

Introduction

On June 26, 1857, in a speech given in Springfield, Illinois, Abraham Lincoln crafted a historical narrative of the American founding that countered the one that Chief Justice Roger B. Taney had used in *Dred Scott v. Sandford*. In his Supreme Court decision, given three months prior to Lincoln's address, the chief justice had admitted that if "the general words" of the preamble to the Declaration of Independence "were used in a similar instrument at this day," they would be understood to "embrace the whole human family."¹ Taney had dismissed that observation as irrelevant and, as Lincoln explained, had insisted that the declaration's authors "did not intend to include negroes."² Challenging Taney's assumption "that the public estimate of the black man is more favorable now than it was in the days of the Revolution," Lincoln argued that "in those days, our Declaration . . . was . . . thought to include all," while in 1857, the declaration was set aside "to aid in making the bondage of the negro universal and eternal."³ The Kentucky-born lawyer conceded that the founders "did not mean to assert . . . that all were then actually enjoying that equality" but that they "meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit."⁴ Otherwise, Lincoln explained, if the founders had created the declaration as a temporary measure rather than a rights-bearing writ meant "for future use," then the "doings of that day had no reference to

¹ *Scott v. Sandford*, 410.

² Abraham Lincoln, "Speech at Springfield, Illinois, June 26, 1857," in *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler, Marion Dolores Pratt, and Lloyd A. Dunlap (New Brunswick, NJ, 1953–55), 2:405 (hereafter cited as *CWAL*).

³ *Ibid.*, 2:403–04, emphasis in original. ⁴ *Ibid.*, 2:406, emphasis in original.

the present” and served only as “an interesting memorial of the dead past.”⁵

The premonition of a dead revolutionary past never loomed larger than in the late 1850s, when Americans relied on founding texts to resolve the crisis over slavery, and, in turn, the crisis over slavery became a crisis of historicity.⁶ A number of abolitionists already regarded the US Constitution as a relic of a bygone era, and now Taney’s reading threatened to turn even the timeless Declaration into a historical curio. Debates about the meaning of these founding texts signaled a growing awareness of the discreteness of the founding era. Even Lincoln’s response drew attention to the distinct nature of the period to which he appealed. In noting the founders’ expedient approach to slavery and their anticipation of liberty’s spread, his account acknowledged slavery’s strong presence in the revolutionary era. At the same time, Lincoln’s narrative identified a historical change the founders had not anticipated: the proslavery betrayal of their abolitionist expectations. Indeed, Lincoln and Taney concurred on this crucial point: times had changed. But while Taney dismissed historical change to recover a static meaning that left blacks without citizenship and its attendant rights, Lincoln used change to insist on an evolving meaning open to future possibilities about blacks’ status and situation.

Figures on all sides of the slavery controversy valued context and change differently. But in their efforts to either reject or privilege the interpretive importance of these temporal valences – context and change – participants ultimately underscored the historical differences that divided their own time from the founding era. As Americans confronted the question of whether slavery was still morally acceptable – and did so in a culture shaped by sacred texts, mythic pasts, and a conflicted present – they awoke to a new awareness of temporal distance (i.e., the sense of differences in context and culture between historical periods).⁷ Debates about what antislavery writers called “the peculiar institution” were at the heart of this awakening.

⁵ *Ibid.*, 2:406–07.

⁶ I use the terms *revolutionary past* and *founding era* to refer to the period Lincoln and many other Americans appealed to in calling on founders and founding documents. This period includes the time between the writing of the Declaration of Independence and the ratification and initial implementation of the Constitution.

⁷ *Historical awareness* and *historical consciousness* are scholarly terms of art that require some finessing. I most often use them to signify a growing sense that historical changes created historical distance between past and present eras, and, more specifically, between biblical and revolutionary times and nineteenth-century America.

These debates centered on interpreting two of the most beloved texts in nineteenth-century America: the United States Constitution and the Bible. In the first few decades of the nation's existence, most Christian Americans continued to read the Bible as an ageless text with universal appeal; Abraham, Moses, and Paul spoke across vast chasms of time, and Americans listened. In the same period, the Constitution, alongside the Declaration of Independence, took on a similar status as a text without temporal constraints.⁸ It became a kind of legal Bible in the new republic. Americans seamlessly applied James Madison's words to the pressing political issues of the day. Reading such texts in this way made the biblical and founding eras seem like familiar places to visit rather than distinct historical periods to study. The existence of sacred texts (i.e., unique registers of universal instruction) from favored pasts (i.e., golden ages imagined as sharing a fluid relationship with the current era) kept Americans from gaining a clear sense that historical differences and contingencies distinguished past periods from each other and from the present.

And yet, it was precisely the existence of sacred texts from favored pasts that created the possibility of profound confrontations with history. Paradoxically, the potential for recognizing historical distance is greatest when pasts that are assumed to have cultural and ideological affinities with the present receive sustained attention. Awareness of a past's pastness (i.e., its temporal distinctness in terms of human experiences, attitudes, and mentalities) requires that it first become a useful past. Indeed, a past's potential historicization rests on its presentness (i.e., its apparent affinity with the present in terms of human experiences, attitudes, and mentalities). As individuals and groups appeal to a familiar era's figures, texts, and ideas to address present social, cultural, and political issues, that era becomes a prime candidate for historicization. And so, although the enduring textual basis of both the biblical and the revolutionary pasts made these eras most favored, the very endurance of those texts also set the scene for their sustained historical investigation, which threatened to historicize them and expose their inherent archaism. And the characterization of those pasts as archaic suggested that no historical era could claim to transcend time.

⁸ On the sacralization of the Declaration of Independence in the antebellum era, see Pauline Maier, *American Scripture: Making the Declaration of Independence* (New York, 1997), 154–208.

In antebellum America, slavery, more than anything else, induced those confrontations. Beginning in the 1830s, the issue of slavery broadened a shift to reading the Bible as a historical text – rather than an ageless and universal one – by fueling biblical interpreters’ growing emphasis on historical context. This shift set the scene for a public drama about historical readings of the Constitution, which played out as the political crisis over slavery took center stage in the 1840s and 1850s. In some cases, the biblical and constitutional debates were actually bound up with each other, as demonstrated in the writings of individuals such as Theodore Parker and Moses Stuart. This overlap was not always explicit, but, as I seek to demonstrate, the historical nature of the biblical debates conditioned some constitutional interpreters to accept historical readings as normative; the language and methods used among biblical interpreters prepared the way for constitutional interpreters to use similar language and methods. In short, the process of making the Bible historical by bringing greater attention to its distinct historical contexts set the stage for the Constitution’s own quick historicization.

Throughout the historicization process, the articulation and rearticulation of historical readings began to expose the archaism of America’s most sacred texts and the discrete nature of its most hallowed historical epochs. As Americans began to confront history in new ways, many discovered that their favored pasts were not golden ages to reclaim but troubled eras with universal promises to fulfill. Revered texts from these pasts taught specific truths that had not yet been realized. As Americans reclaimed permanent principles from transient times, they historicized their favored pasts, which signaled that all eras, including the present, bore the marks of time. Unlike anything before, the slavery debates roused Americans to the complexities of historical change and forced them to confront favored pasts as temporally distinct, discrete, and, above all, distant.

The term *historical distance* signifies temporal dislocation and dissonance between historical periods. I use it to refer to more than the simple fact that the passing of *time* creates chronological separation between points *in time*; in my usage, *historical distance* refers to crucial distinctions in human experience across discrete historical eras. In this sense, historical distance corresponds to the social distance that sociologists observe between peoples living in close geographical proximity and the cultural distance anthropologists observe between contemporaries living in different geographic spaces. Individuals with no sociological or anthropological training also notice social and cultural differences; travelers encounter

them at every turn. It is with this idea in mind that historians often invoke novelist L. P. Hartley's famous line, "The past is a foreign country."⁹

Temporal differences include material, political, religious, linguistic, legal, domestic, and intellectual distinctions. These differences are largely the products of human-driven changes that range from technological advancement, such as the invention of the railroad and the Internet, to philosophical development, such as the emergence of romanticism and postmodernism. In the era of globalization, social and cultural distances are often taken for granted – though frequently politicized and misunderstood in their particulars. But the fact of historical distance is not as readily apparent, hence, historians' frequent use of the novelist's phrase.¹⁰

In this book, I demonstrate antebellum Americans' growing realization that historical changes created temporal distances from their favored biblical and founding eras. The *fact* of historical distance is, of course, distinct from an *awareness* of that distance, which emerges with the recognition that irrevocable changes separate one period from another and that people from different eras inhabited fundamentally different worlds. The most profound awareness of historical distance results when individuals and groups begin to recognize that unbridgeable historical divisions and irreversible historical changes separate them from their most familiar pasts – periods populated by people believed to hold views similar to their own. Seeing such a past not as a familiar reflection of the present but instead as a distinctly other era can be disorienting. It is the shock of realizing that those pasts that feel closest, those that seem most worthy and capable of recovery, are deeply different and perhaps best left behind, that pushes the process of historicization most violently forward. This book outlines the processes by which antebellum Americans began to perceive distance from their most favored pasts: the biblical and founding eras.

I suggest that the best gauge of such awareness – though certainly not the only possible measure – is the extent to which historical distance induced novel readings of sacred texts. During the first half of the nineteenth century, lessons from biblical criticism and the demise of the founding generation encouraged a new emphasis on contextual readings of the Bible and the Constitution, respectively. An intellectual framework emerged that encouraged and even demanded that interpreters of these

⁹ L. P. Hartley, *The Go-Between* (London, 1953; New York, 2002), 17.

¹⁰ See, for example, David Lowenthal, *The Past is a Foreign Country* (New York, 1985).

documents consider context and change. This shift produced readings and narratives that revealed historical difference and distance.

Interpretive debates over slavery, in particular, fueled this development, forcing new kinds of confrontations with history and threatening to unsettle the once-fluid relationship between Americans' nineteenth-century present and their favored pasts. Constrained to consider anew this relationship, some readers downplayed the interpretive importance of historical distance, but others, such as Lincoln, used it to provide new readings of the nation's sacred religious and legal texts. Even as such readings indicated distance from the past, the distance did not render it dead. Instead, it provided new vantage points from which to explore favored pasts and sacred texts. In short, historical distance emerged as a powerful force for interpretive change in antebellum America.

The term *historical distance* has become shorthand for the now-derided idea that the passing of time grants detached historians the objective perspective to properly understand the past. In his book *On Historical Distance*, Mark Salber Phillips troubles this narrow historicist view, which assumes that historical distance, once recognized, can be bridged. Instead, Phillips tracks the persistence of distance as a capacious concept. Not unlike Hayden White's approach in *Metahistory*, Phillips investigates the relationship between historical representations and aesthetics, epistemology, and ideology.¹¹ In doing so, he depicts the historian's quest for historical understanding as one of a number of mediations with the past, each of which reveals perceptions of distance that range from alienation to familiarization.¹² In this way, Phillips historicizes the concept of historical distance.

During the first half of the nineteenth century, just as *historical distance* began to appear with greater frequency, the historicist usage of the term gained traction alongside other uses. Some English writers used it to denote cultural differences among peoples existing in the same era. For example, poet Richard Monckton Milnes used *historical distance* as a synonym for the different mindsets he observed between what he described as advanced and uncivilized societies. Writing as a traveler and sounding like a historicist, he noted that

¹¹ Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe* (Baltimore, 1975).

¹² Mark Salber Phillips, *On Historical Distance* (New Haven, 2013).

in forming historical judgments of modern events and persons it is often a severe necessity to transfer our thoughts and calculations from the smooth and solid temper of an advanced form of society into that of one, where all the relations of life are as different as if the distance of the one from the other, in space and time, were the very wildest.¹³

Milnes's observation captured the historicist argument that began to emerge in this period, when writers on both sides of the Atlantic asserted that historical distance inspired "dispassionate judgment" among those examining the foreign past.¹⁴

Alongside these new historicist uses, writers used the term *historical distance* to signify different historical understandings. Some used it either to indicate that certain topics and events became unfamiliar over time or, in contrast, to suggest that time rendered historical places and writings greater "than they really are."¹⁵ During the same period, a few writers used the term to signify more than the time between two dates.¹⁶ Charles Pelham Mulvany even distinguished between what he described as "distance in time" and "historical distance" to explain how changes in circumstances created a temporal gap that went beyond time's mere passing.¹⁷

While the main characters in my book did not often use the term *historical distance*, they did use language that reflected a growing sense that temporal changes had created temporal distinctions. Once antebellum interpreters perceived the distance, most of them assumed it could be bridged, and some explicitly argued that proper historical investigation would accomplish the task. While I track such historicist ideas, I focus more on how Americans first began to sense distance from the past, showing how their views of the past moved from familiar to foreign, while

¹³ Richard Monckton Milnes, *Memorials of a Tour in Some Parts of Greece: Chiefly Poetical* (London, 1834), 65.

¹⁴ "The Late Emperor of Russia," *Putnam's Magazine* 5 (June 1855): 589. See also Thomas Hancock, *The Peculium; An Endeavor to Throw Light on Some of the Causes of the Decline of the Society of Friends* (London, 1859), 71.

¹⁵ James Jennings, letter to the editor, *The Monthly Magazine* (September 1812), 104; Thomas Noon Talfourd, "Lord Eldon and Lord Stowell," in *Critical and Miscellaneous Writings of T. Noon Talfourd* (Boston, 1854); Charles Knight, "Albany W. Fonblanque," in *The English Cyclopædia: A New Dictionary of Universal Knowledge* (London, 1856), 2:941; George William Curtis, *The Wanderer in Syria* (London, 1852), 163; Charles Bathurst, *Remarks on the Differences in Shakespeare's Versification in Different Periods of His Life and on the Like Points of Difference in Poetry Generally* (London, 1857), 85.

¹⁶ *The Works of the Late Rev. Joseph Milner* (London, 1810), 8:474.

¹⁷ C[harles] P[elham] M[ulvany], "The Living Secret," *The College Magazine* 1 (March 1858): 378.

also noting the persistence of positions that resisted that move. More specifically, I detail the ways in which debates over slavery indicated distance from the favored and familiar biblical and founding eras. The sense of distance unsettled the relationship between those pasts and the present and challenged the relevance of their sacred texts, even as their perception of distance also encouraged readers to reinterpret these texts for continued use. This book seeks to historicize the kind of historical distance experienced as estrangement and to show how it became a useful tool for some American interpreters.

The process by which biblical and constitutional debates over slavery uniquely spread a sense of historical distance was contingent and gradual. As noted earlier, Americans' growing perception of such distance depended on the usefulness of founding texts and pasts. The most profound awareness of historical distance results when individuals and groups recognize that unbridgeable historical divisions and irreversible historical changes separate them from even the most favored pasts. The potential for sensing historical distance is diminished with regard to neglected or unfamiliar pasts. Many antebellum Euro-Americans likely assumed distance from ancient Asia and Africa, but Euro-Americans' minimal attention to such pasts made their idea of distance from those pasts just that: an assumption rather than a realization. While depicting a past in a negative light, as in the case of the so-called Dark Ages, could generate a sense of change and distance, that recognition was mitigated by simultaneous appeals to "pure" pasts or golden ages, like the classical period and Puritan New England. Even when these pasts lost some of their usefulness, other favored pasts, including primitive Christianity and the American founding, replaced them and thus reduced the chance that Americans would feel any meaningful sense of alienation from history.

The classical and colonial periods competed with the biblical and revolutionary pasts for Americans' favor. In the first decades of the nineteenth century, Americans' approaches to the classical past highlighted historical differences from ancient civilizations; they began to find greater use in ancient Greece as an antidote to, rather than Rome as a mirror of, their current political context. Historical criticism also contributed to the estrangement of the classical period. In the 1820s, American classicists such as Edward Everett used contextual explication to address issues raised about the authorship of the *Iliad* and the *Odyssey*. These developments, which created a sense of historical distance, began to challenge the prominent place of the classical world in American culture

and higher education.¹⁸ If the pastness of the classical era made Americans anxious, such anxiety would have been alleviated by the usefulness of another ancient era: the favored biblical past.

Generations of Christians had imbued the Bible with a religious significance that made it less susceptible to demotion. In a way, the time separating the sacred biblical past – Americans often viewed distinct ancient eras in the aggregate – from the antebellum present ensured its persistence as Americans' most important historical point of reference. And yet, when scholars began to shed light on the various biblical pasts – when they dug up differences in culture and geography and language – the vast temporal distance between biblical and modern times seemed to widen rather than contract.

Antebellum Americans also appealed to recent colonial times. The colonial experience was vital to the new republic's political instruction, though often refracted through the lens of the Revolutionary War. Puritans became protorevolutionaries and antislavery advocates in the era's histories, until further historical research challenged such representations. For example, one respondent to Moses Stuart's *Conscience and the Constitution* (1850) established slavery's clear presence in New England's past and excused its existence with an appeal to the temporal setting.¹⁹ Similarly, in response to the first volume of John G. Palfrey's hagiographic *History of New England* (1859), fellow Harvard alumnus Francis Bowen informed Palfrey that the Puritans "were mortal men; they made blunders, they shared the errors of their times."²⁰ Such explanations could expose historical distance between a presumably progressive present and the Puritan past, and this distance worked against efforts to draw lessons from that earlier era.

Narratives signaling distance also had implications for the founding past. Depicting the gradual development of democratic principles toward epochal revolution, either as fulfillment of or departure from the period of Puritan settlement, designated the American Revolution as the historical starting point in the national drama.²¹ At once, antebellum Americans viewed the founding era as the culmination of historical development and

¹⁸ Caroline Winterer, *The Culture of Classicism: Ancient Greece and Rome in American Intellectual Life, 1780–1910* (Baltimore, 2002).

¹⁹ Amicus, *Slavery Among the Puritans. A Letter to the Rev. Moses Stuart* (Boston, 1850).

²⁰ Francis Bowen to John G. Palfrey, 30 January 1858, Palfrey Family Papers, MS Am 1704, Houghton Library, Harvard University (hereafter Houghton).

²¹ Eileen K. Cheng, *The Plain and Noble Garb of Truth: Nationalism and Impartiality in American Historical Writing, 1784–1860* (Athens, GA, 2008), 153–207.

as a past with permanent relevance. The potential for historicizing this past had been present from the founding moment, when the framers crafted national documents meant to endure – compasses that their descendants would use even after the framers had passed. The establishment of the founding moment as an exceptional point of historical departure – a contingent but rapid post-founding development – promised to place intense scrutiny on this fixed point in time. Such scrutiny held great potential to draw attention to historical distance when later generations looked back for instruction.

Some sources of American legal reasoning did not demand such attention. In the new republic, the use of common law, which emphasized the accumulation of legal wisdom stretching back into Britain's past, valued historical development. While some Democrats dismissed common law as a product of the "Dark Ages," Whigs argued that because of its foundation in custom, common law could be adapted to changing circumstances even as it checked arbitrary judicial application.²² Their emphasis on incremental legal advances accentuated historical development as continuity instead of change.

In contrast, the emergence of a static Constitution focused America's legal minds on a specific historical document from a discrete period. Its canonization, a process that began almost immediately after ratification and accelerated in subsequent decades, exalted the founding era to rival the importance of the biblical past, which initiated a unique historical conversation.²³ The canonization process directed adherents to look to the set period of revolution and ratification for political and legal direction. The increasing focus on this period promised to raise far-reaching questions about how events, people, and documents from that eighteenth-century past spoke to the needs of the nineteenth-century present. Addressing such questions carried unique potential to historicize the founding era and instill a sense of historical distance from that relatively recent and erstwhile familiar period.

Americans imbued both biblical and founding pasts with special relevance and even tied them together; in the American imagination, the era of

²² Kunal M. Parker, *Common Law, History, and Democracy in America, 1790–1900: Legal Thought before Modernism* (New York, 2011), 117–218; Stuart Streichler, *Justice Curtis in the Civil War Era: At the Crossroads of American Constitutionalism* (Charlottesville, VA, 2005), 18–22.

²³ See Jonathan Gienapp, *The Second Creation: Fixing the American Constitution in the Founding Era* (Cambridge, MA, 2018). See also David Ray Papke, *Heretics in the Temple: Americans Who Reject the Nation's Legal Faith* (New York, 1998), 1–23.