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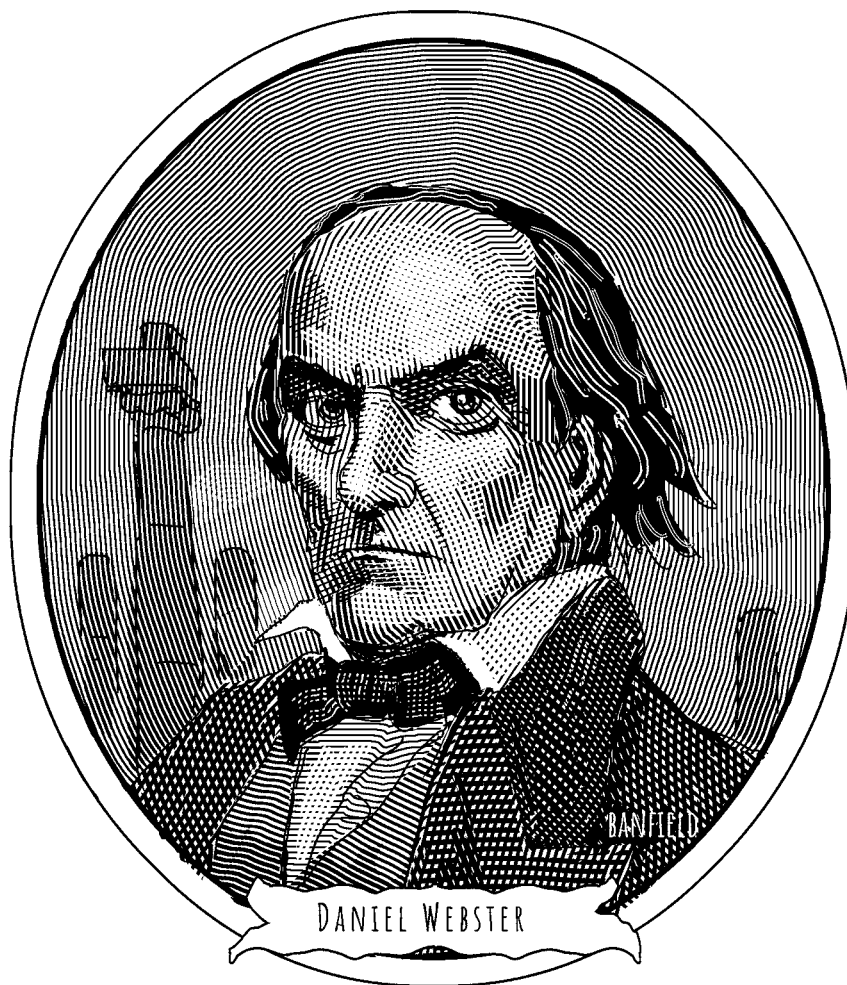
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Book Review by Allen C. Guelzo

BLACK DAN

Indivisible: Daniel Webster and the Birth of American Nationalism, by Joel Richard Paul.
Riverhead Books, 528 pages, \$30



IN THE GOLDEN AGE OF AMERICAN political oratory, no one was closer to being the gold standard than Daniel Webster. When he died on October 24, 1852, *The New York Times* soberly predicted that “the name of Webster” would be “as much identified with the American Republic “as that of Demosthenes with Greece, and Cicero with Rome,” and a Supreme Court Justice added, “I think the name of Webster is greater than either.” And for once, the postmortem applause was not wrong. If “Godlike Daniel” (a nickname he earned in 1826 for a eulogy he delivered in Boston after the deaths of Thomas Jefferson and John Adams) is remembered today for anything, it is for his oratory—for the Dartmouth College case (“It is, sir, as I have said, a small college,—and yet there are those who love it”), for the Second Reply to South Carolina Senator Robert Hayne (“Liberty and Union, now and forever, one and inseparable”), even for the Seventh of March speech, which

broke a storm of obloquy over his head (“Mr. President, I wish to speak today, not as a Massachusetts man, nor as a Northern man, but as an American.... Hear me for my cause”). In time, Webster’s eloquence became American rhetoric personified, as in these lines from a poem that ran in *Life* magazine in 1932:

Dan Webster stoked his boilers with
brown jugs of apple cider,
And when he made a speech, he yanked
the spigots open wider.
Sing ho, those spirited debates, bereft of
all restrictions,
When statesmen carried on their hips
the strength of their convictions.

FOR EVERY DEMOSTHENES, THOUGH, there is an Antipater; for every Cicero, an Augustus. Webster had no shortage of enemies, chief of which was, frankly, himself. “His infatuated admirers have

styled him...as ‘the Godlike,’” roared a furious William Lowndes Yancey on the floor of the House of Representatives in 1846, but to Yancey, “he bears another familiar appellation, and I must think a true one—‘Black Dan!’”

Webster moved across so many of the lines of American politics that he is hard to pin to any loyalty except himself. In 1814 he endorsed state nullification and the Hartford Convention, while in 1830 he denounced nullification, secession, and Robert Hayne together. In the 1830s, he emerged as one of the leaders of the Whig Party, but in 1841 betrayed them all to serve as John Tyler’s secretary of state. In his first great headliner as an orator, he called upon Americans to “extirpate and destroy” the slave trade and attacked slavery (in the reply to Hayne) as “one of the greatest evils, both moral and political,” yet in the Seventh of March speech in 1850 he shocked New England by vilifying abolitionists as those who “deal with morals as with

mathematics,” as though “what is right may be distinguished from what is wrong with the precision of an algebraic equation.”

Truth be told, it was Webster who had replaced morals with mathematics. He was a womanizer, a dilettante, a calculator of the main chance, a chaser after the presidency for more than two decades. Dan Webster had discovered his great oratorical gifts too early, before he had learned to what purpose they should be subordinated, and that inversion made him less like a statesman and more like an actor, ladling out great drafts of soul-pricking cadences and sucking up adulation for profit and advantage.

But if Webster was an actor, let it also be said that he was a great actor, and probably the greatest actor that ever trod the American political stage.

THE LITERATURE ON WEBSTER IS VAST, and shows no sign of slackening, even 17 decades after his last bow. It began in earnest with George Ticknor Curtis’s adoring two-volume *Life of Daniel Webster* in 1872, and within only the last five years has tallied major entries from Peter Hoffer (*Daniel Webster and the Unfinished Constitution*, 2021) and the prolific H.W. Brands (*Heirs of the Founders*, 2018). He has been characterized in this

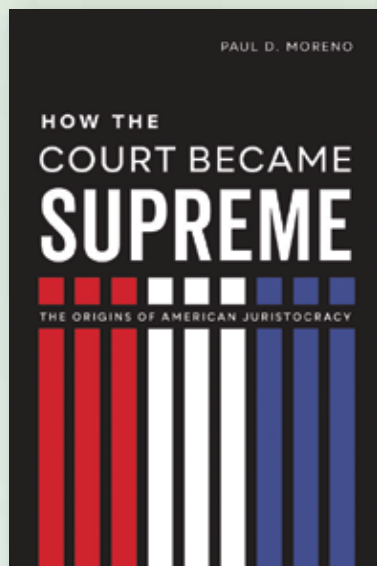
literature as everything from a conservative Whig to a New England sectional to the architect of American foreign relations. The argument that animates University of California Hastings Law School professor Joel Richard Paul’s new entry, *Indivisible: Daniel Webster and the Birth of American Nationalism*, is that Webster is the father of American nationalism. Or at least of a good nationalism, since Paul is eager to showcase Webster’s nationalism as an antidote to several other kinds of nationalism on offer. “It was not a foregone conclusion that the Union would form a nation,” Paul writes at the opening of *Indivisible*, and Americans might easily have gone the route of forging a nationalism from what Paul regards as more toxic materials: *continental* nationalism, which built up “an abundant and prosperous empire” on land and ideas stolen from others; *populist* nationalism, which glorified an “American identity as exclusively white”; and *cultural* nationalism, which tried (and failed, according to Paul) to create a uniquely American literature.

What Webster represents for Paul is a *constitutional* nationalism “that does not discriminate between states or races and acts not as a compact among states but as an organic expression of the will of ‘We the People.’” Paul believes that a “recent rise in white national-

ism in America” now jeopardizes constitutional nationalism, and that its most virulent exponent is, well, You Know Who. “Closing our borders, turning away refugees, singling out people of different faiths, denying our multicultural heritage” are all departures from constitutional nationalism. Worse still, they are “emphatically un-American.”

IT IS NOT ENTIRELY CLEAR WHY DANIEL Webster should have become the avatar of constitutional nationalism, unless one considers the Second Reply to Hayne as an example of it (although it is a mystery why Paul chose *Indivisible* as his title rather than *Inseparable*, since “indivisible” appears nowhere in the Reply to Hayne, or in any other of Webster’s major speeches). In fact, when Webster invokes the Constitution in his rebuke to Hayne, it has an inadvertently populist ring to it: “It is, Sir, the people’s Constitution, the people’s government, made for the people, made by the people, and answerable to the people.” Nor is it clear that a constitutional nationalism can be an “organic expression” of nationalism, since Romantic notions of organic identities are precisely what gave substance to the 20th century’s lethal nationalisms of race and soil. The U.S. Constitution is a remarkably mechanical document,

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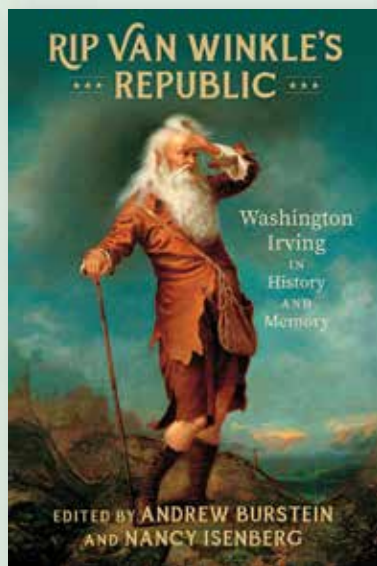


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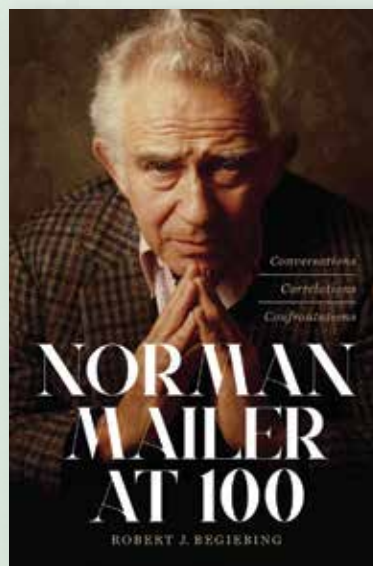


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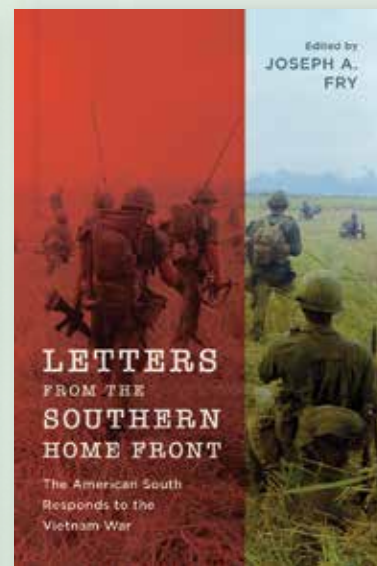


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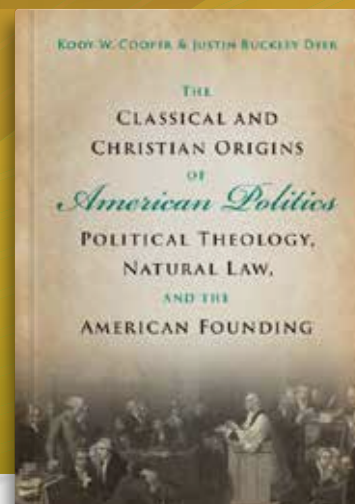
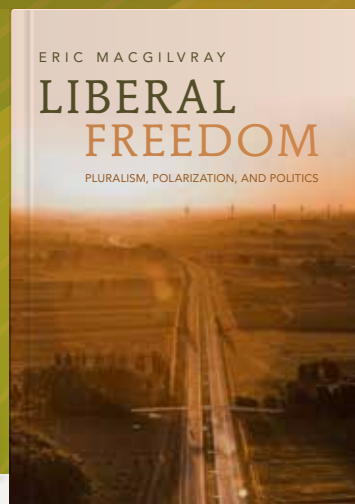
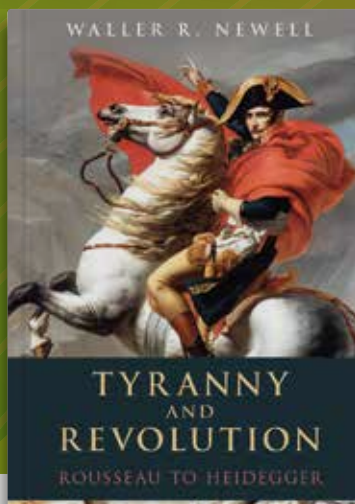
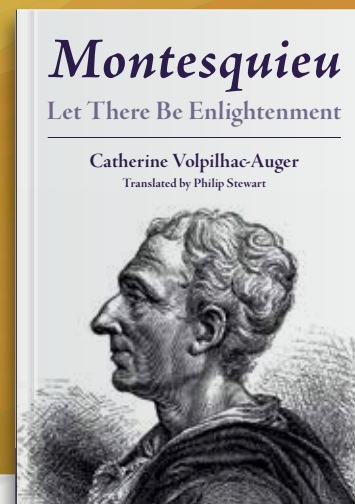
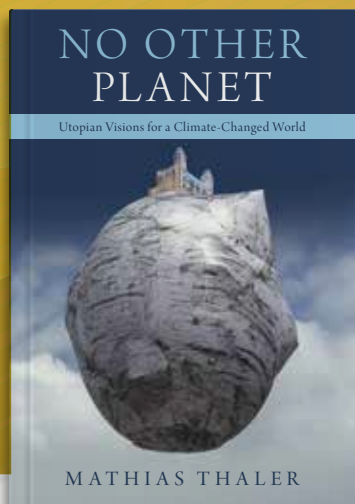
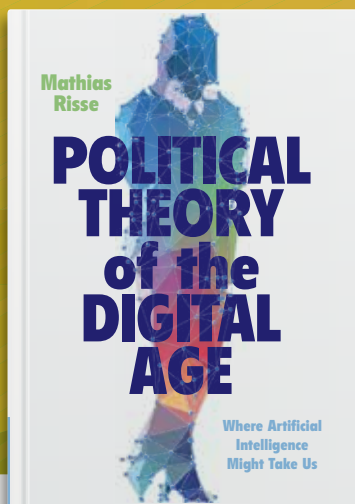
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full of restraints and precise distributions of power, and intended to corral the overmighty claims of the Union's states to follow their own paths. And when Abraham Lincoln borrowed Webster's "for the people" at Gettysburg in 1863, he linked it to a highly mechanical idea—a *proposition*, a *moral sentiment*—which suggested that American identity had nothing to do with nationalism at all. The American experiment, as Lincoln said in 1852, is devoted to "the advancement, prosperity and glory, of human liberty, human right and human nature."

This fundamental difficulty in dealing with Webster and nationalism is only exacerbated by how little attention Webster himself receives in *Indivisible*. This is much less a biography than a "life-and-times," with the lion's share devoted to the times. In a text of more than 400 pages, Webster literally disappears for puzzlingly long stretches. He is absent from chapters 7 through 9, chapter 12, chapters 15 and 16, chapters 22 through 24 and 29 through 31, not to mention large portions of other chapters—all told, from one third of the book—while Paul devotes himself to a bird's-eye narrative of American politics during Webster's lifetime. It's not an unpleasant view, but it's also not what the reader of a biography of Daniel Webster would expect.

Nor does the territory the bird's eye takes in appear to be entirely familiar to Paul (despite having authored a biography of Chief Justice John Marshall, *Without Precedent*, in 2018). He seems to believe that the Confederate Constitution copies "the original federal Constitution almost word-for-word" (a quick look at the Confederate preamble will dispel that notion); that Bunker Hill "looms over downtown Boston" and was used by George Washington to bombard "the British fleet" (it may loom in a fashion over Charlestown, but Washington used Dorchester Heights to menace the British in Boston); that Andrew Jackson had "problems with his own sons" (Andrew and Rachel Jackson had no children); that James Knox Polk, rather than James Buchanan, was supposed to have had a "relationship" with Alabama senator William King; that Andrew Jackson's famous riposte

to John Calhoun ("Our Union—it must be preserved") was an impulse because Jackson "felt he could no longer sit silent" rather than the carefully planned response that it was; that the "War Comet" of 1861 was unlike anything which had ever appeared "in living memory" (despite Donati's Comet of 1858, which scholars have called "one of the most spectacular astronomical events of the nineteenth century," and one which Lincoln watched from a porch in Illinois during his campaign against Stephen A. Douglas); that the original federal Fugitive Slave Law dates from 1789, rather than 1793; that Stephen A. Douglas "conveniently" owned "a large plantation in Louisiana" (the plantation was in Lawrence County, Mississippi, and came into his hands as a gift to his first wife from his father-in-law; Douglas sold the plantation in 1857 and bought another property south of Greenville, but still in Mississippi). Sorry, dear reader, to be tedious, but history, like music, is a precise art.

PAUL IS CERTAINLY CORRECT, HOWEVER, in at least one respect about Webster, which is that he is no model for conservative statesmanship, much less a competitor to Abraham Lincoln. In Webster's 1812 oration on the American Founding, he praised the study of history for its power to bind "the present to the past, and even to the future, in mutual attachments, sympathies and common desires." This would seem to pay a handsome and prudent tribute to a thoughtful reckoning with the past, in a spirit that conservatives should admire. That would be a mistake, too, because 40 years later, in the Seventh of March speech, what Webster meant by *history* was much more imbued with Romantic historicism than Enlightenment reason. Webster justified his endorsement of the Compromise of 1850 by speaking of history itself as an organic development, "a golden chain which is destined, I fully believe, to grapple the people of all the States in this Constitution, for ages to come." Webster could ignore slavery because freedom is achieved as a gradual evolution within history and toward which history gradually moves

us, rather than a principle with which history must begin. Society, for Webster (as it was for the Romantics), is a product of the "concomitant rush of altered circumstances," and even liberty has "an ancestry, a pedigree, a history" from which it is evolving into something new and different in every generation.

It is significant that Webster's most appalled critics unanimously struck at him at just this point. Slavery was a violation of natural right and natural law, which existed as principles and rules intrinsic to human nature prior to the movements of history, and if those rights seemed to Webster to be mathematical abstractions, they seemed to William Seward "the only permanent foundations of society." What history teaches us, argued Indiana Representative George W. Julian, is the constant need to reaffirm those natural rights, and when declension tempts Americans to stray from that path, our obligation is to "recur to first principles," not to drift toward a future that can be prettified as "the right side of history."

History has no sides. That this has been easily missed by modern conservatives arises, I suspect, from the dearth of conservative historical consciousness. The bulk of modern conservative intellectual energy has been devoted to politics, economic policy, and political philosophy; there has been no corresponding conservative historical theory, much less a natural law theory of history. But there should, and must, be one. We will need it, too, because all the major movements of the last century into tyranny and intellectual vacuity have been built on theories, not of economics or politics, but of history. Not Webster, not G.F.W. Hegel, not Leopold von Ranke or Jacob Burckhardt, but Lincoln, James Madison, Trenchard and Gordon, Samuel Johnson, and Emmerich de Vattel are the path we need to rediscover. Perhaps we shall soon enough do so.

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