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GRADUATE COLLEGE

AN EVALUATION OF JOSEPH EMERSON BROWN'S INVENTION, 1857-1880

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Norman, Oklahoma

1965

AN EVALUATION OF JOSEPH EMERSON BROWN'S INVENTION, 1857-1880

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TABLE OF CONTENTS

Chapter		Page
I.	INTRODUCTION	1
	Background and Subject of the Study	1
	The Purpose and Method of the Study	7
	Sources of the Study	13
	Plan of the Study	16
II.	A REVIEW OF BROWN'S BACKGROUND, CHARACTER TRAITS, AND SPEAKING CAREER	20
	Brown's Background	20
	Brown's Personal Traits	31
	Brown's Speaking Career	39
III.	BROWN'S RHETORIC OF SECESSION	45
	Introduction	45
	The Political Context, 1850-1861	46
	An Evaluation of Brown's Rhetoric, 1857-1861	61
	Conclusion	85
IV.	BROWN'S RHETORIC OF RECONSTRUCTION	87
	Introduction	89
	Background to Reconstruction	89
	Evaluation of Brown's Rhetoric, 1865-1872	103
	Conclusion	127
V.	BROWN'S RHETORIC OF RESTORATION	128
	Introduction	128
	The Political Context, 1872-1880	131
	An Analysis of Brown's Rhetoric, 1872-1880	138
VI.	BROWN'S RHETORIC IN RETROSPECT	162
	Introduction	162
	A Description of Brown's Ideas	163
	An Evaluation of Brown's Invention	176
	Conclusion	185
BIBLIOGRAPHY		189

AN EVALUATION OF JOSEPH EMERSON BROWN'S INVENTION, 1857-1880

CHAPTER I

INTRODUCTION

Background and Subject of the Study

Ernest J. Wrage has written that public speaking courses require a body of speech material which should include not only the speaking careers and skills of individual speakers, but a collection of their ideas that serves as "solid intellectual residual."[1] Dickey further amplifies Wrage's thesis and singles out Southern oratory as being an area overlooked by public address scholars. He not only believed that more public address data should be gathered, but specifically material describing careers, skills, and ideas of Southern speakers.[2] The purpose of this study is to contribute to the goals of both Dickey and Wrage by evaluating a representative selection of Joseph Emerson Brown's rhetorical effort from 1857 through 1880. The justification for selecting Brown's rhetoric for investigation can perhaps be explained by reviewing the role this

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[1]Ernest J. Wrage, "Public Address: A Study in Social and Intellectual History," Quarterly Journal of Speech, XXXIII (December, 1947), 456.

[2]Dallas C. Dickey, "Southern Oratory: A Field for Research," Quarterly Journal of Speech, XXXIII (December, 1947), 458-463.

Southern speaker played in the major historical events during this period.

The years 1857 through 1880 might very well be divided into three periods as a basis for describing the major historical events that transpired and the role attributed to Brown concerning these events: The first period extending from 1857 to 1865, included the events contributing to the South's secession from the Union and the resulting Civil War. The second period, extending from 1865 to 1872, included the Civil War's end and the reconstruction program forced upon the South. The third period, extending from 1872 to 1880, included restoration of home-rule and the Democratic Party's return to power in Georgia. One major theme was prevalent in all three periods: the relationship of the states to the Union.

Many Southern historians advance the thesis that Georgia played a dramatic and important role in the many events leading up to the Southern States' secession from the Union. These historians theorize that a majority of Southern leaders believed that no confederation or independent government in the South could hope to achieve success without Georgia's active support. Louise B. Hill referred to North Carolina's Governor Zebulon Vance's speeches and writings, as recorded in the Confederate Records of Georgia, for evidence to support this claim.[3] Avery wrote that no state played a more vital role in secession and war than did Georgia.[4]

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[3]Louise B. Hill, Joseph E. Brown and the Confederacy (Chapel Hill: University of North Carolina Press, 1939), p. 36.

[4]I. W. Avery, The History of the State of Georgia (New York: Brown and Derby, 1881), p. 4.

In the state of Georgia, one man, Joseph Emerson Brown, played an important role in all three of these periods of that state's history. Thompson offered the following summary describing Brown's role through the periods being studied:

> No enumeration of the influential leaders who determined the work of reconstruction can be complete without further mention of the most significent of them all, the power behind the throne, ex-Governor Brown. Of all public men in Georgia in this period he was the most astute and the most powerful. He was first in secession, first in reconstruction, and very nearly first in the restoration of Democratic home rule.[5]

In the period preceding the Civil War Joe Brown was governor of Georgia. In the fight to determine whether the South would secede from the Union Brown joined forces with Toombs, persuading Georgia to secede immediately.[6] Historians credit Brown's speeches and letters with playing a vital role in making the secession movement a success. Governor Vance wrote that Brown's speeches provided North Carolina with the initiative to secede from the Union.[7]

Georgia not only played an important role in the Southern state's revolt from the Union, but became one of the first seceded states to be readmitted to the Union. Joe Brown again played an important role in persuading Georgia to accept the Radicals' reconstruction program. He was forced to resign as governor at the close of the Civil War, but as private citizen he began an active campaign to gain passage of the Presidential and later Radicals' program.

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[5]Mildred C. Thompson, "Reconstruction in Georgia," Studies in History, Economics and Public Law (New York: Columbis University Press, 1915), LXIV, 286.

[6]Hill, op. cit., p. 36.

[7]Cited in ibid.

These successful campaigns, and the support he gave to the Republican presidential candidate in 1868, aided in making him the most hated man in the state. Brown published a letter in 1866 advising the state to adopt the Radicals' program.[8] He joined the Republican Party and became the major voice in dictating the new state constitution required by the federal government.[9] After the constitution was written, General Meade submitted it to the state for ratification. Brown retained this leadership role in the Republican Party and conducted an active speaking campaign for the adoption of the constitution.[10] The success of the campaign was evidenced by the fact that the constitution was ratified with an 18,000 vote majority.

The newly elected Republican governor, Rufus B. Bullock, attempted to repay Brown by nominating him for the office of United States Senator. As might be predicted, old enemies from the Whig and Democratic Parties joined forces to prevent this selection. The coalition was successful and the state legislature failed to elect Brown by only a few votes. The defeat served as the only political loss Brown ever suffered in his political career. Shortly after the defeat Bullock appointed Brown Chief Justice of the State Supreme Court.

In 1870 Governor Bullock was forced to resign as governor and the Democratic Party regained control of Georgia's government. Sometime before 1870 (the exact date is not known) Brown split with the

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[8]Atlanta Daily New Era, February 26, 1867.

[9]Thompson, op. cit., 196-198.

[10]Robert Fielder, A Sketch of the Life and Times and Speeches of Joseph E. Brown (Springfield, Mass: N.P., 1883), pp. 436-437.

Republican Party and resigned from the Supreme Court.[11] He deserted the Republican Party as increasing graft appeared more and more in the new regime. The Democrats nominated James M. Smith for the vacated governor's office, and Brown's support for Smith assured the party of its victory.[12] Brown remained a Democrat after 1872, but was rather inactive in politics until 1880. In this year United States Senator John B. Gordon resigned his office a few weeks before Congress adjourned, and Brown was appointed to fill out the interim term. In the 1880 election Brown ran as a candidate for the Senate and won the election by a large majority vote. Thereafter, Brown remained a leading political figure in the state, as well as the nation, until his death in 1894.

Georgia played an important part in major historical events in the South and in the nation between the years 1857 to 1880, and Brown stood out as the most important figure in the state's activities during this period. Brown's role in the affairs of the state between these years has been described by Avery thus:

> Looking at the large number of able and influential men of Georgia who have figured and led in this important and dramatic period, the man above all others who has been more closely identified with the great events of this memorable epoch in Georgia and whose masterful individuality has been the most conspicuously impressed upon these events, is the calm face and slender figure of Joseph E. Brown. His public career for a quarter of a century has been the history of his state. There is no year in this long episode of thrilling events that his instrumentality could be

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[11]The actual date of Brown's split with the Republican Party is not known, rather, it was a gradual disassociation of himself with the party as graft among Republican leaders increased, culminating with his resignation in 1870 and his support of the Democratic nominee for governor in 1871.

[12]Hill, op. cit., p. 305.

> dropped out without creating an important blank in the picture, while no incident of the romantic record could be properly narrated that lacked the recounting of his powerful agency.[13]

Fielder wrote that the history of Georgia blended with Brown's personal history, that he exerted great influence over the people of Georgia, and that his speeches and letters exercised a very powerful influence on the people throughout the slaveholding states.[14]

Brown's life is also significant in another manner. For a number of years the state government had been in the hands of cultured and wealthy men. Brown's election to governor in 1857 brought the aristocratic control to an end and placed more power in the hands of the people. Not only did the wealthy class lose control of the government, but all the costly display and court entertainment by the chief executive disappeared. Brown now stood as the true representative of the people, removing all the "courtly" social display.[15] Coulter wrote that the aristocratic element in Georgia looked upon the selection of this North Georgia mountaineer almost with consternation, and Toombs was said to have exclaimed on hearing of the nomination, "Who in the hell is Joe Brown?"[16]

Brown served not only as the people's representative but as their speaker. From the very beginning of his political career he

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[13]Avery, op. cit., p. 5.

[14]Fielder, op. cit., pp. 261 and 486-487.

[15]Ibid., pp. 47-50.

[16]E. Merton Coulter, Georgia, A Short History (Chapel Hill: University of North Carolina Press, 1947), p. 312.

spoke in the direct, simple language used by the common people in Georgia.[17]

In review, the purpose of this study is to discuss the man Brown--the voice of the people, the voice of Georgia, the voice of the South. More specifically, the purpose of this study is to analyze representative speeches of Joseph Emerson Brown in each of three periods of Southern history extending from 1857 through 1880.

The Purpose and Method of the Study

The Purpose

Earlier, Wrage was quoted as desiring a body of speech material which included a collection of speakers' ideas to supplement the information describing the speakers' career and skills. Dickey stressed that such materials were especially needed about Southern speakers. This study will therefore propose to contribute information concerning a Southern speaker's ideas as well as data concerning his rhetorical career and skills.

The Value of Describing Brown's Ideas. Wrage wrote that "speeches serve as useful indices to the popular mind."[18] Assuming that Wrage's thesis is true, then Brown's speeches should contribute to the history of ideas in the South. Brown was elected governor for four successive terms from 1857 to 1865 by large popular votes. Historians credit him with representing the popular will in the state,

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[17]Avery, op. cit., p. 39.

[18]Wrage, op. cit., p. 457.

thus serving as the popular voice during these years.[19] After the war he took a stand on reconstruction that proved to be very unpopular with the people he represented before 1865. Yet, during the reconstruction years from 1866 to 1870, the Radical Republicans looked to him for advice in writing the new constitution and conducting the campaign that successfully established their reconstruction program in the state. Brown once again exercised influence over the people, although not necessarily the group he represented earlier. In 1880, Brown regained the Democratic Party's confidence and exercised control over state politics until his death. He utilized numerous speeches and letters to achieve his objectives in each period being considered in this study. The ideas he expressed in these speeches and letters should provide an excellent index to the people's thoughts during these years and should contribute possible new insights into Southern history.

In still another way Brown's speeches may contribute to the history of ideas in the South. Brown's motives for defending the reconstruction acts from 1866 through 1869, and then deserting the Radicals to rejoin the Democratic Party in 1871, have provided numerous controversies among Southern historians.[20] Many historians advance the argument that Brown joined the Republican Party and defended the reconstruction acts to avoid punishment by the North.[21] These

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[19]Fielder, Hill, Avery, and Thompson all attribute Brown with exercising great influence over the people in Georgia during these years.

[20]Hill, op. cit., pp. 321-323.

[21]These historians include Coulter, Hay, Hill, and Thompson.

historians reason that Brown rejoined the Democratic Party to advance his political career after the threat of punishment had passed. Other historians reject the idea that Brown had any selfish reasons for defending the reconstruction acts.[22] They argue that he believed rejecting the acts would bring additional punishment to Georgia. It seems clear, they say, that Brown reasoned that Georgia would benefit more by rejoining the Union thus returning her more capable leaders to governing positions.[23] The body of information contained in Brown's rhetoric may contribute new insight on this historical controversy.

The Value of Studying Brown's Rhetoric. Although Wrage wrote that the public address curriculum needed a collection of speakers' ideas, he did not suggest that information describing the speakers' careers and skills was no longer needed. Wrage's second objective may be met since Brown's speaking career and skills are described. Brown's ideas should prove more meaningful to the student of public address after they are described, analyzed, and evaluated.

Dickey wrote that inadequate rhetorical information was available on Southern speakers. His observation can be verified at least regarding one Southern speaker--Joe Brown. Numerous Southern historians give only passing mention to this Southern speaker, and numerous public address historians fail to discuss him at all. Yet a few historians credit Brown with playing a very vital role in the

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[22]Avery, Brooks, Fielder, Knight, and Pearce defend Brown's policy toward reconstruction.

[23]Brown reasoned that when Georgia was readmitted to the Union her old leaders would be allowed to participate in governmental activities.

history of Georgia and of the South.[24] This study, therefore, proposes to provide information concerning his career, rhetorical skill, and ideas.

Thonssen and Baird wrote that "practice, theory, and criticism are, in the broadest sense, indivisible elements of an art. Each influences the other, with the result that all are modified by the circular action."[25] They go on to explain that these three elements follow a certain chronology. Speech theory probably originated from the speaking habits employed by individuals during a specific period. Once the theory was systematized, speakers may have relied upon that body of information to guide their future speechmaking. To rely upon this system without change suggests that speech theory is a closed body and cannot be improved. Critical inquiry can reveal whether speakers vary in practice from a closed body of theory, or if new innovations are employed. The critical evaluation of Brown's rhetoric should reveal whether he relied upon present-day theory or if he varied from that closed body.

Method

Thonnsen and Baird list three stages in the critical process: (1) a searching examination of the facts relating to the particular speech; (2) the formulation of the principles, or criteria, by which the speech is to be appraised; and (3) the critical evaluation of the

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[24]These historians include Thompson, Stephens, Fielder, Avery, and Pearce.

[25]Lester Thonssen and A. Craig Baird, Speech Criticism (New York: The Ronald Press Company, 1948), p. 16.

data.[26] This three-step process provides the evaluative method for this study. In the first place, background information describing the issues, audience attitudes, and speakers' purposes must be known to allow rhetorical judgment.[27] In the next place, the reader must be acquainted with what phase of the speech a critic proposes to evaluate and the tools the critic will employ in the evaluating process. And last, the speech is evaluated in light of the findings in the two foregoing stages.

The purpose this study proposes to accomplish requires careful discrimination in selecting the speeches to be evaluated. Several criteria should govern the choice. An adequate sampling of speeches should be taken from each period. The selected speeches should treat the major issues being studied in that specific period. The selected speeches must present an accurate picture of Brown's philosophy concerning the existing issues. The speeches used in this study qualify under these criteria. Three speeches are selected to present Brown's philosophy concerning secession. These speeches, delivered in 1857, 1859, and 1860, picture Brown's ideas concerning the relationship between the states and the Union and present a progressive growth of ill-will toward the North until it builds to the explosive secession by the Southern states.

Two speeches are selected to represent Brown's philosophy during reconstruction. These two speeches are his resignation address

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[26] Ibid., p. 9.

[27] Ibid. Thonssen and Baird conclude that rhetorical judgment is a composite of data and interpretation that is intended to reveal the effect of a given speech upon a particular group of listeners.

delivered in 1866 and his "Replies to the Notes on the Situation" in 1867. Both selections were published in newspapers throughout the state and have been referred to by some historians as letters. Although they might justly be entitled letters, they take the form and contain the organizational pattern of speeches. Since both selections were so important to the speaker, he published the speeches, one may logically conclude, so more people would receive the content. These two rhetorical efforts have been selected because they best present Brown's ideas during critical periods. The speech in 1866 represents the only expression of Brown's views concerning the action people should take regarding President Johnson's reconstruction program. The "Replies to the Notes on the Situation," seven articles published in 1867, is the most comprehensive and important presentation of his case for adopting the Radicals' reconstruction program, as well as his refutation of Ben Hill's opposition to those acts. In both the secession and reconstruction periods the major issue was the states' relationship to the Union. The issue would seem to have been settled following the Civil War and Georgia's re-admittance to the Union. Before Brown regained his political power in the Democratic Party after 1872, however, he had to argue the issue again.

Two speeches present his views concerning the state's relationship to the Union in 1880. The first speech was the "Mexican War Pension Bill," in which Brown presented his views before the United States Senate. The second address, presented to the people of Georgia on the eve of election, defended the position he had held on states' rights since 1866. These two speeches have been selected to describe his philosophy for the period 1872 to 1880.

Among the five classical canons, this study focuses upon invention. Wilson and Arnold wrote that invention includes the speaker's subject, proof, and reinforcement of ideas.[28] They describe a good subject as one that meets the demands imposed by the speaker's capacities, the readiness of the audience, and the conventions of the situation in which the speaker will appear.[29] Proof is often defined simply as evidence plus reasoning. Wilson and Arnold expand their definition to insist that proof must justify the audience's personal interest as well as appeal to their logic.[30] They view reinforcement as including the various amplification devices needed to assure that the audience will accurately perceive the message.[31]

The following organizational pattern will be employed to serve as the guide for examining and evaluating Brown's invention: First, background information relating to the particular speech or speeches will be presented. Second, the general speech text will be summarized to present the speaker's ideas on the various issues. Third, the invention Brown employed in his rhetoric will be analyzed and evaluated.

Sources of the Study

Previous Research

An examination of the Quarterly Journal of Speech and Speech Monographs reveals that no rhetorical study has been made of

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[28]John F. Wilson and Carroll C. Arnold, Public Speaking as a Liberal Art (Boston: Allyn and Bacon, Inc., 1964), pp. 125-163.

[29]Ibid., p. 127.

[30]Ibid., pp. 128-150.

[31]Ibid., pp. 150-162.

Joseph Emerson Brown. In the past, however, some historical studies have been completed on Brown. Louise B. Hill wrote her doctoral dissertation on Governor Brown and the Confederacy at Vanderbilt University. She later, in 1939, used the data from this study to publish a book, Joseph E. Brown and the Confederacy. She restricts her reporting in both books to Brown's activities in Georgia from the formation of the Confederacy to its end. Although she gathered some data from Brown's speeches for her study, she makes no attempt to evaluate his rhetoric. Two additional historical studies were written on Brown's life by his contemporaries: I. W. Avery's The History of the State of Georgia, 1881; and Robert Fielder's A Sketch of the Life and Times and Speeches of Joseph E. Brown, 1883. Two papers have been published on Brown in the Georgia Historical Quarterly: One study was written by J. R. Hay in 1929, and the second article was completed by J. H. Bass in 1934. All four studies contribute excellent background information about Brown, but none of the studies attempt to evaluate his rhetoric.

Major Sources

Several books, in addition to the studies mentioned earlier, were especially useful in providing historical background for this study. These books included E. Merton Coulter's The South During Reconstruction 1865-1877, Dwight Lowell Dumond's The Secession Movement 1860-1861, John Samuel Ezell's The South Since 1865, Allen Nevin's two volumes on the Ordeal of the Union, Henry Savage's Seeds of Time, C. Vann Woodward's Origins of the New South. The first three volumes of The Confederate Records of Georgia and many others also provided information.

Brown's ideas were expressed in both the speeches he delivered and the letters he published in newspapers between 1857 through 1880. To gain greater insight into his thinking, the writer attempted to read all of his speeches and letters that were presented between these years. During this period Southern newspapers devoted their major coverage to politics and agriculture, and their coverage was comprehensive. Eaton wrote that literary talent in the South was expressed most potently to the field of journalism. The Southern newspapers were devoted to reporting debates in Congress, relaying foreign news, publishing letters on political issues, but gave little space to local news.[32]

Most of Brown's rhetorical efforts are published in "Brown's Scrapbooks."[33] This source consists of 57 scrapbooks kept by Brown's wife, covering the period from 1852 until his death in 1894. Mrs. Brown kept two scrapbooks concurrently, one book containing clippings reporting favorable comments on her husband's activities, the other book containing the critical reviews. The scrapbooks contain clippings from many national publications as well as from the state's major daily and weekly journals. They will serve as a major source in this study since they contain a large quantity of primary source material. The historical studies cited earlier draw much of their data from these same newspaper clippings.

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[32]Clement Eaton, A History of the Old South (New York: The Macmillan Company, 1949), p. 483.

[33]A copy of "Brown's Scrapbooks" is available in microfilm at the University of Oklahoma's library.

In addition to the studies already mentioned, information was gained from the writings, speeches, and biographies of Brown's political contemporaries. This research included studying Frank H. Alfriend's Life of Jefferson Davis, Benjamin H. Hill, Jr.'s Senator Benjamin H. Hill of Georgia: His Life, Speeches and Writings, Benjamin H. Hill's "Notes on the Situation," Haywood J. Pearce's Benjamin H. Hill--Secession and Reconstruction, and the speeches of Robert L. Toombs, Alexander H. Stephens, Herschel V. Johnson, Howell Cobb, and others.

Plan of the Study

Chapter Two

Chapter Two briefly describes Joe Brown's life. Thonssen and Baird have written that "men use speech to achieve certain responses from hearers."[34] They point out that every speaking situation involves a speaker, a medium of expression, and the recipient of the message.[35] Before any attempt should be made to evaluate a speech, necessary data should be gathered about the speaker. Chapter Two, therefore, proposes to provide any personal information about Brown that might aid in evaluating more effectively his rhetoric. This chapter describes his background, character traits, and speaking career.

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[34] Thonssen and Baird, op. cit., p. 5.

[35] Ibid.

Chapter Three

From 1857 through 1865 Georgians were faced with many problems: They had to determine the relationship existing between the states and the Union. As events occurred indicating that the North was gaining sufficient power to determine slavery's future, the South had to select the program that would best protect its investment. After the South agreed to withdraw from the Union, it was faced with the numerous problems related to forming a new government and conducting a war to protect that freedom. The three speeches selected as representing Brown's rhetoric from 1857 to 1865 are evaluated in Chapter Three.

Chapter Four

The North emerged victorious from the Civil War in 1865, establishing its claim that the states could not secede from the Union. A new problem concerning states' relationship to the Union was immediately introduced, determining the procedure that would be employed to allow the defeated states to return to the Union.

The reconstruction period in Georgia extended from 1865 to 1872. Between these years two reconstruction programs were introduced: The first program was introduced by President Johnson and was immediately accepted by Georgia. The United States Congress rejected the presidential program, and introduced their own program containing harsher terms that divided the state over the policy that should then be followed. The rhetoric Brown employed concerning each program is evaluated in Chapter Four.

Chapter Five

After 1871 the Democrats returned as the ruling political party of Georgia. Sometime between 1869 and 1871 Brown had switched back to the Democratic Party. Although many Democrats refused to welcome Brown back into the party, in 1880 Governor Alfred H. Colquitt appointed Brown to serve the interim term vacated by United States Senator Gordon. This appointment, in addition to Brown's decision to run for re-election in 1880, set the stage for determining the people's acceptance or rejection of his leadership.

A second problem was introduced during this period when the Republican Party re-initiated the old issue concerning the state's relationship to the Union. The dispute was presented by the North in the "bloody shirt" argument. The argument had been dropped in 1876 but was re-introduced in 1878. Congress clarified the North's position when it reminded Southern members that they held these seats only by the grace of the North.

Brown delivered two speeches treating these problems. The first speech was delivered before the Senate and defended the South's right to participate in the government. The second speech was delivered in De Gives Opera House and defended his policies since 1865. These speeches are evaluated in Chapter Five.

Chapter Six

Certain problems and objectives that this study proposed to investigate were listed earlier in Chapter One. Chapter Six attempts to summarize some answers to these problems discovered in earlier chapters and to list any of the objectives that may have been achieved.

The chapter is divided into two sections. The first section summarizes Brown's ideas concerning his reasons for supporting the Radicals' reconstruction program and indicates the consistency of his policies. The second section reviews his total rhetorical effort between 1857 and 1880 and attempts to draw some final judgments concerning this rhetoric.

CHAPTER II

A REVIEW OF BROWN'S BACKGROUND, CHARACTER TRAITS, AND SPEAKING CAREER

Thonssen and Baird wrote that a critic must possess knowledge concerning a speaker's background and character before he can evaluate the orator's rhetoric.[1] They gave additional emphasis to this idea by referring to Herbert Wicheln's statement that knowledge about the general conduct and character of the man is essential to understanding the speaker's oratory.[2] Chapter Two proposes to present the information describing Brown's background, character traits, and speaking career that will aid most in contributing to a more effective evaluation of his rhetoric.

Brown's Background

Brown's Paternal Background

Brown's forefathers were Scotch-Irish Presbyterians who lived in the vicinity of Londonderry, Ireland. In 1745 his great-grandfather emigrated to America and established permanent residence in South Carolina. In 1821 Mackey Brown, Joe Brown's father, moved to Tennessee, where he met and married Sally Rice. Shortly after their marriage the

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[1]Lester Thonssen and A. Craig Baird, Speech Criticism (New York: The Ronald Press Company, 1948), p. 15.

[2]Ibid., p. 17.

young couple moved back to the elder Brown's home county, Pickins, South Carolina.

Joseph Emerson Brown, the oldest of eleven children, was born in Pickens District, South Carolina, April 15, 1821. His parents moved to Union County, Georgia, shortly after Brown's birth. The new home was a small, unproductive acreage of rocky, hilly land that provided a meager living for the large family. The entire family was forced to work to provide the bare necessities. Brown began working in the field when he was only six, and he was performing the work of an adult before he was ten.[3]

A major part of the family income came from the sale of vegetables and produce marketed in the nearby community of Gaddistown. Brown took the produce into town to sell each Saturday. Bill Arp narrates the following incident in this period of Brown's life, in one of his letters in the Constitution (as told to him by General Ira Foster):

> Joe cultivated a little scrap of hillside land with a pair of bull calves, and every Saturday hauled to town some potatoes or cabbages or light wood or other truck in trade and took back something for the family. In 1839, I think it was, I was riding to Canton in a buggy, and I overtook a young man walking in a muddy lane. I asked him if he would not take a seat, and he looked down at himself and said he was too muddy, and that he would dirty up the buggy. I insisted and he broke off a splinter from a rail and scraped his shoes and got in. I learned his name was Joe Brown, and he was going to Canton to get something to do. I have kept an eye on him for forty years. He is a wonder to me.[4]

Brown married Miss Elizabeth Gresham in 1847. Miss Gresham was the daughter of a Baptist minister in South Carolina. Joe and his

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[3]"Who is Joseph E. Brown?" Savannah Morning News, June 30, 1857.

[4]Cited in I. W. Avery, The History of the State of Georgia (New York: Brown and Derby, 1881), p. 10.

young bride made their home in Canton, Georgia, where he had established a law practice. A reporter for The Morning News described Mrs. Brown as being an excellent wife and a devoted mother to their five children.[5]

Brown's Educational Background

Brown's Grade School and Academy Education. Joe Brown received the normal grade school education afforded rural youths in Georgia before the Civil War. This education consisted of a limited learning of the three R's--reading, 'riting, and 'rithmetic.[6]

Brown left home in 1840 to further his education. A journalist writing in The Daily Examiner explained that Brown had only a small sum of money and a yoke of oxen to pay for his education.[7] Brown sold the team of oxen to pay for eight months' board and went in debt for his tuition at Calhoun Academy in Anderson District, South Carolina. He left the academy after eight months and secured a job teaching a three-months' school in Union County, Georgia. The salary he earned provided sufficient funds to repay his debts and allow him to enroll for a new term.[8]

Brown returned to Calhoun Academy in January, 1842. His new instructor was Wesley Laverett, one of the better classical scholars

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[5]Savannah Morning News, June 30, 1857.

[6]Avery, op. cit., p. 10.

[7]"Who is Joseph E. Brown?" Daily Examiner (Atlanta), July 8, 1857.

[8]Avery, op. cit., p. 10.

and teachers in the state. A bond of friendship between the two men inspired Brown to follow his instructor to a new academy near Anderson Court House the following year.[9] Brown completed his education in the academy under Laverett's instruction, concentrating primarily in language and mathematics.[10]

Brown graduated from the academy in 1844, at the age of twenty-two. He did not have sufficient funds to attend college.[11] Instead, he moved to Canton, Georgia, and opened an academy for "day" students. He proved to be an excellent teacher and was able to increase the enrollment from six to sixty students within a few weeks.[12] He taught the school for one year.

Brown's Legal Training. Brown started studying law immediately after establishing residence in Canton. His days were devoted to teaching at the academy, and his evenings and Saturdays were spent preparing for the bar.[13] He earned enough money teaching that first year to pay off all his educational debts. He then discontinued teaching in the academy, seeking a position that would provide him time to devote additional attention to his study of law.

Brown accepted a job teaching Dr. John W. Lewis' children in 1845. The new job provided him the additional free time he was seeking,

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[9]Ibid.

[10]Robert Fielder, A Sketch of the Life and Times and Speeches of Joseph E. Brown (Springfield, Mass.: N.P., 1883), p. 97.

[11]Ibid.

[12]Ibid., p. 98.

[13]Avery, op. cit., p. 11.

as well as sufficient money for his needs. The additional study time enabled Brown to take the law examination in August, 1845.[14] Avery wrote: "Brown was said to have answered incorrectly but one question put to him by the examining committee of lawyers, who seeing they had an unusually well-informed applicant to test, made the ordeal as critical as they could."[15]

Dr. Lewis encouraged Brown to attend graduate law school and lent him the money needed to complete the course of study. Brown entered Yale Law School in 1845 and completed the course work in two years.[16] He not only carried a full load at Yale but found time to broaden his education during those two years. Avery wrote: "In addition to his regular studies Brown found the time to attend many lectures of professors in the other departments. He proved to be a frequent visitor to the lectures of Professor Silliman in Chemistry and Geology, Dr. Taylor in Mental Philosophy, and Dr. Knight in Anatomy."[17]

Brown's Political Career

Brown Elected to the State Senate. Brown made his first political race in 1849 when he ran for the state senate. He was nominated Democratic candidate in the forty-first district which included Cherokee and Cobb Counties. The Whig Party nominated

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[14]Ibid.

[15]Ibid., p. 18.

[16]Daily Examiner (Atlanta), July 8, 1857.

[17]Avery, op. cit., p. 13.

John M. Edge to oppose Brown in the election. Brown won the election by a decisive majority in what was described as a very heated contest.[18]

Brown became the Democratic leader in the senate although he was a junior senator and the youngest member in the body. He was named to serve on many standing committees, including the judiciary committee and a majority of special committees organized to study current legislation. Avery reported that major Democratic measures were passed under Brown's able leadership.[19] Although he was successful as a state senator, he did not run for a second term. He preferred to devote full time to his law practice.

Brown's political philosophy began to emerge during his term in the senate. He believed the Southern states' conventions should be called to determine the South's course when serious national problems arose. He supported the Democratic stand calling for national territory to be open to slavery, and further, he branded the Wilmot Proviso unconstitutional. His political outlook is described in the following manner:

> Brown is a democrat of the old line. In the turbulent year of 1852 he was a Southern Rights Democrat, believing the Federal Government to be a creature of the State Governments, and in all matters not delegated or unparted by the states, subordinate to the independent sovereignties. He is also a true union man, willing and anxious to adhere to that cherished fraternal relation that the different states bear to each other just so long as, and no longer than, the federal government will effectively guarantee to each individual state the enjoyment of her reserved rights. He loves the Union for the sake of the states, not the states for the sake of the Union.[20]

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[18] Ibid., p. 19.

[19] Ibid., p. 20.

[20] Savannah Morning News, June 30, 1857.

Brown was nominated on the Democratic presidential electoral ticket in 1852. He continued his success of winning political contests by receiving the largest vote of any candidate on the ticket.[21]

Brown Elected to the Blue Ridge Circuit Court. Brown was persuaded to oppose David Irwin for the position of Blue Ridge Circuit Judge in 1855. Judge Irwin was the incumbent Whig candidate and very popular with the people. Brown won the race by a large majority. Since the Blue Ridge Circuit was predominantly a Democratic District, Brown's victory was not surprising. More important was the size of the winning vote. Irwin was able to carry only three counties by a combined total of sixty-eight votes and won his home county by only two votes. The final count gave Brown a majority victory of over 2700 votes.[22]

Brown Elected Governor. Brown was nominated the Democratic candidate for governor in 1857 quite unexpectedly. The party selected him only after it had been unable to agree upon one of the leading contenders. Avery gives the following brief summary of the 1857 Democratic Convention:

> The Democratic Convention of 1857 was a very memorable one in Georgia politics. It was marked by much personal heat, it ended in a protracted convention, and had an utterly unexpected result. It finally settled the gubernatorial aspirations of some very prominent and distinguished men, and brought to the front by one of those scratches that sometime occur in politics, an almost unknown individual who from that day to this has been the leading factor in public matters, and who is today the most powerful citizen in the state of Georgia.[23]

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[21]Avery, op. cit., p. 27.

[22]Savannah Morning News, June 30, 1857.

[23]Avery, op. cit., p. 31.

The Democratic Convention met at Milledgeville, on June 24, 1857. Five prominent citizens were seeking the Democratic nomination for governor. The leading candidates were James Gardner, Henry G. Lamar, John H. Lumpkin, William H. Stiles, and Hiram Warner. None of the five candidates could gain the needed votes for nomination and none was willing to give his support to any other of the leading four. Twenty unsuccessful ballots were taken during the first three days. The Convention leaders realized that further balloting would be useless and named a selecting committee to work out a compromise. They selected three men from each congressional district to serve on the committee.

I. N. Trammell from Cherokee County, a member of the selecting committee, saw an excellent means of nominating his close friend, Joe E. Brown, as a compromise candidate. The chairman opened the meeting by suggesting that each member list his preferred candidate on a secret ballot. Before the ballots were counted, Trammell prompted Linton Stephens to move that the committee dispense with counting the ballots and nominate Brown as the compromise candidate. The motion carried and Brown's name was presented to the convention. The body accepted the recommendation and Brown was nominated Democratic candidate for governor.

The Whigs, after suffering defeat in the national election of 1852 and the state election of 1853, joined forces with the Know Nothings to form the new American Party in 1855. In 1857 the new party nominated Benjamin H. Hill as their candidate to oppose Brown. Hill had gained statewide prominence, following a series of successful debates with Robert Toombs.[24]

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[24]Fielder, op. cit., p. 85.

The issues in the 1857 state election were largely national in scope. The Democrats upheld president James Buchanan's administration and condemned governor Robert J. Walker's course in Kansas. They advocated the state should further retain control of the state road. The American Party also condemned Walker, but they held Buchanan responsible for Walker's action. Ben Hill argued that the state road should be sold since it had been used for party plunder. Both parties endorsed the Georgia Platform, the Dred Scott Decision, and condemned further agitation of the slavery question.[25]

Brown won the election, as might be expected, since the state contained a Democratic majority. Louise B. Hill believes that conditions outside the state contributed greatly to Brown's large majority victory.[26] Avery credits Brown with the victory because he won by a larger majority than the Democratic candidate in 1855 when the American Party was much weaker.[27] Furthermore, the American Party was never able to rebuild after this crushing defeat. Regardless of the reason for the victory, Brown was elected governor, a feat he accomplished for an unprecedented four successive terms. His administration extended from 1857 through 1865.

President Andrew Johnson required Brown to resign as governor at the close of the Civil War. The President then appointed James Johnson

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[25]Louise B. Hill, Joseph E. Brown and the Confederacy (Chapel Hill, University of North Carolina Press, 1939), p. 15. For information describing the Georgia Platform see below in Chapter Three, p. 55.

[26]Ibid., p. 30.

[27]Avery, op. cit., p. 46.

provisional governor on June 17, 1865. Brown presented his resignation address to the people on June 29. He expressed his appreciation for the honors the people had bestowed upon him and advised them to accept the President's reconstruction program.

Brown continued to play an active role in state affairs after he resigned as governor. Louise B. Hill speculates that Brown was instrumental in influencing President Johnson to support a reconstruction program favorable to the South.[28] Furthermore, the people looked to Brown for continued guidance during the early phases of the reconstruction program.

Brown Becomes a Republican. Georgia adopted a new constitution as required by President Johnson's reconstruction program. The new constitution repealed secession, abolished slavery, but failed to declare the Secession Acts null and void. The state held an election in November, 1866, to elect new state officers. Brown declined to run for governor although the people offered him the nomination. He had not been granted amnesty and, further, feared that his election would create bitter feelings in the North. President Johnson recognized the newly formed state government in April, 1866.[29]

Many Northern Congressmen felt that President Johnson's reconstruction program did not punish the South sufficiently. They further believed the Republican Party could be strengthened by delaying recognition of the Southern states. Congress refused to seat the newly elected Southern Congressmen and took the fight to the people.

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[28]Hill, op. cit., p. 266.

[29]Atlanta Daily New Era, February 26, 1867.

The people in the election of 1866 gave the Radical Republicans the majority vote needed to determine national policy. Congress then vetoed the President's program and wrote a more demanding reconstruction program over the President's objection.

Brown visited Washington early in 1867 to determine the North's attitude toward reconstruction in the South. After visiting with men from all walks of life, he returned home and published a letter advising the state to accept the Radicals' program.[30] The Republicans in Georgia honored Brown's stand by turning to him for advice. He joined the Republican Party and in 1868 attended the national convention, where he supported Grant for President. The Radicals, under Brown's direction, rewrote the state constitution in 1867 to meet the new requirements demanded by the Radicals' program of reconstruction. Louise B. Hill credits Brown with being responsible for Georgia's moderate constitution.[31]

Brown Appointed to the State Supreme Court. The state adopted the Radicals' program in 1868. The Republican Party attempted to express its gratitude to Brown by nominating him for the United States Senate. The state legislature denied Brown the nomination and gave him the only political defeat he ever suffered. Governor Bullock then appointed Brown Chief Justice of the State Supreme Court.

Brown Elected Senator. Brown resigned from the bench in 1870 and very shortly thereafter quit the Republican Party. He supported the Democratic nominee for governor in 1871 and was selected to accompany

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[30] Ibid.

[31] Hill, op. cit., p. 276.

the victorious candidate to his chair of office.[32] The national Democratic Party recognized Brown's return to the fold by sending him to Florida to represent the party in the disputed Tilden-Hayes election.

John B. Gordon resigned his seat as United States Senator from Georgia in 1880. Governor Colquitt immediately appointed Brown senator to complete the interim term. Colquitt defended his appointment on the grounds that Brown was the best qualified man for the position and was needed to help defeat the up-and-coming Farmer's Alliance Party.[33]

Brown returned home following adjournment and announced his candidacy for the vacant office. He was opposed in the election by General A. R. Lawton. The issues in the 1880 election centered around Brown's record during reconstruction and his appointment to the Senate. Brown won the election over Lawton by a vote of 146 to 64. His victory in the election established him as a political leader in Georgia. He held the post until his death on November 30, 1894.

Brown's Personal Traits

The introduction to this chapter emphasizes that the critic must have information describing the speaker's character before any speech can be evaluated. This phase of the chapter is devoted to the personal traits reflected in Brown's character.

Hill writes: "Three of Brown's most pronounced characteristics were in evidence by 1857: he was a vote getter, he was an able

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[32]Mildred C. Thompson, "Reconstruction in Georgia," Studies in History, Economics and Public Law (New York: Columbia University Press, 1915), LXIV, 286.

[33]Hill, op. cit., p. 30.

executive, and he was a money maker."[34] The truth of Hill's observation was not only clear in 1857, but time has served to strengthen her observation. Brown's ability to gain votes can be seen in the fact that he never lost an election that was decided by a popular vote of the people. Historians further testify that Brown performed very ably in every governmental and business post he occupied, supporting the observation that he was a capable executive. The fact that he died a very rich man, as contrasted to his youthful poverty, gives adequate claim to his money-making ability. These three points provide an index to his character. But what traits made the result possible? The Chronicle, a paper that never supported Brown, reported that "there can be no opposition to Brown on the grounds of his intellectual ability or his personal integrity."[35] The Morning News observed that "in soundness and maturity of judgment he has but few equals in the state."[36] Avery wrote, "In every hamlet the people knew him as a man of brain, rock-willed, and the people's friend."[37] The traits that seemed to determine Brown's character thus seem to be his judgment, his personal integrity, and his rock-willed determination.

Brown's Judgment

Many ideas could be advanced explaining the secret for Brown's seemingly infallible judgment. Fielder wrote, "Brown has quick intuition

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[34] Ibid., p. 12.

[35] Augusta Daily Chronicle and Sentinel, June 11, 1888.

[36] Savannah Morning News, June 30, 1857.

[37] Avery, op. cit., p. 67.

and makes rapid judgment. He has uncommon industry and energy, but with them the capacity of swift assimilation, and instantaneous decision. Added to these is his trait of never allowing his wishes to deceive his perception."[38] Avery suggests another possible additive when he writes, "Affluent as Georgia has been in remarkable men, it is a matter of material doubt if the annals of the commonwealth can show a character of more brain and will than Brown."[39] Research of the various views explaining the constituents for Brown's judgment can be summarized to include his intelligence, his thorough investigation, his ability to assimilate rapidly, and his freedom from emotional conflict when making a decision.

Brown seemed to utilize this unerring judgment in business as well as in government. Whether engaged in making a governmental decision, in meeting a political foe in verbal combat, or in making a decision in the business world, he was noted for his discriminating judgment.

Brown's unerring judgment, whether in business or politics, did not occur just by chance. Historians note that Brown patiently gathered all the available data on any problem, sifted through the facts until he had a thorough picture, and only then would he take a position. Fielder, who served as Brown's personal secretary during the years 1857 through 1865, wrote, "He is in less a hurry than any living man, and he does all things thoroughly; he is the most deliberate of

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[38]Fielder, op. cit., p. 505.

[39]Avery, op. cit., p. 5.

men, and the most attentive to his smallest obligation. He forgets nothing and attends to everything."[40] Fielder further echoed Avery's thesis that Brown refused to allow his emotions or wishes to color his decisions, but rather chose to act on evidence only.[41] Brown's ability always to take a successful stand in business and politics seems to establish Avery's thesis.

Brown's Personal Integrity

A writer for the Morning News commented: "In the point of purity of character, integrity of purpose in public and private life, Joe Brown has no superior anywhere."[42] These words merely echo the tribute to Brown's personal integrity that have been voiced by many writers. Although Brown's character at times was questioned, notably by political opponents during moments of anger, no one was ever able to present any evidence establishing dishonesty in Brown's personal, business, or political life. His personal integrity can perhaps be attributed to the fact that he was a moral person who was personally and politically honest.

Brown was a very devout and religious man. He was a member of the Baptist faith, and throughout his life he participated actively in its services. He contributed liberally to its financial program and served as a deacon, the highest office open to laymen.[43]

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[40]Fielder, op. cit., p. 504.

[41]Ibid.

[42]Savannah Morning News, June 30, 1857.

[43]Fielder, op. cit., p. 93.

Brown was not only a devoutly religious man but one with strong convictions concerning temperance. Fielder offered the following comments concerning these convictions: "He abstains habitually and totally from all intoxicating drinks, and loathes and rejects tobacco in all forms and uses. In my intimate and cordial friendly relations with him in private life, I have never heard him use a profane oath, or relate an obscene or vulgar anecdote."[44] His distaste for the use of alcohol introduced an interesting highlight in an early political race. In his race in 1849 for a seat in the state senate, one of the arguments used against him was his opposition to intoxicating drink. In a region where many of his constituents owned their own stills such a charge seemed rather serious. He broke the time-honored tradition and refused to allow Georgia "corn" to be served at his political rallies.[45] Brown later broke another tradition when he refused to serve any form of alcohol in the governor's mansion.

Brown's personal and political honesty can be exemplified in the appointments he made to governmental posts. A reporter gave the following warning to Georgia office seekers after Brown was elected governor:

> Before you ask an office or place from Governor Brown, just ask your best friend if you are capable and laying your hand upon your heart, ask yourself if you are honest. If you get a response in the negative to either of these inquirier, you will save time and postage, and the mortification of a refusal, by dropping the suit.[46]

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[44] Ibid.

[45] Avery, op. cit., p. 16.

[46] Savannah Morning News, June 30, 1857.

Avery explained, "Fidelity to his friends is a crowning quality of the man, and has been a large factor in his success."[47] Although Brown was noted for remembering and placing his friends in office, he placed only those friends capable of performing the job. One such example was the appointment of his old friend and benefactor, Dr. John W. Lewis, as director of the state roads. Dr. Lewis was a very able administrator, making the roads produce a large profit for the state. Further, history records no incident involving a Brown appointee with any scandal while in office.

Brown's personal and political honesty is further established by the fact that no political enemies were able to prove that he committed a single dishonest act. Two charges were made against him and both charges were proved false. The first charge was that Brown made a huge financial profit from his administrative activities during the war. Hill denies this charge, explaining that no proof was offered establishing any guilt.[48] The second incident charged Brown with employing dishonest action in leasing the state road. Released facts established that the state had leased the state road to Brown although a rival company had bid a higher monthly payment. A congressional committee was appointed to investigate the charges of fraud. The investigating committee discovered that one company had made a higher bid, but the stock holders lacked the necessary capital to assure the state that the company would be able to meet the monthly payments. The committee

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[47]Avery, op. cit., p. 12.

[48]Hill, op. cit., p. 249.

reported these findings and Congress cleared Brown by an overwhelming majority vote.[49] Brown's integrity and honesty is summarized by Alexander H. Stephens as follows: . "No man has ever successfully fastened upon Brown a stain that compromised his honesty as an individual."[50]

Brown's Willingness to Fight for His Beliefs

Brown was described earlier in Chapter Two as a rock-willed individual. Writers report that Brown always approached each problem deliberately and objectively. He would never take a stand until he had sifted through all the facts and was sure of his position. Once the stand had been taken, however, he was willing to defend it without thought to the possible odds. Fielder described this trait by explaining "his superiority is in his more thorough investigation and more resolute determination."[51] Brown's willingness to fight for his belief can be supported by three incidents in his career.

The first incident was Brown's fight with the state banking interest in 1857. The banks suspended specie payment shortly before he was inaugurated as governor in 1857. The banks claimed the action was necessary to defend against heavy drafts being made on their coin by the North. Former Governor Hershel V. Johnson had argued earlier that the banks were in excellent condition holding $12,040,000 capital and having $5,663,000 in circulation. Brown announced that in his judgment the suspension was unnecessary. He threatened to begin proceedings,

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[49] Atlanta Constitution, August 24, 1872.

[50] Cited in Carley County News (Blakely, Georgia), June 11, 1880.

[51] Fielder, op. cit., p. 505.

forcing the banks to forfeit their charters if they continued to spspend specie payment. Legislators, outstanding citizens, and newspapers united to oppose Brown. Brown was not awed in the least by his opposition, but carried the fight to the people. He was not only successful in winning his fight with the banks, aided by the support of his constituents, but also affected additional banking reforms.

The second incident occurred during the Civil War. President Jefferson Davis requested more power for the Confederate Government. Brown fought the request on the grounds that Georgia had seceded from the Union to protect its rights. Relinquishing this jealously guarded power to the Confederacy would have defeated the purpose for secession. Hill argues that Brown's stand was very unpopular with Georgia and with the South.[52] She writes that Brown's motives were selfish and that many historians were critical of his action. Brown's real motives in the fight are of little importance at this point. More important is the observation that Brown again was willing to fight for his beliefs.

The third incident occurred when the Radicals rejected President Johnson's reconstruction program and substituted their own plan. The Democrats in Georgia advocated rejecting the program because they believed it to be unconstitutional. Brown believed the constitutionality argument was moot since the Supreme Court would never rule on the question. He argued that Georgia would have to submit to the Radicals' program before the state would be re-admitted to the Union. Brown's friends warned him that supporting the Radicals' program was folly and could only lead to defeat and certain political suicide. He ignored his

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[52]Hill, op. cit., pp. 259-260.

friends' pleas and carried his arguments to the people. He reasoned that the sooner Georgia adopted the acts the sooner the state would be re-admitted to the Union. Thus, a third time Brown demonstrated he was willing to fight for his beliefs regardless of the odds.

Brown's Speaking Career

Brown's Speech Training

Very little has been written describing any training Brown received in rhetoric or public address. Writers describing his formal educational background mention no speech training he received while in school. Educational historians describe the curriculum taught in South Carolina's Academies, and one may guess that Brown had some training. At the time Brown attended Calhoun Academy, rhetoric was one of the major courses in the curriculum and debating societies were very active in the academies.[53] Brown's early speaking efforts revealed sufficient knowledge of argument and organization to infer that he had studied some rhetoric in school.

Brown seems to have been a fair speaker when he entered public life. He made his first speech on record before the examining committee when he was seeking admittance to the bar. Avery noted that Brown had clear organization, close and logical arguments, and demonstrated an ability to appeal to an audience in this speech.[54] A newspaper writer reported that Brown had no equal as a pleader when

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[53]Degar W. Knight, A Documentary History of Education in the South Before 1860 (Chapel Hill: University of North Carolina Press, 1953), IV, 345.

[54]Avery, op. cit., p. 12.

trying a case in court.[55] That Brown was the leading spokesman for the Democratic Party in the Georgia Senate in 1849 suggests that he was at least an adequate speaker.

Although Brown was an able speaker when he entered public life, he still had much to learn. His inadequacy was indicated in his early debates with Ben Hill during the 1857 race for governor. The political leaders were so concerned that they wired Toombs to come to Brown's aid. The debates between Brown and Hill were halted while Toombs took Brown to a more friendly section in Southern Georgia. After three weeks' intensive coaching Toombs returned to Washington convinced that Brown could debate on even terms with Hill.[56]

Brown's Speaking Skills

Robert Fielder described Brown's speaking skills in the following manner: "As an orator, in the popular understanding of the term, he is barely the equal of Stephens, Cobb, Toombs, or Hill; but as a debater he is the inferior of none, and the superior of most of them."[57] Fielder explained the contrast in oratory and debate further when he wrote, "Brown never deals in fiction or fancy in conveying his thoughts to his hearers, but uses facts and reasons, and the most exhaustive arguments, in the plainest, and approved English words."[58] The private papers of Colonel James Gardner, published in 1850, also referred to

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[55] Savannah Morning News, June 30, 1857.

[56] Hill, op. cit., p. 17.

[57] Fielder, op. cit., p. 69.

[58] Ibid.

Brown's speaking skills as including clear organization and logical argument.[59] Louise B. Hill suggested one other skill possessed by Brown, the ability to appeal to the people: "Brown developed to an uncanny degree the ability to sense the popular mind, probe its depth, and with the precision of a chemist to gauge its reaction."[60] Brown's speaking style seemed to depend upon the use of argument and the ability to adapt to the people.

Brown's Use of Argument. Writers seem generally to agree that Brown depended more upon strong arguments to accomplish his goals than upon any other skill. He employed these arguments only after the topic had been exhaustively researched. Fielder observed that Brown made a careful, objective, thorough investigation on any subject before he formulated his opinions.[61] Hill wrote that Brown was prone to withhold comment on an issue until all the facts had been assembled. Once the facts had been gathered, he then approached the dispute with "plain, honest, unanswerable arguments."[62]

Brown's Use of Audience Adaptation. Writers vary in their explanation of Brown's success in appealing to his audiences. Avery and Fielder attribute Brown's success to the sympathy and concern he had for people.[63] Hill attributes Brown's success to his knowledge

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[59]Cited in the Daily Examiner (Atlanta), July 9, 1857.

[60]Hill, op. cit., p. 48.

[61]Fielder, op. cit., pp. 101, 504, and 505.

[62]Hill, op. cit., p. 13.

[63]Avery, op. cit., p. 59; and Fielder, op. cit., p. 101.

of the psychology of dealing with people.[64] Grady believed Brown achieved audience appeal by employing a language people understood, Grady amplifies his point by describing Brown's language as consisting of "a simple style, using the homeliest phrases, but that his words go to the heart each time. There was a sympathy between Brown and the people that not even the eloquence of Toombs could match, or the skill of Hill destroy."[65]

Brown's Use of Delivery. Brown's delivery was governed primarily by his physical build. His chest was too thin for great strength of lungs, and his throat was weak and subject to irritation and disorder. A bronchial disorder often forced him to cancel or postpone planned speaking engagements. His voice was nasal and his pronunciation provincial. His rate was slow and deliberate. Although his weak lungs contributed to soft force, his voice was clear and distinct and could easily be understood. Fielder wrote that Brown was never loud or vehement, even in the most important speeches, but was always self-possessed, self-reliant, confident, and deliberate.[66]

Brown, physically, was a frail man about five feet, ten inches tall and weighed approximately one hundred forty pounds. He stood erect when he spoke, never slouching. His gestures were awkward and few in number. He tended to follow a pattern, gesturing in straight up and down lines, dropping one hand into the palm of the other, letting the other hand fall and rise on the speaker's stand in pump-like motion.

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[64]Hill, op. cit., p. 48.

[65]Henry W. Grady, Daily Atlanta Intelligencer, July 30, 1857.

[66]Fielder, op. cit., p. 28.

Brown could and did deliver his speeches either extemporaneously or from manuscript. He employed extemporaneou- and even impromptu delivery in his political speaking. Often times his political campaigning consisted of debating and presenting heckling speeches, making the impromptu method mandatory. Brown's debates with Ben Hill in the 1857 gubernatorial election provides an example of this type of speaking. In these debates one speaker would present his platform or constructive arguments in an hour-long speech. The second speaker would have approximately ninety minutes to present his arguments and rebuttal. The first speaker would then end the debate with a thirty minute rebuttal. Avery wrote that Brown was always clear, cool, and ready-witted in these debates.[67]

Brown read his annual messages and formal speeches from manuscript.[68] He would dictate the original draft to a stenographer. He would then take the original draft and carefully revise and read the speech to his wife until he was satisfied that it was ready for presentation.[69] He further presented many of his speeches in state newspapers in the form of letters. These speeches were prepared by the same method that he used in writing the formal addresses.

Brown's speaking style and skills might be summarized in the following manner: He employed a soft, deliberate delivery, presenting his ideas in simple but specific language. He would never discuss an

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[67]Avery, op. cit., p. 44.

[68]Ibid., p. 129.

[69]Frank G. Carpenter, "Joe Brown of Georgia," New York Times, January 11, 1887.

issue until the subject was thoroughly investigated, preparing his ideas for presentation either by extempore or manuscript reading, employing clear organization and sound reasoning to achieve his objective.

CHAPTER III

BROWN'S RHETORIC OF SECESSION

Introduction

Chapter Two enumerated Joe Brown's personal traits as they are revealed in a review of his background, character, and speaking technique. Since this study is concerned with the ideas Brown advanced during the years 1857 through 1880, an attempt was made to describe only those traits which will contribute to a more thorough evaluation of his rhetoric in this period. The following three chapters propose to evaluate the ideas Brown advanced in his attempt to influence the course of action Georgia followed during these years. Chapter Three evaluates his rhetoric between the years 1857 and 1865.

Beginning with the Compromise of 1850 until Lincoln was elected president in 1860, the United States was constantly plagued with the problem of territorial disposition, which centered around two questions: Could slavery be carried into the territories? Would the state or federal government resolve the conflict? The South was divided over the course of action it would follow to protect its right to maintain slavery. Brown's attitude changed from a desire in 1850 to resolve the conflict within the Union to the belief in 1860 that the South must secede to survive.

Three speeches have been selected to represent Brown's attitude in the years 1857 through 1865. These three speeches are his inaugural address in 1857, his inaugural address in 1859, and a special address to the state legislature on November 6, 1860. The ideas presented in these speeches reveal a progressive trend from Brown's belief that the Union could be saved to his aggressive plea for secession. These ideas parallel the South's progressive acceptance of the secession philosophy.

Chapters Three, Four, and Five employ two steps in evaluating Brown's invention: The first step presents the necessary background information. The second step is devoted to evaluating how well Brown, considering the goals he desired to achieve, adapted his ideas to fit the attitudes of his peers, and adjusted to the needs of the times.

The Political Context, 1850-1861

The National Political Context

By 1850, a national political problem had been introduced concerning the disposition of territory acquired from the Mexican War. The problem eventually terminated when several Southern states seceded from the Union resulting in civil war. This national problem was whether Congress had the power to quarantine slavery in the Union, or if the power resided with the states? The Compromise of 1850, the Kansas-Nebraska Act in 1854, and the Dred Scott Decision in 1857 provided the focal points in this bitter political struggle.[1] Old-line political ties were dropped throughout the nation as divergent

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[1]Dwight Lowell Dumond, The Secession Movement 1860-1861 (New York: The Macmillan Company, 1931), p. 1.

doctrine concerning the slavery issue forced the formation of sectional political parties.[2] The national political scene can be described by reviewing the political events that transpired in these three disputes.

The Compromise of 1850. From 1820 to 1850 the Missouri Compromise governed the further expansion of slavery into new territories. Shortly before 1850 a series of events occurred that rendered the Compromise an unsatisfactory solution. The Mexican War supplied the United States with additional land for settlement. California, a part of this new territory, petitioned for immediate entrance into the Union as a free state. In 1846 Representative David Wilmot introduced a resolution that called for all the territory gained from Mexico to be closed to slavery. Northern members in both the Whig and Democratic Parties supported the resolution. The South had never been satisfied with the Missouri Compromise, but they were unwilling to kill the act and adopt a new resolution prohibiting further slavery expansion into newly-opened territories. Thus the first battle lines were drawn over the Wilmot Proviso as each section began to formulate new political doctrine.

The prevailing political philosophy in the North advanced the belief that the United States Congress held the power to regulate the existence of slavery in the territories. The North reasoned that Congress not only had this power, but had passed regulatory bills in 1789, 1803, and 1820. They believed the federal constitution granted Congress this power. Article IV, Section 3, states that Congress shall

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[2]Allen D. Candler, The Confederate Records of the State of Georgia, 7 vols. (Atlanta: State Printing Office, 1909), I, 7-10.

have the power to make all needful rules and regulations respecting the territory or other property belonging to the United States. The Supreme Court case of American Insurance Company versus Canter was cited as evidence supporting the Northern interpretation of the constitution. In this case Chief Justice Marshall wrote the majority opinion ruling that Congress held the power to govern the territories.[3]

Political theorists in the South held the belief that the federal government was a government of the states. The states, not the nation, jointly owned the territories. Therefore, Congress had no legal authority to deprive any state of its equal right, nor any justification to forbid any citizen from immigrating with his property into any of the territories. The Southerners cited the Supreme Court decision in the United States versus Gatiot as their evidence.[4] The Court defined land as the only property Congress could regulate in the territories in this decision. The South argued that a newly organized state's constitution alone could prohibit slavery within its boundaries. Therefore, slavery could not legally be prohibited from any territory until the newly formed state specifically denied its entrance.

The Midwestern Democrats introduced a moderate political doctrine. These Free-Soilers argued that neither the state nor the federal constitution could regulate slavery. They reasoned that all power not specifically granted to the federal government resided in the people. Thus, the people occupying the territory held the right

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[3]Allen Nevins, Ordeal of the Union, 2 vols. (New York: Charles Scribner's Sons, 1947), I, 261

[4]Ibid.

to determine whether slavery would be legal in their area.[5]

Southern states' rights leaders called for a convention of Southern states in 1849. The purpose of the convention was to adopt a united course to follow in attacking the proposed Wilmot Proviso. Southern sentiment for a time seemed to favor secession.[6] Early in 1850, before the convention was able to meet, Clay offered a compromise. The Compromise included admitting California as a free state, establishing territorial governments in New Mexico and Utah without stipulations for or against slavery, paying Texas for the land taken over by the federal government, passing a fugitive slave law, and abolishing the slave trade within the District of Columbia. Moderate Whigs and Democrats, North and South alike, united to pass the Compromise. The Compromise came early enough to weaken the secessionist movement in the Southern convention and the Union was temporarily saved.

The Kansas-Nebraska Act. The national political calm initiated by the Compromise of 1850 proved to be short-lived. A bill was introduced in 1852 opening the Nebraska territory for settlement. The framers of the original Kansas-Nebraska Act did not mention the expansion of slavery. They relied instead on the Missouri Compromise and its demarcation of that system. The bill failed to pass by only a few votes and its passage seemed a certainty in 1854.[7] Senator Stephen A. Douglas re-introduced the bill in 1854, but not in its original form.

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[5] Ibid., I, 28.

[6] Ibid., I, 245.

[7] Ibid., II, 91.

The new act proposed that Kansas and Nebraska be admitted separately and that the citizens in each territory determine the status of slavery by popular sovereignty.

Nevins advances the theory that the Kansas-Nebraska Act passed from lack of opposition, rather than from strong national support.[8] The South had never been satisfied with the Missouri Compromise and now supported the Kansas-Nebraska Act as a means of eliminating the hated law. The North disliked any legislation that permitted slavery to expand. By supporting the Kansas-Nebraska Act, the North hoped that popular suffrage would prevent the further growth of slavery.

The new act did not remedy, but rather intensified, the growing sectional friction. First, the act destroyed the old Whig Party; secondly, it was responsible, in part, for the birth of the first sectional political party.[9] The newly formed Republican Party gained its membership from the North and was dedicated to the destruction of slavery.[10] The Republicans believed the federal government had the power, and responsibility, to prohibit slavery from any new territory opened for settlement. The passing of "personal liberty laws" in every Republican-controlled state gave credence to this belief.[11] The

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[8]Ibid., II, 121.

[9]Clement Eaton, A History of the Old South (New York: The Macmillan Company, 1949), p. 554.

[10]Nevins, op. cit., II, 322.

[11]The "personal liberty laws" were state enactments which forbade the practice of slavery within the states. Many of the laws made it almost impossible for the South to recover slaves that had escaped into these states.

refusal to accept the interpretation of Negroes as property, the active support given to the abolition movement--all served to increase the antagonism developing between the two sections.

The Dred Scott Decision. The Dred Scott Decision added additional fuel to the growing sectional fire by widening the growing rift in the Democrat Party. The Democrats acidly disagreed over which agency, the state or the people of the state, held the power to regulate slavery in the territories. The Southern members believed the authority rested in the constitutional specifications adopted by the newly formed state. The Northern Democrats argued that the people in the territory should make the decision by popular sovereignty. The difference in interpretation was temporarily resolved at the Cincinnati Convention in 1856.[12] The two factions agreed to wait for a ruling by the Supreme Court. The Supreme Court ruled on the question in the case of Dred Scott in 1857. Chief Justice Taney, writing for the majority, declared the Missouri Compromise unconstitutional and ruled that the states had the power to determine the status of slavery within their boundaries.

The Northern Democrats argued that the Dred Scott decision had not voided the idea of popular sovereignty as the solution for deciding the legality of slavery within the territories. The Northern Democrats could not accept this decision since Douglas' influence, and the party's strength, depended on the continued existence of the popular sovereignty plank. The refusal to accept the Court's decision caused many Southerners to read Douglas and his followers out of the party.

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[12]Dumond, op. cit., p. 18.

The stage was thus set for the split in the Democratic National Convention in 1860.

The Democratic National Convention met at Charleston in 1860. Sectional party lines were drawn from the outset, and the Convention was doomed to failure. The Northern section was bound to the popular sovereignty plank and to Douglas for president. Many Southern states were equally committed to the Alabama Platform, which called for a congressional slave code for the protection of slavery in the territories and the nomination of a presidential candidate who accepted the pro-slavery creed, and thus would not accept Douglas as a presidential candidate as long as he was the prophet of popular sovereignty.[13] The Northern Democrats held a majority vote in the Convention since there were more states in the North than in the South. The party platform committee was dominated by Southern Democrats who wrote a platform rejecting popular sovereignty. The Convention adopted the minority report favoring popular sovereignty and many Southern states withdrew. The remaining delegates voted to adjourn and reassemble at Baltimore on June 18.[14] The Southern states returned home to seek further instructions.

The Democratic Convention reconvened on June 18, 1860. Many delegates had favored delaying the convention until some compromise could be reached. Douglas would not accept the nomination without the popular sovereignty plank, and the North insisted that he be selected as

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[13] Ibid., p. 33.

[14] Ibid., pp. 44-45.

the candidate. The South was determined to support the Alabama Platform making a compromise impossible. Many Southern states bolted the convention and the North adopted the minority platform and nominated Douglas for president. The 231 Southern delegates assembled at the Maryland Institute on June 23, where they adopted the majority platform and nominated John C. Breckenridge for president.

Two other parties had conventions and nominated candidates while the Democratic split into divergent factions. The Constitutional Union Party met in Baltimore and nominated John Bell as its candidate. The Bell supporters did not adopt a formal platform, but rather insisted they supported the constitution. The Republican Convention met in Chicago on May 17. The Republicans adopted a platform denying that slavery was based on common law, denouncing popular sovereignty, and defining the secessionist doctrine as treasonous.[15] Lincoln's nomination was viewed as a repudiation of radical anti-slavery sentiment.[16]

A majority in the South believed a Republican victory would seriously endanger the continuation of slavery. The secession movement gained strength as it became more apparent that Lincoln would win. Following Lincoln's election in November and South Carolina's Acts of Secession in December, a divided Union became reality.

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[15]Ulrich B. Phillips, "Georgia and State Rights," Annual Report of the American Historical Association, II (1901), 191.

[16]Dumond, op. cit., pp. 96-97.

The Georgian Political Context

The South had been driven to a defensive attitude by 1850. The North was criticizing most Southern institutions as well as slavery.[17] For many years the nation had been able to avoid conflict by virtue of Southern political domination. As the North gained more and more political control from the South and employed that power to benefit economic interests in the North, a frustrated South began seriously considering secession.

Very few Southerners questioned the South's right to secede. A majority held the belief that the states were sovereign. The states had voluntarily joined the Union, granting it specific, enumerated powers. In no place in the contract did it state that their surrender was permanent or irretrievable. The major conflict in thinking in the South concerned the method and time for secession. Three schools of thought developed in the South concerning the topic of secession: One group remained loyal to the Union to the end. A second group desired to remain in the Union until it became apparent the North would no longer honor Southern grievances. A third group desired immediate secession by action of states individually or as a group. Transpiring political events and persuasion provided the third group the necessary momentum to gain its objective.[18]

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[17]Henry Savage, Jr. Seeds of Time (New York: Henry Holt and Company, 1959), p. 105.

[18]Dumond, op. cit., p. 167.

The Compromise of 1850. Georgia opposed the Compromise of 1850 at first because of a misunderstanding.[19] Earlier that year the Governor had called for a state convention to determine what action Georgia should take toward the compromise. Just when it seemed the state would reject the compromise, Howell, Cobb, Toombs, and Stephens united to push the passage of the bill. They employed a successful speaking campaign that persuaded the state to adopt the Georgia Platform and give its approval to the bill.[20] The Georgia Platform listed a series of encroachments on Southern rights which would justify the recourse of secession. These encroachments included abolition of slavery in the District of Columbia, suppression of the internal slave trade by an act of Congress, any law prohibiting the introduction of slaves into the territories of Utah or New Mexico, refusal to admit a slave state into the Union, and serious modification of the Fugitive Slave Law. All the states in the lower South and many in the upper South shortly followed Georgia's lead in approving the bill.[21]

Phillips concludes that a coalition of the Whigs and Democrats in Northern Georgia was responsible for the Georgia Platform.[22] Many things contributed to the defeat of the secession movement in 1850. Georgia's Congressmen had earlier advanced arguments against the Compromise of 1850 designed to scare the North. Georgians had accepted

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[19]Phillips, op. cit., p. 163.

[20]Eaton, op. cit., p. 547.

[21]Ibid.

[22]Phillips, op. cit., p. 165.

these arguments at face value, thus building a strong opposition to the bill. Further, Georgia had always been a moderate state and was cool to any strong talk favoring secession. These reasons added to the fact that Georgia was experiencing growing prosperity throughout the state discouraged any strong secession movement.[23]

The governor's race in Georgia in 1851 indicated that the loyalty to the Union was strong at that time. The Constitutional Union Party ran Howell Cobb against the secessionists' candidate Charles J. McDonald. Cobb won the election by more than 18,000 votes. The Georgia Platform pledged the state to the Union, but that platform also, it should be remembered, listed the preconditions she would insist upon if that loyalty was to continue.[24]

The Kansas-Nebraska Act. Georgia supported the Kansas-Nebraska Act in 1854. In fact, Stephens played a vital role in the bill's passage by closing debate on the act, thus forcing it to an early vote.[25] The state legislature indicated popular state support when it gave the Act a strong vote of confidence.[26]

Georgia supported the Kansas-Nebraska Act for several reasons: First the state had never given strong support to the Missouri Compromise and the new bill provided the means for destroying it. Secondly, Georgia approved the Act because it was in keeping with the philosophy stated in

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[23]Nevins, op. cit., I, 376.

[24]Rudolph Von Abele, Alexander H. Stephens (New York: Alfred A. Knopf, 1946), p. 131.

[25]Ibid., p. 144.

[26]Phillips, op. cit., p. 173.

the Georgia Platform and demonstrated the finality of the Compromise of 1850. In the third place, the state was pleased with the prospect of joining forces with the Northern Democrats to strengthen the Union.[27]

The general mood in Georgia at this time was evident in the changes which took place in the political parties of the state. The Union coalition in 1851 had spelled the death of the Whig Party. Historians found it extremely difficult to distinguish between the basic philosophies of the Whigs and the Democrats in the presidential race of 1852.[28] In fact, a majority of the Whigs had joined the Democratic Party by 1854. Whig members unable to join the Democrats gave their loyalty to the Know Nothing Party.

The Dred Scott Decision. The Democrats began to experience conflict within their ranks shortly after the Kansas-Nebraska Act was passed. The newly formed Republican Party was actively engaged in sending agents into Kansas and Nebraska to make them free states. The Northern Democrats immediately made it clear they expected the slavery issue to be settled by popular sovereignty. Many Georgians believed that anti-slavery elements in Congress would reject any pro-slavery constitution offered by Kansas. In 1855 Governor Hershel V. Johnson advised the Georgia Legislature to call a state convention to determine a policy of resistance in case such a problem developed.[29] The Legislature failed to act on his wishes but the state did sponsor a

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[27]Ibid.

[28]Phillips, op. cit., pp. 166-167.

[29]Federal Union (Milledgeville, Georgia), November 6, 1855.

number of expeditions to Kansas. In the meantime the Democrats resolved their immediate difference with the Cincinnati Resolution of 1856.

The Kansas conflict was an important Georgian political issue in 1857. President Buchanan had sent Robert J. Walker to Kansas in June to serve as territorial governor. Governor Walker had immediately expressed the opinion in his inaugural address that Kansas should be a free state. The Democrats in Georgia defended Buchanan and placed the entire blame on Walker. The opposing American Party held both Buchanan and Walker responsible. As expressed in the 10,000 vote victory won by the Democratic candidate for Governor, the general sentiment supported the Democratic philosophy.

The Dred Scott decision intensified the national conflict and widened the split in the Democratic Party. The Northern Democrats refused to accept the Court's decision as they had agreed to at Cincinnati in 1856. Democrats in Georgia bitterly turned their backs on Douglas and his followers. The split in the party was never healed and resulted in the formation of two parties in 1860.

There were no real national political problems in Georgia in 1858 or the first half of 1859. Although Kansas seemed destined to enter the Union as a free state, and although many Democrats were angry with Douglas, most Georgians were still content with the Union. Stephens called attention to the political calm in a speech delivered on July 2, 1859.[30] Later that same month Senator Iverson, seeking re-election, shocked the people by predicting the Democrats' defeat and a Republican

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[30]Von Abele, op. cit., p. 175.

victory in 1860. Georgia evidently resented his belief, because he was not re-elected to office. The general feeling in the state was that Iverson had exaggerated the situation in an effort to gain votes.[31] At this time Georgia still seemed to be quite friendly toward her Northern sister states.

The tranquility in Georgia was shattered by John Brown's raid on Harper's Ferry in October, 1859. Eaton observed that this raid tore the fraternal bonds between the two sections which served as the only enduring basis of a Union at this time.[32] A large number of Southerners realized that a majority in the North did not share the views of the Abolitionists, yet the popular canonization of John Brown far overshadowed the few Union meetings held in the chief cities in the North.[33] Gradually the South's hatred for the Abolitionists was transformed into a hatred for the North. The secession movement gained popular momentum as the raid convinced many that the South must achieve unity.

In the spring of 1860, Georgia sent her delegates uninstructed to the Democratic Convention in Charleston. Many Georgia delegates bolted the Convention along with the delegates of many other Southern states. Georgia called a new state convention to select delegates and make plans for the Baltimore Convention. The conflicting ideas in Georgia are revealed in the various speeches delivered at the second

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[31]Phillips, op. cit., p. 186.

[32]Eaton, op. cit., p. 570.

[33]Federal Union (Milledgeville, Georgia), December 27, 1859. The Union meetings consisted of people in the North critical toward the John Brown raid and supported the Southern stand.

state convention. Howell Cobb, speaking for the secessionists, expressed little faith in the Northern Democrats and felt that the South should follow an independent action. The Northern Democrats' refusal to accept a plank recognizing the equality of the states, plus their determination to nominate a candidate hostile to the South, convinced him of the necessity of the course of action he advocated. Alexander H. Stephens, speaking for the group desiring to remain in the Union, suggested that existing problems could be resolved within the bond of federalism. The South had made a mistake in abandoning the non-intervention position at the Charleston Convention. He warned that unless a wise counsel were pursued, the nation would find itself at war.[34] The non-slaveholding class selected Joe Brown as their chief spokesman. Brown took a middleground position in the debate. He certainly believed the South had the right to secede, and advised the State to so act should the North violate the Georgia Platform. He believed that the Union could be saved by the Democratic Party and worked toward unifying the warring factions. He petitioned the Party to send delegates to Baltimore who were instructed to form a compromise plank and select an acceptable candidate.[35]

The Northern Democrats proved unwilling to compromise their convictions. Georgia then bolted with the other Southern states and selected Breckenridge as their presidential candidate. The Northern Democrats' unwillingness to compromise forced Brown to join forces with

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[35]Von Abele, op. cit., p. 181.

[34]Phillips, op. cit., p. 189.

Cobb and Toombs in support of Breckenridge. This coalition, coupled with Lincoln's election, gave the secessionist forces sufficient strength to vote Georgia out of the Union in January, 1861.

An Evaluation of Brown's Rhetoric, 1857-1861

Brown's Attitudes Toward the States' Rights Issues

From 1850 to 1861 the states' rights controversy took shape in the battles waged over the Compromise of 1850, the Kansas-Nebraska Act, and the Dred Scott decision. Joe Brown's philosophy concerning the controversial dispute over the relationship between the states and the Union can be described through a review of his attitudes toward slavery and these three disputes.

Brown's Attitude Toward Slavery. Brown was reared without the personal services of slavery. Only after his law business had increased to the point that he could no longer care for his farm, had he purchased a few field hands to tend the crops.[36] Economic conditions, rather than any distaste for slavery, were responsible for his failure to purchase slaves sooner. The mountainous farms in Northwest Georgia were not economically suited to slavery, and a majority of the residents in that area were non-slaveholders. Brown shared the beliefs of his neighboring yeoman farmers that slavery was legal and its benefits made it a desirable system for the non-slaveholders, as well as the owners.[37] When the Wilmot Proviso was introduced, prohibiting the expansion of

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[36]The Cherokee County Tax Census taken in 1850 revealed that Brown owned only three slaves.

[37]John Samuel Ezell, The South Since 1865 (New York: The Macmillan Company, 1963), pp. 10-11.

slavery into the territories obtained from Mexico, Brown bitterly denounced the proposal. In a speech delivered February 1, 1850, he defended the justice of slavery, arguing that the constitution gave Congress no right to abolish slavery in the territories.[38] After his election as governor in 1857 he became the recognized spokesman for the non-slaveholding citizens in the state.[39]

Brown's Attitude Toward the Compromise of 1850. In 1849 Brown was an ardent states' rights advocate. He believed that an injustice had been done his native South, and was ready to contend for her rights.[40] He had long opposed the Missouri Compromise and was ready to support any action that outlawed the bill. Although he preferred secession as a solution in 1850, he joined the majority in his state in pledging their loyalty to the Georgia Platform and supported the Compromise of 1850. He continued to support the Platform until the Northern Democrats forced the Southern members out of the party at the Baltimore Convention.

Brown's Attitude Toward the Kansas-Nebraska Act. Brown supported the Kansas-Nebraska Act for two reasons: First, he favored the Act because it replaced the infamous Missouri Compromise.[41] Secondly, he favored the Act because he believed it was a course of action which supported the principles formulated in the Georgia Platform.

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[38]Phillips, op. cit., p. 181.

[39]Ibid., p. 187.

[40]Reported in a speech delivered by Brown at the ratification meeting in Cherokee County in 1857. See "Brown Scrapbooks."

[41]Nevins, op. cit., II, 95.

In his campaign for governor in 1857, Brown defended the Act, upholding Buchanan's action and placing all the blame for the existing trouble in Kansas on Governor Walker. He argued that Walker had no right to interfere with the people's selection of a constitution. He reasoned that Buchanan had intended that only the legal residents of the territory should be allowed to vote.[42]

Brown's Attitude Toward the Dred Scott Decision. In the Dred Scott decision the court had ruled that land was the only property that Congress could legislate on in the territories. Although the Northern Democrats had agreed at the Cincinnati Convention to abide by the Court's decision on this issue, they refused to accept the Court's ruling as being applicable. This attitude toward this decision caused many Southern Democrats to feel that Douglas and his followers were espousing views inimical to them and to party solidarity.

Joining the South in accepting the Supreme Court's ruling as being final, Brown did not take an active stand on the party split until he became persuaded that the Republican Party posed a serious threat to states' rights. He then advanced the idea that a unified Democratic Party was needed to preserve the Union and states' rights. He continued in his attempt to resolve the differences between the two factions, until the Northern Democrats made clear at the Baltimore Convention that they would not compromise their beliefs. Following the Convention, Brown gave his support to the secessionist movement.

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[42]Haywood J. Pearce, Jr., Benjamin H. Hill Secession and Reconstruction (Chicago: The University of Chicago Press, 1928), p. 29.

The First Inaugural Address, 1857

Background of the Address. Brown faced many problems as he prepared to deliver his first inaugural address: He had been a compromise candidate, nominated accidentally after the party had been unable to agree upon a man among the five leading contenders. Before 1857 state affairs had always been governed by men of wealth from aristocratic backgrounds, and now the governor's chair was to be occupied by a virtually unknown commoner.[43] Although Brown had been active in politics since 1847, he was almost unknown outside the seven counties in the Blue Ridge Circuit. Thus, his first problem was to gain acceptance as the state leader, although handicapped by being a compromise candidate, unknown to the people, and having his administrative ability seriously questioned by men of importance.[44] A second problem had been created by the split in the state Democratic Party. The American Party had attempted to aggravate this problem further by forcing the 1857 gubernatorial campaign to be fought on national issues.[45] A third problem centered around the decision that had to be made concerning the disposition of the state road. Democratic foes contended that state control of the road had proved too costly and demanded that the road be leased to a private company. The fourth problem had been introduced in the summer of 1857. That summer a

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[43] I. W. Avery, The History of the State of Georgia (New York: Brown and Derby, 1881), p. 47.

[44] Phillips, op. cit., p. 182.

[45] Pearce, op. cit., p. 49.

mild recession had occurred when the state banks suspended specie payments.[46] The banks claimed they were forced to take this action in defense of heavy drafts made on their coins by the North. Foes to this suspension pointed to the banks' large capital and adequate circulation as proof that the banks' action was unnecessary. The fourth problem was to provide an adequate solution for the banking crisis.

Brown, dressed in an unfashionable, but neat, black suit, entered Capitol Hall Friday morning, November 6, 1857, to present his first inaugural address. Avery observed that as Brown faced the large audience his composure was perfect, and his movements, while not free and easy, were not awkward.[47] After a brief pause, Brown began his address in a calm, clear, conversational voice.

Summary of the Ideas. Brown opened his address with a plea for unity regardless of party affiliation in order to secure the development and safety of the state. He then turned his attention to the local scene, proposing remedies for existing state problems. These proposals included needed internal economic development, a suggested program for public education, a solution for the disposition of the state road, and the type of law he desired enacted to ease the banking crisis.

Not until near the end of the address did Brown direct his attention to the states' right problem. His ultimate desire, expressed

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[46]Avery, op. cit., p. 49. See also E. Merton Coulter, Georgia, A Short History (Chapel Hill: University of North Carolina Press, 1947), p. 313.

[47]Avery, op. cit., p. 49.

in this address, was that Georgia be guaranteed the preservation of her inherent rights. This goal was expressed by Georgians, he believed, when they adopted the Georgia Platform. He reasoned that the state had approved the Kansas-Nebraska Act because it contained the principles of non-intervention. Georgia wanted no more than this constitutional guarantee and would accept nothing less. He then gave his assurance to the people that he accepted the responsibility as governor to take, if necessary, whatever action might be needed to preserve Georgia's rights. He closed the address with the prayerful hope that the national councils would be tempered with wisdom, moderation, and justice, so that "equality in the Union might be maintained, and our constitutional rights and privileges be perpetuated and transmitted unimpaired to the latest generation."[48]

Analysis of Brown's Invention. The significance that Brown placed on the states' rights issue in comparison to internal state problems in 1857 is seen in the amount of space he devoted to the national issues. Much less than a fifth of his speech was devoted to the national issues, and he discussed this topic only after he had disposed of what seemed to be more vital issues.

Brown gave importance to only two ideas in his discussion of Georgia's relationship to the Union: First, the present position now held by the state toward this controversy; and secondly, the position that he, as governor, was willing to take in support of the state's

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[48]A copy of Brown's Inaugural Address can be found in the Federal Union (Milledgeville, Georgia), November 7, 1857. See also "Brown's Scrapbooks."

position. His interpretation of the position held by Georgians toward the state's relationship to the Union was revealed in three key statements. The first indication came in his opening remarks when he requested unity among the people regardless of party affiliation in order to secure the development and safety of the state. The second statement was his assertion that Georgians had again and again supported the principles of non-intervention contained in the Kansas-Nebraska Act. The third statement was his belief that Georgians demanded no more than their constitutional rights and equality in the Union, but they would be content with nothing less. These three ideas are summed up in the conclusion when he prayerfully hoped that the national councils would so act that Georgia's equality in the Union might be maintained, and its constitutional rights and privileges be perpetuated, and transmitted unimpaired to the latest generation. The governor affirmed that he was willing to take any action necessary to maintain Georgia's rights and would vindicate her honor at any and every hazard.

Two conclusions can be drawn concerning Brown's treatment of the national issues: First, he apparently had concluded that Georgia's rights were not seriously jeopardized at that time; and secondly, his objective in the discussion was to present his views and position on those issues. Concerning the first conclusion, at no time in the address did he warn of any serious danger or threat to Georgia. Rather, his approach to the subject was to present what Georgia demanded and what she would defend. Even his willingness to defend her rights emphasized the idea if, not when, the hazard came. Concerning the

second conclusion, the informative pattern he employed suggests the purpose of the speech. No attempt was made at any point either to prove a point, or to persuade the audience. His pattern of asserting ideas and conclusions forces one to assume either that he was merely expressing his views, or that he customarily exerted little discipline in attempting to prove his points. Certainly the latter conclusion is disproved by authorities familiar with his rhetoric.[49] The purpose to inform was further revealed by the absence of any emotional appeal in his address. The few statements that carry complimentary terms strive for goodwill rather than appeal.

Evaluation of Brown's Invention. Historical data and interpretation supports the thesis that Brown displayed discriminating judgment in his selection and adaptation of ideas. A number of incidents point up reasons for Georgia's satisfaction with the status quo concerning the state's relationship with the Union: First, the Kansas-Nebraska Act with its policy of non-intervention by the federal government was an established fact. Although the state Democratic and American Parties had differed over Buchanan's action in establishing a government in Kansas, they both supported the bill.[50] Secondly, they were further satisfied in March, 1857, with the Court's decision in the Dred Scott case, making land the only property that Congress could legislate in the territories. Again, this action was hailed with much

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[49]Many historians mention the rigid discipline Brown employed to obtain all the available facts to establish his case. See Daily Examiner (Atlanta), July 9, 1857.

[50]Pearce, op. cit., pp. 23-25.

gratification by both parties.[51] Thirdly, no new national problem had been introduced to cause any uneasiness in Georgia. Even the attempt by the American Party to make national issues a key point in the state elections in 1857 had proved very unsuccessful.[52] Thus, the state seemed satisfied with the status quo in national affairs in November, 1857. Status quo on the sectional conflict as interpreted by Georgians meant that the South could take its slaves into any new territory until the newly-formed state made slavery illegal. They further interpreted it to mean that the federal government had no legal right to legislate any restrictions on slavery in any state. Accepting this ideology, Georgia was at present satisfied, but jealously guarding against any loss of its constitutional rights and equality in the Union. Thus, they were vitally interested in knowing whether public officials would guard this position. The importance Georgia gave to selecting a states' rights man is pictured in the conversation Linton Stephens had with his brother when announcing the Democrats' nomination of Brown as governor. Linton assured "Alex" that Brown was very capable, and "was a firm Southern rights man."[53] Since Brown's philosophy was virtually unknown to the people in the state, and since the defense of states' rights was so important, it was essential that Brown present his views on the national controversy to the people.

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[51] Ibid. The decision also served to solve the existing difference between the "sectional" and "national" factions in the state Democratic Party. See Phillips, op. cit., p. 175.

[52] The national issues were introduced by the American Party in an effort to draw attention from their connections with the Know Nothing Party. See Pearce, op. cit., p. 23, and Von Abele, op. cit., p. 175.

[53] Cited in Von Abele, op. cit., p. 162.

Brown employed discriminating judgment throughout his address. In his remarks to the people he employed a language that presented his ideas clearly in a manner lending much to popular acceptance. First, he briefly, but clearly, outlined his support of the Georgia Platform, the Kansas-Nebraska Act, and a policy of continued watchfulness over the state's constitutional rights and equality in the Union. He further gave the assurance that he would willingly take the necessary steps to protect these rights. Secondly, his ideas were those the majority in Georgia desired to hear. Georgians commonly accepted a single position concerning the stand the state should take regarding slavery.[54] The only national issue that provided clash between the two parties concerned what administrative official should take blame for Walker's action in Kansas. Brown avoided discussing this topic and was not drawn into a defensive position in the speech. Thus, Brown was able to present the information the people desired in a very clear fashion.

There are no means to measure Brown's effectiveness by audience reaction since he made no appeal for action. His purpose in the address, as stated above, was to present his position on the question of states' rights. Phillips concludes that the new governor made clear what might be expected of him in case any attack was made on slavery during his term of office.[55] Avery has written that when Brown completed his address the people knew what to expect from him.[56] Accepting the

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[54]Phillips, op. cit., p. 182.

[55]Ibid.

[56]Avery, op. cit., p. 49.

principle that his purpose was informative, that he selected the material that should be discussed, and that he adapted that material to the audience, then one must conclude that it was an effective speech.

The Second Inaugural Address

Background of the Address. On October 16, 1859, just less than one month before Joe Brown delivered his second inaugural, John Brown led the raid on Harper's Ferry. This raid served as the spark that ignited the move toward Southern unification that could terminate only with secession. Many Georgians interpreted the raid as representing the general attitude found in the North and thus cut the last tie of friendship between the two sections.[57] Before this raid, the national political scene had been relatively peaceful in Georgia. While many Georgians differed on state problems, they seemed universally to agree on the slavery controversy. Stephens had commented upon the peace and quiet in the state when he announced he would not seek re-election to Congress.[58] In July, 1859, Senator Iverson, in a speech for re-election, predicted a Republican victory in 1860. The people looked upon Iverson's warning as a cheap political trick intended to gain votes, and responded by defeating him for the office. Toombs delivered a speech in September, 1859, indicating the state's satisfaction with national politics. Speaking for a majority of Georgians, he expressed the belief that Democrats would not have to add a plank to their platform demanding that slavery be protected in

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[57] Coulter, op. cit., p. 314.

[58] Von Abele, op. cit., p. 175.

the territories.[59]

A capacity crowd gathered in Georgia's Capitol Hall Friday morning, November 4, 1859. Senators, representatives, and leading citizens from all parts of the state had assembled to hear the Governor's address. For the past two years Governor Brown had remained silent on the national question. Now that Harper's Ferry had alerted the state to the threat posed by the Republican Party, the state turned to its leader for guidance. Georgians seemed to have been fairly evenly divided over the policy that should be inaugurated to meet this new danger. A small majority seemed to favor secession, while the minority preferred to look to Congress for a solution. The difference of opinion was further complicated by the continued split in the Democratic Party.

Summary of the Ideas. The first part of the address was devoted to a review of the existing circumstances present in the state when Brown took office and the critical test the people had placed upon his administration. He concluded that the people had announced their verdict at the polls in 1859 when they awarded his administration with an even larger majority than in 1857. He then congratulated the people on living in such a wonderful state, and enumerated the many things in which they could take pride.

Brown again devoted the last part of his address to the sectional conflict. He introduced this section by calling attention to the growing Republican movement and its threat to the security of the states' rights. A strong, unified Democratic Party, he contended, held

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[59]Ibid., p. 177. See also Phillips, op. cit., p. 186.

the only hope for the Union's survival. Although the party was now split, it could, as in the past, regroup to champion the constitutional rights of every section in the Union. He believed that the election in 1860 would decide the fate of the Union. He expressed his love for the Union and his determination to make every sacrifice to maintain it, but if unity failed, he loved the state more. For the present the people should strive to maintain the Union, but if the conflict came, he advised the citizens to withdraw from the Union. He closed the address with the prayerful hope that Almighty God would avert this break, and "that wisdom, moderation, and justice may control all our National and State councils--and that the rights of the States and the Union of the States may be thus perpetuated."[60]

Analysis of the Ideas. Brown devoted approximately one-third of his address to the sectional conflict. The increased coverage given to the subject in this address, compared with the brief treatment in 1857, gives some indication of the South's growing concern over the threat from the North. Von Abele pointed out this trend when he wrote, "The passion aroused in the South was caught up in a whirlpool of hysteria from which there was no escape but war."[61] The South's anger was directed at the Abolitionists' increasing attack upon slavery, and at the increasing number of Northern Republicans who were defending John Brown.[62] Governor Brown interpreted these events to point up one

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[60]Brown's Second Inaugural Address is in Federal Union (Milledgeville, Georgia), November 5, 1859. See also "Brown Scrapbooks."

[61]Von Abèle, op. cit., p. 177.

[62]Coulter, op. cit., p. 314.

conclusion, the real threat to Southern security was a victorious Republican Party. He reasoned that the only means of preventing this victory must rest in a strong, unified national Democratic Party. His objective in this address was to persuade Georgians to support the Democratic Party.

Brown's concern over the strained relationship existing between the North and South was indicated by the wording of his ideas. In the speech in 1857 he repeatedly referred to the Union of states; in the second inaugural address he referred to the nation as a Confederacy. In the speech in 1857 he made clear that Georgia held no one responsible for the sectional conflict; in the 1859 address he not only held the Republican leaders responsible, but named them in harsh language. In 1857 he saw no real threat to the Union and merely generalized the action he would take to defend the state; in 1859 he not only saw a definite threat to Georgia's security, but pointed out that it might be necessary for Georgia to secede.

Brown employed both logical and emotional appeals in this address to achieve his purpose. The logic rested in his four-step pattern of arrangement within which he established the South's objectives, the threat to these objectives, the preventative measures or solution, and the motivational appeal. He made little use of logical proof in his effort to establish any of the points. Rather, he made a general assertion and then relied extensively upon emotional appeals to gain the audience's acceptance. He appealed to Southern pride when he reminded his audience of their forefathers' contract with the Union. He stressed the point that they would be unworthy of their sires if

they remained in the Confederacy one day longer than that principle of equality existed. He employed such terms as "ambitious leaders," "sectional political party," and "black Republicans" to establish the threat from the Republican Party. The rightness of the Democratic Party was described in such metaphoric phrases as "a noble ancient pyramid," "mighty Gibralter," "Party of the Masses," and "the Party which, Phoenix-like, has risen from its own ashes."

Brown seemed to sense the possible failure of his plea for unity and devoted his conclusion to advising Georgia of the possible need for secession. Whether he sensed failure for his objective, or was merely attempting to lay the groundwork for future unity of action, he offered the impassioned advice for Georgians to ready themselves for eventual secession.

Evaluation of Brown's Invention. Many historians attribute to the Harper's Ferry raid the breaking of the last link between the North and South. The dangers posed by the raid and the growing abolitionist movement were of sufficient importance to the South to warrant Brown's discussion. The passions aroused in the South by these events made clear that the time had come for action. Brown, as chief executive and leader of the largest single group in Georgia, had the responsibility to propose a course of action.[63] He not only accepted this responsibility but offered advice to cover the possible failure of his plan.

Brown's invention was very appropriate in view of his objective. Two major attitudes had evolved in Georgia concerning the sectional

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[63]Phillips, op. cit., p. 187.

conflict. One group accepted the philosophy that a Republican victory in 1860 would warrant Georgia's seceding from the Union; however, this group was divided over unifying with Northern Democrats to prevent a Republican victory. The second group did not question Georgia's right to secede, but rejected the idea that a Republican victory would provide sufficient cause. Brown must persuade those in the first group opposed to joining forces with the Northern Democrats that unification was the only means of preventing a Republican success in the election. The second group must be persuaded that a Republican victory would warrant secession; therefore, they too must support unification to prevent defeat of the Democratic Party. A major part of his address was devoted to these two problems. He had no actual facts to establish that the Republican Party posed a serious threat and, lacking this proof, he turned to emotional appeal. Emotional charges of "prompted by ambitious leaders," "sacrifice their country," and "black Republicans" pictures a selfish sectional party dedicated to refusing the South the equality obtained for them by their forefathers. This was not an argument that logically proved the point, but did utilize an excellent appeal to a then passionately-aroused South. Seeking to gain support and unity for the Democratic Party, he first appealed to the Democrats. He searched for common ground by placing the blame for party disruption on treacherous, unfaithful leaders. He did not name the leaders but left each man to choose his own. Then, with the use of analogy, attempted to prove that the Democratic Party, as in the past, could rise to champion constitutional rights. Seeking to convert the non-Democrats to the party, he offered them no middle-ground. There

was only a vote for the democracy, or a vote against states' rights.

There are no valid means for establishing a causal relationship between this speech and the subsequent events in Georgia. However, artistically, the invention should be evaluated as excellent. Three elements made this an excellent, persuasive speech. The first component was the Governor's personal reputation. In 1857 most of the state's newspapers were asking the question, "Who is Joe Brown?" By 1859 that question had been answered and Brown was now one of the most influential men in the state.[64] Any remarks he made would carry much influence because of his reputation as an honest and astute individual. This influence was further enhanced by his position as spokesman for the large non-slaveholding class.[65] A second component was the "band wagon appeal" contained in the popular arguments he advanced.[66] The third component was the persuasive tools he selected to employ in his address. Although Brown did not offer any new ideas, he selected timely, persuasive appeals and appropriate arguments, and he adapted these arguments effectively to his listeners.[67] Hill's claim that Brown was

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[64]Ibid., p. 187. See also Avery, op. cit., p. 98. Brown's popularity and influence is partially reflected in the support he received for re-election to governor in 1859 from a large number of the American Party's newspapers. See "Brown Scrapbooks" for a list of these state newspapers.

[65]Phillips, op. cit., p. 187.

[66]Ibid. For a discussion of this kind of appeal see Wayne C. Minnick, The Art of Persuasion (Boston: Houghton Mifflin Company, 1957), p. 102; and Robert T. Oliver, The Psychology of Persuasive Speech (New York: Longman's Green and Company, 1957), p. 44.

[67]Iverson had first offered these basic arguments in July, 1859. Brown was the first man of leadership in Georgia to offer these ideas after they had cost Iverson the election.

able to sense the popular mind, probe its depths and then employ the most popular influence to reach the masses was certainly warranted with regard to this address.[68]

The Special Message, 1860

Background of the Address. Four political parties were striving to elect their presidential candidates in November, 1860. The inevitable split in the National Democratic Party had finally occurred at the Baltimore Convention in 1860, and the Southern faction bolted to nominate their own candidates. The Southern faction supporting the majority platform declared that the federal government was bound to protect all citizens' property in the territory, and that slavery was legal in the territories until the newly formed state made it illegal. The Northern Democrats had secured the adoption of the minority report declaring whereas differences existed in the party concerning Congress's duties and power regarding slavery in the territories, the party would stand by the Supreme Court's ruling on the subject.[69] The Republican Party's platform declared that slavery was illegal in the territories and that Congress had no power to legalize its existence. The Union Party wanted to keep the states in the Union and referred to the constitution as its platform.[70]

Two prevalent points of view concerning the sectional dispute were held by Georgians in 1860: A small majority favored secession in

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[68]Louise B. Hill, Joseph E. Brown and the Confederacy (Chapel Hill: University of North Carolina Press, 1939), p. 48.

[69]Dumond, op. cit., p. 44.

[70]Ibid., pp. 92-97.

the event Lincoln was elected president, while the second group argued that Lincoln's election did not warrant secession. In general the group favoring secession supported Breckenridge for president, while the minority supported Bell.[71]

Throughout the spring and early summer Brown continued working to obtain a compromise between the two factions in the Democratic Party. Just before the Baltimore Convention he urged the state organization to send uninstructed delegates to Baltimore in the hope that the existing differences might be resolved.[72] The Northern Democrats were obviously unwilling to compromise their principles, thus forcing the final split within the party. Brown then gave his loyalty to the Southern faction and started working for the secessionist movement.

Brown delivered a special message to the legislature just before the presidential election in 1860. The purpose for this address was to present South Carolina's invitation for Georgia to attend a Southern States' Convention. Most people felt Lincoln would probably win the election. With the election only one day away, and with the strong possibility of a Republican victory, Brown took this opportunity to persuade the legislature to adopt the course he outlined.

Summary of the Special Message. Brown introduced his address by presenting South Carolina's request for Georgia to participate in the Southern States' Convention. He advised against Georgia's

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[71]Ibid., p. 98. The vote in Georgia was 51,893 for Breckenridge, 42,855 for Bell, 11,580 for Douglas, while Lincoln's name did not appear on the ballot.

[72]Phillips, op. cit., p. 189.

participation on the ground that a number of states did not plan to attend. Turning his attention to the existing conflict, he advised the state legislature to call a special state convention to determine Georgia's course in the event Lincoln won. The purpose and theme of his address was introduced in his opening argument. "In my opinion, the constitutional rights of the people have been violated by some of the non-slaveholding states to an extent which would justify Georgia, in the judgment of all civilized nations, in adopting any measure against such offending states, which in its judgment, may be necessary for the restoration and future protection of all its rights."[73] He claimed that the North was guilty of creating this conflict when the Republican states violated the constitution by enacting and enforcing anti-fugitive slave laws. The North and South had formed the Union under a constitution which obligated the states to protect each other's rights. But now the Northern states refused to honor their obligations and were guilty of infringing upon Georgia's rights. The North was further destroying equal states' rights with its double standard toward slavery: accepting, morally, its right to gain wealth and property through slave traffic but rejecting, morally, the South's right to maintain slaves as its property.

Directing his attention to what he believed were the necessary remedies, Brown asked the legislature to empower the governor to bring military action against private and public property of the offending

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[73]Brown's special message is published in Volume I of the Confederate Records of the State of Georgia. See Candler, op. cit., I, 19-57.

states. He further proposed that a tax be levied against all goods exported by these states, and that their citizens be denied the protection of Georgia's laws. He defended the legality of these acts, and argued that they would strengthen the Union because the pressure would be on the offending state, where it belonged, rather than on the Union. Brown then directed his attention to refuting the arguments against secession. He denied that secession would cause a civil war, that there was any danger from slave revolts, or from an increased incidence of runaway slaves.

In conclusion, Brown requested the legislature to call a state convention, if Lincoln were elected, to determine Georgia's course of action. He further requested that one million dollars be appropriated to improve Georgia's military defense.

Analysis of Brown's Invention. Approximately one-half of the people of Georgia opposed secession. This group believed that the election of one man did not constitute sufficient threat to states' rights to warrant secession. They argued that an adequate number of Northern legislators would join with the South to enable Congress to preserve the states' sovereignty. They preferred to remain in the Union until Congress demonstrated its inability to preserve these rights, or until the North clearly became the aggressor.[74] This philosophy was presented by one of the leading spokesman for this group, Alexander Stephens. In his address to the state legislature on November 14, 1860, he advised Georgia to let the North commit the acts of aggression.[75] A

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[74]Dumond, op. cit., pp. 143-144.

[75]Candler, op. cit., I, 183-206.

still smaller minority opposed secession because they feared Northern retaliation.

Before Brown could achieve his purpose, he had to establish either that Lincoln's election did warrant secession, or that the North was already guilty of aggression. He chose the latter means for persuading Georgians that the time to act had arrived. Brown differed slightly from Howell Cobb and Robert Toombs on the procedure of secession. Cobb and Toombs wanted the legislature to secede immediately.[76] Brown argued in his address that the legislature should call a state convention to enable the people to make the choice. It was not that Brown opposed secession; he had apparently determined that a state vote on the question would provide the strongest appeal to the non-secessionists.

Brown depended both on logical and emotional appeal to establish that the Northern acts of aggression required secession. The logical arguments were drawn from the history of the slave trade and the enactment of the anti-fugitive slave laws. The reasoning was based on the fact that each state had the responsibility of protecting and honoring the rights of the other states. His general line of reasoning was revealed in the following argument:

> At the time of the formation of the constitution of the United States, the rights of the slaveholders were recognized in all the states. No political demagogue in the Northern states had been able to ride into power by denouncing the people and the institutions of the Southern states; nor had the Northern pulpit been desecrated by abolition harangues.[77]

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[76]Dumond, op. cit., pp. 144 and 189. Toombs, Cobb, and Brown were the strongest leaders behind the secession movement in Georgia.

[77]Candler, op. cit., I, 20.

This action, along with the anti-fugitive slave laws and its double standard toward slavery, constituted the Northern acts of aggression. His appeal to the South's emotions can be seen in his argument that "numbers of them advocate the doctrine that our slaves should be free among us, intermarry with our children, amalgamate with us, and be placed, in all respects, upon a basis of equality with our free white population."[78]

Brown employed logical arguments to establish the advisability and legality of his proposed remedies. These proposals were not new, but had been offered at various times by other Georgians.[79] Brown did go into more detail in developing his defense, relying upon his legal training to aid in attempting to prove the legality of the acts.

Brown attempted to remove any fear that the North would go to war if the South seceded. He selected three arguments that should have been very effective for removing this fear: He first returned to Buchanan's speech that advised the North to take no action if the South did secede. A second argument demonstrated the foolishness of fearing a Northern inspired Negro revolt. The third, and perhaps the strongest argument, was built around the South's belief that the North's need for cotton would prevent her from taking action.

Evaluation of Brown's Invention. The sentiment was prevalent throughout the South that Lincoln would probably win the election. Brown, remaining true to the arguments he advanced in his second

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[77]Candler, op. cit., I, 21.

[78]The state Democratic Convention adopted a resolution, in 1855, requesting the Georgia Legislature to pass retaliatory measures against the anti-fugitive slave laws. See Federal Union (Milledgeville, Georgia), June 12, 1855.

inaugural in 1859, now supported the thesis that if the Republicans won, Georgia should secede. Thus, in the address he treated ideas of paramount importance to all. The time was approaching when Georgia must decide what course she would follow if Lincoln were elected. Brown treated this basic issue when he devoted all his arguments to the proposition that Georgia should secede.[80]

Brown's adaptation of arguments to his audience displayed a thorough analysis of the people. The first example of this adaptation can be seen in his selection of ideas. To accomplish his objective, he had to persuade those opposed to secession that conditions required this action immediately. Meeting this objection, he employed arguments attempting to prove that the North was the aggressor and that there was little danger of retaliation from the North. The second example of adapting the arguments to the audience was in the wording and structure of his arguments. He proposed not secession, but the calling of a state convention to determine the course Georgia should follow. The state convention was designed to appeal to the non-secessionists, since many of them preferred this move. Even the remedies offered to meet the crisis were presented as means of strengthening the Union, a goal that again appealed to the minority. He made use of facts as premises for his reasoning, while still appealing to such Southern prejudices as fear of intermarriage, loss of equal rights, and loss of Southern wealth. He further argued that he was no disunionist *per se*, thus further striving to gain a fair hearing.

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[80]All over Georgia mass meetings were being held and resolutions favoring secession were being drawn and sent to Milledgeville. See Von Abele, *op. cit.*, p. 185.

Certain signs indicate that the special message should be judged as an effective speech. Brown did not offer any new or original ideas concerning the sectional conflict. Any argument advanced in this address can be found in any number of speeches delivered in 1860; however, he did employ a sound, logical case, built on premises that would be accepted in the South. He further selected and adapted his arguments to the audience with discriminating judgment. Although there is no means to determine how effectively the arguments achieved their purpose, certain facts are available. South Carolina's Governor Vance gave Brown's speech credit for persuading his state to pass its secession acts. Phillips credited Brown as being responsible for the large secession vote polled in many pro-union counties in Northwest Georgia.[81] The state legislature did follow his request to grant one million dollars for the state's defense, and in December called for a state convention to assemble on January 4, 1861, to determine Georgia's future. Although these events cannot be credited solely to Brown's address, the speech probably contributed to Georgia's eventual secession.

Conclusion

Brown did not provide any original leadership in the sectional dispute before the Civil War. The ideas he expressed in his rhetoric can be found in numerous earlier speeches and writings. However, Georgia's progressive, growing discontent with the North, consummating in her eventual acts of secession, was pictured in Brown's rhetoric

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[81]Phillips, op. cit., p. 206.

during this period.

The peace, calm, and goodwill Georgia felt for the Union in 1857 was expressed in Brown's first inaugural address. The passion that was aroused in the South by the raid on Harper's Ferry was pictured in the 1859 inaugural. Brown's reference to the state's membership in the Confederacy rather than in the Union, his warning of danger from the sectional Republican Party, expressed the growing seed of discontent existing in the South.

The special message in 1860 presents a picture of the maturity of the secession movement. Secession was no longer a mere threat, but an act that had to be realized. No longer did he offer a prayer for wisdom, moderation, and justice in the nation's councils. Now the prayer was "that the God of our fathers may inspire the convention with wisdom, and so direct their counsel to protect our rights and preserve our liberties to the latest generation."[82]

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[82] Federal Union (Milledgeville, Georgia), December 11, 1860. This quotation is taken from a letter published by Brown at the request of the people desiring his views concerning the election of delegates to the state convention.

CHAPTER IV

BROWN'S RHETORIC OF RECONSTRUCTION

Introduction

Georgia faced two major problems between the years 1865 and 1872: rebuilding her economy and re-establishing her political government.[1] Coulter has written that the Civil War may have been a political rebellion, but it brought about a social and economic revolution.[2] Thompson wrote that "the problems of peace were far more difficult and intricate than were those of the war, and in 1865 when hostilities ceased, instead of the worst having passed, as the people of the South thought, the worst had only just begun in the region subject to reconstruction."[3]

Following the War, Georgia was faced with many problems brought on by the conflict and by the "new order" introduced in reconstruction. These problems included the conversion of the Negroes from slavery to free labor, the adjustment of the land and planting system, the settlement of social conditions brought about by the two races living side by

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[1]Mildred C. Thompson, "Reconstruction in Georgia," Studies in History, Economics and Public Law (New York: Columbia University Press, 1915), LXIV, 42.

[2]E. Merton Coulter, Georgia, A Short History (Chapel Hill: University of North Carolina Press, 1947), p. 348.

[3]Thompson, loc. cit.

side, the relation of the rebel state to the Union, the constitution of political citizenship in the state, and the struggle for party domination. Georgia's attempt to resolve these problems resulted in two revolutions.[4] The first revolution lasted from 1865 to 1867 and was economic in nature, being devoted to resolving Georgia's labor problem. The second revolution extended from 1867 to 1872 and was devoted to gaining eventual political autonomy for the state.

Louise B. Hill wrote that historians leveled various charges against Brown for the political course he followed from 1865 to 1872. One major charge was that he was an opportunist seeking favor with the ruling powers. This charge would indicate that Brown took new positions as the changing political powers introduced new and different reconstruction programs. A second charge implied that Brown supported the Radicals' program for reasons of personal safety.[5]

This chapter will evaluate the rhetoric Brown employed in attempting to gain support for President Johnson's program of reconstruction from 1865 to 1867, and his attempt to get Georgians to accept the Radicals' program after the North rejected the president's program. A study of the rhetoric Brown employed during reconstruction should possibly support or deny the charges made against him and contribute further to the total characterization of Brown's rhetoric from 1857 to 1880. Brown's resignation address as governor in 1865

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[4] Ibid.

[5] These historians cited by Hill include Dodd, Freeman, Eckenrode, and Hay. She concluded that Avery and Fielder were the only apologists Brown had. Louise B. Hill, Joseph E. Brown and the Confederacy (Chapel Hill: University of North Carolina Press, 1939), pp. 259-260.

will present his rhetoric favoring the presidential program, and the "Replies to the 'Notes on the Situation,'" represents his rhetoric favoring the Radicals' program.

Background to Reconstruction

The Economic Revolution

Following the war three-fourths of the wealth of Georgia had disappeared. Over 3,000,000 acres of land were no longer suited for cultivation, while the price of farm land decreased from five to three dollars an acre. Stocks and bonds were worthless, and money had no value.[6] The cities and countryside lay in waste while the people suffered under a huge debt which was intensified when the federal government cancelled Southern war debts making collection almost impossible. Factories and industries had been destroyed and the South lacked the capital needed to rebuild them.[7] The economic conditions were even worsened when Georgians lost $272,000,000 in capital by the freeing of the slaves. Before the war Georgia was far above the average among states in railway transportation mileage, but, following hostilities, most of the tracks had been destroyed.[8]

Georgia immediately started rebuilding her economy in an attempt to overcome the existing prostrate condition. The planters, however, were faced with two immediate difficulties: a labor shortage and a

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[6]Coulter, op. cit., p. 348.

[7]John Samuel Ezell, The South Since 1865 (New York: The Macmillan Company, 1963), pp. 26-28.

[8]Ibid., p. 27. See also Coulter, op. cit., p. 351.

lack of capital to replenish their farming equipment.[9]

The labor shortage had been brought on by the freeing of the slaves. To the Negro, freedom meant all that slavery had not been. Slavery signified work, labor under constant supervision, restricted living quarters, and subjection to patrol. Freedom, on the other hand, meant idleness, roving from place to place, gathering in towns, and doing generally as pleasure dictated. The freed men had been informed, and believed, that by Christmastime the land would be divided and every Negro would receive forty acres and a mule.

Many Negroes had deserted the farms in the fall of 1865, leaving no one to pick the cotton. Obviously, some action had to be taken to solve the labor shortage before the spring of 1866. The states passed the "black codes" in an effort to solve the labor shortage. These codes, among other things, required that the Negroes be forced to work; however, the federal government ruled the "black codes" illegal.[10] When General David Tillson took charge as Assistant Commissioner of the Freedman's Bureau in Georgia, he used the Bureau to enroll the Negroes and make contracts for them with the planters for the following year.[11]

The labor shortage was eventually resolved by two steps. The first step was accomplished with labor contracts formed between the Negroes and the whites by the Freedman's Bureau. These contracts

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[9]Although the people were in serious economic conditions, stores were able to move their supplies at a very rapid rate. It was in agriculture that the most serious economic problems existed. See Thompson, op. cit., p. 98.

[10]Ezell, op. cit., p. 47.

[11]Thompson, op. cit., p. 50.

required the Negroes to take employment or be placed in jail. The planter was required to pay the female worker from eight to ten dollars and the male laborer twelve to fifteen dollars a month.[12] The second program, the share crop system, was introduced when the planter discovered he would be unable to supervise all the employees, or pay wages, and he was unable to locate an acceptable field superviser. Under the new program the plantation was broken into sections and the laborers farmed a few acres on shares. The tenant received from one-to two-thirds of the crop, depending on whether or not the owner had furnished both the seed and the farming equipment.[13]

The planters faced another problem in attempting to locate the necessary capital needed to replenish their equipment and to purchase the seed. The prostrate conditions in the South made it almost impossible for the planters to borrow money to carry on agricultural pursuits. As late as 1870, the six states of Virginia, North Carolina, South Carolina, Alabama, Louisiana, and Georgia had only thirty-six national banks, and these banks had a combined capital of only $7,000,000.[14] There were even fewer state banks, and these banks did not have sufficient capital to make many loans. Thus, money was not available to provide the planters the capital needed to operate their holdings.

An old institution in the South, the country store, accepted new responsibilities and provided the needed credit to solve the second problem. This unique credit institution took the form of crop liens.

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[12] Ibid., p. 75.

[13] Ezell, op. cit., p. 54.

[14] Ibid., p. 118.

Under the new credit system no money exchanged hands; rather between January and planting time the farmer would make a contract with the local merchant and promise to pay him a percentage of the crop in exchange for a specified amount of credit. The merchant, to avoid crop losses and bad debts, would mark his prices up anywhere from 10 to 200 percent with an additional 8 to 15 percent interest charge added to the mark-up price.[15]

Having to pay the high interest rates charged by the lien system, the farmers were never able to prosper. Thus, the poor whites and Negroes continued to remain subservient in the South. The Northern Radicals attempted to utilize this economic depression to make inroads into the South for the Republican Party. The Republicans promised the Negro political and social rights, but failed to grant the needed economic freedom, thus leaving him to the economic mercy of the South. The South was able to use the economic dependency to retain political domination over the Negro race.[16]

The Political Revolution

Although historians entitle the period from 1865 to 1867 as the economic revolution, Georgia made an effort during this period to establish a political government. The liberal Republicans in the North believed the Confederate states should be admitted back into the Union

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[15] Ibid., p. 119.

[16] Ibid., p. 55. A large majority of highly populated Negro counties had voted the Democratic ticket in 1868 election. See also Thompson, op. cit., p. 205.

as rapidly as possible.[17] President Johnson adopted the liberals' philosophy and introduced his program of reconstruction. The President believed that only three steps were necessary for the Southern states to gain recognition: the states should annul their secession ordinances, they should repudiate their debts contracted in carrying on the war, and they should free their slaves.[18] The President proposed to have the people who had not taken an active part in the Confederacy to oversee the restoration of their various states. The President refused pardons to the civil, diplomatic, and military leaders in the South.[19]

President Johnson appointed James Johnson provisional governor of Georgia on June 17, 1865. Governor Johnson issued a proclamation on July 13, calling for delegates to be elected to attend a state convention to organize a permanent government. The election was to be held on the first Wednesday in October and only those citizens who had taken the amnesty oath were qualified to vote.

The convention delegates were comprised mostly of old men lacking any previous experience in political leadership. Herschel V. Johnson and Charles J. Jenkins did provide adequate leadership in the convention.[20] Johnson presided over the convention and Jenkins was chairman of the Committee on Business. The state framed a new constitution under the able guidance of Johnson and Jenkins which met

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[17]The liberal Republicans were the members who believed that the South and North should be reunited with very little additional demand.

[18]Coulter, op. cit., p. 360.

[19]Ibid., pp. 349-350.

[20]Thompson, op. cit., pp. 149-150.

the conditions prescribed by President Johnson.

Georgia united behind President Johnson's proposed program of reconstruction. The existing unity can be explained by reviewing the attitudes of former state political leaders toward the President's program: Joshua Hill, the leading Unionist in the state before the war, wrote the President assuring him that Georgia was loyal to the Union.[21] Alexander Stephens, a strong Unionist before the war, assured the President of his support for a "restoration of quiet order, and government in Georgia upon the basis of accepting and abiding by issues of war as proclaimed by the executive."[22] H. V. Johnson and Charles J. Jenkins supported the presidential program by giving leadership to the constitutional convention in 1866. Ex-Governor Brown was very active in attempting to persuade Georgians to take the amnesty oath and cooperate with the presidential program of reconstruction.[23] Governor Jenkins seemed to have captured the general attitude found in Georgia in his message to the legislature on November 11, 1866: "Our interest lies in eschewing political excitement, studiously avoiding all conflicts with the authorities unchosen by us, but placed over us, and employing our active energies in rebuilding our own wasted place and developing our neglected resources."[24] The only notable leaders not heard during the years 1865 to 1867 were Howell Cobb

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[21]Letter from Joshua Hill quoted in the Macon Telegraph, February 6, 1866.

[22]Myrta Lockett Avery, Ed. Recollections of Alexander H. Stephens (New York: No publisher, 1910), p. 203.

[23]I. W. Avery, The History of the State of Georgia (New York: Brown and Derby, 1881), p. 339.

[24]Cited in Thompson, op. cit., p. 164.

and Robert Toombs. Toombs was not in the state and Cobb was actively engaged in making a living while paying little attention to politics. The large popular vote favoring the new constitution indicated the state's willingness to return to the Union.[25]

The election of new state officials was held on November 15, 1865. Joe Brown and Alexander Stephens refused the nomination for governor; so the state elected Charles J. Jenkins. No one was disfranchised in the election because of prior service in the Confederacy, thus few anti-secessionists were elected to office. The reason for electing candidates who played prominent roles in the Confederacy was the desire to provide more able leaders, not to antagonize the North. Georgia's desire to cooperate with the North can be seen in her unanimous support of a pro-Unionist as governor.[26]

The United States Congress reconvened in December, 1865, and remained in session until March, 1866. Northern congressmen led by Thaddeus Stevens and Charles Sumner did not recognize the newly organized state governments of the South and refused to seat the recently elected congressmen. Congress refused to recognize the new governments for numerous reasons. In the first place the congressional action was a result of the normal swing of power from the executive branch to Congress. During the war years the president had assumed more and more power, and now Congress was eager to regain the power they believed was rightfully theirs. A second reason centered around the North's distaste for the black codes passed by the Confederate states.

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[25] Ibid., p. 153.

[26] Ibid., p. 153.

The South viewed the Negroes as a domestic problem because of their refusal to work, the health hazards they posed in the cities, increasing thefts, threats of race riots, and forcing a prostrate section to provide needless charity. The Southern states passed these so-called black codes specifying Negro rights in an effort to avoid these numerous problems. The North probably misinterpreted the true intent of the black codes, viewing them, instead, as efforts on the part of the South to force the Negroes in subservient roles. The third reason was political in nature. The Republican Party was still young and believed it saw an opportunity for gaining strength in the South with the freed slaves and pro-Union whites' vote.

The major issue in the congressional elections in 1866 narrowed down to what branch of government would determine reconstruction. Congress carried the fight to the people and appealed to the voters' emotions in an effort to overthrow President Johnson's plan of reconstruction. The Radicals won the election by a large majority, securing the necessary two-thirds vote to veto the presidential program.

Congress initiated its reconstruction program over the president's veto on March 2, 1867, passing supplemental acts on March 23 and on July 19, 1867.[27] The first act divided the South into five military districts, placing the army in control of each district for the South's protection. This act recognized no legal government in any Confederate state and would recognize the government as being legal only when the state wrote constitutions acceptable to Congress, disfranchised

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[27]Henry Savage, Jr., Seeds of Time (New York: Henry Holt and Company, 1959), p. 148.

a number of rebels, gave the Negroes the right to vote, and ratified the Fourteenth Amendment.[28] The second act instructed the commanding general to register the qualified voters by requiring them to take a complicated oath. The registration was to be completed before September, 1867; than an election for a constitutional convention should be held. The newly-drafted constitution had to be ratified in an election in which at least one-half of all registered voters participated. The new constitution must then be submitted to the United States Congress for final approval.[29] The third act gave registration boards absolute power to deny voting privilege to any person.[30]

While Congress was writing the new reconstruction program, the people in Georgia were engaged in deciding how they would react to the new bills. The crisis gave rise to three schools of thought: one group favored accepting the proposed measure and advised the state to meet Congress half-way; a second group vigorously denounced acquiescence; and the third group remained neutral for a time, adopting a wait-and-see attitude.[31]

Joe Brown was the chief spokesman for the group favoring acquiescence to the congressional program. Brown returned from

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[28]Thompson, op. cit., p. 171.

[29]Ibid.

[30]Coulter wrote that although the law specifically disfranchised all people that had ever held a civil office during the Confederate rule, the act enabled the registration board to disfranchise any person.

[31]Hill, op. cit., pl 267.

Washington in February, 1867, where he had discussed the problem of reconstruction with men from a number of states. After obtaining what seemed to have been a clear perception of the national mood, he published a letter expressing his views on the situation. In the letter he expressed the belief that the election of 1866 demonstrated that the Radicals were supported by the general public in the North. The election results indicated that the North was enraged over the South's rejection of the Fourteenth Amendment and now demanded universal suffrage. The Radical Party, by virtue of its two-thirds' control of Congress, was determined to punish the South for its past actions. The extreme Radical Republicans did not have a majority in Congress at the time of Brown's visit and the Moderate Republicans desired a quick settlement. However, should the South continue rejecting the present legislation, the Radicals would gain sufficient strength to pass even harsher acts. He believed the real issue was not a question of granting the Negroes suffrage, already an established fact; the real issue involved who the South would select to govern the states--capable whites or Radical Republicans? He advised the governor to reconvene the legislature, call a convention to revise the constitution permitting Negro suffrage, and provide for an early election to select legislators who would approve the Fourteenth Amendment.[32]

A majority of whites in Georgia opposed the congressional plan of reconstruction and initiated two programs to defeat the plan. The first program took the form of a court action. On April 10, 1867, Governor Jenkins attempted to take the case before the Supreme Court to

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[32]A letter from Governor Brown to the people. Atlanta Daily New Era, February 26, 1867.

get the bills declared unconstitutional.[33] The second program aimed at rallying the citizens to defeat the bills at the polls. The leading figure in the second program was Ben Hill, a long-time political foe of Joe Brown. Hill first protested the congressional plan in his Davis Hall speech in the summer of 1867. In the speech Hill denounced the Radicals, declared the Military Acts unconstitutional, and advised the people to vote against any convention or constitution approving the congressional program.[34] The major part of Hill's fight against the congressional plan was carried on in a series of newspaper articles entitled "Notes on the Situation."[35] He argued that obedience by the state to the federal constitution and recognition of the federal government were the only requirements that Georgia had to meet to return to the Union. Georgia had met these requirements when the state approved President Johnson's reconstruction plan and was now protected by the federal constitution. The very fact that the North had forced the Southern states to ratify the Thirteenth Amendment was a recognition that the South was in the Union. The congressional plan was therefore unconstitutional, and he was prepared to try any case opposing the plan before the Supreme Court free of charge.[36]

Hill's arguments were popular with Georgians since they were unwilling to submit to Negro rule, and they believed this type of

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[33]Hill, op. cit., p. 271.

[34]Cited in ibid.

[35]Hill published twenty-two letters in the Augusta Daily Chronicle and Sentinel between June 19 and August 1, 1867. These letters are also in "Brown's Scrapbooks." Hereafter this source will be cited as "Notes."

[36]Hill, op. cit., p. 272.

government would occur under the congressional plan. The South had lived with the Negroes for years and believed the former slaves lacked the necessary knowledge and experience to govern well. The South further opposed the program because they did not believe the Negroes had the potential for learning.[37] The whites, therefore, adopted the philosophy that the South would be better off living under military rule than submitting to rule by the Negroes and Radicals.[38] Their philosophy was summed up by a writer who expressed the thought in a Georgian newspaper, "Better send no one to Congress than such that would misrepresent us. We would rather risk ten military governors than one Brownlow."[39]

In the first election under the reconstruction acts the people were required first to approve a constitutional convention, and then vote for delegates if the convention was held. In Georgia the decision to hold a convention carried by 102,283 votes out of a total of 106,410 polled votes.[40] A number of citizens opposed to reconstruction refused to vote.

The 169 delegates elected to the convention were primarily scalawags, or native whites.[41] The leaders in the convention were

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[37]The South's belief that the congressional plan would bring rule by a race unprepared and without ability to learn became a major issue in all their speeches.

[38]Thompson, op. cit., p. 173.

[39]Federal Union (Milledgeville, Georgia), March 5, 1867.

[40]Thompson, op. cit., p. 189.

[41]Ibid. In the convention 37 members were Negroes, 9 were carpetbaggers, and 12 were conservative whites.

pro-Union in sympathy, but still wrote a constitution very favorable to Georgia. Thompson attributes Joe Brown as being the influential force behind the more moderate constitution.[42]

General Meade ordered the election of state officers and the ratification of the constitution to be held on April 20 and to continue for four days. The Republicans selected Rufus B. Bullock as their candidate for governor, and the Democrats nominated John B. Gordon. Bullock was elected by a seven thousand vote majority, while the constitution was ratified by an eighteen thousand vote majority. The vote for the state legislature was very close with the senate going Republican, while the Democrats won the house.[43]

The new legislature immediately elected two United States Senators to represent Georgia. The Republican Party nominated Joe Brown and Foster Blodgett, while the Democrats supported Alexander Stephens and H. V. Miller. The early balloting made it evident that Brown would defeat Stephens for office. The Democrats and Moderate Republicans united to elect Joshua Hill by a vote of 110 to 94 for Brown, and elected Miller over Blodgett for the short term by a vote of 120 to 72.[44] Shortly after the election Governor Bullock appointed Joe Brown to the State Supreme Court.

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[42] Ibid., p. 197-198.

[43] In the Senate there were 17 Radical Republicans, 10 Moderate Republicans, and 17 Democrats. In the House there were 75 Radical Republicans, 9 Moderate Republicans, and 88 Democrats. Bullock carried most of the counties where a majority of the registered voters were Negroes, although Gordon carried 15 counties in which the Negro vote outnumbered the whites.

[44] I. W. Avery, op. cit., p. 398.

The newly formed legislature made a costly error when it ousted twenty-five colored representatives and two Negro senators from its body. Charles Sumner of Massachusetts introduced a bill into the United States Senate in December, 1868, calling for Georgia to be replaced under reconstruction. Governor Bullock appeared before Congress on December 7, 1868, and testified that Georgia had not complied with the reconstruction laws.[45] Congress passed the Fifteenth Amendment in January, 1869, requiring ratification by all the Southern states. The Georgia legislature rejected the amendment on March 10, 1869, and adjourned March 18.

In 1869, Congress passed a new bill requiring state legislators to take an oath that they had not participated in the rebellion after holding an office, or that they had been relieved of their office by Congress. The new law further denied the states the right to pass laws excluding membership in Congress on the grounds of race or color. The states were also required to ratify the Fifteenth Amendment before they could be represented in Washington.[46]

In January, 1870, the State Attorney General ruled that all state officers in Georgia, regardless of positions, must take the new oath.[47] The new test oath enabled Bullock to gain control of the legislature for the Republican Party. Georgia experienced its most severe taste of reconstruction under this new rule. On July 15, 1870,

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[45] Ibid., p. 408.

[46] Ibid., p. 424.

[47] Ibid.

President Grant signed the act admitting Georgia back into the Union. Once returned to the Union, the Democrats shortly regained control of the state government.

An Evaluation of Brown's Rhetoric, 1865-1872

Brown's Speech of Resignation

Background to Brown's Address. On April 30, 1865, the people of Georgia were relieved when the news was announced that the Civil War had ended. A majority of Southerners would have willingly returned to the Union months before Lee surrendered if they could have been assured the states would receive honorable treatment.[48] Now that the war was over, Georgians were willing to devote their energies to rebuilding their lives and state and forget their past differences with the North. Not only did no intelligent Georgian consider continuing the war with the Union, they generally assumed that the state would be immediately allowed to resume its former place in the federal government.[49]

Governor Brown announced that the state legislature would convene on May 22, 1865, to take whatever action was necessary to rejoin the Union. Brown was arrested on May 11, 1865, by the military forces and sent to Washington, and the legislature was not permitted to meet. Brown returned home in about a week, but was not permitted to resume his duties as governor. President Andrew Johnson appointed James Johnson provisional governor on June 17, 1865, and Brown resigned June 29. Since the state legislature had not been permitted to convene, he presented

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[48]I. W. Avery, op. cit., p. 365.

[49]Ezell, op. cit., p. 39.

his resignation address in the form of a letter that was published in most of the states' newspapers.

Summary of Brown's Ideas. Brown introduced his address by reviewing the events which culminated in the war between the states. He pointed out that the war was over and that superior Northern forces had brought about a total defeat of the South. Since the South had determined that the sectional differences must be resolved by war, defeat left the South with no recourse but to submit to the terms dictated by the North. These demands were that the slaves should be freed and the Confederate states must rewrite constitutions which complied with the requirements dictated by President Johnson's program of reconstruction.

Brown reminded the people that revolutions often result in sweeping away long-established usages, demolishing theories, and changing institutions. He then advised the people to adopt a practical point of view and accept the fortunes of war. This practical approach meant freeing the slaves and making the required changes in the constitution. The state should then organize a new labor system and act in good faith toward the North, thus working to restore peace and prosperity to the nation. He amplified this advice by reporting that he had freed his slaves and had given them their fair share of the crops, or given such wages that might be agreed upon for future labor.

The final part of the address was devoted to the role the individual citizen should play in the new government. Brown reminded the people that the voters would select the future state leaders; therefore all qualified citizens should take an active part in

selecting the most capable men to guarantee that the state's welfare would be secure. Any man unwilling to support the constitution under which he lived should seek a home and protection elsewhere.

Analysis of Brown's Invention. Avery seems accurately to have described Brown's objective in the resignation address in the following summation, "Brown desired to facilitate the reorganization of the state's government and remove any impediment that he might personally interpose to the solution of reconstruction."[50]

Brown first expressed ideas designed to facilitate the organization of the new government. He then tried to remove any barrier that he personally might play in blocking the reorganization of that government. Finally he returned to his original theme that Georgians must do all they can to gain readmittance for their state into the Union.

Although Brown attempted to accomplish two goals in the address, his primary purpose was to encourage the citizens to reorganize the government so that it could be readmitted into the Union. One major idea becomes paramount in the address: Georgia had no recourse but to meet the demands imposed by the North.[51] Three arguments are advanced to establish this major thought. The first argument centers around the idea that the South must accept the consequences for decreeing that the

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[50] I. W. Avery, op. cit., p. 339.

[51] I. W. Avery contends that Brown was a practical man willing to face up to the facts. Brown believed that Georgia had no recourse except to submit to the victor's terms. He faced up to this reality and advised the people to take this action. It should be noted that he did not advise the people to do more than the North required. Ibid., p. 339.

war would be the final arbiter of the sectional differences. The North was the victor and now the South had to resign itself to accept the victor's demands. The second argument suggests that the only logical thing left for the South is to be practical and make the best of what is offered. The third argument claims that by enabling the state to rejoin the Union, the people would receive the advantages of rule, economic prosperity, and peace.

Two thoughts describe the ideas Brown advanced to remove any reasons the people might employ in using him as the basis for slowing the reorganizational effort. The first was devoted to explaining why he could not actively engage in regaining the state's autonomy. He explained that since his citizenship had not been restored, he could not actively participate in the political reorganization. The second was devoted to the fact that he was taking all action permitted to him. This action included freeing his slaves and attempting to adapt to a new labor system. It not only amplified his willingness to cooperate with the North, but also suggested a possible solution to the state's labor problem.

Evaluation of Brown's Invention. Avery implied that the resignation address was appropriate for the times and employed excellent rhetoric when he wrote, "Brown's address clearly revealed his awareness of the vital issues and his sensitivity to the people's mood."[52] An examination of the address tends to convince the reader that there is much validity in Avery's observation.

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[52]Ibid., p. 340.

In 1866, Georgia was faced with the two-fold task of rebuilding her economy and restoring her political government. Before the state's autonomy could be restored, slaves must be freed and the requirements dictated by President Johnson's reconstruction acts must be included in a new state constitution. The economic recovery necessitated the formation of a labor program to replace slavery. The restoration of the state's autonomy necessitated taking the amnesty oath, making necessary changes in the state constitution ratifying the changes, and supporting the new government. Brown's address was almost entirely devoted to these economic and political needs.

Brown emphasized the action that was needed to resolve the economic problems at two different points in his address. The first action was the need to solve the labor problem. Here he pointed out that the slaves must be freed and a new labor program adopted for the state. At this point in his address he offered no specific solution, but emphasized that this action must be taken to indicate the state was keeping faith with the North's demands, as well as for reasons of security. The second time he mentioned the problem he hinted, intentionally or unintentionally, at a possible solution when he discussed the action he was taking after he freed his slaves: to give his freed slaves a share of the crops or give them money for the work they contracted to do. The Northern Freedman's Bureau later introduced this plan as the means for resolving the labor plight of the South.

The major part of Brown's address was devoted to his ideas explaining the need for gaining local autonomy for the state. These ideas were expressed in a three-step argumentative pattern: First, he

advanced the argument that the South had no choice but to meet the North's demands and thus regain local autonomy. Secondly, he argued the value the state would gain in taking the required action immediately. Third, he denounced the people unwilling to accept the responsibility demanded by their governments. Thus, Brown demonstrated the appropriateness of his invention by treating the two major problems faced by the state.

Brown's invention was also appropriate because of its psychological impact. Historians explain that the people's morale was very low. Georgia had lost a war and the people faced the seemingly hopeless task of rebuilding a badly damaged economy. Brown's address contained ideas that served to give the people hope. He made no attempt to lessen the seriousness of the problem, yet implied that the problems would be solved. Since the people had complete faith in Brown at this point in history, his promise that peace and prosperity would be restored to the nation should have given them a psychological lift.

Furthermore, Brown's address exemplifies his ability to adapt the ideas to the people. Recognized earlier by writers for his ability to probe the people's mind and adapt to their mood, Brown's task was relatively simple in 1866. The people were united in their desire for peace and prosperity and for a return to the Union. Since the people were of one mind, Brown did not face the task of appeasing divergent factions. He had merely to adapt his ideas to fit the universal mood and obtain maximum effort from the people. Inactivity was the major barrier to the political reorganization and Brown's appeal must be

aimed at an apathy in Georgia with its origin in indifference and suspicion. The political indifference was due to the people's effort to rebuild their economy, while suspicion was the natural phenomenon always present among a defeated people.

Brown's ideas were adapted both to the indifference and the suspicion existing in Georgia. The appeal to indifference was excellent, while the appeal to suspicion was at least adequate. Little argument could be presented to deny that Georgia had no recourse but submit, and the people were willing to accept this thesis in 1866. Since the people felt they would be allowed to resume their place in the Union, there seemed to be little reason to fear political reorganisation. Appealing to reason he sought to overcome indifference by arguing that the people could benefit economically as well as politically only if the proper leaders were selected. Therefore, the people must forego indifference by participating in the coming election to assure the selection of the state's most capable leaders.

Georgia's suspicion toward the North originated in hatred, naturally resulting from the war and sectional propaganda. Although the hatred was to become more intense as harsher demands were made on the South, a feeling of uncertainty concerning the state's future existed in 1866. Brown's rhetoric would perhaps have been stronger if he had dealt specifically with this problem, yet he adapted to the audience indirectly. The first recognition was in his warning that revolutions introduce changes in established institutions. The second acknowledgement came when he assured the state that acceptance of the changes would result in peace and prosperity for both sections. Thus the problem was

brought into the open and assurance was given that the future would be secure.

In judging the effectiveness of Brown's rhetoric in the resignation address, a critic can only speculate on its effect upon the people. The state did fulfill Johnson's requirements for regaining admittance into the Union, and Thompson gives Brown credit for contributing to this effect.[53] Further, records indicate that nearly all the people qualified to take the amnesty oath voted.[54] Brown's popularity is further attested to by the people's request that he accept the nomination of governor.[55] Yet when one recalls that most of the state's other political leaders shared Brown's view, the critic can conclude only that his address contributed in some measure to the final results.

Brown's "Replies to the Notes on the Situation"

Background to the "Replies." In April, 1866, President Johnson proclaimed that peace had been restored and the insurrection was at an end. The Southern insurrection was indeed over, but the battle waged against the South had not ended but was to be resumed on political grounds of malice and hate.

The federal Congress, led by the Radical leaders, Stevens and Sumner, refused to recognize the presidential proclamation and did not seat the newly-elected Southern congressmen. Congress then required the Southern states to ratify the Fourteenth Amendment before they could

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[53] Thompson, op. cit., p. 161.

[54] Ibid., pp. 148-149.

[55] Ibid., p. 153.

gain recognition. The amendment made Negroes citizens, reduced representation in proportion to the number of citizens refused voting privileges, and disfranchised all Southern citizens who had held office before the war and had fought with the Confederacy. The Civil Rights Bill was then passed over the President's veto on April 9, 1866.

Georgia immediately rejected the Fourteenth Amendment. The state's Joint Legislative Committee, formed to study the Northern proposal, made the following report:

> 1. If Georgia is not a state composing a part of the Federal Government, known as the government of the United States, amendments to the Constitution of the United States are not properly before this body.
>
> 2. If Georgia is a state, composing a part of the Federal Government, known as the government of the United States, then these amendments are not proposed according to the requirements of the Federal Constitution, and are proposed in such a manner as to forbid the legislature from discussing the merits of the amendments without an implied surrender of the rights of the state.
>
> (Therefore) Resolved, that the legislature of Georgia declines to ratify the proposed amendment, adding a fourteenth article to the Constitution of the United States.[56]

The Senate voted unanimously in favor of the report, and the House passed it with only two dissenting votes. Similar action was taken throughout the South as other Southern states likewise rejected the Fourteenth Amendment.

Congress responded to the Southern states' rejection of the Fourteenth Amendment by taking the political dispute to the people in the congressional elections in the fall of 1866. The voters in the

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[56]Cited in I. W. Avery, op. cit., p. 359.

North responded by giving the Radicals an overwhelming victory. Congress acted upon the mandate by passing the three acts containing the Radicals' program of reconstruction for the South.[57]

The reaction to these new bills was extreme in Georgia. There was no middle-ground as the state found itself divided into two camps, with a small group favoring acceptance of the program and a majority bitterly attacking the acts.[58] The leading spokesman for the minority viewpoint was Joe Brown while the majority spokesman was Ben Hill, and his objections were presented in a series of newspaper articles, published in the newspapers throughout the state under the title, "Notes on the Situation."[59]

Hill's "Notes on the Situation." Ben Hill attempted to accomplish two things in his letters: to present his objections to the Sherman Bills and to refute the argument Joe Brown advanced favoring acquiescence to the reconstruction program.

Ben Hill argued that the people should not support the Radicals' reconstruction program because he believed it violated the federal constitution. He argued from the premise that Georgia had fulfilled her obligation as a defeated power by taking that action the original peace treaty specified, and thus the state was legally

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[57] Supra., pp. 9-10. The three acts passed by the Radical Congress are referred to as the Radicals' Reconstruction Program, The Sherman Bills, and the Military Acts.

[58] I. W. Avery, op. cit., p. 360.

[59] Hill's "Notes on the Situation," consisted of twenty-two letters published in the Augusta Daily Chronicle and Sentinel between June 19, and August 1, 1867. These letters can also be found in "Brown's Scrapbooks."

restored to the Union.[60] He stated in the "Notes" that "whatever others may do, you will support the Constitution and oppose whatever is contrary thereto--for mark this: Whatever else people and rulers may do, they cannot support or preserve the government by violating the fundamental law."[61] He proceeded to explain in the "Notes," as well as in his speeches, that Congress could take no action unless it was authorized by the constitution. For in America the only power given to the government, state and federal, was written in the constitution.[62] Reasoning from this position, he argued that the Military Bills and Negro suffrage were not made in accordance with the constitution. If the Bills were to be justified, they must be justified by circumstances, conditions, or authority outside of the constitution. He further condemned the Radicals because they had violated the original peace treaty between the North and South. The Southern states had already been restored to the Union and Congress acting outside the constitution disallowed the restoration act. He then attacked the North's demand that the Southern states' new constitutions must grant suffrage to the Negroes. The first attack

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[60]Ben Hill admitted in his seventh letter in the "Notes" that there had been no formal treaty at the end of the war. That the states must then look to the divergent views that brought on the war. The only difference was that the states could not secede. Georgia, and the South accepted this fact when they surrendered, and with this recognition, were legally again in the Union governed by the constitution.

[61]"Notes," op. cit.

[62]Some of the speeches Ben Hill delivered advancing these ideas included his "Brush Arbor Speech," his "Davis Hall Speech," a speech delivered in Atlanta, March 10, 1868, and a speech delivered in Atlanta, June 18, 1867.

was that this demand was unconstitutional since the states and not the Union had the authority to determine suffrage qualifications. Suffrage was not a right but a trust. It was society's right to determine to whom this trust should be given, and society's obligation to withhold this trust from the ignorant. The second attack was directed to the South's emotions. He reasoned that even if the Negroes were granted suffrage, this was no reason to disfranchise the whites. The Radicals' real motive was to add the ten Southern states to their party. Ben Hill reasoned that the United States Congress recognized the states as being legal governments when it required ratification by the states. Congress thus contradicted its own basic philosophy when it attempted to dictate the laws that the states must adopt. He concluded that the bills were unconstitutional and could never be legally established if the Southern states resisted them.

Ben Hill directed his rebuttal primarily to Brown's argument that the Southern states had been so thoroughly defeated they were helpless to resist the acts, and that continued refusal to accept Northern terms would only bring harsher acts. All of Hill's arguments in the "Notes" were based on the idea that the Radicals' reconstruction program was unconstitutional. In earlier speeches Hill had argued that the Supreme Court would rule the Sherman Bills unconstitutional. After the Court refused to act on the cases Mississippi and Georgia brought against the bills, he argued that this refusal simply justified the ultra-states'-right doctrine of South Carolina. He concluded that although the courts would not hear cases introduced by the states, the individuals would be able to take their cases before the courts. Therefore, he called on the people to resist the acts.

A Summary of Brown's Ideas. Brown introduced the thesis that the Sherman Bills were a political issue and must be treated as such. He admitted that his position supporting the states-rights theory prior to the war must seem inconsistent with his present plea to support the Union. However, the South's position as a conquered people differed significantly from the autonomous position it held before the war. When the South withdrew from the Union, it had accepted the role as an independent nation and in the war that followed was defeated by a foreign power. The argument concerning the state's right to secede had been settled by the sword, and, consequently, the South now had no rights until the North admitted the defeated states back into the Union. The North had dictated by a two-thirds vote of Congress that it wanted to determine the terms under which the Southern states would be readmitted into the Union. The South had exhausted its means during the war and was left with no alternative but submission. However much the South deplored the acts, it had to accept the stern realities that the Confederacy was a defeated nation subject to the will of the conquerors.[63]

Brown then attempted to refute the arguments Ben Hill advanced in the "Notes." Hill had been willing to adopt the 13th Amendment which forced the South to relinquish property without compensation, and was further willing to write a new state constitution. Hill now argued that the Congressional program calling for changes in the state's constitution, ratification of the 14th Amendment, and granting suffrage

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[63]Joe E. Brown, "Replies to B. H. Hill's Notes on the Situation," "Brown's Scrapbooks." Brown published seven letters in reply to Hill's "Notes." In the future this source will be referred to as "Replies."

to the Negroes was unconstitutional. Brown claimed that the congressional program, supported by the people, was no more unconstitutional than President Johnson's program which Hill had defended. The amnesty oath had not restored the seceded states to the Union, nor had it given the people the right to resist congressional acts. Rather, the oath required each individual to obey congressional acts until they had been altered or the courts had ruled the acts unconstitutional. Since the courts had refused to rule the Military Bills unconstitutional, the citizens were bound to obey the laws.

Brown explained that the trend in all free governments was toward universal manhood suffrage. The question of whether universal manhood suffrage would work was a moot point. The real point was that this suffrage had been granted to the Negroes in the South, the army was there to enforce it, and the South had no alternative but to accept the act. The North now viewed the South's willingness to support the bill as a test of the Southerner's loyalty to the Union. Lack of cooperation would simply mean that new laws would be passed disfranchising a larger number of whites. At least nine-tenths of the whites in Georgia would be permitted to vote as soon as the state supported the Radicals' reconstruction program. Whereas if the state rejected the program, no more than one-tenth of the white population would be granted voting privileges. The leaders in Georgia opposing the Sherman Bills seemed to be acting under a selfish desire to protect their interests at the people's expense. These same leaders had been willing to support an earlier program that did them no harm, but now fought a similar program that, only temporarily, cost them the right to vote. The Sherman Bills as they were now worded, offered the states a better government than

were enjoyed by the states admitted to the Union during the war. The state of Tennessee, as one example, granted suffrage to less than one-seventh of the white population. The people of Georgia must be made to realize that Congress would not adjourn until the state was readmitted under some program, and the longer the state delayed, the harsher the terms would be. Georgia must adopt the Radicals' program for the people's welfare, and for the sake of the Union.

Analysis of Brown's Invention. A majority of the old-line Whigs and white Democrats in Georgia opposed the Radicals' reconstruction program.[64] Their opposition was based, in the main, on their opinion that the program violated the constitution. Ben Hill was accepted as their leading spokesman and his ideas provided the arguments they relied upon. Hill used the South's fear of Negro rule as the motivating force to rally support to their side. This fear was further augmented with the appeal to the state's suspicion and hatred of the North. Hill's appeal to this suspicion and hate is revealed in such statements as "the threat of rule by force," "the wicked rulers in the North," and "the North's desire to incite a racial war."[65] The same opposition and hate for the Radicals' reconstruction program was also directed toward Joe Brown and particularly his effort to get the bills accepted by the state.[66] Thus, Brown faced a large citizenry opposed to him as well as to his stand for reorganizing the state.

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[64]Haywood J. Pearce, Jr., Benjamin H. Hill--Secession and Reconstruction (Chicago, Illinois: University of Chicago Press, 1928), p. 152.

[65]Hill, "Notes," op. cit.

[66]Pearce, op. cit., p. 152.

Brown advanced his cause by contrasting a "let's be practical" approach to the legalistic arguments advanced by Ben Hill. The "let's be practical" approach advanced arguments from the premise that the new acts were passed with the belief the South should be punished more harshly and was purely a political issue. Brown attempted to realize his objective in a three-step analysis. First, he attempted to weaken Hill's persuasion by attacking the leader's reliability. Brown reviewed Hill's records attempting to establish that he had a past history of inconsistency. Further, Hill now advocated his present stand for personal fear that the program would deny him his political rights. Secondly, Brown attacked Hill's reasoning attempting to prove the fallacy of these arguments. Thirdly, Brown advanced arguments designed to establish the advantages of adopting the Radicals' plan by explaining the benefits the state would receive.

Brown made little effort to appeal to the people's emotions. Rather, his attack is an attempt to establish certain truths and then reason from them to an obvious conclusion. The emotional appeal is implicit in the idea that the state would have better government and the people would recover economically much more quickly if they adopt the Radicals' plan.

Evaluation of Brown's Invention. Brown's invention can be evaluated rhetorically by examining the three contentions he proposed in the "Replies": to destroy Hill's ethos, to refute Hill's arguments, and to motivate the state to adopt the Military Bills.

The first letter in Brown's "Replies" effectively attacked Hill's record of inconsistency. No speaker can hope to achieve

maximum effectiveness after his ethos has been weakened when the audience questions his reliability because of past inconsistencies. Brown's argument concerning Ben Hill's inconsistencies were a matter of record and known to be true by the people. Brown's reference to these past inconsistencies must be judged as excellent rhetoric as Brown attempted to weaken his opponent's reliability.[67] Brown was also aware that Hill had not enjoyed popular support with the Democrats and other Georgian citizens at the end of the War. Hill's attack upon the people for failing to assume their responsibilities, plus his attack upon the state for desiring a restored peace, had antagonized the people.[68] Brown's reminder of Ben Hill's former stand must be accepted as an approach that could possibly weaken Hill's effectiveness.

Brown's first argument should further be judged appropriate. Brown's own persuasive effectiveness was weakened when he defended the unpopular Sherman Bills. If he could establish that Hill was inconsistent, thus weakening his persuasive effectiveness, then Brown's own position should be strengthened. While attacking Ben Hill in the first argument, Brown wisely avoided any ideas that were critical of the rank and file.

The reader might justly question Brown's ethics in his attack against Hill. Although Brown was not guilty of misquoting Hill, he might be criticized for failing to present the complete picture. One example concerned Hill's inconsistency in his voting record on the

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[67] Ibid., pp. 33-112.

[68] Pearce describes Hill as being one of the most hated men in Georgia by the end of the war. Ibid., pp. 100 and 108.

conscription bill passed by the Confederacy. Brown reported correctly that Hill opposed the bill at first, then later supported the bill after he and Davis became close friends. Hill admitted he opposed the bill at first, but only because he believed it to be too harsh.[69]

Brown's second argument was designed to refute Hill's argument favoring the rejection of the Sherman Bills. Brown employed some excellent refutation here. He emphasized the fact that Hill reasoned from a legal view and attacked the arguments for their lack of practicability. Brown made no effort to deny that the Military Acts were in fact unconstitutional, but argued rather than the Bills were no less legal than the programs Johnson offered and which Hill had supported. Brown then advanced the argument that the issue had ceased to be a legal question and at the people's demand had become political. Brown's refutation rested on the premise that Congress, and now the courts, would be the final arbiter. Hill had raised ten objections to the Military Bills and Pearce, one of Ben Hill's biographer's, credits Brown with answering all ten objections.[70]

Any weakness in Brown's rhetoric would result from omission, rather than from some weakness in the invention he employed. Brown chose to take what he called a practical businessman's view of the status quo and not allow his emotions to destroy his objectivity. Both foe and friend credits him with achieving this objective in his

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[69] Ibid., p. 74.

[70] These ten questions are listed in the Augusta Daily Chronicle and Sentinel, August 4, 1867. Also see Pearce, op. cit., p. 155.

refutation.[71] The Daily New Era described Brown's refutation in the following manner: "He treats the questions with a practical common-sense. His ideas are clear and pointed, and his logic is solid and unanswerable."[72]

Ben Hill claimed that Brown refused to treat the issues, choosing instead to write his biography.[73] This claim was made also, by a reporter in one of the state's newspapers.[74] This charge seems quite unjust since Brown does attempt to refute the arguments Hill advanced in the "Notes." The argument that Brown omitted certain ideas that might have made his rhetoric more effective is far more justifiable. Brown never admits, nor denies, Hill's charge that the Republicans supported the Military Bills merely to gain membership for its party. Here Brown seems to have missed an opportunity to strengthen his persuasiveness. If Brown is as wise as accredited by his critics, then surely he recognized the truth in Hill's claim. Brown's stand could hardly be weakened, and might well have been strengthened, by admitting this fact. On a later occasion Brown did present information which seemed to prove that the Republicans could not hope to gain any

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[71]Samuel Bard wrote that Brown's logic was solid and unanswerable in the Atlanta Daily New Era, April 27, 1867. Pearce wrote that it was easy to recognize the practical wisdom that Brown expressed. Pearce op. cit., p. 152. A foe reported in the Daily Atlanta Intelligencer, May 7, 1869, that Brown had been wise.

[72]Atlanta Daily New Era, April 24, 1867.

[73]Cited in the Augusta Daily Chronicle and Sentinel, August 1, 1867.

[74]Ibid., August 4, 1867.

sizeable membership if the state would act to approve the program.[75]

On the contrary, the Republicans could gain membership by obtaining justification for disfranchising additional whites. Brown argued further that the state could not hope to better itself under military rule since the North was determined to return Georgia to the Union before Congress adjourned.

Ethically, Brown had little justification for charging that Ben Hill opposed the act because its passage would cost him his vote. Although Hill did not actively plead for the presidential program of reconstruction, he did write President Johnson stating that he supported the measure. Yet under the presidential program Hill knew he would have no vote. Thus, Brown's charge seems illogical.

Brown's third argument, that the state would benefit by adopting the Radicals' reconstruction program, seemed to be very appropriate. Georgia's major need in 1867 was to rebuild a destroyed economy. Owners had suffered real property loss when the slaves were freed: the labor system had been destroyed; real estate had declined in value; and considerable physical property had been destroyed by war, or had depreciated in value for want of repair.[76] Brown's arguments for adopting the Radicals' program were not only logical, but contained excellent emotional appeal by assuring the people that quick adoption

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[75]The Republicans believed most of their strength would come from the Negro voter. In a speech in 1868 Brown cites statistics that proves the whites have a large majority over the Negroes even after all whites under the Radicals' plan have been disfranchised. Atlanta Daily Era, January 11, 1868.

[76]Robert Fielder, A Sketch of the Life and Times and Speeches of Joseph E. Brown (Springfield, Massachusetts: N.P., 1883), pp. 460-461.

would bring prosperity for the farmers, business for the merchants, employment for the mechanics, bread for the poor, and a return of capital to develop the state.

Referring to history, Brown was able to establish a logical premise that past revolutions had resulted in changing institutions. The argument that the people must act as practical businessmen and willingly accept changes that must be made, communicated logically an idea the people understood. The argument that rapid adoption of the Military Acts would mean financial security provided adequate emotional appeal.

Any attempt to draw the final conclusions concerning Brown's rhetoric in the "Replies" introduces many problems. Hill's and Brown's rhetoric from 1867 to 1869 is difficult to compare. Although both speakers call for a decision of policy, their different approach to the problem necessitates a value judgment. Hill justly claimed that the Radicals' reconstruction program was unconstitutional. The Supreme Court's decision in Texas v. White in 1871 supported Hill's premise.[77] Further, there was little true clash in arguments since they reasoned from different premises. Therefore the conclusions the critic draws concerning the effectiveness of Brown's rhetoric must be offered with reservation.

The Radical program was adopted and established in 1867, but there is no proof that Brown's rhetoric accomplished this feat. There

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[77]The Supreme Court case of Texas versus White ruled the states were never out of the Union, therefore the North had no right to force the amendments upon the South. This decision supported Hill's claim of unconstitutionality.

were many Georgians supporting the Military Acts before Brown published his "Replies." Further, many people in Georgia opposed to the Acts were disfranchised, while many others eligible voters refused to cast a ballot. Yet Brown must have had some persuasive effect since the leaders favoring the Military Acts looked to him for advice. Brown is also given credit for the moderate document written at the state constitutional convention in 1867.[78] His influence is further evident in two additional ways: His first task was to persuade the people in Cherokee County to vote for the proposed constitution. Cherokee County not only voted for the constitution, but twelve of the white Democratic counties in Northwest and Northeast Georgia supported the proposed constitution.[79] The second action indicating Brown's effectiveness was in the number of people that followed him back into the Democratic Party.[80] In 1868 he had attended the Republican National Convention and supported Grant for the presidency. He returned to the Democratic Party in 1871 when he supported and voted for the Democratic nominee to replace Bullock as governor of the state.

The question is often posed, why did Brown return to the Democratic Party in 1871? Was he a politician merely changing positions to remain on top, or was he a statesman with a belief that was eventually accepted by his state? He had been a leader in the secession movement

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[78]Hill, op. cit., p. 267. Fielder stressed the fact that Brown was one of the few leaders in Georgia who supported the reconstruction program. Fielder, op. cit., pp. 436-437.

[79]Thompson, op. cit., pp. 204-205.

[80]Hill, op. cit., p. 290.

in 1860, he was the leader of the group favoring Radical reconstruction in Georgia in 1867, and then he supported the Democratic Party when they won their first state election following the adoption of the Radicals' reconstruction program.

This question is still unsolved after almost one hundred years. Critics still cannot agree concerning Brown's real motives. To support the claim that Brown was a politician, most antagonists argue either that he supported the reconstruction programs to protect his life or that he was a shrewd politician who could always come out on top.

No one can deny that Brown probably committed treason when as governor, he had ordered the federal fort, Fort Pulaski, seized. Nor did anyone know what action the North would take against the key Confederate leaders. Yet there is no tangible proof that Brown was a coward. When Brown was insulted by Toombs, he did not hesitate to challenge his foe to a duel. Although friends were able to prevent the fight, Brown had made a will and was practicing with a gun. Further, in 1868 Brown addressed the Republican Convention and expressed his belief that the South must approve the Military Acts, but he warned the Convention he would oppose additional steps. During the heat of the campaign over the Radicals' reconstruction acts, Brown received numerous threats on his life if he appeared to make speeches. Against the advice of his friends, the former governor refused to miss a speech. In light of all these facts, to conclude that Brown was a coward seems rather difficult.

All Georgians admit Brown was a shrewd politician. But that he was always a winner does not make him crooked, nor does it deny that he may have been a statesman. That he supported President

Johnson's reconstruction program, then after the Radicals' congressional victory in 1866, supported the Military Bills as a Republican, only to return to the Democratic Party in 1871, does not necessarily indicate inconsistency. In no speech or letter from 1865 to 1870 did Brown depart from his original stand. He argued in 1865 that Georgia was defeated and must accept the terms of the victor. The quicker the state approved the North's demands, but no more, the sooner qualified leadership would be restored to the state and the return of state prosperity assured. This so-called practical approach was the basis of his ideas voiced in his speeches in 1866, his "Replies" in 1867, and his speeches for ratification in 1868. Pearce concludes that Brown did not change stands but that the Democratic Platform in 1872 recommended the same ideas for their platform that Brown had defended in 1867.[81]

That the Democratic platform in 1872 was similar to the position Brown advocated in 1867 does not make Brown all wise, nor make Ben Hill all wrong. Rather, it only proves that reconstruction was a political issue and was resolved with ballots rather than by the courts. The Supreme Court's decision, written on Texas versus White in 1869, established that Hill was correct in his belief that the states were never out of the Union. Yet the troops were not withdrawn from the South until after 1876, and the states were able to remove the Radicals from their governments only by ballots, and not through the courts.

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[81]Pearce, op. cit., p. 152.

Conclusion

The following observation can be drawn concerning Brown's rhetoric between 1865 and 1872. His contention that reconstruction would be resolved politically and not legally proved to be correct. His invention, except for possible omissions, was logical, adapted to the audience, and must be judged excellent. Louise B. Hill offered the following evaluation concerning the effectiveness of his rhetoric in this period: Brown was responsible for the moderate constitution Georgia adopted; and he solidified the opposition and made possible an aggressive Conservative Party which through its protest and pleas helped to inform the nation of the true state of affairs in the South, and at the polls in 1870 gained control of the state government.[82]

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[82]Hill, op. cit., pp. 276 and 323.

CHAPTER V

BROWN'S RHETORIC OF RESTORATION

Introduction

The Democratic Party in Georgia won the election in both houses in 1870, forcing the radical Republican Bullock to resign as governor and flee the state to avoid impeachment.[1] In the special election held in December, 1871, the Democratic candidate, James M. Smith, was elected governor.[2] Georgia thus became the fourth Confederate state to break the Radicals' control and the first state in which the Democrats were able to gain a clear, permanent victory.[3]

Joe E. Brown had broken with the Bullock regime sometime in 1870. The specific date is not known, but, as graft increased within the state government, the split between Brown and Bullock became more and more apparent.[4] Eventually, Brown resigned his position as Chief Justice of the State Supreme Court and became active in the fight

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[1]Henry Savage, Jr., Seeds of Time (New York: Henry Holt and Company, 1959), p. 177.

[2]E. Merton Coulter, Georgia, A Short History (Chapel Hill: University of North Carolina Press, 1947), p. 347. In future reference this source will be cited as Georgia.

[3]E. Merton Coulter, The South During Reconstruction 1865-1877 (Louisiana State University Press, 1947), p. 350. In future reference this source will be cited as The South.

[4]Savage, op. cit., p. 166.

against the Radicals in the state government. Brown advised his friends that the similarity that now existed in the platform proposed by both the Democrats and the more liberal Republicans warranted a fusion of the two parties.[5] The support Brown gave Smith assured the Democratic candidate's victory as governor in the special election of 1871.[6] The Democrats rewarded Brown by selecting him as one of the men to accompany the newly-elected governor to the rostrum for the inaugural ceremony.[7] Brown's political return, however, did not guarantee him the acceptance of certain people within the state Democratic Party.

Brown did not have an active political role from 1870 to 1880, preferring instead to devote his energy to building a private fortune.[8] Woodward wrote that between 1870 and 1880, Brown became one of the leading industrialists in the state. He was president of the Western and Atlantic Railroads, the Southern Railway and Steamship Company, and the Dade Coal Company.[9] Fielder wrote that after Brown represented the Democratic Party in Florida during the Hayes-Tilden presidential election dispute, he limited his political activities to an occasional letter in

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[5]A letter from Brown to John I. Hall on September 13, 1872. "Brown's Scrapbooks." Pearce explains that the Democratic Platform in 1872 was virtually the same stand that Brown had argued in 1867. Haywood J. Pearce Jr., Benjamin Hill, Secession and Reconstruction (Chicago: University of Chicago Press, 1928), p. 152.

[6]Louise B. Hill, Joseph E. Brown and the Confederacy (Chapel Hill: University of North Carolina Press, 1939), p. 305.

[7]Ibid., pp. 209 and 323.

[8]Robert Fielder, A Sketch of the Life and Times and Speeches of Joseph E. Brown (Springfield, Mass.: N.P., 1883), p. 305.

[9]C. Vann Woodward, Origins of the New South, 1877-1913 (Baton Rouge, Louisiana State University Press, 1951), p. 15.

the newspapers attempting to correct the existing misconceptions concerning his course during reconstruction.[10]

Senator John B. Gordon resigned from the senate in 1880, just three weeks before the congressional session ended. Governor Colquitt persuaded Brown to accept the vacated post for the rest of the session. This appointment incited the charges of fraud, deal, and trade-out against Brown, Gordon, and Colquitt. Brown reacted to the charge by announcing his candidacy for the vacated seat to be filled by the state legislature in the fall of 1880.

The major issue in the election was again the relationship between the state and the Union. The arguments concerned Brown's activities and the position he took during Radical reconstruction. Historians describe the issue as centering on the question of whether Brown had remained consistent in 1880 with the ideas he expressed in 1867, or had he been "the chameleon of Georgia politics"? The arguments were the same as those introduced by Ben Hill during the late 1860's. The questions asked then, and now, by historians, include, "Why did Brown espouse the cause of the Radicals? What influence did he exert? Why did he return to the Democratic Party?"[11] These questions can perhaps be answered in part by studying Brown's rhetoric in his two most famous speeches delivered in this period. These were the speeches delivered in the United States Senate on the bill to pension soldiers of the Mexican and Indian Wars, and his election-eve speech delivered

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[10]Fielder, op. cit., p. 520.

[11]Hill, op. cit., p. 321.

in the De Gives Opera House.[12]

The Political Context, 1872-1880

In 1872 an element in the Democratic Party, generally referred to as the Bourbons, controlled Georgia's political affairs. The name Bourbons refers to the French nobility and carries the implication of obstinate adherence to the old loyalties and abhorrence for the new. Woodward wrote that this name placed upon the Georgian rulers was indeed unfortunate since no state deserved the epithet less.[13] Coulter described the rulers' program as embracing a philosophy that the South should build towns, develop mines, and construct factories and that the state should industrialize and do all those things that made the North rich and powerful.[14] Woodward referred to the new rulers in Georgia as the Redeemers rather than the Bourbons.[15] Redemption, he argued, was neither a return to an old system nor the restoration of an old ruling class. It was, rather, a new phase of a revolutionary process whereby leadership had been taken away from the planters and had been given to a group holding an industrial, capitalistic outlook. A mark of the redemption government were the achievements in retrenching officials' salaries and lowering taxes.

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[12]The speech delivered in the senate was his first speech before that body, presented June 12, 1880. This speech and the election-eve speech are both found in "Brown's Scrapbooks."

[13]Woodward, op. cit., p. 14.

[14]Coulter, Georgia, p. 383.

[15]Woodward, op. cit., p. 14.

> Redemption governments often describe themselves as the "rule of the taxpayer," frankly constituting themselves as champions of the property owners against propertyless and alleged untaxed. . . masses. . . . Cheapness. . . ., even niggardliness, under this tutelage became widely accepted as the criterion of good government.
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> Salaries of state officials were slashed drastically, sometimes to absurdly low amounts.
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> Achievements in retrenchment and low taxes later constituted a mainstay in the defense of the redemption government's record.[16]

The change in political leadership and philosophy in Georgia had been born out of evolution and necessity. The trend in shifting political control dated back to 1857 when Brown, representing the common man, became the first non-aristocratic governor of the state. Thompson wrote that the initial shift was implicit in the deep-lying social changes at work. With the shifting influence of social change came also the shifting of sectional lines of leadership.[17] Thus, the shift in political leadership and philosophy was born in part out of social evolution.

The changes in political leadership and philosophy were also motivated by necessity. The reconstruction acts disqualified leaders in the Democratic Party and forced leadership upon men who had not actively participated in secession and the Confederacy. These new leaders came from the growing ranks of business and professional men.[18] The economic needs and background of these men forced into political

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[16] Ibid.

[17] Mildred C. Thompson, "Reconstruction in Georgia," Studies in History, Economics and Public Law (New York: Columbia University Press, 1915), LXIV, 119.

[18] Ibid., p. 118.

leadership necessitated the change in political philosophy.[19]

Chapter Four described how Joe Brown had lent his support to the change in political leadership and philosophy. He had supported the Republican reconstruction acts as the most expedient means for returning state leadership to the most capable men. However, he supported the new political and economic philosophy out of a growing belief that the South must industrialize to increase her economic strength to match the North.[20]

From 1865 to 1872, the state Democratic Party had undergone a shift in political and economic philosophy. Pearce wrote that by 1872, the Democrats in Georgia had adopted an attitude toward the North and restoration that was very similar to the attitude held by the Republicans and liberal Democrats in 1867.[21] As the change in the Democratic Party became apparent, Brown wrote a letter to his followers advising them to support the Democratic candidates in the state election of 1871. The letter was dated September 13, 1871, and, in part, his reasoning was as follows:

> The Democratic Party of the Union after five years of unprofitable, and to the people of the South, costly opposition, now accepts the 13th, 14th, and 15th amendments. In a word, they have assembled in solemn conviction, and have, as the phrase usually goes, "accepted the situation, without reservation or qualification."

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[19] Ibid.

[20] Brown advocated the economic changes supported by Southern industrialists in his speeches from 1865 on.

[21] Haywood J. Pearce, op. cit., p. 152.

> Since the action has been taken by the Democratic Party the only difference which exists between them and the liberal Republicans is a difference of names.[22]

The numerous letters published by conservative Democrats in state newspapers during the early 1870's illustrate their acceptance of the radical reconstruction program. In one such letter the writer stated that while he did not support Brown, if the new political philosophy was right, then Brown had been right all along. Another citizen wrote that if the Democratic Party rejected Brown's views, the party was fast becoming a minority group.[23] The Democrats not only accepted this new view, but an active campaign was conducted to sell Brown and his earlier activities to the people. In 1874 a novel, Ca Ira, was written by William D. Trammell. In the novel the ex-governor was portrayed by one of the characters. Louise B. Hill wrote that the novel was written to encourage sympathy for the former governor.[24] Brown was further championed by the Atlanta Constitution, especially after Henry W. Grady became the editor. Hill does not believe the campaign was too successful, and thus the stigma Brown carried for his activity during reconstruction was not removed until the election of 1880.[25]

Politically and socially, Georgia suffered far less than did many other states during reconstruction. Thompson wrote that Georgia had recovered very easily from the financial abuse and mis-management

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[22] I. W. Avery, The History of the State of Georgia (New York: Brown and Derby, 1881), p. 601.

[23] All the letters can be found in "Brown's Scrapbooks."

[24] Hill, op. cit., p. 303.

[25] Ibid., p. 291.

that existed during the two years the Radical government was in control. Georgia was therefore less hard-pressed financially following reconstruction.[26]

Following the fusion of the Democrats and liberal Republicans in Georgia, most of the political power fell into the hands of three men known as the "Bourbon Triumvirate." These three men who began to dictate political affairs in the state after 1872 were John B. Gordon, Alfred H. Colquitt, and Joe E. Brown. Each man brought a strong following into the new coalition with Gordon representing the Confederate veterans; Colquitt representing the Cotton Belt; and Brown representing the yeoman farmers, the industrialists, and professional people.[27]

Agrarian radicalism began sweeping the Midwest during the 1870's taking form in the Granger and Greenback movements. These movements protested the Radical Republicans' program of protective tariffs, railroad subsidies, banking privileges, and monetary arrangements. As each Southern state regained its freedom, effort was made to introduce the agrarian movement into that area.

Throughout the South, numerous people bolted the Redeemers' Party and gave their loyalties to the agrarian movement.[28] The agrarian movement made gains in only a few Southern states prior to 1880. The major gains were made in Alabama, Arkansas, Kentucky, Mississippi, North Carolina, and Texas. The first revolt against the

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[26]Mildred C. Thompson, op. cit., p. 339.

[27]Woodward, op. cit., pp. 14-17.

[28]Ibid., p. 85.

Redeemers in Georgia was made in 1874 and then again in 1878. A strong Redeemer congressional district in North Georgia was won by a rebellious candidate, William Felton, in 1874, and a second district was won by Emory L. Speer in 1878. The victory in these districts was not so much a gain for the agrarian reformers as it was a protest against the Redeemers' dictatorial policies.[29] A series of investigations in 1878 into Governor Colquitt's administration forced the resignation of the state treasurer, the comptroller general, and the commissioner of agriculture. The investigation revealed scandals in the convict lease system involving highly-placed Redeemer officials.[30] The first real chance for the state to lodge protest votes against the Redeemers came in the form of the election of 1880.

Three weeks before the United States congressional session ended in 1880, Senator John B. Gordon resigned his position. He explained that a job he had accepted forced his resignation in order immediately to assume his new duties. Governor Colquitt persuaded Joe Brown to accept the interim appointment.[31] Brown's appointment was immediately followed by the opposition's charge of collusion.[32] The charge affirmed that Senator Gordon would be appointed president of the state road as his reward for resigning, and that Brown would gain his desired post in the Senate. The purpose behind these moves,

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[29]Ibid., p. 79.

[30]Coulter, Georgia, p. 384.

[31]Ibid.

[32]Fielder, op. cit., p. 523.

the opposition charged, was to assure Brown's powerful support in Colquitt's struggle to regain the governor's chair in 1880.

No proof was ever offered to establish a factual basis for the claimed collusion. While one cannot conclusively prove the charges false, strong evidence indicates that no deal was ever made. First, Gordon did not become president of the state road. Secondly, Brown was already known as a strong Colquitt supporter, and Colquitt had written letters attempting to persuade Gordon not to resign. Thirdly, that Gordon had several immediate expenses and certainly needed more money than he could make as Senator was generally known. The published letters from Colonel T. E. Hogg and H. Victor Newcomb urging Gordon to make a quick decision concerning the job they offered him gave credence to the argument that no collusion existed. Finally, a newspaper unfriendly to Colquitt claimed to have the proof that the charge was false.[33]

Senator Brown was sworn into his new office on May 26, 1880. While Congress remained in session only three additional weeks, Brown was able to gain the Senate's respect. During these three weeks he made many speeches, establishing a reputation as an excellent debater, and aided Georgia's interest in three important bills.[34]

Brown returned home at the close of the congressional session and announced his candidacy for re-election. General Alexander R. Lawton was nominated to oppose Brown in the campaign. The major issue

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[33]All these facts are stated in various sources presented in "Brown's Scrapbooks."

[34]Fielder, op. cit., p. 526.

centered around Brown's appointment and re-election to the Senate. Many congressional candidates ran their campaigns on a platform favoring or opposing Brown for the Senate.[35] The election was an overwhelming victory for Colquitt and Brown. Colquitt won his race for governor with a two-thirds majority while Brown enjoyed an even larger victory.[36] After the election, the Inquirer Sun, a bitter Joe Brown foe, reported that Brown was then the most powerful political figure in the state.[37]

An Analysis of Brown's Rhetoric, 1872-1880

Brown's Address on the Pension Bill

Background of the Speech. The charge of collusion was never established. One writer suggested that Gordon had resigned early to give his replacement an opportunity to become familiar with the procedure in the Senate.[38] If this theory were true, Brown took full advantage of the opportunity to study the Senate and participate in its work during the three remaining weeks that Congress was in session. Brown made three major addresses during the same number of weeks and won for himself the recognized position as a leading debater in that assembly.[39]

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[35]Inquirer Sun (Columbus, Georgia), November 17, 1880.

[36]Avery, op. cit., p. 601.

[37]Inquirer Sun, November 17, 1880.

[38]Letters to the editor in "Brown's Scrapbooks."

[39]Fielder, op. cit., p. 524. See also Avery, op. cit., p. 565.

Woodward wrote that Hayes had persuaded the Republican Party to drop the "bloody shirt" argument from the platform in 1876.[40] Wendell Phillips and William L. Garrison theorized that the poor showing made by the party in that election could be contributed in the main to the loss of emotional appeal. The party apparently listened with favor to their theory and re-introduced the argument in 1878.[41]

Legislation was introduced in 1880 to pension the Mexican and Indian Wars' veterans. Senator Ingalls, from Kansas, introduced an amendment excluding from the bill any veteran who fought with the Confederacy. Senator James G. Blaine introduced an additional amendment awarding the pension only to those veterans who were poverty-stricken.[42] In the ensuing debates Senator Richard Coke from Texas charged that the amendments were unjust. Senator Roscoe Conklin then chided the Southern Senators, reminding them that they were seated under peculiar circumstances and their title to seats in the Senate might be questioned.[43] Following Senator Conklin's speech, Brown made his "Pension Bill" speech opposing the two amendments offered for the bill. The galleries were crowded with visitors who came to hear the man who had been willing to fight his former friends to establish reconstruction in Georgia, a man who was now willing to face the best debaters the Republicans could offer

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[40]Woodward, op. cit., p. 49.

[41]Ibid.

[42]Avery, op. cit., p. 365.

[43]Joe E. Brown, "Speech on the Mexican War Pension Bill," "Brown's Scrapbooks."

as he presented his maiden speech.[44] This was the audience that Brown had to face as he began his speech.

A Summary of Brown's Ideas. Brown opened his address by reviewing the only two pension bills Congress had ever passed. These two laws had granted pensions to the veterans of the Revolutionary War and the War of 1812. The veterans' financial condition had not been an issue in either of the earlier laws. Rather, the pensions had been granted equally to all soldiers regardless of wealth. The present legislation also proposed to grant pensions to Mexican War and Indian War veterans with no specification concerning the veterans' financial status. However, two amendments had now been offered to the bill, proposing that only the poor would receive pensions and that soldiers who had served in the Confederacy would be excluded.

Brown argued that the proposed amendments would only serve to defeat the bill. He therefore called for the defeat of the amendments for two reasons: First, the amendment proposing pensions only to the poor veterans was inconsistent with past legislation. This amendment made lack of wealth the major reason for reward, rather than honoring the services the soldiers had performed for their flag. Brown reasoned that the pensions should reward service, not the inability to make a living. Secondly, the other amendment was unjust because it punished soldiers for defending their beliefs. The South had supported legislation pensioning Union soldiers crippled in the Civil War. The South

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[44]Avery, op. cit., pp. 565-566. Avery wrote that the ablest Republicans Senators were in their seats for Brown's speech and were constantly interrupting to ask questions, attempting to trip up the new senator.

could further understand the North's reluctance ever to grant pensions to Confederate soldiers for their service in the Civil War. He could not, however, accept the logic which refused pensions to the Mexican and Indian War veterans simply because they fought in another war.

Brown contended the Civil War had been fought over the sectional differences: the legal and moral right of slavery and the state's right to withdraw from the Union. The North had originally introduced slavery into the United States, but the slaveholders had sold their property to the South when they discovered the labor was not profitable in their section. The Northern slaveholders used the money they had gained from the sale of their slaves to build many of their large industrial plants. Once slavery had proved profitable in the South, the North decided that slavery was bad and should be made illegal. This action would force Southern slaveholders to free their slaves with no remuneration for their losses. Southerners believed they had the right to maintain slavery and the right to withdraw from the Union to protect their property if this action became necessary. The Confederate soldiers had fought to defend their beliefs in the Civil War, just as they had fought for their beliefs in the Mexican and Indian Wars. It was unjust to punish these veterans now for simply defending their beliefs.

Brown then directed his attention to the problems existing between the North and South in 1880. He admitted that he had been one of the people who believed the states had the right to secede from the Union in 1860. The sections had taken their differences before the highest tribunal, war, and the North had won its case. The war had

once and forever ruled that slavery was illegal and that the states could not secede from the Union. The South had lost its case and now accepted the decision and would never again dispute the fact.

Brown argued that the North had mistreated the South. The North had fought a war attempting to establish the fact that the South was still in the Union. Following the war the North no longer recognized this goal, then arguing that the Southern states had no legal rights. The South had accepted the North's new decision and submitted to the new conditions required for peace. When Congress rejected Johnson's program and introduced still different terms for peace, many Southerners argued that the new action was illegal and unjust. Brown admitted that he had believed that the congressional program was unjust, but realized that the North's new requirements would stand and therefore he had defended the new bills. He believed that the Southern states would benefit more by accepting the new acts and reconstructing their governments and economies than waiting for harsher terms to be introduced. The South had met the new demands and now their place in the Union was a matter of right and not of grace.

The air in the Senate Chamber still rang with the Northern insinuations that the Negro was mistreated in an attempt to prove the South was not acting in good faith with the social dictates of the war. Many uninformed citizens reported intense racial unrest in the South. Brown took Georgia as an example of where the two races were working side-by-side in harmony. He felt compelled to reveal that the Northern idea of the race situation was inaccurate. He endeavored, through great detail, to show where the needs of the Negro, especially

in education, had been met equitably. He outlined the educational plans for the Negro, plans that had been mutually agreed upon.

Brown refuted the Northern argument that the slaves would revolt and make the war one of short duration. He argued that while the slaves could have acted as a fifth column to defeat even Lee, they did not and thus the Northern beliefs that slavery was all that held the Negro to the South was incorrect. Brown stated that while the Southern soldier was on the field of battle, the South depended on the Negro to provide needed agricultural produce. He explained that the Negroes did not fail their masters and that the Northerners who believed the Negroes were mistreated were wrong. Only the malign interests of the carpet-batters had changed this feeling of good-will and then only temporarily.

The South had returned to the Union in good faith and would so act. The question concerning the right to secede was forever settled. Brown assured the people that the North would never have reason to question the earnestness and loyalty the South would show in defending the Union. But the loyalty that must be demonstrated to the Union by both sides necessitated the burial of the "bloody shirt" argument forever. The two sections had to unite for prosperity, peace, happiness, and fraternal relations: "This seems to me to be a consummation devoutly to be wished by the patriotic people of all parts of the Union."[45]

Analysis of Brown's Invention. Brown attempted to accomplish two objectives in the Mexican War Pension Bill Speech: First, he

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[45]Brown, "Speech on the Mexican War Pension Bill," loc. cit.

desired to defeat the proposed amendments and gain passage for the bill. Secondly, he desired to describe the Southerners' attitude toward the Union and thus to destroy any further effective use of the "bloody shirt" argument.

Brown attempted to defeat the proposed amendments through two arguments: The first argument advanced the thesis that pensions should reward service rendered and not financial need. He referred to history to establish this thesis, recalling former pension bills passed by Congress.[46] The only two bills that Congress had passed had awarded veterans' pensions without regard to wealth or rank. The second argument sought to establish that the North would be unfair if it denied the Southern Mexican and Indian War veterans a pension simply because they had defended the South. Brown admitted that the North should not reward Southern soldiers for service rendered the South during the Civil War, but he emphasized that past service should not be ignored because of recent action.

Brown's second objective was to persuade the North that the South had completed reconstruction and was now loyal to the Union. Sectionalism must be destroyed and a feeling of union must exist for national prosperity to be fully realized. He attempted to gain this objective by admitting the South was guilty in taking actions that brought on the Civil War. After admitting this guilt, he then chided the North to accept its own guilt. He argued that while the North was not as responsible as the South for the war, she must accept guilt for

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[46]Only two pension bills had been passed prior to this time: a bill for the Revolutionary War veteran and a pension for the veterans who participated in the War of 1812.

the injustices she had perpetrated upon the South during reconstruction. He then argued that the South had exhibited a desire to return to the Union when it met all the demands made by the North. Having met these demands, the South was re-admitted to the Union by right and not by grace. Now both sides must discontinue thinking in terms of sectionalism, and work together for a stronger Union.

The objectives Brown desired to realize in this speech, as interpreted above, may be disputed. Historians may argue that Brown's objectives were for personal gain and for eventual vindication for his action during reconstruction. No evidence is available to deny or establish these claims. The three speeches Brown gave in the interim term indicate that his purpose was certainly not completely selfish. His effort to obtain the pension for qualified Confederate soldiers could possibly aid his political cause. Subsequent speeches to gain money for rivers and harbors could hardly weaken him in the state. Yet, he devoted much more time in his speeches establishing the loyalty of the South, an effort not designed to gain him votes in Georgia, than obtaining these personal gains. Certainly, Georgians would not likely smile while he admitted the South was guilty for starting the war. Furthermore, probably few new Southern friends could be won by reviewing the course he had followed during reconstruction that had invited their passions during those years. He was probably more interested in aiding the South than in furthering Joe Brown's cause. Even the benefits he gained in the Senate would prove as valuable to

the state as to him.[47] The River and Harbor Bill benefited Southern rather than Northern Georgia, and the third speech aided the entire state as it prevented loss of congressional representation for Georgia.

An Evaluation of Brown's Invention. Avery wrote that Brown's speech on the Mexican War Pension Bill stamped him "as a master of debate, an original thinker, and a positive actor in the National Council."[48] Fielder wrote that the Pension Bill Speech "placed Brown among the recognized leaders of debate."[49] These two views describe Brown's inventive strength as being his ability to perceive the key issue and then to win the point with clear, strong, and logical reasoning.

A speaker needed little talent to perceive that the conflict over the amendments to the Mexican War Pension Bill rested in the North's desire to keep the sectional conflict alive. This desire was rather evident when anyone recalled that no former pension bill had rewarded veterans on any grounds but for service rendered. Now two amendments were proposed with the express purpose of denying the bonus to any soldier who had aided the Confederacy. Senator Blaine left little to the imagination when he reminded the Senator from Texas that the South held their present seats only by grace from the North. The

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[47]After Brown finished his speech on the River and Harbor Bill Senator Blaine commented that Brown had presented a strong case for passage of the bill. Knoxville Tribune, June 18, 1880. Senators Thurman and Davis praised him for a great speech, Avery, op. cit., p. 565.

[48]Avery, op. cit., p. 565.

[49]Fielder, op. cit., p. 524.

Republican's return to the "bloody shirt" argument in 1878 made sectional conflict evident.

The North's attempt to maintain sectional conflict was prompted by her desire to retain the support of the West. Many Republicans believed that the South and the West were natural allies and that the East could retain support from the West only through the cement of emotional moral issues.[50] The Republicans' return to the "bloody shirt" argument in 1878 and the Senate's failure to give a logical reason for excluding the Confederate soldier from the Mexican War Pension Bill would seem to indicate that this was the North's desire.

Perhaps little praise can be awarded Brown for his ability to perceive the issues in this debate, but he may well be praised for the use he made of this perception in making his address rhetorically strong and logically clear.

The rhetorical strength of Brown's address rests in his ethos and his adaptation to the audience. Brown was well known throughout the North as the former governor of Georgia who had braved the wrath of his party to support reconstruction. The Boston Post reported that the most rabid Southern "haters in the North could find little fault with Joe Brown."[51] The Enquirer reported that the people in the North looked upon Brown as the one Southern governor who always took counsel of his own judgment and was strong enough to sustain himself in his

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[50] Woodward, op. cit., p. 49.

[51] Boston Post, June 21, 1880.

position.[52] Additional compliments had been given to Brown by the Providence Journal, The Kansas City Times, and the Knoxville Tribune. Thus, Brown had a sympathetic audience that would listen to his ideas with more objectivity than was afforded to most Southern congressmen.

Brown did not rely upon the friendly attitude of the North to gain him rapport, but attempted to utilize his invention in such a manner as to gain the greatest effectiveness from his arguments. No Northerner could reject Brown's fairness when he admitted the South must accept its guilt for the responsibility of starting the Civil War.

Brown could expect an audience more willing to listen to the charge that the North must also accept guilt after he had first charged the South. Once the point had been established that both sections were responsible for present sectional differences, he was in a position to argue that both areas must work together to obtain the unity needed for real Union. The strength of Brown's invention in this address was attested to by a Boston Post reporter who wrote that the North could take little issue with Brown's arguments.[53]

Brown employed a clear reasoning pattern in his address before the Senate. When Brown takes past history to establish that Congress has never considered anything but the veteran's service in all past pension bills, the rationale for the sudden change in the basis for rewarding the veteran becomes difficult to explain. His reference to the North's return to the "bloody shirt" argument and Blaine's charge

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[52] Cincinnati Enquirer, June 21, 1880.

[53] Boston Post, June 21, 1880.

that the South owed its seats to Northern grace offers two excellent examples of the soundness of his logic. The strength of Brown's logic can be seen in still another way. During the course of his address he was repeatedly interrupted by a few Northern senators. Senator L. Q. C. Lamar made the following observation concerning Brown's debate:

> In his speech on Mexican pensions, he was assaulted at once by Blaine, Conklin, and Ingalls--three ugly customers, I can tell you, for an old senator to meet, much less a new one. But Mr. Brown never lost his balance. He met them square, calmly, and with such force and frankness that Conklin, as he sat down said: "I am convinced the senator is discussing this question with fairness and candor."[54]

Thus, Brown's logic was strong enough to withstand the strong attack of Republican antagonists.

Brown's address cannot be credited with defeating the proposed amendment; this causal relationship cannot be proved. The effectiveness of the address, however, does allow certain conclusions to be made. After the speech, Avery's claim that Brown was a master of debate was admitted by friend and foe.[55] Although doubtless Brown did not forever remove sectional distrust, Fielder does point out that the Republicans never again employed the "bloody shirt" argument after this address.[56] Ben Hill, Brown's old foe, offered one of the most glowing compliments when he wrote that "Senator Brown's speech in the Senate on the pension question should be made a campaign document for the

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[54] Atlanta Constitution, June 30, 1880.

[55] Blaine praised the speech as an excellent address; see Avery, op. cit., p. 565. The Daily Times (Columbus, Georgia), June 27, 1880, a paper that for years opposed Brown, described the speech as the best it had ever read on the subject.

[56] Fielder, op. cit., p. 525.

Democratic Party all over the Union. It will dispell delusions, refute slanders, establish converts, and make voters everywhere."[57]

Brown's Pre-Election Address

Background of the Address. Brown's appointment for the interim term as Senator from Georgia was the major issue in the state election in 1880. Avery wrote that Brown had established his ability to serve as senator, but the advisability of his appointment had to be resolved in the state election.[58] Brown accepted the challenge on this issue and returned to Georgia to conduct his campaign.

Thomas A. Norwood was nominated to oppose Colquitt for governor and General Lawton was selected to oppose Brown for the senate seat. The Albany News reported that the most active political contest in the history of Georgia would be waged over the members to be selected for the state legislature: "The division of sentiment concerning Senator Brown waxes warm, and the Brown and anti-Brown forces will decide his strength at the polls. The question each legislative candidate must answer is, 'will you vote for Joe Brown as Senator?'"[59]

Brown's platform in the election was a defense of the "new South." This platform was described as including final acceptance of the constitutional amendments, reconstruction, internal improvements administered by the federal government, encouraging and protecting home manufacturing, free public education for all races, the right of the

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[57]Cited in the Atlanta Constitution, June 30, 1880.

[58]Avery, op. cit., p. 601.

[59]Albany News (Albany, Georgia), July 10, 1880.

members of the colored race to hold office, and to allow social questions the time to resolve themselves.[60] Brown's Fourth of July speech re-emphasized that these ideas constituted his position. In that address Brown stressed that the South had to forget its bitterness and clasp hands with the North "across the chasm of the 'bloody shirt'."[61] He argued that the South must forget the old ways and support internal improvements to be accomplished with federal funds. The South should copy the free public educational program of the Northeast and guarantee it to all races.

Robert Toombs voiced the anti-Brown philosophy, insisting that the reconstruction program had been null and void. Toombs argued that Brown's position did not represent the people's sentiment, that the state did not want federal appropriations. Toomb's speech expressed the sentiment General Lawton voiced throughout the campaign.[62]

Colquitt was elected governor over Norwood by a 54,345 majority vote. Two days before the legislature assembled to select a senator, Lawton made a speech attacking Brown and calling for his own election to the Senate. The following evening Brown appeared in De Gives Opera House to plead his case. John Temple, a newspaper correspondent, sketched the following setting for Brown's election-eve speech:

> I sat in the Opera House the other night and watched a scene of unusual interest. A crowded house -- the beauty and the chivalry of Georgia's capitol fairly glittering in the blaze of gas light: an eager, brilliant throng, throbbing in sympathy

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[60] Cincinnati Gazette, November 25, 1880.

[61] Atlanta Constitution, July 7, 1880.

[62] Ibid., November 13, 1880.

> with the occasion, or thrilling with the pain of an unavailing regret. The stirring strains of music from a band of Union soldiers, a brief demonstration as the prominent figures in the General Assembly filed in and took seats upon the stage, and then a pause, a hush, and a burst of passionate applause as a grey-bearded and attenuated man walked awkwardly in.[63]

A Summary of Brown's Ideas. Brown introduced his address by explaining the necessity for giving this speech. Lawton had made a speech the day before in which he bitterly attacked Brown's record and Brown believed the people felt he should answer that attack. Lawton's attack covered Brown's political stand in 1868, his disloyalty in supporting the Radicals' reconstruction plan, his alleged thwarting of the Confederate cause during the war, and the charge that he no longer represented the will of the people.

Brown denied that he had deserted the Democratic Party when he voted for Grant in 1868. On the contrary, the Democratic platform in 1868 no longer supported the Jeffersonian stand. History, he argued, would show that Grant was closer to the original Democratic philosophy than was the new platform the Democrats had introduced. Further, the people should be reminded that prior to 1868 Grant had always supported the Democratic ticket. The people should further remember that Grant had reported to Johnson that the South had accepted defeat and was again loyal to the Union. Yet, in 1868 General Frank P. Blair had written a letter which won him the nomination of vice president on the Democratic ticket, a letter containing advice, if followed, could only lead to additional bloodshed within the Union.

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[63]Cited in Avery, op. cit., p. 602.

Brown argued that the position he advised during reconstruction was wise and just. He re-emphasized his old argument that the South was forced to accept the Radicals' program or be prepared for harsher terms. Ready acceptance of reconstruction by the states brought more favorable terms and control of state government by loyal Southerners. He then read a letter written by General Lee advising the state to follow this course.

Brown denied committing any act that thwarted the success of the Confederate government. In fact, Georgia, under his rule, had furnished more money, soldiers, and supplies than had any state in the South. True, he had opposed President Davis in certain programs, but only in those programs that endangered the state's rights. Further, the people should remember that Lawton's strong supporters, Alexander H. Stephens and Robert Toombs, had supported him in each of his disputes with President Jefferson Davis.

Brown then denied the charge he no longer represented the will of the people. He reminded the people that the major issue in the campaign had been his appointment to the Senate. In the first place Governor Colquitt's victory indicated the people in the state favored Brown and his policies. Secondly, in the counties where legislative candidates had run on a pro or anti-Brown campaign, Brown's supporters had won by a larger vote than had Colquitt. These two points proved that the people no longer leaned toward the old, but looked to the future.

Brown believed there were many reasons why he should be elected to the Senate. He advanced what he termed a forward-looking program designed to aid agriculture, to develop the mineral wealth in the state,

to bring in more industries, to make harbors and rivers navigable, and to provide free education for both races. The people must remember that the North had won the war because it had enjoyed superior wealth and resources. The South must no longer depend on an inferior agricultural program, but rather must educate, industrialize, and develop a "new South."

Brown argued that when he was governor he had not represented a section, but the entire state. He assured the people that he would continue to provide this type of representation if he were elected to the Senate. Brown turned to his record during the three weeks he served in the Senate to prove he had represented the people. During those three weeks he had proposed legislative acts that were of more benefit to Southern Georgia than to his native northern section.

Brown concluded the address by reading a telegram he had just received from one of the most respected men in the state, Henry R. Jackson. Jackson wrote that he had warned Brown that supporting the Radicals' reconstruction program would be committing political suicide. Brown, he reported, had replied that the security of the people and the state meant more to him than a political future. Brown then had taken what he knew to be an unpopular stand in his attempt to make the future of his state more secure.

An Analysis of Brown's Invention. The election issues in the political campaign in Georgia in 1880 centered around Colquitt's appointment of Brown to replace Gordon in the interim term as senator. The voters were not only to select the man to be governor for another two years, but to elect a legislature that would name the man to be

senator from Georgia. Brown's election-eve speech in the De Gives Opera House climaxed his attempt to regain the favor in which Georgians had once held him. Brown hoped to achieve three goals in the election-eve speech: answer the attack Lawton made the evening before, defend the stand he had taken during reconstruction, and present the platform he would support if he were elected to the Senate.

Louise B. Hill wrote that voters were equally divided in the election of 1880.[64] Certainly Brown could not be assured that the victory was his until the final votes had been cast by the state legislature.

Brown, therefore, faced the task of establishing ethos with his audience to assure himself a fair hearing. He strived to accomplish this feat by explaining the need for this final address. He took the position that Lawton had forced him to speak by attacking Brown's record the evening before. Brown also attempted to strengthen his position by pointing out that Lawton had attacked his character and record during the years of reconstruction, thus opening old wounds the people preferred to forget. The final effort to establish ethos rested in his attempt to weaken Lawton's position by reminding the people that the opponents' campaign had been conducted on the reasons why Brown should not be elected, rather than describing a constructive program the state could expect if Lawton were elected.

The major part of Brown's election-eve speech was devoted to attempting to realize the three objectives he desired to accomplish in

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[64]Hill, op. cit., p. 318.

the speech, Brown's organization was very similar to a long second affirmative rebuttal. Lawton's attack upon Brown's character and action during reconstruction offered Brown a chance to devote most of his attention to refuting the charges made against him. The final phase of the speech was devoted to advancing the constructive arguments that had received little mention by his opponents, the program Brown proposed to support if he were elected to the Senate.

An Evaluation of Brown's Rhetoric. The Chronicle, a newspaper that for years had opposed Brown, described the election-eve speech as a clear, entertaining, convincing talk, perhaps the best speech Brown had ever made.[65] A Pike County reporter wrote that it was the greatest speech ever delivered in Georgia.[66] The accuracy of the reporters in these compliments can be tested by evaluating the rhetorical excellence, the social utility, and the effectiveness of the speech.

The rhetorical excellence in Brown's invention is very evident in his election-eve address. Louise B. Hill concedes that this address revealed Brown's uncanny understanding of the peoples' attitudes and his ability to reach his listeners without resorting to demagoguery which would have alienated many.[67] Brown realized that many in the audience were probably antagonistic toward him; he thus immediately attempted to establish a common ground. He explained that he had not planned to speak but felt that the people would want him to answer Lawton's attack

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[65] Augusta Daily Chronicle and Sentinel, November 19, 1880.

[66] Pike County News (Zebulon, Georgia), November 20, 1880.

[67] Hill, op. cit., p. 319.

on his character and record. His approach not only strengthened his own position, but weakened Lawton's stand by commenting on the fact that Georgia voters would have preferred to see the program his foe supported. Brown further aided his ethos by complimenting the fairness and desire of the audience to forget the past, preferring instead to look to the future. Throughout his refutation, Brown provided a rationale for the past action taken by the people, never once forcing them to assume a defensive attitude. Brown's position was strengthened by a letter he read from General Lee, dated in 1867, calling for the South to accept the Radicals' reconstruction program.

The rhetorical excellence of this speech can be seen, secondly, through Brown's ability to weaken his opponent's case. This Brown accomplished subtly without attacking Lawton's character. First, he questioned Lawton's wisdom in opening old wounds by insisting on recalling the bitter days of reconstruction, when the people would much prefer to know the program he would support if elected senator.[68] Brown completed his case by recalling Lawton's past defense of large corporations at the expense of the people.

Brown's rhetorical excellence was further aided by the strong logical support he gave to arguments answering Lawton's attacks. For example, to Lawton's charge that Brown had thwarted the cause of the Confederacy, Brown presents a good defense of his actions by offering evidence that Georgia, under his rule, had contributed more men and

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[68] Atlanta Constitution pointed out on June 2, 1880, that the Democratic Party had been seriously weakened for the last four years by the number of members joining independent parties searching for a more constructive program that would allow the state to advance economically.

money to the Confederacy than had any other state. He admitted that he had differed with Davis, but only on points that he felt threatened a loss to Georgia of her rights. He then turned the argument on Lawton by reminding listeners that Robert Toombs, Lawton's chief supporter, and the ever-popular Alexander Stephens had actively supported Brown in each of his disputes with the Confederacy. Lawton's attack that Brown had been wrong when Brown pointed to the neighboring states which had rejected the Radicals' program and had suffered much more than Georgia.

Avery wrote that Brown had ignored obsolete issues, choosing rather to advance a bold, progressive enunciation of public sentiment.[69] Brown's ability to perceive important issues, plus his willingness to discuss those issues in this address, gave his invention social utility. The issues in the election were clearly drawn. Robert Toombs outlined the issues as including Brown's ability to serve in the Senate, his past record during the reconstruction acts, and the constitutionality of the Fourteenth and Fifteenth Amendments.[70] Brown was not only willing, but probably welcomed the opportunity to discuss these issues to vindicate himself. Brown introduced a fourth issue, the course Georgia should follow in the future. This fourth issue centered around the question of whether Georgia should remain the agricultural state she had been before the war, or whether as proposed by the Redeemers, she should develop industry, raw materials, and minerals, as well as agriculture. Brown

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[69]Avery, op. cit., p. 602.

[70]Cited in speech as reported in the Atlanta Constitution, November 13, 1880.

argued all four issues in his address, as well as advocating public education and the other programs supported in the "new South" movement.

Lawton's chances for election were probably harmed as much by his own campaign as by Brown's speeches. Evidence has already been presented to indicate the people were no longer interested in the old argument of the validity of the reconstruction program, their interest was directed more to improving their own fortunes and the future of the state. He was probably further hurt by devoting most of his arguments to attacking Brown and failing to offer a program he would follow if elected to the Senate. Louise B. Hill concluded that the election would probably be very close with the final decision resting with the Negro vote.[71] Lawton not only attacked a man who supported a program designed to aid the Negro race, but further failed to match Brown's promise to strive to provide for their equality in politics and in education. Louise B. Hill further concluded that the Negro vote was probably the difference in the election.[72]

Brown's election to the Senate was no doubt aided by the support he gained from Colquitt and Gordon's followers. Avery hints at this conclusion when he described both men as holding a tremendous following over the state. He wrote that each of the men had enjoyed victories by large majorities.[73]

A large part of Brown's success in his victory in 1880 must certainly be attributed to his election-eve speech. Writers testify

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[71]Hill, op. cit., p. 318.

[72]Ibid.

[73]Avery, op. cit., p. 563.

that a change of public opinion occurred during the course of the speech. Antagonism toward Brown was demonstrated early in the speech when members in the audience shouted that this was "Brown talk." During the progress of the speech more and more people joined in the applause, and bouquets were showered from time to time upon the stage.[74] Just how much of a part the election-eve speech played in aiding Brown's victory can never be known; however, certain writers may offer some insight: Louise B. Hill wrote that Lawton left the Opera House that night knowing he had lost the election.[75] Fielder believed the speech served as the turning point in Brown's career,[76] The Pike County News described it as the finest and most sensible political speech made in Georgia since the war.[77]

Conclusion

Louise B. Hill wrote that "the stigma of Brown's career in reconstruction may be said to have continued until the year 1880, when, upon receiving the highest political honor within the power of the state to bestow, he could feel himself completely vindicated.[78] The Columbus Inquirer Sun, a paper that had fought Brown since the time of reconstruction, indicated the same conclusion when it wrote, "Much as Brown is disliked in this section, were he running in this county

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[74]Augusta Daily Chronicle and Sentinel, November 19, 1880.

[75]Hill, op. cit., p. 319.

[76]Fielder, op. cit., p. 529.

[77]Pike County News (Zebulon, Georgia), November 20, 1880.

[78]Hill, op. cit., p. 291.

against Colquitt or Gordon he would win by a larger majority than Norwood did over Colquitt."[79] History seemed to have made prophets of all three writers. Four years later Brown was re-elected to the Senate without opposition.[80] He continued to serve in the Senate until ill-health forced him to retire in 1891. Even after retirement Brown remained a political power within Georgia without peer until his death on November 30, 1894.[81]

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[79] Inquirer Sun (Columbus, Georgia), November 17, 1880.

[80] Hill, op. cit., p. 321.

[81] Fielder, op. cit., p. 592.

CHAPTER VI

BROWN'S RHETORIC IN RETROSPECT

Introduction

This study postulated that a knowledge of Brown's rhetoric might prove beneficial to students of history and public address. Historians have long disputed Brown's motives during secession, reconstruction, and restoration in Georgia and the South. An evaluation of his rhetorical invention might provide new insight into his motives and hence make a modest contribution to Southern history. In Chapter One, Wrage was cited as claiming that the public address field needs information describing the ideas, skills, and careers of our public speakers. If this idea is valid, then this analysis of Brown's speaking may be useful in the field of public address.

The proposed objectives for this study were to describe the ideas presented by Joseph Emerson Brown in a representative selection of his rhetoric during the years 1857 through 1880 and to evaluate the invention he employed in that rhetoric. An effort is made in this chapter to synthesize the rhetoric Brown employed in secession, reconstruction, and restoration. To accomplish this goal Brown's ideas are summarized and his invention is evaluated in this chapter.

A Description of Brown's Ideas

The Importance of Brown's Ideas

Although in 1860 the Southern states believed that they had the right to secede and that they should secede, some historians suggest the states did not take this action until Georgia indicated she would support the secession effort. North Carolina's governor Vance explained that North Carolina did not vote for secession until she was sure Georgia would secede.[1] Avery wrote that no Southern state played a more vital role in secession and reconstruction than did Georgia.[2] A Cincinnati paper wrote in 1867 that the refusal of Georgia to join the rebellion would have done more than that of any other state to discourage secession. In like manner, Georgia's acceptance of the terms of reconstruction offered by Congress would be a signal for the acquiescence of all, and would have contributed to the pacification of the whole country.[3] Since Georgia played such a vital role during this period of history, the man that was recognized as the leading voice in Georgia would also play a vital role in history. That man was Joe Brown. In Georgia, there were men whose importance equaled Joe Brown during secession, reconstruction, and restoration, but no man equaled his importance in all three periods. Toombs and Stephens were very influential during secession, but neither man played a vital role in the other periods. Ben Hill was an influential voice in Georgia during

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[1]Cited in Louise B. Hill, Joseph E. Brown and the Confederacy (Chapel Hill: University of North Carolina Press, 1939), p. 36.

[2]I. W. Avery, The History of the State of Georgia (New York: Brown and Derby, 1881), p. 4.

[3]Cincinnati Commercial, March 27, 1867.

reconstruction, but was not as influential in restoration or secession. Avery concluded that no phase of Brown's activity during these three periods could be omitted without leaving a blank page in the history of Georgia.[4] Thompson concluded that of all the men active in Georgia from the years 1857 through 1880, Joe Brown must be considered the most powerful of them all.[5] No man could be this important to a state unless his ideas frequently mirrored the will of the people.

The ideas Brown advanced during the years of secession were reflections of the popular will. During reconstruction Brown no longer spoke for the Democratic Party when he pleaded for his state to acquiesce to the Radicals' program. However, he did speak for a number of people who believed the South would benefit by accepting reconstruction. During the restoration of home-rule, Brown became one of the members comprising the ruling "triumvirate" and was believed to be the most powerful of the figures in Georgia's political arena.[6]

Historians cannot agree upon the reasons that motivated Brown to follow the course he pursued. Coulter concluded that Brown supported the Radicals' reconstruction program because he believed cooperation with the Radicals was his quickest and easiest road to success.[7] Louise B. Hill wrote that Brown was an opportunist seeking favor with the ruling powers. She further charged that he interfered with the

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[4]Avery, op. cit., p. 5.

[5]Mildred C. Thompson, "Reconstruction in Georgia," Studies in History, Economics and Public Law (New York: Columbia University Press, 1915), LXIV, 286.

[6]Inquirer Sun (Columbus, Georgia), November 17, 1880.

[7]E. Merton Coulter, The South During Reconstruction 1865-1877 (Baton Rouge: Louisiana State University Press, 1947), p. 124.

success of the Confederacy, and then implied that he supported the Radicals' program for reasons of personal safety.[8] Other historians argue that Brown returned to the Democratic Party in 1870 only after he believed it was returning to power.[9] However, many historians including Thompson, Avery, and Fielder reject these charges and conclude that Brown was motivated to follow the course he believed would best serve the interest of the state. A review of Brown's ideas may provide new insights into this historical dispute.

A Review of Brown's Ideas

Brown's Ideas During Secession. The conflict that ended with the Union divided centered around two questions: could slavery be carried into the territories, and did the state or federal government have the authority to resolve this conflict? Brown's attitude toward these problems varied from the position of resolving the conflict within the Union in 1850 to participating actively in the campaign designed to persuade Georgia to secede from the Union in 1860.

In 1850, Brown believed that slavery was legal and it had proven to be a desirable system for the non-slaveholders, as well as the owners.[10] Brown bitterly denounced the Wilmot Proviso in a speech delivered on February 1, 1850, when he defended the justice of slavery and argued that the constitution gave Congress no right to abolish

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[8]Hill, op. cit., pp. 259-260.

[9]These historians included Dodd, Freeman, Eckenrode, and Hay.

[10]John Samuel Ezell, The South Since 1865 (New York: The Macmillan Company, 1963), pp. 10-11.

slavery in the territories.[11] When the Compromise of 1850 was offered, Brown joined the majority in his state in pledging their loyalty to the Georgia Platform and to the Compromise.

In 1857, Brown voiced approval of the Kansas-Nebraska Act which he believed supported the principles contained in the Georgia Platform. He joined the many Democrats who upheld Buchanan's action, arguing that Walker was responsible for the trouble in Kansas. He praised the Supreme Court for its fair decision in the Dred Scott case that the federal government had no right to interfere with slavery in the territories.

Brown did not actively participate in the sectional dispute until 1860 when the threat of a Republican victory made many in the South fear for their rights. In 1857, Brown asked only that Georgia be guaranteed the preservation of her inherent rights. At that time he assured the people that he would take whatever action might be needed to preserve those rights. In 1859, he recognized that a growing threat to the South expressed itself in the increasing membership in the Republican Party. He believed that a unified Democratic Party was the means for combating this new threat to Southern rights. At this time he expressed his love for the Union, but admitted he loved his state more. He advised the people to stay loyal to the Union, but if strife came Georgia had no choice but to withdraw from the Union.

As time passed, a Republican victory seemed almost a certainty in 1860. The threat of a Republican victory, the John Brown raid, the

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[11]Ulrich B. Phillips, "Georgia and State Rights," Annual Report of the American Historical Association, II (1901), 181.

passage of anti-fugitive slave laws in the North, and the split in the National Democrat Party all contributed to Brown's stand favoring secession. His new belief was summarized in the opening remarks of his special message to Congress in 1860: "In my opinion, the constitutional rights of the people have been violated by some of the non-slaveholding states to an extent which would justify Georgia's adopting any measure against such offending states, which in its judgment, may be necessary for the restoration and future protection of all its rights."[12] He believed the North and South had formed the Union under a constitution which obligated each state to protect the rights of other states. The Northern states had broken this contract with the passage of their anti-fugitive slave laws and their attempt to make slavery illegal. He called for a state convention to determine if the state should secede, and for the passage of any acts necessary for protecting the state's inherent rights.

Brown's Ideas During Reconstruction. Brown's attitude toward reconstruction was expressed by his actions rather than by any ideas he expressed following the end of the war. Most people in the South believed that the war freed the slaves and established that the national government was a federation instead of a confederation. They, therefore, believed the state needed only to accept the terms of surrender, reorganize its government, and resume its former position in the Union.[13] Joe Brown, acting under this belief, called the state

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[12]Cited in Allen D. Candler, The Confederate Records of the State of Georgia (Atlanta: State Printing Office, 1909), I, 20.

[13]Ezell, op. cit., p. 39.

legislature to assemble to take all necessary actions to regain admittance into the Union. Brown was arrested before the legislature assembled and was taken to Washington D.C. He was released in about a week, returned to Georgia, and resigned his office as governor. In his resignation address he reviewed the sectional differences that the South thought could be resolved only by war. Now that the South had lost the war, it had no recourse but to accept the terms dictated by the victorious North. These demands were that the slaves be freed and that the states rewrite their constitutions to include the points dictated by President Johnson. Brown warned the people that war often destroyed the long-accepted institutions of the defeated nation. The state must take a practical approach and accept the losses as the fortunes of war. The state should accept these changes, act in good faith toward the North, and begin rebuilding her economy. He reminded the people that the voters would select the leaders to rebuild the state; thus each eligible person must participate in the election to guarantee that the ablest men were elected.

The presidential program of reconstruction was rejected by the United States Congress, which in turn passed their own version of a reconstruction program in the Sherman Bills. When the states were forced to determine the course they would follow in 1867, Brown advised Georgia to accept the Radicals' demands. He admitted the Sherman Bills were the result of a political dispute and must be treated as such. The state had seceded from the Union, and had gone to war to defend her course of action, had lost that war, and now had no recourse but to abide by the terms of the victor. Congress, by a vote of the people, had won the right to dictate the terms under which Georgia

could return to the Union. He believed Georgia would realize fewer problems and enjoy faster recovery if she would immediately meet the terms dictated by the Radicals. Re-admitted to the Union, the state could be governed by the most capable leaders in the state and her recovery would be better assured. Brown reminded the people that reconstruction was a political issue and predicted the courts would not interfere. On the other hand, the longer the state rejected the Union's terms, the harsher those terms would become. Georgia could not depend on remaining under inferior military rule because Congress would not adjourn until its terms were met. The state had no choice to make concerning acceptance of rejection of equal rights for the Negroes; this was already an established act. Georgia did not need to worry about Negro rule since the whites had a majority vote. Georgia's major concern was being subjected to harsh rule if the people rejected the congressional program.

Brown's Ideas During Restoration. Georgia did adopt the Radicals' reconstruction program and was re-admitted in the Union in 1868. In 1870 the Republicans lost control of the state and the government was returned to the Democrats in 1871. From 1870 to 1880 Brown did not participate actively in politics and was still hated by many in the state. He was appointed United States Senator in 1880 by Governor Colquitt when Senator Gordon resigned his post. Brown decided to run for re-election in the special election of 1880 and perhaps vindicate himself for the course he pursued during reconstruction.

Brown made a speech on the Mexican War Pension Bill in the Senate in 1880, a speech designed to let the North know the South's

attitude toward the Union. The Republicans were still appealing to the people's emotions and perpetuating the strife still existing between the sections with the "bloody shirt" argument. Brown admitted that the South had been guilty of inciting the war. However, the South had acted under the belief that it had the legal right to secede from the Union, and Brown admitted he had shared this belief, The Civil War was therefore fought over the legality of slavery, and the states' right to withdraw from the Union. When the South lost the war the states accepted their defeat and made those necessary changes dictated by the North in order to gain re-admittance into the Union. Thus, in 1880, the Southern states were in the Union legally, and not by grace.

Brown then insisted that the North must now admit its guilt in mistreating the South. The North had insisted it was fighting the war to establish that the states could not on their own volition withdraw from the Union. Yet, at the end of the war, the North forced the South to make specific changes before the states could be re-admitted into a union they had never left. The North had further been unfair in the false picture it had painted, knowingly or unknowingly, concerning the relationship between the Negroes and whites in the South. He argued that the North had used false information to picture rebellion between the two races to gain additional votes. Yet the two races worked side-by-side on the most cordial relationship in Georgia. He admitted the races did not attend the same school, but this was by common agreement, and Georgia appropriated equal money to guarantee equal educational opportunity for both races.

Brown also presented a number of speeches in 1880 for the benefit of the people in Georgia. His objectives in these addresses were to defend the course he followed during reconstruction, and to advance the program he desired the state to adopt in 1880.

Brown denied he deserted the Democratic Party in 1867; rather the Party had deserted its original stand. Brown argued that he had advised a wise and just program during reconstruction: that the issue was political and not legal, that if Georgia had not adopted the Radicals' program, her future would have been harmed far more than it had been. He then denied Lawton's charge that he failed to represent the beliefs of the people. The people's support of his program could be witnessed in the election results in 1880. His appointment to the Senate was the major issue in the election and the people had responded by casting more votes for the congressional candidates who openly supported him than were cast for Governor Colquitt.

Brown proposed a program designed to aid agriculture, to develop the existing natural resources in the state, to encourage expanding industry, to make the rivers and harbors navigable, and to provide free education for both races.[14] The Gazette described the ideas as being those of a "new South," at least "a new South where her people rise up and follow the lead of such men as Senator Brown."[15]

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[14]A speech by Brown cited in the Atlanta Constitution, July 7, 1880.

[15]Cincinnati Gazette, November 25, 1880.

Brown's Motives for His Ideas

Two charges were made concerning Brown's motives that directly relate to this study. Critics claim that Brown's action after 1865 was taken (1) because of political expediency and (2) because of fear. Although these charges must be accepted or rejected speculatively since no one can look into Brown's mind, inference from some of the available evidence denies the charges.

If Brown's actions during reconstruction were motivated by political expediency, time failed to force the kinds of changes in position one expects from political opportunists. Brown's positions on major issues remained unchanged from 1865 to 1880. His arguments in the 1880 election-eve speech concerning the reasons the South needed to adopt the Radicals' reconstruction did not differ from the arguments he advanced in his resignation speech in 1865. In his resignation address in 1865, Brown argued that the South must accept the dictates of the North. Reconstruction was a political question, he stated, and Georgia would benefit by accepting the victor's terms and thus returning the most capable leaders in the state to positions of authority to enable the state to recover more quickly. These were the same arguments he defended in the election-eve speech in 1880. Throughout, Brown argued from the premise that the question was political and the state could expect no aid from the courts, while Ben Hill argued that the acts were unconstitutional and the people should defeat the acts through the courts.

Just as evidence does not prove Brown supported the Radicals' program for political gain, Brown's apologists cannot establish for

certain that he advocated this program only to benefit the state. Yet some events suggest he may have been acting for what he believed to be good for his state. First, Brown was offered the position of governor by the state after President Johnson re-admitted Georgia into the Union in 1866. Brown refused the position and gave as his reason he feared his election would offend the North and embarrass the President.[16] Secondly, Henry R. Jackson wrote that he warned Brown that it would mean committing political suicide to support the Radicals' reconstruction program. Brown had replied that the state meant more to him than his political future, and then proceeded to support the acts. Thirdly, Alexander Stephens wrote a letter stating that although he disagreed with Brown's course during reconstruction, there was never a doubt in his mind that Brown followed this course because he believed it would be the wisest course for the state.[17] Even Coulter, who had claimed that Brown acted for political reason, admitted Brown was either one of the wisest men of his times or the best guesser. Coulter wrote, "Seeing far ahead, he concluded that worse would come if the state did not accept the bitter dose."[18] Fourthly, Brown joined the Democratic Party in 1870 because it advanced the same platform he had defended not because he desired to join the bandwagon. One former critic wrote, "If the Democratic Party is right then Brown has been right all along. We have taken

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[16]Thompson, op. cit., p. 150.

[17]Cited in the Atlanta Constitution, May 18, 1880.

[18]E. Merton Coulter, Georgia, A Short History (Chapel Hill: University of North Carolina Press, 1947), p. 265.

Joe Brown's platform and adopted it as our own, and with effrontry say that Joe Brown has come back to the party."[19] Brown advised his followers in 1871 to support the Democratic nominee for governor. He reasoned that since the Democratic Platform was so similar to what his followers believed, there seemed little reason to remain divided.[20]

The second charge made against Brown was that he supported reconstruction out of fear. Louise B. Hill cited a "distinguished jurist" or Georgia as having a letter dated February 28, 1928, from a writer who said General Carswell told him that Brown, in his presence, "expressed the fear that he might be prosecuted for treason, and that he threw himself on a bed and wept."[21]

Again, no conclusion can be drawn that proves with certainty whether fear motivated Brown's course in secession, but several of Brown's past actions bespeak a courage which seriously questions the reliability of such a claim. Louise B. Hill cited a second letter, this time from Brown to Stephens, in which Brown expressed that he was prepared to meet his fate with calmness.[22] A second instance occurred during reconstruction. Brown's life was threatened numerous times when he appeared to speak before groups, and despite the warning of his friends he never once failed to make these speaking engagments.

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[19]Albany News (Albany, Georgia), June 3, 1880. See also Haywood J. Pearce, Jr., Benjamin H. Hill: Secession and Reconstruction (Chicago: University of Chicago Press, 1928), p. 152.

[20]Weekly Seaport Appeal (Brunswick, Georgia), September 28, 1872.

[21]Hill, op. cit., p. 251.

[22]Ibid.

A third example exemplifying courage was his near-duel with Toombs. Toombs challenged Brown to a duel and the challenge was accepted. Brown went about the business of removing his letter from the Baptist Church, made out his will, and was reported to be taking target practice with a pistol. Only last minute intervention by common friends avoided the duel and possible tragedy. Fourth, as Fielder points out, Brown advocated meeting the specific demands made by the federal government, but in no speech, letter, or other form of communication did he once suggest that the South should go one step further. In fact, at the National Republican Convention in 1868, in the presence of the military, and in the face of Republican domination, he protested that the United States Congress must not make further demands and that he would refuse to call for the state to go beyond the actual requirements of the conquering power.[23] In light of these four examples it becomes a little difficult to accept the thesis that Brown acted out of fear.[24]

Conclusion

A critical evaluation of Brown's published letters, newspaper articles, and speeches reveal the following basic beliefs. Brown believed in states rights and their inherent right to withdraw from the Union. Although he accepted the ruling forced by the Civil

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[23]Robert Fielder, A Sketch of the Life and Times and Speeches of Joseph E. Brown (Springfield, Massachusetts: N.P., 1883), pp. 426-428.

[24]In an interview in 1890, General Lawton said Brown would have fought Toombs. He concluded the interview with the statement "Brown is a brave man, and it is by no means safe to count on his being anything else." The Advertiser (Montgomery, Alabama), October 26, 1890.

War, he admitted under question during the Mexican War Pension Bill speech that he still believed the South, in 1860, legally had the right to secede. Following the Civil War, he accepted the outcome and the belief that the state's right of secession had been completely overthrown. Further, the South had suffered complete defeat and now was left with no recourse but submission. He believed that the sooner the states accepted the North's requirements, the sooner they would return to the Union, the less they would be forced to suffer.

A critical examination of historical journals, books, letters, speeches, and newspapers fail to substantiate the charges that Brown acted out of political expediency or out of fear. Brown was a politician and probably acted at times for selfish ends, but he was also willing to stand for beliefs that could cost him his political future. Brown's foes admitted that no charge of dishonesty or lack of ability could be placed against his record. Brown was not all saint nor all sinner; perhaps one can only conclude that Brown was practical. He was able to arrive at conclusions with discernment; having committed himself to a stand, he was then willing and able to defend that stand against all odds and opposition.

An Evaluation of Brown's Invention

Wilson and Arnold define invention as including selecting the subject, proof, and reinforcement of ideas. They believe a good subject should be timely; significant for the speaker and the audience; and appropriate for the speaker, audience, and the occasion.[25] Proof,

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[25]John F. Wilson and Carroll C. Arnold, Public Speaking as a Liberal Art (Boston: Allyn and Bacon, Inc., 1964), p. 126.

they write, includes the speaker's logic, his relationship to the audience, and his emotional appeal to the audience.[26] Reinforcement of ideas includes information inserted primarily to clarify, to detail, or to reinforce the speaker's ideas.[27] These three components served as the guides for evaluating Brown's invention in the body of this paper, and will continue to guide the concluding evaluation.

An Evaluation of Brown's Subjects.

Brown was not forced to hunt for the subjects to treat in his rhetoric from 1857 through 1880; the times made the subjects. The major problem in Georgia from 1857 through 1860 was what stand should the state take on questions concerning the sectional conflict? What relationship did the state have to the Union? Was the threat to the security of the South sufficient to warrant secession? What course should the state follow if secession became necessary? To choose to consider these questions at that time required little oratorical insight; yet Brown displayed discriminating judgment in adapting these topics to the time and thus making his addresses appropriate for his audiences. Brown's feeling of goodwill for the Union in 1857 was replaced in the 1859 inaugural address by an expressed growing concern for the state's rights resulting in part from the raid on Harper's Ferry. Brown's reference to the state's membership in the Confederacy rather than in the Union, his warning of danger from the sectional Republican Party intimated the growing sectionalism found throughout

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[26] Ibid., pp. 128-150.

[27] Ibid., p. 151.

not only Georgia but the South. The ideas expressed in his special message in 1860 indicated that sectionalism had matured and secession was no longer a mere threat but an act that might soon be realized. Brown's mood and treatment of ideas had changed from the desire for moderation and justice in the nation's councils, expressed in 1857, to the prayer in 1860 that Southern leaders be directed to protect states' rights and preserve the peoples' liberties. Thus, Brown pictured the growth of sectionalism and reflected the popular mood in the South in his rhetoric of secession.

Brown was praised for his awareness of vital issues and sensitivity to the people's mood in his rhetoric of reconstruction.[28] The major problem facing Georgia from 1865 to 1872 was what action should be taken concerning the various programs of reconstruction. Southern states uniformly responded favorably to President Johnson's reconstruction program in 1866, but differed over a course to follow when faced with the Radicals' program in 1867. A study of Brown's rhetoric during this period revealed his awareness of the key issues and his adaption to the people's mood. Since Georgia favored President Johnson's program, the major problems in 1866 were concerned with rebuilding the state's economy and restoring its government. Brown addressed himself to these problems before 1867 with major emphasis placed on the economic rather than the political issues.[29] Georgia was divided over the Radicals' reconstruction program disagreeing as

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[28]Avery, op. cit., p. 340.

[29]Thompson, op. cit., p. 42.

to whether it should be adopted or contested before the United States Supreme Court. Brown's remarks after 1867 were not only directed primarily to political issues, but were presented on a "let's be practical" approach, designed to avoid antagonizing the opposing listeners.

Brown faced two problems in 1880: (1) gaining a fair hearing for the South in national councils, and (2) regaining the popular support he originally held in Georgia. The Republicans had resumed using the "bloody shirt" argument in national elections in 1878. The "bloody shirt" appeal was designed to fuel a continued distrust and hate in the North for the South. The major objective of the Republicans was to weaken the Democratic Party but their course was also proving harmful to Southern recovery. Brown's address in the United States Senate on the Mexican War Pension Bill was not only aimed at defeating the proposed amendments but was also directed toward destroying further effective use of the "bloody shirt." The major part of his address was devoted to the latter task, reasoning that if the fear and mistrust could be destroyed, the Radicals' could not muster the strength needed to pass unjust legislation. Perhaps Brown does not warrant special praise for his discernment of vital issues at this time, as these facts were also apparent to many Southerners, but his invention was again devoted to ideas vital to the times and to his audience. The task of regaining lost popularity was treated in his election-eve speech. This speech has been described by many writers as Brown's greatest rhetorical effort. The antagonism felt for Brown was a carry over from the animosity that developed

toward his support of the Radicals' reconstruction program. Brown's remarks were directed to defending his motives during reconstruction, to presenting information which established that such men as Lee supported this stand, and to the fact that history had proven his course to be right. Again Brown treated those ideas vital to his purpose, audience, occasion, and the time. Thus, Brown's invention was rhetorically sound in his selection of subjects.

An Evaluation of Brown's Proof

If the speaker is to employ good invention his ideas must be logical, relate to the speaker and the audience, and appeal emotionally to the audience. Many writers express the thesis that this was a primary strength of Brown's rhetoric.

With few exceptions, writers praise Brown's logic. The Morning News noted that Brown's straightforward logic, as opposed to rhetorical frills, was the thing that made him so popular in the United States Senate.[30] The Daily Press remarked that Brown's speech on the Sherman Bills was "courteous, logical and convincing."[31] The New York World, the Daily Examiner, the Columbus Daily Times, and the Kansas City Star are just a few of the papers that offer editorial comments praising Brown's invention. All of these papers agree upon one description: he always addressed himself to the reason and intellect of the audience. Senator Lamar might fairly sum up the point when he noted that Brown's speech on the Mexican War Pension Bill

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[30]Savannah Morning News, July 7, 1880.

[31]Augusta Daily Press, April 28, 1867.

showed "direct and incomparable common sense."[32]

Brown was well-known for his ability to adapt to the audience. Whether talking to his supporters in 1860, or his antagonists in 1867, Brown avoided any wording that might anger his listeners. The report that audiences, although disagreeing in 1867, would listen with no interruptions for hours, indicates the ethos he ably established.[33] The shift of opinion that occurred in the audience during the election-eve speech is another example of Brown's strong ethos. One of the greatest tributes paid Brown for this strength was made by Louise B. Hill when she wrote, "Brown developed to an uncanny degree the ability to sense the popular mind, probe its depth, and with the precision of a chemist, gauge its reaction."[34]

Many writers imply that Brown did not appeal to the emotions. The Daily Press wrote that Brown's speech in Augusta was dispassionate,[35] the Daily Examiner saw no emotional pleas in Brown's address at St. Andrew's Hall,[36] and the Chronicle makes no reference to any emotional plea used in the election-eve speech.[37] Yet, emotional appeals were known to, and employed by, Brown. The Augusta speech praised the

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[32]Cited in the Atlanta Constitution, June 30, 1880.

[33]Augusta Daily Press, April 28, 1867, and the Daily Examiner (Atlanta). The date for the Daily Examiner is not known but can be found in "Brown's Scrapbooks."

[34]Hill, op. cit., p. 48.

[35]Augusta Daily Press, April 28, 1867.

[36]Daily Examiner (Atlanta), August 14, 1857.

[37]Augusta Daily Chronicle and Sentinel, November 19, 1880.

people's fairness, pleaded for their use of a practical approach, threatened the danger of harsher times, and promised them peace and security. Brown's speeches during secession were loaded with symbols such as "black Republicans," "ambitious leader," and "loss of equal rights." The failure of many critics to recognize this trait is difficult to understand. The journalists might have desired to picture Brown as a logician only, or they could have thought of emotional appeal as containing language that Fielder described as "fiction and fancy."[38] The latter description seems more plausible, or, at least, agrees with the theory suggested by Louise B. Hill. She wrote that in the election-eve speech Brown's knowledge and understanding of the psychology of the masses enabled him to employ emotional appeals that, when used by others, would have alienated many.[39]

An Evaluation of Brown's Amplification

Amplification was described earlier in this chapter as information used to clarify, to detail, or to reinforce the speaker's ideas. The words clarity and strength are terms universally employed by critics in their description of Brown's rhetoric. The clarity and strength in Brown's rhetorical efforts can be traced in part to his use of amplification, or to the information used to clarify and reinforce. Fielder summarized these qualities when he wrote that Brown's ideas are always clear, and he makes use of "the most exhaustive arguments."[40]

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[38]Fielder, op. cit., p. 69.

[39]Hill, op. cit., p. 319.

[40]Fielder, op. cit., p. 93.

Brown normally employed description wording and comparison and contrast to gain greater clarity, and used examples and analogies to reinforce his ideas.

Brown's descriptive phrasing in the 1859 inaugural address of "prompted by ambitious leaders," "sacrifice their country," and "black Republicans" clearly pictured a selfish sectional party dedicated to denying individual rights. This was not an argument that logically proved a point, but it was phrasing that carried a clear and passionate appeal to a biased Southern people. In this same inaugural address he used his phrasing to establish a common ground with his listeners. Georgia was not united behind the Democratic Party in 1859, and Brown used such phrases as "treacherous," "unfaithful" leaders to describe the reason for party disunity. His description enabled party members to rationalize their past differences while still allowing them to again unite behind the party without loss of face.

Brown's rhetorical clarity was further aided by the use of comparison and contrast. In his resignation address in 1866 he made use of comparison and contrast to clarify the problems and to suggest possible solutions for these problems. The major problems in 1866 centered around the disposition of the slaves and the need for a new labor force. Brown explained the problem in his speech and then described the course he followed as the basis for suggesting a possible solution to these needs. He explained he was solving his own labor shortage by giving his freed slaves a share of the crops or money for the work they contracted to do. In 1867 he used an analogy in the "Replies" with his "let's be practical" approach. His audience was

very familar with the need to adapt to changing financial conditions; thus the analogy was drawn to clarify the need to adapt to changing political conditions. His "Replies" were further strengthened with the presentation of facts showing the number of legal Negro voters in Georgia as contrasted by the superior number of qualified whites who could assure the state of "white" rule.

One example of Brown's use of reinforcement was his reference to past history in 1866 to strengthen the plea that each citizen must accept his responsibility. Brown reminded the people that revolutions had always introduced changes in established institutions. History further revealed that ready acceptance by the people to these changes resulted in quick and efficient recovery. Perhaps Brown's most effective use of reinforcement was in his Mexican War Pension Bill address. In this speech Brown turned to past legislation to establish that all previous bills had been passed without regard to personal wealth or needs. This example served to refute the opposition's argument and also to provide Brown with a premise to expose the Radicals' true intent.

Conclusion

Chapter Two cited several writers who concluded that Brown was not a great orator as Stephens, Cobb, Toombs, or Hill; but as a debater he was the inferior to none and the superior to most. In 1880 the New York Times observed that Brown was the ablest speaker in the United States Congress from the South: "He is as good a lawyer as Edmunds, and knows more of commerce than almost any man in Congress. His judgment is never at fault. The National Democratic

Party will do well to get Brown to run its affairs for the next four years."[41] Brown was an excellent debater, a persuasive speaker. His persuasiveness derived primarily from his selection of appropriate subjects and issues, his excellent use of proof, and his proficient use of amplification. Brown's strength as a speaker seems to rest in his effective use of invention.

Conclusion

The objectives of the present study included an analysis of Brown's ideas and an evaluation of his rhetorical invention. Achieving these goals was intended to contribute to the history of ideas in the South and to the history of Southern public address.

In describing the various ideas Brown advanced concerning secession, reconstruction, and restoration, this study has presented the ideas of the people he represented during the three periods. In analyzing ideas expressed by a very influential Southern leader from 1857 through 1880, this study has characterized a philosophy existing in Georgia and the South through these twenty-three years. Finally, this study has considered the controversy concerning Brown's motives for his actions during reconstruction. Was Brown motivated primarily by fear, by expediency, or by an urge to advocate what he believed to be the wisest course for his state? The investigation did not produce a conclusive answer to this question, but suggested that insufficient evidence has been offered to warrant the charges that fear and political ambition primarily motivated Brown's actions.

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[41] New York Times, November 25, 1880.

Before summarizing the final evaluation of Brown's rhetorical skill, it might be well to review observations made in this study describing his speaking skills. History does not reveal the extent of his formal rhetorical training, although it is believed that he did some debating while attending an academy in South Carolina. His vocal delivery, while nasal in quality, was clear and distinct and he spoke with a slow deliberate rate. His gestures were awkward and few in number, generally following a pattern of dropping one hand into the palm of the other, letting the other hand fall and rise on the speaker's stand in pump-like motion. He could and did prepare his speeches extemporaneously or by manuscript. While critics never described him as having the oratorical skill of Cobb, Ben Hill, or Toombs; as a debater he was inferior to none. It was in debate and with his invention that he made his mark rhetorically. He was always able to select the key issues, although the subject had already been dictated by circumstances. Numerous sources conclude that his objectivity, his thoroughness in research, his reasoning ability, and his understanding and ability to adapt to his listeners made for very strong proof. His use of phrasing, or comparison and contrast, and of reinforcement made for excellent use of amplification. Brown can be described as an influential speaker for an important state during a critical period in history. He certainly deserved recognition in the study of history of American public address.

One question does continue to plague this writer at the end of this investigation. Avery wrote that the history of Georgia would contain great blanks if a description of Brown's activity were omitted.

Thompson has described Brown as the most influential man in Georgia between the years 1857 and 1880. Fielder enlarges the scope of Thompson's observation to include not only Georgia, but the South. These writers, and others, attribute great power and influence to Brown during these years; yet, with few exception, historians have accorded Brown little emphasis. If Brown was as powerful and as influential as contemporary writers indicate, why has he been virtually ignored by later historians and by students of public address?

The explanation might be a result of either oversight or lack of objective research. Certainly a man who was a Democratic leader in secession, a man who after the war was a Republican leader during reconstruction, and a men who then became a Democratic leader during restoration of home rule, could easily be dismissed as an opportunist. Brown's record could easily motivate historians to dismiss him without additional investigation. Further, Brown was not actively engaged in politics after reconstruction until 1880, and his period of service for the next twelve years did not place him in controversial issues requiring additional research. Thus, he could easily have been ignored by innocent oversight.

The second explanation may be a lack of historical objectivity. Most Southern history has been written by Southerners, or by historians that use the Southern writers as primary sources. Southern historians may have looked upon Brown as a traitor or as an opportunist, and with bias dismissed him as a key figure in the history of the South. Louise B. Hill serves as one example of a historian who obviously has a bias against Brown. While a second historian, E. Merton Coulter, may not

be biased, he at least is guilty of dismissing Brown with insufficient proof to warrant his claims.

In summary, investigation reveals that Brown served as an influential leader in Georgia and the South through secession, reconstruction, and restoration. His rhetoric described a popular philosophy that was prevalent in Georgia and the South from 1857 to 1880. Yet, while he alone was the only man to serve as a leader in Georgia in all three periods, he has remained almost obscured by historians. The reason for this omission remains a myster, a mystery, regardless of the reason, that justifies further study and investigation.

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