

**Shankman, Kimberly C. *Compromise and the Constitution: The Political Thought of Henry Clay*. Lanham, Maryland: Lexington Books, 1999. 129 pp. \$45 hardcover.**

For more than four decades, Henry Clay was one of the most influential national figures in America. Five times a contender for the presidency (an office he never held), his legislative talents enabled him to remain speaker of the House longer than any other man during the nineteenth century, become the most prominent United States Senator at a time when the Senate included the likes of Daniel Webster and John C. Calhoun, and propose "the American System" of economic development, one of the most systematic and far-reaching programs in American political history. Yet Clay remains a largely forgotten figure who arguably has been "underrated as a statesman."<sup>1</sup> Professor Shankman's thought-provoking and beautifully written work helps to rectify this problem through its attempt to understand Clay's political thought the way Clay himself understood it, namely "as a principled and coherent whole" (25).

Shankman is keenly aware of the difficulty of this task. Many, if not most, of those drawn to political compromise are unprincipled trimmers set on politicians' ploys rather than genuine centrists aware of the virtue of moderation as part of republican thought. Shankman's analysis of Clay's distrust of executive power, promotion of "the American System," and gradual acceptance of political parties, which is clearly laid out in chapters two through five, convinces this reviewer that Clay's thought on these issues is statesmanlike in applying governing principles to the varying conditions of political life. The same may not be said, however, regarding his ambivalence about slavery, the issue that, as Shankman remarks in chapter six, "most clearly revealed the limits of Clay's statesmanship" (97).

In the "Preface and Acknowledgments" section of *Compromise and the Constitution*, Shankman expresses the hope that serious study of "the thought of Henry Clay may prove relevant and perhaps useful when dealing with more contemporary issues" (viii). Her careful treatment of Clay's thought challenges the reader to try to glean appropriate lessons both from Clay's insights and his intellectual blind spots. With regard to the latter, the distinction Clay drew between private and public opposition to slavery seems to mirror the I'm-personally-opposed-to-abortion-but-who-am-I-to-impose-my-values-on-others? position we hear espoused so often today. Clay, a slave owner, said out of one side of his mouth that slavery is "evil and wrong" and promised out of the other side that he would "quarrel with no man for holding contrary opinions"(103).<sup>2</sup>

"The Great Pacificator" even went so far as to order Hiram Mendenhall, a Quaker who had asked him to free his slaves, to "go home, and mind your own business, and leave other people to take care of theirs. Limit your benevolent exertions to your own neighborhood" (103).<sup>3</sup> In response, Mendenhall would have been justified to pose to Clay the question the repentant ghost of Jacob

Marley asked Ebenezer Scrooge: Is not mankind a Christian's business?

The Whig party lasted only a few years after Clay's death, probably because too many Whigs capitulated on slavery. In contrast, Democrats were as unflinchingly dedicated to the pro-slavery platform during Clay's time as they are to the pro-abortion agenda today. The present day Republican vacillation on abortion is readily apparent by the fact that though Republicans make up a slight majority in the United States Senate, on October 21, 1999 that body affirmed, in a first-ever non-binding resolution, the 1973 *Roe v. Wade* decision that legalized abortion. Republican ambivalence on abortion is reminiscent of Whig equivocation on slavery, and one wonders if the Republican party will go the way of the Whig party and the dinosaur.

If the issue of slavery brought out the limits of Clay's statesmanship, the crisis of nullification revealed the serious statesman in him. Clay realized that Calhoun's theory of nullification, which held that any one state is constitutionally authorized to set aside a law made by the national government if that state considers the law unconstitutional, "embodied the spirit of despotism," as Shankman puts it, insofar as it made "the will of one state superior to that of the people as a whole" (70). The despotic spirit is still with us but in different forms. Approximately sixty years ago, the United States Supreme Court created a novel constitutional category called "civil liberties." Under this conception of liberty, an individual who might find offensive the public expression of widely held communal religious beliefs, is permitted to trump, and thereby to prohibit, the expression of those beliefs in the public square. While some Americans in Clay's time supposed that the will of a single state trumped that of the people as a whole, today an even greater number of our fellow citizens are given the green light by the judiciary to behave as if the will of an individual is superior to that of the majority of the community.

-John Stack

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#### *Notes*

1. Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: The University of Chicago Press, 1979), p. 124.

2. Quoted from *The Life and Speeches of the Hon. Henry Clay*, ed. Daniel Mallory (New York: Barnes and Burr, 1860), vol. 2, p. 609.

3. Ibid.

**Philosopher at Work: Essays by Yves R. Simon. Ed. by Anthony O. Simon. Lanham, Maryland: Rowman and Littlefield, 1999. 240 pp. \$22.95 Softcover.**

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