity for the fanatical leaders, who, by their violence, by their utter disregard for honest prejudices drove a peaceful community to a temporary insanity and to the commission of enormous crimes. (Ford 23)

Where Lovejoy went wrong, according to Ford, is that his actions

threatened the established and accepted public opinion of the majority and in turn impelled the majority to stop Lovejoy's expression of ethical disagreement with the majority's established system of conducting their society. "In [this] case, as in every other where large bodies of the people are associated to accomplish with force an unlawful but popular object, [i.e. mobocracy] the government is powerless against such combinations" (Ford 42). It is difficult, however, to understand how a Reverend's choice to publish an abolitionist paper, which was protected under the Constitution, drove law abiding citizens to "a temporary insanity and commission of enormous crimes" to accomplish their point. Ford appears to imply that it was the majority's consensus that Lovejoy be killed in the heat of the moment.

Yet he continues to write that a public meeting was called to "peacefully persuade" Lovejoy to recant his abolitionist articles in his newspaper and that when the situation degenerated to the point that a mob was threatening the abolitionists who were stationed to protect their printing press, "armed men everywhere came rushing to the scene of action. Some were urging the mob and others sought to ally the tumult" (Ford 30). How then, can it be assumed that the mob's actions were indicative of majority opinion? Although there was definitely not a consensus within the majority to implement violence against the Reverend, Ford still insists upon counting everyone at the scene as part of the anti-Lovejoy mob.

Moreover, Ford's analysis of the event at Alton directly contradicts Tocqueville's argument that the majority no longer has to murder the minority to uphold their interests and instead utilizes public opinion to civilly persuade the individual, as well as politicians, to pass laws that support the majority's position. Perhaps then, the conclusion that should be drawn from the events at Alton

is that the tyranny of the majority began and ended with throwing Lovejoy's press in the river, calling a public meeting to persuade Lovejoy to stop circulating his newspaper, and ostracizing him from the community. Violence was not an option exercised with majority consent.

There is a very strong and logical reason why violence is not the tool used to implement the majority's will. As Tocqueville states, the individuals who comprise the majority on one issue change on a different issue. People belong to both the majority and the minority when a myriad of issues are considered instead of only one, like the anti-slavery issue. If an individual's ally participates in the slaughter of the minority over one issue, how could anyone ever survive as a member of any minority by promoting their individualism and self interests in associations that might possibly contradict the position of the majority?

Yet people do continue to place themselves in the minority in some issues. Because of this dilemma, the majority of people know that it is better to manipulate the laws of government and aspire for their interests to someday represent the majority than to advocate and participate in violent measures in order for their interests to prevail. Although Ford and Tocqueville purport that the majority does not have to control the minority with direct force, the Lovejoy situation starkly shows how the majority will, in fact, submit to violent factions (yet another minority) because they know that a bullet and a torch deliver their message with greater impulse and caprice than the peaceful and persevering art of persuasion.

The death of Joseph and Hyrum Smith in Carthage demonstrate the need to analyze minority and majority conflict from different perspectives in order to show the strengths and deficiencies of both Ford and Tocqueville's argument. When the citizens of

Carthage asked Ford to send out the militia to assist with the expulsion of the Mormons, he adduced that the mayor, Joseph Smith, and the municipal court had acted in an illegal manner that was independent of the State government. Smith was accused of circumventing justice by discharging individuals accused of high crimes, condoning larceny and robbery, and denouncing the U.S. government as corrupt and claiming that it was to be replaced by the government of God. Despite all these accusations against the Mormon community,

The great cause of popular fury was that the Mormons at several preceding elections had cast their vote as a unit; thereby making the fact apparent that no one could aspire to the honors or offices of the country within the sphere of their influence without their approbation and votes. (Ford 173)

If Ford is assumed to be correct that this indeed was the bone of contention for the citizens of Carthage, the fact that the Mormons acted as a unit in governmental and religious matters allowed them to act as the majority in the small sphere of Carthage, Illinois. Hence Tocqueville is correct in describing how the majority uses the government to enact their policies. Although their government was unconstitutional and primarily the homespun of Joseph, every Mormon in the community subscribed to the same values. Ford goes on to say that the manner in which the Mormons voted was “unfortunate in practice” and was “a fruitful source of mobocracy” because the Mormons put their sense of peace in jeopardy by not voting to their individual preference.

It is true that the Mormons’ practices did incite the violence of a mob, but they did successfully establish a community that endorsed their politics and values, which is the goal of any majority.

The minority of anti-Mormons in Carthage decided that they had to draw from a wider context in order to find support for their desire to expel the Mormons from their town. They enlisted Ford and the militia, two political forces that could override the Mormon's authority in Carthage. Because Ford was convinced that the Mormon leaders had committed a crime in the destruction of an anti-Mormon press, he was determined to exert the whole force of the state and bring the Smiths to justice. He addressed his militia and in the attempt to prevent mobocracy, made them pledge that they would support the capture and trial of the Mormons in strictly legal measures. Yet again, as with Lovejoy, Joseph and Hyrum Smith were killed as they awaited trial on the charge that they aided in the destruction of the press.

Were the citizens of Carthage so afraid that justice would be swept under the rug by a Mormon court that they had to form a mob in order to kill the two leaders before the case ever got to trial? If this was so, their fears were unfounded because by the time Ford became involved in extricating justice regarding the Smiths and the Mormons in Carthage, he had drawn the attention of the citizens of Illinois to the situation. Suddenly the anti-Mormons of Carthage were supported by citizens of the state and were no longer a minority because the context of majority and minority opinion had expanded.

Consequently the influence of the anti-Mormons was felt in a number of ways during the trial of the Smiths' murderers. They helped in determining who sat on the jury, packed the courthouse to prevent Mormons from even showing up during the trial, and bullied the judge to overlook their boisterous behavior in order to save his own skin from meeting the same fate as the Smiths if he were to object to their manners. The men accused of murdering

the Smiths were acquitted, and the Mormons lost their authority in Carthage. In the end the mob had accomplished their task, yet it proved to be a fruitless one since the majority of citizens had already called for a higher level of justice to supervise the proceedings, and with the help of Ford, would have resolved the situation to their liking without violence. There is a good chance, as well, that Smith would not have served as the martyr to the Mormon cause and propelled his newfangled religion to such exalted heights.

Lovejoy and Smith were not killed by majority opinion. It is to be sure that the citizens of Alton and Carthage did not want either of the ideas of these men to take root in their communities, but neither did they want their towns to be a place of violence and fear. Tocqueville and more importantly Ford correctly describe the sentiments of the majority and minority, but fail to articulate that mobs, although an offshoot of majority opinion, are in no way to be described as the preeminent will of the majority. The arbitrary and deadly power of mobs extends not only to minority groups that fall out of line with majority opinion, but also to the citizens of towns everywhere because they do not allow for the majority to successfully and civilly instill its authority upon the minority in question.

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