“VIRGINIA DIVIDED; THE UNION DISSOLVED”:
GEOGRAPHY IN AMERICAN DEMOCRACY AND THE LESSONS OF WEST VIRGINIA

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“VIRGINIA DIVIDED; THE UNION DISSOLVED”:
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ABSTRACT

Over four centuries, Americans spread out across a continent marked by extreme geographic variety. Local landscapes influenced regional identities, molded economic and social communities, and shaped the kinds of governance Americans wanted for themselves. Although the Constitution designed a flexible federal republic to accommodate both regional and national priorities, conflict between geographically defined sections has threatened to scuttle the Union more than once. Ongoing sectional differences raise the question of whether the United States is in fact too geographically diverse to function successfully as one political unit.

Prior to 1863, West Virginia was but a section of a larger Virginia, separated from eastern Virginia by mountains. This physical barrier contributed to a mental, economic, and political separation that ended in western Virginia’s secession from the Old Dominion and the formation of a new state. The geographic context of this conflict makes it an ideal case study for assessing the role of geography in the twenty-first century Union.

In Size and Democracy, political theorists Robert Dahl and Edward Tufte offer strategies for alleviating internal political conflict; yet the last concedes that if other measures fail to promote good government the only answer may be the dissolution of the state. An examination of Virginia’s political history to 1863 reveals firstly how the
state’s geography influenced the development of separate societies to the east and west, and secondly how each of Dahl and Tufte’s initial strategies failed to ease western Virginia’s grievances with the state’s central government, leading them to take the final step towards secession from the commonwealth. This study draws direct lines between the natural environment, the political preferences of the people who lived there, and the quality of the governance they received.

This study found that geography does play an undeniable and deterministic role in democratic government, but that disparate geography does not make political failure inevitable. Human beings, after all, are sentient players with the ability to reason and compromise at will. Compromise, however, is necessary if a large polity is to survive; if American democracy is going to continue, Americans must rise above their geography to do it.
EPIGRAPH

“Such a result [division of the state] we should regard as a most melancholy catastrophe…If Virginia cannot regulate her internal affairs, if the interests and feelings of her citizens are so diverse and so conflicting that the noble old state must be severed in twain, what reasonable hope can we entertain that the vast line of states stretching from one ocean to another can resist the divellent forces and survive dissolution?...Virginia divided; the Union dissolved… what an awful record would be spread out for the pages of history!”

_The Enquirer_, April 15, 1851

Richmond, Va.
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INTRODUCTION
NATURE & POLITICS

For 35 million years, throughout the Cretaceous period, an ancient ocean covered much of North America. A shoreline hundreds of miles long snaked through the Deep South of what would someday be the United States, stretching west from South Carolina across Georgia, Alabama, Mississippi, Louisiana, and into Texas. Untouched by human influence, untold generations of tiny, single-celled organisms, plankton, lived their brief lives and died along that shoreline, filling the seabed with rich organic detritus that overtime developed into huge porous, alkaline chalk formations. Around 65 million years ago that shoreline began to recede, moving quickly enough that no equally fertile deposit of organic material could accumulate elsewhere. In its wake, the outlines of the North American continent were left behind.1

When white American settlers moved into the region in the nineteenth century, they discovered a “Black Belt” of exceptional fertility, where cotton could grow in profusion. At the height of cotton production in the slaveholding South this belt routinely produced harvests of 4,000 bales of cotton in a single year; acreage even a few tens of miles away could never match them.2 As a result, more and more enslaved people were bought and sold into the region to work those cotton fields, some from Africa and some


2 Ibid. McClain quotes Booker T. Washington’s Up from Slavery in order to point out that the connection between the land and its inhabitants’ political proclivities has long been recognized: “The part of the country possessing this thick, dark, and naturally rich soil was, of course, the part of the South where the slaves were most profitable, and consequently they were taken there in the largest numbers. Later and especially since the war, the term [Black Belt] seems to be used wholly in a political sense—that is, to designate the counties where the black people outnumber the white.”
from the less profitable fields of the Upper South states. When Civil War came and the
13th Amendment abolished slavery, those newly free African Americans had nowhere
else to go. They stayed along that “Black Belt” as sharecroppers, tilling the rich land and
producing enough crops too eke out a living.

During the Great Migration of the early twentieth century, many southern blacks
from the region headed north in search of work and escape from the relentlessness of Jim
Crow. But many of their families stayed; the populations in the counties that form this
belt of land remain significantly African American today. In 2008, when Barack Obama
ran for President of the United States, this swath of counties connecting across five states
went blue, voting overwhelmingly Democratic in a sea of Republican voters. As marine
biologist Craig McClain points out, the same was true in the elections of 2000 and 2004.
Even during the 1990s, when Democratic candidate Bill Clinton swept several Southern
states, the counties that voted most heavily Democratic were those along this rim of land.
Although outside the scope of McClain’s writing, presidential election results in 2012
also bore out this pattern. “Long heralded as the Black Belt for rich dark soils and later
for the rich African American culture and population,” McClain writes, “it may equally
be referred to as the Blue Belt to reflect both its oceanic geology and the political
leanings that resulted from it.”

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3 The United States banned the international slave trade in 1808. The domestic slave trade
continued until the abolition of slavery in the United States in 1865.

4 Doug Mataconis, “2012 Election County-by-County,” Outside the Beltway, November 8, 2012,

5 McClain, “How Presidential Elections are Impacted.”
to a trick of geographic fate. A long-dry Cretaceous ocean has as much influence on how
this region votes as the people of the Black Belt themselves.

The United States

The Black Belt, however, is only one small part of an American landscape that
stretches across an entire continent and is comprised of an innumerable number of
geographic features. Natural barriers such as the Rockies and the Appalachian
Mountains, the Mississippi and Ohio Rivers and the Southwestern desert divide up the
nation into regions, carved out long before the influence of man had even begun to try its
hand on the earth. Today, despite the creation of a national highway system, air travel and
the internet, these geographical barriers continue to hold sway over American minds,
influencing the imagination and defining spatial understanding. Indeed, argue historians
Edward L. Ayers and Peter S. Onuf, it has always been this way.

“From its founding,” Ayers and Onuf write in their Introduction to All Over the
Map: Rethinking American Regions, “the [United States] was a nation of regions.”
Americans have always been rooted in their landscape, a locational identity indistinctly
defined in terms like “North” and “South” and “West.” Without a specifically defined set
of characteristics or precisely measurable boundaries, these regions, or sections, exist in
American and even international consciousness as places and identities that, as Ayers and
Onuf write, “naturally developed out of variations in the American landscape. Regional
differences in people appear to be reflections of regional differences in land and

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6 Edward L. Ayers and Peter S. Onuf, Introduction to All Over the Map: Rethinking American
Thus the Black Belt that runs through the Deep South came into existence primarily because of an interaction between humans and the physical geography in which they lived. Land that could not physically support a huge force of enslaved labor consequently employed fewer slaves, leaving fewer African Americans in those same places free to vote in Presidential elections 150 years later.

Ayers and Onuf write that Americans see each other as products of their land: “cold, rocky New England creating cold, rocky New Englanders; hot and humid Dixie creating hot-tempered men and dewy women; the big skies and wide-open spaces of the West creating independent men and self-sufficient women.” Despite being members of one country, operating ostensibly in concert when it comes to world affairs, there is no single “type” of American, no typical set of moral values or political leanings that applies equally to a citizen of an Atlantic and a Pacific state. Just as the physical landscape of the United States is itself widely variable, so too are the people who live upon it.

Onuf argues in his essay “Federalism, Republicanism, and the Origins of American Sectionalism,” that when the Founding Fathers set out to create a central government that would work for all thirteen new states, they not only recognized the existence of regional differences in landscape, religion, economy, and public character, but accepted them, fundamentally weaving regional divisions into the founding documents of the nation. “Sectionalism and union were inextricably linked in the creation of the federal republic,” writes Onuf, precisely because proponents of the Constitution recognized that they needed to overcome sectional differences in order to

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8 Ibid.
secure a single, stable nation. Yet, he notes, “The paradoxical effect of subsequent efforts to sustain their union was to draw attention and give additional force to its sectional antithesis.”

Onuf argues that the United States was the original “section” in American history – a geographically far off and culturally divergent region of the British Empire. When shared political grievances brought Americans together in the mid-1770s, the assumption was that those same interests would keep the colonists together once they had thrown off the yoke of imperial power. However, the utter failure of the Articles of Confederation to meet any of the new nation’s administrative, diplomatic and financial needs brought leaders of the original states back together in the summer of 1787 to try again to design a workable national government. The suggestions placed before the Constitutional Convention that summer are revealing in their deeply, if not always spitefully, sectional nature. Edmund Randolph of Virginia suggested a tripartite executive branch divided between the three existing regions (New England, Mid-Atlantic, and the South). Gouverneur Morris of New York suggested that the original Atlantic states be given a permanent Constitutional veto over the votes of any new states that might develop out of the burgeoning Western frontier. Onuf asserts that the Convention’s delegates rejected these suggestions because “they would impose a dangerous rigidity and inflexibility on the new system.” Importantly, Onuf does not write that these proposals were voted

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10 Ibid., 18.

11 Ibid., 21.
down because delegates did not recognize any truth to the regional power struggles they implied.

Even as early as 1787, the year of the Constitutional Convention, some citizens in New England began to question what good could come from a national government; instead they raised a call for New England to break away from her sister states and form her own nation. “No other group of states was well enough defined or had had the common historical experiences or consciousness of distinct regional interests to be confused with a ‘nation’,” writes Onuf. These dissenting voices were quickly hushed, but 1787 was not the last time New Englanders would be tempted by such a radical choice.\textsuperscript{12} The writers of the Constitution managed to placate New England for the time being by giving the new federal government control over interstate commerce and foreign trade, thus preserving the capitalist power of New England’s merchant class. However, the trick of this persuasion was to convince a certain section that its interests were in line with the interests of the nation as a whole.\textsuperscript{13} A similar compromise was made in the Constitutional extension of the international slave trade through 1808; an agreement that managed to forestall the debate on slavery in the interest of preserving the nation.\textsuperscript{14}

Onuf asserts that Federalists like James Madison hoped that a diversity of interests across the nation would create a more stable Union. In a letter to Thomas Jefferson dated October 24, 1787, Madison writes that in a large republic, the individual members of the population are likely to have such disparate goals and concerns that “no

\textsuperscript{12} Ibid., 25.
\textsuperscript{13} Ibid.
\textsuperscript{14} Peter Kolchin, \textit{American Slavery: 1619-1877} (New York: Hill and Wang, 1993), 79.
common interest or passion will be likely to unite a majority of the whole number in an unjust pursuit,” mitigating the possibility of oppression over the minority and the enacting of measures that could harm the public welfare.15 Ideally, the same would be true for interests within the states and among the regions. As a geographically and culturally diverse nation, no possible alliances could prove strong enough to override the power of the nation as a whole; no regional interests would be able to hijack the federal processes to their own advantage. Or, so the thinking went.

“Americans were taught to believe,” writes Onuf, “that the genius of republican government was to secure the rights and interests of localities as well as of individuals, the equality of places as well as people.”16 Into this reckoning of “equality” entered questions of fair access to government, economic growth, distance, climate, and shared history. “A dynamic political geography reinforced the American tendency to think spatially about national identity and about their own place in the nation.”17 Participation in the American state meant balancing both inherent and nurtured regional differences with the political, economic, military, and psychological benefits of union. Deference had to be paid to both of these loyalties, regional and national, in order to create a system to which every state could agree. But as the case of New England suggests, the cause of Union as a necessary and indivisible thing was far from a political given. The new American identity was federal in system and in spirit.

15 James Madison, Letter to Thomas Jefferson. October 24, 1787. This source was assigned, in PDF form, by Professor Thomas Kerch of Georgetown University in the course “The Classical Roots of the American Founding”.

16 Onuf, “Federalism,” 36.

17 Ibid., 14.
The harmony or divergence between regional and national interests continued to fuel sectional conflict among the states throughout the first half of the nineteenth century. Indeed, as Onuf and Ayers both observe, regional interests were often defined by the very existence of the nation itself. “Consciousness of difference, the identification of economic interests or of cultural patterns that could divide Americans along regional lines, depended on a common context that had not existed before the Revolutionary conflict,” they write. “Nationalism came first and was a necessary precondition for the development of regional consciousness.” As Americans in different states developed their own communities and economies, the necessity of the Union to both temper and support these divisions became paramount. Regional conflict was understood and inevitable, but secession was unacceptable. President Andrew Jackson would become famous for uttering the sentiment in a single breath: “Our Federal Union. It must be preserved.”

Steven Nissenbaum draws the same conclusion about New England as he explores the roots of America’s first truly noteworthy secession movement: the Hartford Convention of 1814. Nissenbaum writes in his essay “New England as Region and Nation” that from the 1780s on, the New England states – Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire and Maine – began to act as a coalition of interests and votes in the federal government, defining themselves, to an extent, as a bloc in opposition to the interests of other regional alliances, real or imagined. The states of New England had long embraced their coastlines and faced outward to the sea, to

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18 Ayers and Onuf, Introduction, 10.

whaling expeditions and the Triangle Trade, while enduring long, snowy winters and
limited room and growing seasons for agriculture at home. Unlike their Mid-Atlantic and
Southern neighbors with their bounteous agronomy, New England became a bastion for
commerce. When that livelihood was threatened early in the new century, New England
felt its interests to be in such severe danger that once again the usefulness of remaining a
part of the United States came into question.20

By 1814, New England’s political weight was diminishing, degraded by the 1800
election of the Virginian Thomas Jefferson to the presidency, the rise of the Jeffersonian
Republicans to the halls of Congress to the detriment of the Federalist Party, and by the
immense disruption of foreign trade caused by the War of 1812. Their industry in
shambles, their political leaders ousted from power, delegates of the New England states
met at Hartford, Connecticut in 1814 to discuss what might be done. For a brief time, the
possibility of New England’s secession from the Union was a real and serious suggestion;
the belief that New England could actually sustain itself as an independent nation was
fueled by its shared colonial and Revolutionary history, its pious Puritan roots, and its
commitment to commercial interests. With the end of the War of 1812, however, came
the end of such discussion, and suddenly, writes Nissenbaum, “the Hartford Convention
began to exude the unpleasant odor of a treasonable cabal.”21 New England remained in
the Union, but the specter of national breakdown along regional lines continued to haunt
the federal government.

20 Stephen Nissenbaum, “New England as Region and Nation,” in All Over the Map: Rethinking
American Regions, Edward L. Ayers, et al. (Baltimore, Maryland: The Johns Hopkins University Press,
1996), 47.

21 Ibid.
Under President Andrew Jackson, a tariff system championed by Whig leader Senator Henry Clay of Kentucky sparked the first major movement towards Southern secession. As Harry L. Watson recounts in *Liberty and Power: The Politics of Jacksonian America*, by 1830, protective tariffs ensured that most imported goods were taxed at a rate of one-third or even one-half of their value. Southern cotton planters depended on European and especially English cotton mills to buy their product; they produced far more cotton than America’s still young textile industry could absorb. High tariffs meant that Southern planters paid more for the European goods they craved while facing an unprotected European market that was itself less inclined to purchase goods from American makers. “In planters’ eyes,” writes Watson, “the tariff and [Senator Clay’s] American System were sinister devices to rob the plantation in favor of the city, and to enrich the Northern manufacturer at the expense of the Southern slaveholder.”

Southerners argued that the tariff, which fell harder on them than on other states, must, therefore, be unconstitutional. They turned to the idea of nullification – the concept that a state that feels a federal law is unjust and unconstitutional could, whatever the determination of federal courts, declare that law null and void within the boundaries of the state – for their solution. Vice President John C. Calhoun, a Charleston native, anonymously penned the “South Carolina Exposition and Protest” to explain the concept and justify South Carolina’s decision to employ nullification against the tariff. “Far from threatening the Union, supporters argued, nullification would strengthen it by offering a safe and orderly means for an oppressed minority to obtain relief without secession.”

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23 Ibid., 114.
Nullification would force the rest of the states to examine the grievance and decide whether or not to support the nullifying state and change the law. If the rest of the states of the Union refuse to recognize another state’s right to nullification, however, or do not agree to change the offending law, the nullifying state has only two choices: accept the law or leave the Union.

The Nullification Crisis carried on throughout Jackson’s first presidential term, forcing Americans to consider whether states had the right to nullify a federal law, whether secession was even a legal course of action, and whether the individual interests of all of the states could ever be accommodated by a single national law. Northeastern merchants and manufacturers who benefited from high tariffs clearly did so to the detriment of their Southern countrymen who, in turn, feared that Northern power and potential Southern economic disaster might lead to the end of slavery in a region that was balanced on a population tipping point that barely favored whites. An explosion of regional conflict during the Nullification Crisis was narrowly avoided.

In 1860, the thin string holding the North and South together finally snapped upon the election of Abraham Lincoln to the presidency. The Republican Party he led was manifestly sectional in nature; the party was formed as a coalition of interests opposed to the extension of slavery in the territories and the imposition of the Fugitive Slave Act upon the North. The first Republican Party platform was assembled for the presidential election of 1856 and specifically declared that the party would “deny the authority of Congress, of a Territorial Legislation, of any individual, or association of individuals, to give legal existence to Slavery in any Territory of the United States, while the present

\[24\] \text{Ibid., 117.}\]
Constitution shall be maintained.” 25 And though Lincoln himself insisted in his First Inaugural Address that he had “no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists,” the moral, economic, and political interests of North and South had strayed too far from one another. 26 Only war could finally settle the question of whether secession from the Union was legal, and whether the country could continue “half slave and half free.” The answer cost over 600,000 American lives.

Although the United States has never faced another secession crisis anywhere near the scale of the Civil War, or even the Nullification Crisis, since 1865, the word “secession” and the idea that one state or region might be actively and deliberately working to disadvantage another region is still a part of daily American political discourse. In 2012, more than 125,000 Americans (many of whom were not Texans) signed a petition asking President Obama’s administration to “Peacefully grant the State of Texas to withdraw from the United States of America and create its own NEW government.” 27 Regional networks of states and citizens clash on issues from gun control to birth control, industrial regulation, and the wording of history books. New Yorkers disparage Georgians disparage Californians disparage Missourians. Regional clashing is alive and well.


Methodology

This long history of regional conflict raises some fundamental questions about the root causes of regional differences in character and politics. Are these differences the consequences of immigration patterns? Of economics, or moral codes? Or does the land itself encourage communities to develop along certain pathways, to favor some social mores over others, and to embrace local versus national governance? “Human geography” is the discipline that studies how humans and their environments affect each other and inform each other’s development. One branch of this study, geopolitics, explores and hypothesizes about the effects of the surface of the earth on human political systems and desires. If, in America, it is indeed the land that inspires regional differences, as human geography proponents would suggest, then the broad diversity of landscapes within the national borders of the United States may be troubling, for not only might they influence communities toward exceedingly different moral codes and ideas about governance, but because together all of these regions add up to a truly huge nation. Because landscapes create natural borders with mountains, rivers, deserts and other biomes, combining so many together into one polity raises questions about the influence of national size on the quality of the government. Do the many American landscapes, adding up to the third largest country in the world, contribute to societies that are too different, one from another, and too large in terms of territory and population to be successfully governed by one national body? If the past is a guide, then two centuries of American regional conflict suggest that it is. The American Union, after all, has

already reached the precipice of dissolution once before. It is entirely possible that an assessment of the modern United States, using human geography as a guide, would reveal how close the country may be to such a breaking point again.

However, in order to come to any conclusions about the land and its relationship to governance, one must first settle upon what good governance, and in the case of the United States what good democratic governance, looks like. Defining these earmarks will provide the parameters by which a democracy can be judged as optimal, lacking, or anywhere else along the spectrum. Secondly, an investigation of each region’s historical development and modern politics would shed light on the influence of the natural environment, whatever it may be, and introduce questions about the impact of size on democratic government. It is necessary then to determine at what point a polity is “too big” to survive and what, if anything, could be done to alleviate the size issue and save the state. With a list of strategies at hand, each tactic can be “tried” using historical examples, and the outcomes assessed for their efficacy. If, however, none of these tactics prove effective in staving off conflict, then the only remaining conclusion is that the nation-state is in fact too large to achieve good governance and ought, arguably, to break apart into smaller, more politically cohesive states.

In Size and Democracy, political theorists Robert A. Dahl and Edward R. Tufte investigate the philosophical ideals of democracy and the numerical realities (i.e. population numbers, import and export totals, total mileage of usable roadways and railroads) that were at play within the world’s democracies in the early 1970s. Although many factors, including trade, technology, and warfare, have affected how citizens in these countries live their lives today (making Dahl and Tufte’s statistical analysis less
than perfect for twenty-first century use), their philosophical exploration of the nature of effective democracy is still exceptionally useful. As such, their work will provide a theoretical framework for this project.

Dahl and Tufte use two factors to define an optimal democracy; the degree to which either of these factors is present or absent in a society, then, is an indicator of the quality of that society’s democracy. They write that in democracy’s earliest form, the Greek city-state demonstrated these two criteria:

the ideal polity could be described as one that satisfies at least two criteria: the criterion of citizen effectiveness (citizens acting responsibly and competently fully control the decisions of the polity); and the criterion of system capacity (the polity has the capacity to respond fully to the collective preferences of its citizens). 29

In essence, an ideal democracy has to have a citizenry that actively participates in its own governing, and the government itself has to have the ability to respond to the needs of its people. For, as Dahl has written elsewhere, “the key characteristic of a democracy is the continuing responsiveness of the government to the preferences of its [active] citizens.” 30 Within a nation the size of the United States, however, the question necessarily becomes more complicated, for the active participation of nearly 320 million people in each and every political decision is impractical. For the Founders, the participation of even 2.5

29 Robert A Dahl and Edward R. Tufte, Size and Democracy (Stanford, California: Stanford University Press, 1973), 20. The formatting of this quote matches the formatting in the original text. The slightly awkward sentence structure and emphasis are theirs as well.

million people was impractical (and not altogether desirable).\textsuperscript{31} Therefore, as Dahl and Tufte note, a revision of these initial components is necessary given the size of most nation-states. The expanded criteria are:

\textit{System Capacity}. (1) Only the nation-state has the capacity to respond fully to collective preferences. (2) Therefore the nation-state (but no smaller units) should be completely autonomous.

\textit{Citizen effectiveness}. (1) Nation-states are too large for citizens to participate directly in all or even most decisions. (2) Therefore, citizens must be able to participate in decisions at least indirectly, typically by electing representatives or delegates to decision-making offices.\textsuperscript{32}

The federal republic laid out by the Constitution would seem to be an affirmation of Dahl and Tufte’s nation-state argument, given that it laid out a federal democratic republic that would provide for spheres of autonomy at the state and national levels while balancing representation between population size and state equality. However, the fact that the Constitutional system failed to prevent the outbreak of a Civil War in 1861 suggests that not all of America’s political quandaries were sufficiently solved by the Constitution. Dahl and Tufte’s need to revise how they defined the characteristics of good democracy as they moved from smaller polities to larger ones highlights the issues that the people of a nation-state might be expected to encounter. Put another way, their revisions raise a series of questions that any new government would need to tackle: 1) how to settle upon “collective preferences,” 2) how much autonomy each unit at each level should enjoy, 3) whether there is a point at which state size prevents effectiveness, and 4) how effective representation can or cannot alleviate these problems.


\textsuperscript{32} Dahl and Tufte, \textit{Size and Democracy}, 22.
In essence, these potential problems boil down to a matter of size: too large and geographically diverse a territory and too large a population within that territory. At what point does a polity simply become too large to function as a democracy? The difficulties of quantifying such a measurement are obvious, but Dahl and Tufte provide a useful qualitative definition of what it means to be “too large”:

> If the application of uniform rules throughout a political system with given boundaries imposes costs (or loss of benefits) on some actors that could be avoided (with no significant costs to others) by nonuniform rules, then the boundaries of a political system are larger than the boundaries of the political problem.

It is a matter of preferences. If the preferences of the citizens dictate the laws of the government, then the people who live within those laws must substantially agree to those preferences in order to feel satisfied by their government. If Group B has different preferences than Group A, then it will not work to impose the preferences of Group A on Group B. The polity that attempts to encompass both Group A and Group B is simply too large to be effective.

Dahl and Tufte suggest four strategies by which citizens in a polity that appears too large can attempt to rectify their differences:

- **Strategy 1.** Adjust unilaterally, either by accepting the losses or by discovering an alternative that avoids them.
- **Strategy 2.** Engage in mutual adjustment by negotiation and bargaining.
- **Strategy 3.** Create a subordinate authority with boundaries small enough to include only the disadvantaged actors by means of administrative or legal autonomy within a unitary system (decentralization), a federal system with constitutional autonomy for the smaller constituent units (federalism), or a confederation (confederalism).
- **Strategy 4.** In the extreme case, separation into an independent, sovereign system: the ‘nation-state.’

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33 Ibid., 133-134.

34 Ibid., 134. Textual formatting is theirs.
Any political units that encounter issues of size ought, then, to try to implement Strategies 1-3 before resorting to Strategy 4. However, if the first three prove unsuccessful, the polity has no choice but to embrace Strategy 4 or simply go on in a constant state of political strife. Neither option seems immediately desirable.

A Case Study

A thorough investigation and comparison of the character and political preferences of each region of the United States is, however, far beyond the practical scope of this project. Instead, a means is needed of assessing the validity of Dahl and Tufte’s assertions without having to apply them to 400 years and 9.63 million square kilometers of American colonial and national history. Instead, the case of West Virginia’s individual origin may prove a far more manageable example to use for testing these hypotheses, for, prior to 1863, the present-day states of Virginia and West Virginia were bound together first as one colony and then one commonwealth. The Civil War and Virginia’s secession from the Union in 1861 proved a tipping point for the contentious relationship between the western counties of Virginia and their eastern brethren, but western Virginians had been threatening the breakdown of the state for more than thirty years by that point. Since the earliest days of white settlement in present-day West Virginia, the mountainous landscape of the Alleghenies had forced western Virginians to adapt their economies, social lives, and political outlooks to a more rugged, westward-facing lifestyle, even as their eastern compatriots turned south and east towards the Atlantic Seaboard and towards the Peculiar Institution. Over time, their geography defined their political interests, and they grew further and further apart. By 1861, the

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35 Mattyasovszky, “The Largest Countries.”
western population’s economic and practical-minded loyalty to the Union and lack of equally strong bonds to the rest of their state drove them to ultimately secede from Virginia itself and to apply to the federal government for independent statehood.

Chapter 1 of this work, *People and Places*, is fundamentally about communities, how they grow, and what forces operating on and through them can lead them into conflict with other communities. To do this, Chapter 1 will ground the case of West Virginia in Virginia’s colonial and revolutionary history, from 1607 to approximately 1789. Examining how the Virginia colony (territory that includes present-day Virginia and West Virginia) was peopled by white European settlers and enslaved Africans alike will shed light on how Virginia’s eastern and western societies first took shape and how the land they lived on combined with their national and religious antecedents to define their social values. Calling on the work of scholars such as Tim Cresswell and David Smethurst, this chapter will also consider how places can come to define individual and community identities, while simultaneously facilitating a sort of place-based ethnocentrism among the population. Chapter 1 ends with the establishment of Virginia’s first constitution, thus setting the stage for Virginia’s real intrastate conflict to begin.

Chapter 2, *System Capacity: Collective Preferences, Resources and Routes*, grapples with the first of Dahl and Tufte’s two criteria for an optimal democracy, what they call “system capacity,” and their contention that only a nation-state has the necessary capacity to address the “collective preferences” of the whole country. Chapter 2 asks what democratic citizens want from their governments, how the natural environment can help to shape those answers, and what happens when those governments fail to meet their
demands. In the case of unified Virginia, the eastern and western sections of the commonwealth were endowed with a variety of natural resources that diverged across the Allegheny Mountains and subsequently came into conflict with one another in Richmond. There, within the halls of their shared government, eastern interests most often won out over western concerns. The potential lessons for the United States, carved up as it is by so many geographic barriers and opposing interests, may be numerous. This chapter explores both how societies come to agree among themselves on any “collective preferences,” and whether a single government can simultaneously react to the needs of communities separated by physical space and distinct perspectives.

Chapter 3, Citizen Effectiveness: Representation, deals with the second of Dahl and Tuft’s criteria, citizen effectiveness, and how Virginia’s politicians struggled and strived to make their voices, and by extension the voices of their constituents, heard above the din. Even before Virginia made the transition from colony to state, some of her citizens questioned whether or not east and west belonged to a natural polity, or whether they should be separated. The arguments that both sides brought to bear over the next seventy-five years, on this question and on the question of how to fairly apportion representation in the state, belong to a list of queries and concerns which modern Americans might just as reasonably raise today. Chapter 3 questions whether a political state the size of Virginia, let alone the United States, can adequately meet the benchmark of true citizen effectiveness.

Chapter 4, Secession, recounts the history of Virginia’s secession from the Union and western Virginia’s secession from the rest of the state. This chapter also will address the issue of slavery in the commonwealth, which, although not technically relevant to the
circumstances of the modern United States, was central to the American Civil War and the rift between eastern and western Virginia. It would be impossible to conduct a thorough and accurate study of Virginia’s dissolution without including one of – if not the – most important points of conflict in the history of the United States. Slavery’s existence helped to shape different societies in eastern and western Virginia, and fundamentally led to regional differentiation in the U.S.

**Conclusion**

West Virginia’s bid for state independence was by no means the first secession movement to challenge American democracy; however, it was the only one that worked. In the history of the United States, only once has a single part of a larger whole recognized irreconcilable differences between itself and the whole and successfully broken away to form its own polity. By the mid-nineteenth century, Virginia had survived as a single political unit for more than 200 years, so what factors ultimately caused the citizens of Virginia’s mountainous western edge to feel so disassociated from the rest of their state that they no longer felt one central state government could meet the needs of all of Virginia’s citizens? The answer to that question may well hold critical lessons about the impact of size and geography on governance for the United States both today and in years to come. The case of Virginia and West Virginia will reveal either the inevitability of domestic conflict, or how best to evade it. From the vantage point of the early twenty-first century, a study like this – and the fault lines it may reveal in the American polity – is crucial for evaluating whether “Our Federal Union” even can be preserved.
CHAPTER 1
PEOPLE & PLACES

Introduction

West Virginia provides a useful template for examining and assessing the current state of political and regional affairs in the United States. Many of the same challenges Americans face now in the twenty-first century were present in the Virginia intrastate conflict even generations before the American Revolution. Before 1860, the territory that made up the Commonwealth of Virginia encompassed vastly different landscapes from east to west; incorporated into its population people of many ethnic, racial, and religious backgrounds; and housed economic needs that varied from upstart industries to established plantation life. All of these factors had a bearing on the political needs and preferences of the people who lived there.

In *Size and Democracy*, Robert Dahl and Edward Tufte assess the impact of two dimensions of size on the quality of a democratic government: population size and territory size. Both measurements are relevant to any discussion of politics in the United States. In a nation of more than 322 million souls one might expect that the sheer number of people in this country insures a general heterogeneity. The people would be more diverse, their economy more diversified. However, Dahl and Tufte have found this conclusion to be faulty. Population size does not, in itself, lead to increased diversity, they write. Rather, “the effects of unique historical factors on religious, ethnic, and

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1 “U.S. and World Population Clock,” United States Census Bureau, accessed November 27, 2015 at 8:39 a.m., http://www.census.gov/popclock/.
linguistic diversity appear to be so powerful that they overwhelm any possible effects of population size.”  

However, the effect of territory size is markedly more significant. As territory size increases, Dahl and Tufte find that the likelihood of heterogeneity across the board increases linearly. Importantly, for the case of Virginia and ultimately of the United States, they further find that “a high degree of cultural diversity is evidently most typical of relatively new countries in which the inhabitants are scattered thinly over comparatively large territory and live at low levels of socioeconomic development.”  

Although the United States undoubtedly operates at exceedingly high levels of socioeconomic development today, as colonial inhabitants and then as citizens of a new republic pushing west, America’s frontier history certainly includes long periods of slower, painstaking development and social isolation. Dahl and Tufte do not explore what happens to new countries when they become older countries (the United States is still young, but not as young as Israel, say), but it is nearly impossible to argue that America has become less diverse in the past 400 years.  

Based on Dahl and Tufte’s basic findings, then, it seems clear that any analysis of the impact of territorial size on the efficiency of a democracy must start with the unique set of factors that bring all of the relevant political actors together in the first place. How do different communities come to hold one government in common, and what challenges inevitably arise from their coming together? Is it possible that, despite some period of

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2 Dahl and Tufte, *Size and Democracy*, 34.

3 Ibid.

4 Ibid.
initial independence, disparate communities might find that enough of their needs overlap that one government can actually satisfy those needs without hindering the progress of any one group? Because each political community is a sum of both its people and its land, answering these questions requires not only a deep understanding of history, but a more complicated consideration of the relationship between humans and the environments in which they live.

*Virginia Before the Revolution*

English colonists famously first set foot in the land they named Virginia in 1607, at a place they called Jamestown.⁵ Although the Spanish had long since settled the town of St. Augustine in present day Florida, and French power in the New World radiated out from Quebec on the St. Lawrence, Jamestown was where the English first asserted their proprietary rights over the continental Americas. Their going was rough and slow, years passed before Jamestown itself was strong enough to support other outlying settlements. Within twelve years, however, two of the future United States’ most formative institutions – self-government and slavery – had arrived. The year 1619 saw both the founding of the House of Burgesses, the first democratically elected legislative body in the New World, and a Dutch ship that traded nineteen Africans to the English settlers in return for food and supplies. Those nineteen people were more likely treated as indentured servants, bound for a period of years before being granted their freedom, than as lifelong slaves, but given the nearly 250 years of slavery that followed, the difference

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⁵ In the interest of being thorough, it is worth noting that Jamestown was England’s second attempt at establishing a permanent settlement in North America. The colony at Roanoke Island, established in 1585, ended in the mystery of the “Lost Colony.”
is largely immaterial.\textsuperscript{6} Democracy and slavery were introduced to British North America at the same moment, and their three fates would be bound up together indefinitely into the future.

For the next 125 years, European colonists who arrived in Virginia settled almost exclusively in what would become known as the Tidewater and Piedmont regions and soon became part of the growing planation culture, supported by English demand for tobacco and the increasing availability of slaves.\textsuperscript{7} Poorer immigrants began their American lives as indentured servants, bound for a period of years (generally seven) to masters who paid their passage over the Atlantic, but they were ultimately free to settle the land and see what they could make of themselves. The low, mostly flat coastal regions of Virginia and the Chesapeake Bay supported large tobacco-growing operations which required a significant labor force. The habitable land was divided up into lucrative parcels and worked by poor white farmers and enslaved Africans alike. The importation of African slaves soared in the 1680s, just as the flow of indentured servants from the British Isles slowed. In the next seventy years, from 1680 to 1750, the proportion of blacks in Virginia’s population rose from 7\% to 44\%.\textsuperscript{8}

These first Virginian settler populations were almost exclusively English and Protestant, and they saw both of these adjectives as critical. As Steven Waldman points out in \textit{Founding Faith: Providence, Politics, and the Birth of Religious Freedom in America}, “King James’s charter for Virginia in 1606 made it official: The mission [of the

\begin{footnotes}
\begin{enumerate}
\item Kolchin, \textit{American Slavery}, 11.
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\end{footnotes}
Virginia settlement] was to promote Christianity to those living ‘in darkness and miserable ignorance of the true knowledge and worship of God.’”⁹ In the midst of Jamestown’s early crises, from 1607 to 1611, new laws enforced religiosity in hopes of saving the colony. Waldman writes that Jamestown’s settlers believed that “pervasive worship would secure God’s favor and give the settlers the strength and moral wherewithal to cope with the crushing burdens of disease, Indian attacks, and internal squabbling.”¹⁰ These men and women were Anglican, their King the head of their church, and their new home populated by people they considered heathen savages. Their clear mission was to Anglicize the New World – in all meanings of the word.

Many of these newcomers were second and third sons of the English gentry, eager for property and power of their own. Others were lowly peasants who bet their lives on greater opportunity in the colonies. When Oliver Cromwell came to power in England in the 1640s, many English royalists fled for the colonies as well. “Some of the newcomers,” Louis D. Rubin, Jr. writes, were men of soon-to-be prominent Virginia names, such as Washington, Randolph and Mason, and they “represented the Cavalier element that would become a central ingredient of the Virginia mythology.”¹¹ This trend persisted through most of the seventeenth century, unsurprising given that the colonies were English in government and in character. Slowly, however, the openness of the frontier provided a gateway for new ethnic and religious populations to build their own homes and communities. By the early eighteenth century, Virginia’s population began to

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¹⁰ Ibid., 5.

diversify. In 1701, a group of French Huguenots, 500 strong, immigrated to Virginia in search of a safe, Protestant (though certainly not Anglican) haven, and settled near what would become Richmond.\textsuperscript{12} German immigrants, largely Lutheran, Moravian, and German Reformed, and Scotch-Irish settlers, heavily Presbyterian, had begun to make their way down from Pennsylvania and Maryland into the Shenandoah Valley, between the Blue Ridge Mountains and the Alleghenies, by the 1720s.\textsuperscript{13} And importantly, by 1715, almost a quarter of Virginia’s population was black.\textsuperscript{14} Despite growing religious diversity, Anglicanism remained the official religion of Virginia until 1786.\textsuperscript{15}

A second industry, one that had prospered in the New World for far longer than the English colonists, helped to propel some of the newcomers westward: the fur trade. The French and the Dutch had long been engaged in fur trading, making alliances with various Indian groups, and supplying their wares to a growing market in Europe. By the mid-1600s, the British had purchased New Netherlands and established the Hudson’s Bay Company, facilitating the growth of the fur trade as a major part of the English New World economy.\textsuperscript{16} The first white men to head west from the coastal settlements in

\begin{itemize}
  \item \textsuperscript{12} Ibid., 31.
  \item \textsuperscript{13} Ibid., 33/62; Waldman, \textit{Founding Faith}, 43.
  \item \textsuperscript{14} Rubin, \textit{Virginia}, 31.
  \item \textsuperscript{15} Rice, \textit{West Virginia}, 62. Virginia enacted Thomas Jefferson's \textit{Statute for Religious Freedom} in 1786, and with that the commonwealth ended its official support of the Anglican Church. However, Virginia’s 1776 constitution does include the following as Section 16: “That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other.” Virginia Constitution Bill of Rights, sec. 16, June 29, 1776. http://www.nhinet.org/ccs/docs/va-1776.htm.
\end{itemize}
Virginia did so in pursuit of furs. It took a long while, however, for these men to reach what would become West Virginia. For the last quarter of the seventeenth century, historian Otis Rice notes, deteriorating relations between the white colonists and their Indian neighbors repeatedly resulted in war. These clashes even sparked the conflict known as Bacon’s Rebellion, wherein white frontier settlers who wanted their government to provide them with more protection against Indian attacks turned their anger on their own government. The Glorious Revolution in England, in 1688, disrupted trade patterns and limited England’s economic interest in her colonies for a time, while ongoing disputes with the French over which nation could rightfully “claim” the Ohio Valley led to frequent skirmishing.

It was not until the late 1720s and early 1730s that settlements in what would become West Virginia really took root. Tradition has it that Morgan Morgan, a Welshman who plotted out a homestead in present day Berkeley County in 1730, was the first white man to establish a permanent home in West Virginia. Rice argues that white settlers probably had already begun to build communities in the lower Shenandoah Valley and near present day Shepherdstown (in the far Eastern Panhandle) before Morgan

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16 Rice, West Virginia, 12. The Dutch colony of New Netherlands was not particularly large; it consisted of a band of settlement adjacent to the Hudson River. For the purposes of history, the most important part of the English acquisition was New Amsterdam: present day New York City.

17 Ibid.

18 Ibid., 13.

19 Ibid.

20 Ibid., 15. According to Rice, local traditions assert that Morgan Morgan settled his homestead as early as 1726, and this is in fact the year that I have seen many sources give for West Virginia’s first settlement. However, as Rice sites tax and property records for the 1730 date, showing that Morgan Morgan actually lived in Delaware in 1729, I took 1730 to be a more accurate date.
made his home, but the larger point, he continues, is that it would have been highly unlikely that any European settler would have had any desire to move that far west prior to 1730. Immigrants bound for Virginia at that time would have been reasonably well assured of encountering a populous society with at least some of the comforts of home, but the western frontier required an entirely different kind of bravery. Rice writes:

Unlike migrating families in the Tidewater and Piedmont regions, pioneers west of the Blue Ridge had to cut themselves off from nearly all contacts with former friends and relatives. Only the boldest dared face single-handedly the perils of Indian hostilities, the chilling prospects of isolation in times of sorrow and distress, and the almost insuperable burdens of conquering a wilderness. Most families were willing to move only as part of larger migrations.  

Yet even those families who were willing to move west required capital and logistical expertise in order to make their ventures a success. Land speculators saw the “empty” west as an opportunity to quickly amass wealth and influence in the region. A 1730 land law allowed for speculators to receive one-thousand acres of land in the west for each family they settled there, beyond the Blue Ridge Mountains, as long as the settlers themselves were from outside of Virginia and arrived within three years of the law’s passage. Speculators received a certain amount of land to begin with, and were only required to return that land to the colony if they failed to settle it. Most of these speculators did not fail; instead, they brought in families from growing northern colonies or from the poor of Europe. Indeed, it was this policy of requiring that new settlers come from outside of Virginia that allowed the colony’s westward expansion to bypass the geographical problem posed by the Blue Ridge Mountains. As John Alexander Williams notes, the eastern United States is crisscrossed by four major natural north-south

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22 Ibid.
pathways; white settlers first encountered them in east to west order. The first is, of course, the Atlantic seaboard. The second sits along the fall line of the major tidal rivers that drain into the Atlantic. The third natural pathway is the Great Appalachian Valley, the wide, fertile crevice between the Blue Ridge and the Allegheny Mountains that runs from present-day Vermont all the way to Alabama. Settlers who entered the Shenandoah Valley, the Virginia portion of this pathway, did so from the north, from Pennsylvania and Maryland, thereby avoiding all need to traverse the Blue Ridge.\(^\text{23}\)

Soon, western Virginia was peopled with Germans and Scotch-Irish, English, Welsh, and Dutch. Rice observes that “pioneers in the lower Shenandoah and upper Potomac valleys escaped much of the crudeness and prolonged reversion to primitive conditions that characterized most of the Appalachian frontier,” a situation that benefited largely from the fact that the region was settled primarily by families, rather than individuals, many of whom maintained “strong family ties and national consciousness, such as that which prevailed among the Germans…”\(^\text{24}\) Western Virginia grew relatively quickly, but for much of the eighteenth century it was still very much a frontier, separated from the educational, moral, and social standards of the towns and villages to the east, back across the Blue Ridge. Separated from easterners by geography and, to a meaningful extent, by national and religious identities and allegiances (e.g. English versus German, Anglican versus Presbyterian) as well, communities in western Virginia


\(^{24}\) Rice, *West Virginia*, 17.
developed in significant isolation from the older part of the colony. Slowly but steadily, they began to formulate their own way of life.

Like many of Britain’s North American colonies, western Virginia was galvanized by the First Great Awakening, a religious revival that radiated quickly outward across space and time from its 1720s New England nexus. Characterized by mass meetings, freedom from traditional religious strictures, and the need for a personal, emotional connection to God and scripture, the Great Awakening fed on the religious isolation many frontier communities experienced. Rice notes that most people in early western Virginia had infrequent and unreliable interaction with ministers of any denomination, and so the self-directed religiosity and evangelism of the Great Awakening proved an attractive option. In fact, Waldman argues that the Great Awakening’s willingness to oppose traditional religious authority helped set the groundwork for the Revolution fifty years later. “These religious revivals,” he writes, “also spawned a generation of Americans accustomed to fighting authority in search of higher principles.” Soon Methodist and Baptist congregations proliferated among the mountains and gained a prominence they would never lose. By 1850, these two denominations alone made up for 396 of the 548 congregations meeting in the Trans-Allegheny. Only 22 of these congregations were Episcopalian. By then, however,

25 Ibid., 63.
26 Ibid., 62-63.
27 Waldman, Founding Faith, 195.
28 Rice, West Virginia, 63.
Anglicanism had lost its majority statewide. The U.S. Census of 1850 counted 2,386 churches in all of Virginia, only 173 of them were Episcopalian.\textsuperscript{29}

On the political front, control of the Trans-Allegheny region remained in great dispute even decades after the Great Awakening, and armed conflict was a frequent occurrence.\textsuperscript{30} The Treaty of Logstown in 1752 stabilized the relationship between Virginia and the Delaware, Shawnee, and Mingo tribes in the area; these Native American communities surrendered control of the land south of the Ohio River, parts of western Pennsylvania and what would become West Virginia and parts of Kentucky.\textsuperscript{31} Their cession, however, did not alleviate the pressure from French government officials and troops, who began to assert their imperial rights to the Ohio Valley with greater force and more resources beginning in the early 1750s, resulting in the French and Indian War.

The Seven Years’ War, as it was known in Europe, not only stymied immigration into western Virginia but it pushed families already settled there to flee east. Armies flooded the region. Britain’s General Edward Braddock led an expedition into the Ohio Valley from eastern Virginia and up through Maryland in the spring and summer of 1755, but although the campaign would be the making of a young Virginia surveyor named George Washington, it was the finish of Braddock. The general was mortally wounded and his foray into the Valley was an utter failure; frontier settlements were left vulnerable to attack from Indian war parties and French troops alike for the next several years of the

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\textsuperscript{30} Rice, \textit{West Virginia}, 21.

\textsuperscript{31} Ibid., 20.
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war. Rice writes that George Washington, now in command of the entire Virginia militia force, encountered such “scenes of desolation and bitterness of the people over the lack of adequate protection” as he travelled through the Trans-Allegheny frontier region “that he contemplated resigning his command.”

Beginning in 1758, the British invested a renewed level of resources and energy into the war effort, and the tide quickly turned in their favor. As the French retreated upwards into Canada, their Indian allies abandoned the field and sought peace with the British. The Treaty of Paris, signed in 1763, officially ended French power in the Ohio Valley; the Bourbon crown surrendered most of New France to the British. Almost immediately, settlers began to creep back into the Trans-Allegheny lands, eager to pick up where they had left off when the war began. But their way was blocked by yet another imperial pronouncement: the Proclamation of 1763. In response to vicious surprise attacks from Ottawa raiding parties, Parliament issued a pronouncement strictly forbidding all settlement west of the Alleghenies. It was, however, predictably difficult for a government more than 3,000 miles away to restrain the movements of individuals and families, and new treaties signed with the Iroquois and Cherokee in 1770 ended the restriction.

Even before the Revolutionary War thrust the difficulties of state self-governance onto eastern and western Virginians, the natural relationship between the Trans-

32 Ibid., 23.
33 Ibid.
34 Rice, West Virginia, 25.
35 Ibid., 29.
Allegheny portion of Virginia, the far western section of Pennsylvania between the
Monongahela and Ohio Rivers, and the western frontier that would soon be Kentucky
prompted some to consider whether they ought to constitute their own colony. From
1770 to 1773, the Grand Ohio Company endeavored to purchase these lands from the
British Crown, in hopes of establishing a new colony, Vandalia, named in honor of
Queen Charlotte (wife of King George III) and the Vandal ancestry she claimed. But the
outbreak of revolution put a stop to their plans, and the 30,000 white settlers who lived in
western Virginia in 1770 soon became part of the Virginia commonwealth.\textsuperscript{36}

\textit{The Primacy of “Place”}

Just as American-born upstarts in the colonies began to grumble in earnest against
the policies and Parliament of King George III, Jean Jacques Rousseau, across the
Atlantic in France, published a treatise on enlightened government. \textit{Of the Social
Contract} appeared in print in 1762, and in it Rousseau explored both the potential, and
the limits, of good government. In Book II Chapter 9: \textit{The People (continued)}, he writes:

\begin{quote}
  The same laws cannot suit so many diverse provinces with different customs,
situated in the most various climates, and incapable of enduring a uniform
government. Different laws lead only to trouble and confusion among peoples
which, living under the same rulers and in constant communication one with
another, intermingle and intermarry, and, coming under the sway of new customs,
never know if they can call their very patrimony their own.\textsuperscript{37}
\end{quote}

Rousseau’s is an argument about territory, about democracy and about federalism, but as
the title of his chapter suggests, it is also an argument about people. Politicians,

\textsuperscript{36} Source on Vandalia: Rice, \textit{West Virginia}, 30-31.
Source on population number: James Clyde McGregor, “The Disruption of Virginia,” (PhD diss., University
of Pennsylvania, 1922), 11.

\textsuperscript{37} Jean-Jacques Rousseau, “The People, continued,” in \textit{The Social Contract}, Book II, Chapter 9,
Rousseau warns, ignore the relationship of geography to people and their communal preferences at their peril.

The study of the interaction between people and the land they live on is called “human geography,” and its political sibling, the study of the interaction between political systems and geography, quite simply “geopolitics.” The idea is not a hard one to grasp: people and the environment influence each other, and one way in which the environment has an impact is in the administration of government. But in the modern United States, and quite visibly in pre-Civil War Virginia, the environment varies so distinctly from one region of the polity to another that Rousseau’s essential statement seems to bear out. Different provinces, as he writes, have different customs, many of which are born from the essential connection between humans and the land on which they live. As a result, such people have, or need, different laws.

Much of the economic, social, and political history of Virginia between 1776 and 1861 will be considered in the chapters that follow; therefore it is unnecessary to spend too much time here reviewing that information. However, it was during the decades of the Early Republic and the Antebellum Era (approximately 1787 to 1860) that a rigid distinctiveness came to dominate and divide the populations of eastern and western Virginia. It did not take long to see that the people of western Virginia’s mountainous counties had needs, ideals, and characters that varied significantly from those of their eastern brethren. The people who lived in the mountains were simply unlike those who lived in the Piedmont and Tidewater, and the land itself may well have been a root cause. Exploring the human geography at play in this story, then, may explain how east and west grew apart and ultimately broke apart.
Tim Cresswell examines this essential relationship in his work *Place: A Short Introduction*. He writes that, really, “human geography is the study of places,” by which he means something more than the common usage. More than a set of physical interactions, Cresswell argues, “place” is about the creation of meaning between people and a particular space, the development of a relationship that is both mental and spiritual. In an everyday sense, the noun “place” is familiar, whether it is the corner of an office or a national park. But for the people who work there, hike there, or live nearby, a national park is something more than trees and soil. Experience and presence make it more. “Place is not just a thing in the world,” writes Cresswell, “but a way of understanding the world.” This idea of place and of what might be called placedness (in contrast to what Cresswell calls “placelessness,” the absence of a meaningful connection between people and place) provides a framework for understanding the relationship between individuals or communities and their surroundings, and why whole societies might come to feel defined by their particular environs.

In *Place: A Short Introduction*, Cresswell surveys the existing scholarship on “place” in order to flesh out the essential character of the word. Each additional writer whose work he explores, from geographers to sociologists, has something to add, and the sum of their ideas forms an argument about what the word “place” entails and why this concept is crucial to understanding political conflict. From the work of Fred Lukermann, Cresswell gains the idea that places are “integrations of nature and culture developing in

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39 Ibid., 11.

40 Cresswell does not use the word “placedness,” it is my own invention but, I think, a fairly obvious one.
particular locations with links to other places through the movement of goods and people.”

From Yi-Fu Tuan, Cresswell adds the notion that “place is about stopping and resting and becoming involved.” From still others Cresswell adds that place is a social construct and therefore flexible, manmade, and subject to change. And from J.E. Malpas and Robert Sack comes the suggestion that “place is primary to the construction of meaning and society. Place is primary because it is the experiential fact of our existence.” Bit by bit, Cresswell situates the concept of “place” as one that not only shapes human life, but is human life. The lived experience is inseparable from the environment in which it is lived; the two give each other definition and importance. Therefore, placedness, being in a place, is essential to human identity and meaning making.

All of these defining characteristics, however, also include an element of time. By nature, economic development, family growth, evolution, stopping and resting, all of these things take time. And so any understanding of place must include an element of the passage of time, an appreciation of history and the role it too plays in fostering the bond between people and land. Writing of America’s regional variation, Edward L. Ayers and Peter S. Onuf contend that in “thinking ourselves across space, we think ourselves backward in time, imaginatively returning to particular places in an idealized past.

41 Cresswell, Place, 18.
42 Ibid., 20.
43 Ibid., 30. Thoughts on the changeability of place come from Robert Sack, Edward Casey, J.E. Malpas, and David Harvey.
44 Ibid., 32. Emphasis is Cresswell’s.
45 The emphasis on being is mine, and meant to convey that by “being” I mean all of the things that go into existing, the verb in all its definitions.
American geography,” they write, “thus recapitulates American history; history is
immanent in the distinctive character and culture of the nation’s diverse regions.”

People, geography, and history are inextricably linked.

The history of the United States is far too vast and intricate to bear summarization
here, but Virginia’s far more manageable colonial history rather cleanly illustrates how
and why eastern and western Virginia became “places” in their own rights. Separated by
physical geographic barriers, the people who chose to live in each section, who raised
families there, and who worked the land they lived on all applied the social mores of their
home countries and shared religions to the new world they lived in, and taught these
principles to their children. Over time, their communities took on distinctive shapes,
rooted as strongly in the soils of Virginia as they had been in Holland, Wales, or Bavaria.
White Protestant English settlers initially all contributed to the growth of a single place in
the New World, a single Virginia. But as more and more immigrants entered the colony
(both voluntarily and involuntarily) and moved westward, they built new places for
themselves. They moved into ecologically different areas, first up and over the Blue
Ridge Mountains and into the Shenandoah Valley, and then into the Alleghenies. Over
time, the personal and communal senses of placedness which Cresswell argues form the
foundation of identity and experience came to incorporate starkly different physical
landscapes. Now, Virginians lived in the mountains.

David Smethurst writes that although “the interaction between humans and
mountains is poorly studied,” there are some anthropogenic factors that seem to affect

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46 Ayers and Onuf, Introduction, 1.
most mountain peoples and their livelihoods. Typically, mountainous regions tend to be liminal spaces, natural borderlands that separate social communities from each other, even if those communities are technically part of the same political state. Uneven and difficult to traverse, mountains tend to impede regular, large-scale agriculture and easy trade, as Chapter 2 of this project will show in greater detail. Instead, the land itself dictates where and when a given economic venture may thrive. As a result, Smethurst writes, mountain societies tend to be economically stunted and culturally insular. Both a cause and an effect of these circumstances, they also tend to be sites of easy and frequent violence. Mountain communities, often a long and difficult journey from the nearest law enforcement, tend to battle outsiders and each other quite regularly. And because of their border status, Smethurst notes, some national governments simply overlook them as problem regions that cannot be fixed, sources of continuous conflict and dissension against the state.

In so many words, Smethurst, too, calls upon the primacy of “place” to explain why mountain populations might clash with what are ostensibly their own governments. There is a salient difference, he argues, between political states and human nations: political states may be arbitrary boundaries that serve human purposes rather than natural

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47 David Smethurst, “Mountain Geography,” *Geographical Review* 90, no. 1 (January 2000): 35. Smethurst only has three books to recommend (found on page 45) on the subject of political ecology and the relationship between physical mountain landscapes and the people that live within them. However, all three books focus on the Himalayas and Nepal, where the relationship between the mountain people and the government that claims jurisdiction over their land is even more complicated, and far more egregious, than the disputes between eastern and western Virginia.

48 Ibid., 39.

49 Ibid.

50 Ibid.
ones. Conversely, “in a nation, people have a relationship with their land, which they have used for hundreds or even thousands of years.”\textsuperscript{51} Put another way, nations are supremely “placed” populations, whose sense of peoplehood is bound up with the land on which they live. Problems arise, Smethurst argues, “when states make claims on mountain nations” and try to dictate policies on topics such as land use, culture, and religion.\textsuperscript{52} The implication is that those manmade states suffer either from placelessness – metaphysical detachment from the land – or from a misguided desire to influence one place based on the realities of a second. As Chapters 2 and 3 will show, western Virginians would come to believe that their eastern brethren were guilty of just that: enacting policies for the west that best suited the east.

Calling a mountain community a “nation” also suggests that it is a recognizable entity, one in which those who are insiders and those who are outsiders may be more or less easily distinguished from one another. Certainly Smethurst implies that there is an insider/outsider dynamic at work when mountain and non-mountain people are actors in the same government. In the unique environment that was colonial Virginia, communities of all sizes were, in fact, no different. British North America struggled with integration from its earliest days. How should English Christian settlers make room in their communities for native populations, and what role should Africans play in the new economy? How should native populations react to the newcomers, and when was

\textsuperscript{51} Ibid., 46.

\textsuperscript{52} Ibid. When I attempted to find more research on West Virginians and their clashes with regional governments and the national government, most of what I found came from twentieth century arguments over land use, conservation and preservation. Mountainous areas are ripe ground for national, state, and regional parks, but the usurpation of the land by the government denies local landowners their traditional property rights and cultural land practices.
violence the only recourse? As soon as white settlers set foot on American shores, conflict between “us” and “them,” what Donald R. Kinder and Cindy D. Kam call “ethnocentrism,” might have seemed inevitable. The question, then, is whether or not it was inevitable, and whether that same dynamic, initially at work among racial and religious groups, made a struggle between east and west just as fated.

“Ethnocentrism is a mental habit,” Kinder and Kam write. “It is a predisposition to divide the human world into in-groups and out-groups.”53 Unlike prejudice, which is defined merely by opposition, they assert, ethnocentrism refers to a level of wariness and negativity that varies among individuals but which always is directed at all “others” and which is simultaneously matched with a general inclination to trust and think positively about members of the group to which one belongs. Ethnocentrism includes both the “in” and the “out.” Kinder and Kam frankly argue that ethnocentrism is part of the human condition, that the question is never “whether” but only “how much.” This tendency to categorize the world and all of its component parts is a mixture of inherited genetics and social learning. Given that “roughly one-half of the variation we observe in important social attitudes,” such as personal stances on social welfare, education, and immigration, “appears to be due to variation in genotypes,” Kinder and Kam write, “…accordingly, we propose that parents influence their biological offspring’s ethnocentric predisposition through the genetic blueprint they provide at conception.”54 Once the child is born, parents continue to play a formative role in children’s lives, but now the child’s entire environment gets a say as well. Everyone from the postman to the swim coach and


54 Kam and Kinder, Us Against Them, 33.
everything from the library to the thrift store can influence how ethnocentric a child may be when he or she reaches adulthood.\textsuperscript{55} It makes sense that places too would have an influence on a child’s ethnocentric outlook. As Smethurst suggests, geography can often define in-groups and out-groups within a larger society.

Because of its social component, ethnocentrism has an important tendency to affect the public space. This manner of thinking is more than a simple standard of categorization, family equals good, stranger equals bad. Ethnocentrism can lead to action. As Kinder and Kam write, ethnocentrism “constitutes a readiness to act in favor of in-groups and in opposition to out-groups; it charts a safe path through a social world that may seem uncomfortable, difficult, and, at times, perilous.”\textsuperscript{56} The actions that are spurred by ethnocentric thinking push these feelings and inclinations into the realms of community building and governments, where they can either come into conflict or join forces with others. The results of these encounters include everything from Gay Pride parades to civil wars. They also become votes, legislatures, and verdicts.

People do not shed their ethnocentric world views, whatever they may be, when they step into the political arena; the inclination to divide proponents and opponents of any given issue into “us” and “them” persists. Kinder and Kam assert that even if ethnocentrism does not lead to direct political activism, it does lead to the development of public opinion and thus public policy. A voter may not necessarily be an activist, but his or her vote still counts. “Ethnocentrism is not the sole determinant of public opinion. It is often important, but public opinion is shaped by a multiplicity of forces,” they conclude.

\textsuperscript{55} Ibid.

\textsuperscript{56} Ibid., 8.
“…Conceding this, it remains likely that insofar as ethnocentrism’s influence is registered on opinion, it registers on policy as well.”

The entire world in which a citizen grows up influences his or her outlook on everything from property to the pursuit of happiness. This, in turn, means that that specific world also influences what a citizen wants from his or her government.

*Commonwealth and Constitution*

Virginians made a stab at documenting what it was they wanted from their state government even before the Second Continental Congress had adopted the Declaration of Independence formally. Virginia’s first constitution was adopted on June 29, 1776, and it established a governor, a privy council, a Supreme Court, and a bicameral General Assembly made up of a House of Delegates and a Senate. Every county was allotted two delegates, and a handful of major cities, such as Williamsburg and Norfolk, received one delegate each. The new commonwealth was then divided into twenty-four senatorial districts, each to be represented by one senator. Suffrage was granted only to those white males who held property. Interestingly, the constitution also included a description of Virginia’s geographical boundaries and their royal antecedents. The Commonwealth of Virginia consisted of the land established as the colony of Virginia by James I in 1609, minus the land that had subsequently been given over to Maryland, Pennsylvania, North and South Carolina. The western and northwestern boundaries of the state were those set by the Treaty of Paris, the document that ended the French and Indian War and ceded

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57 Kam and Kinder, *Us Against Them*, 236.

France’s Ohio Valley interests to Great Britain in 1763. With a sparse yet growing population, western Virginia at the outbreak of the American Revolution did not yet constitute enough of a political or even social force either to demand more from Virginia’s government (such as universal male suffrage) or to begin grumbling that perhaps the west ought to constitute its own state. As the Vandalia scheme faded into wartime irrelevance, the survival of the new nation soon superseded all else. When victory came and went in 1783, and the new United States turned to the business of building a government, geography and politics took center stage once more.

Virginia’s 1776 constitution set the political stage for many of the challenges the state would face in the decades to come. As noted, Dahl and Tufte point out that it is young, thinly populated polities that generally incorporate the most diverse peoples; common sense might add that it is young polities that also suffer most from the unanticipated problems that diversity can kindle. The United States as a whole was no different. The nation’s first attempt at central government, the Articles of Confederation, failed to provide an affective framework for binding the new states together. The Constitutional Convention of 1787 was meant to produce a new system of government that could allow the country to thrive. But after a summer’s worth of compromise and calculation, there was no guarantee that even the men who wrote the Constitution would all support it; American federalism was still in doubt. To some extent, it was the very forces of human geography, geopolitics, and ethnocentrism that fueled the federalist versus anti-federalist debates of the late 1780s. Proponents of American federalism

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59 Virginia’s constitution refers to a second charter issued by James I. The first charter, issued in 1606, paved the way for the settlement of Jamestown. The 1609 charter expanded Virginia’s territory to include all the land from “sea to sea”. Virginia Constitution; The Second Charter of Virginia, May 23, 1609, 7th James I, accessed December 31, 2015, http://avalon.law.yale.edu/17th_century/va02.asp.
concluded that a strong Union would offset regional conflicts and bolster internal
harmony, while opponents insisted the realities of the geopolitical situation insured one
shared government could never work. Their arguments warrant closer examination, for
they articulate the challenges and real philosophical disagreements the founders faced,
and with which twenty-first century Americans still seem to struggle.

In *The Federalist Papers*, Alexander Hamilton, James Madison, and John Jay
acknowledge that the natural divisions between the states and between the people who
live in them do in fact create dangerous “factions,” but, they argue, a strong Union would
guard against these threats. Madison writes in *Federalist No. 10*:

> Extend the sphere [of territory], and you take in a greater variety of parties and
> interests; you make it less probable that a majority of the whole will have a
> common motive to invade the rights of other citizens; or if such a common motive
> exists, it will be more difficult for all who feel it to discover their own strength,
> and to act in unison with each other.

In a larger state, then, bad, undemocratic ideas would be sure to get lost in the crowd; size
alone would overwhelm them.

The works of the federalists’ opponents are known as *The Anti-Federalist Papers*,
but unlike Hamilton, Madison, and Jay, the anti-federalists did not write in coordination
with each other. Rather, their collected thoughts are an assortment of independently
published essays and tracts. However, the arguments these anti-federalist authors, many
of whom are still anonymous, pose are no less thought-provoking. If, in a republic, the
peoples’ attitudes are too dissimilar, contends anti-federalist writer Brutus, “there will be
a constant clashing of opinions; and the representatives of one part will be continually

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60 James Madison, “Federalist No. 10,” in *The Federalist*, Alexander Hamilton, John Jay and James
striving against those of the other.” Under one Constitution, he argues, the United States could not hope to avoid such a fate:

The United States includes a variety of climates. The productions of the different parts of the union are very variant, and their interests, of consequence, diverse. Their manners and habits differ as much as their climates and productions; and their sentiments are by no means coincident. The laws and customs of the several states are, in many respects, very diverse, and in some opposite; each would be in favor of its own interests and customs, and, of consequence, a legislature, formed of representatives from the respective parts, would not only be too numerous to act with any care or decision, but would be composed of such heterogeneous and discordant principles, as would constantly be contending with each other.

The laws cannot be executed in a republic, of an extent equal to that of the United States, with promptitude.  

For Brutus and his likeminded friends, geography would be the death of a unified republic. In a democratic republic the size of the United States, they insisted, even one restricted to only thirteen states, a supreme central government could never work. Only a confederation could ensure that every state could thrive in its own way while allowing the member states to benefit from mutual association.

In the end, of course, their arguments failed to sway a majority of the states. Despite significant opposition, the proponents of federalism won the day, and nearly 250 years later the Constitution remains the supreme law of the land. But the anti-federalists’ concerns have remained relevant throughout United States history, and have been tested often. It is the sort of debate that cannot be definitively settled; just because the Union has not fallen apart yet – and the Civil War constitutes an undeniable argument that it once did – does not mean that it will not in the future. After all, in Virginia, it did.

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Conclusion

Between 1607 and 1776, tens of thousands of white immigrants poured into Virginia. English, Welsh, Scotch-Irish, French, German and Dutch, they came to the New World in search of prosperity and their own definitions of freedom. In many cases, this meant religious freedom; not necessarily religious freedom for all, but at least for themselves. Tens of thousands more came with no freedom at all, sold into slavery in Africa and transported through the Triangle Trade to the North American mainland. Their forced labor, combined with the voluntary efforts of white laborers, spurred an economic boom in the English colonies that centered on tobacco and furs. Over time, white settlers’ ambitions pushed them westward, all the way to the foothills of the Alleghenies, and the plantation culture their generations of work had built came to define the colony’s eastern region. But once Virginians entered the mountains something changed. The people who hacked out new lives and communities in the rugged wilderness had to adapt their social outlooks and economic pursuits to what the mountains could sustain. As a result, they became western Virginians. Their personal and group identities absorbed the shape of the mountains and the quality of the soil, the direction of the waterways and the scarcity of roads. The mountains became their Place, and they became a part of the mountains.

That geography set westerners apart from eastern Virginians with their fertile plains, heavily enslaved labor, and Atlantic-facing views. Virginia’s two populations gradually discovered that they faced away from each other, their lives and interests distinct. When Virginia adopted her first constitution in 1776, they became two peoples sharing one government. As the next chapter will show, these two populations began to
squabble over that government’s policies and resources almost as soon as its establishing
document was signed. As the eighteenth century drew to a close, eastern and western
Virginians found they wanted increasingly different things.

Yet, the distance from the Atlantic Coast of Virginia to the Ohio River is still less
than 500 miles. The width of the modern United States is more than five times that
number. The Ohio River is but a tributary of the Mississippi, and the Rocky Mountains
soar to average heights of 14,000 feet above sea level, nearly three times the Alleghenies’
average height of 4,000 feet above sea level. The states beyond the Rocky Mountains
do not share a single waterway with any eastern states, or even their own national capital.
From a physiographical standpoint, it is easier to get from San Francisco to China than to
Washington, D.C. The crops that grow in abundance in the Midwest have little hope of
prospering in the Southwest, where Spanish has become a *de facto* second language
against a backdrop of 400-year-old Spanish mission sites. America’s historic, natural,
economic, and social diversity is so great as to be practically beyond enumeration. There
are an unlimited number of overlapping communities that define themselves by the
ethnocentric dichotomy of “us” and “them.” And still the American government
struggles to construct one nation out of hundreds. Just because the Union still exists,
does not mean it always will.

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62 Nicole Harms, “Facts About the Rocky Mountain Range,” *USA Today*, Travel Tips, accessed
CHAPTER 2
SYSTEM CAPACITY:
COLLECTIVE PREFERENCES, RESOURCES & ROUTES

Introduction

The disparate regions of the United States often appear to want starkly different things, to be confused by the behavior and priorities of their brethren in other regions, and to couch their differences in terms of geography and value judgments. The Northeast is elitist and cold, the Southwest hot and nearly foreign. West Coast, Best Coast. Southern Pride. Language connects geography, identity, and proclivity. But all of these things are fluid; they can be adopted in one place and shed someplace else. As Edward L. Ayers writes, “While regional identity can and often does involve an explicit or implicit critique of people elsewhere within the nation, especially those who live in the metropole, regional identity is usually more about belonging than it is about exclusion. People seem able to ‘become’ Southerners or Westerners in a way they cannot become black or white, Italian or Puerto Rican.”¹ People in one part of the country recognize that by being in that place, they belong to a community with specific characteristics, traits that may vary widely from those in other parts of the country. Likewise, by being part of a community, their identity has geographic roots.

In his 2014 work The Accidental Superpower, Peter Zeihan argues that geography has had a great deal to do with the growth of community and regional – and political – identities in the United States. Where passage back and forth is difficult, identities diverge, where it is easy, they converge. “It should come as little surprise,” he writes, “that the portion of early America that was least integrated was the South. That region’s rivers flow directly to the sea…resulting in somewhat localized rather than federalized identities.” Because these rivers did not and do not connect to one another, they foster community ties only along their banks, rather than throughout

¹ Ayers and Onuf, Introduction, 4.
an interconnected system of waterways webbing out across the region. “Similarly, today it is
notable that the Pacific coast states often seem culturally out of step with everyone east of the
Rockies,” Zeihan writes. “That region is the one portion of the United States in which integration
with foreign nations [across the Pacific Ocean] is of similar difficulty to integration internally
[back across the Rockies].”

How, then, does geography shape a community’s preferences, and why does it
matter? What does geographic integration have to do with whether or not a nation is
successful? For that matter, what constitutes success? In a nation that stretches the full
length of a continent and aims to incorporate a handful of distant outliers, balancing the
myriad viewpoints and opinions of the populace is a massive challenge for governance.
It bears asking whether or not such a goal can be achieved.

**Collective Preferences**

In the Declaration of Independence, Thomas Jefferson enumerates the rights of
men in the well-known phrase “Life, Liberty, and the Pursuit of Happiness” and writes
“That to secure these rights, Governments are instituted among men.” This brief
sentence charges governments, especially democratic governments, with the task of
creating and sustaining the conditions under which each citizen can feel secure in his or
her life, liberty, and happiness. Under a good government, citizens ought to be able to
flourish: to raise their families in peace, to expect justice in their dealings with others and
with the state, and to pursue whatever economic and intellectual aims they wish to
follow. (Provided, of course, that none of these are accomplished by denying to others

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2 Peter Zeihan, *The Accidental Superpower: The Next Generation of American Preeminence and
the Coming Global Disorder* (New York: Grant Central Publishing, 2014), 49.

their unalienable rights.) Robert Dahl and Edward Tufte call the extent to which a
government fulfills this role its “system capacity.” Defined as “the capacity [of a
government] to respond fully to the collective preferences of its citizens,” Dahl and Tufte
name system capacity as one of two irreplaceable dynamics at work in a democracy, and
claim that this political competency is just as important in a polity the size of a city-state
as in one the size of a nation-state. System capacity is about the effectiveness of the
government itself and whether its politicians, branches, and institutions can respond to
and foster the needs of the populace.

The definition of “system capacity” can be broken down into two further
measures of success: 1) the development and determination of collective preferences (i.e.,
whether collective preferences exist among a people), and 2) the ability and willingness
of a government to respond to those preferences. The second is dependent on the first,
for without a general consensus among the people about what policies and projects they
want their government to pursue, it can hardly matter whether a government is well
funded and efficiently managed: the government will still not satisfy its people.

The idea of “collective preferences” seems fairly simple on the surface, whether
that collective represents a clear majority opinion or a set of compromises adhered to by
the population as a whole. But fostering a shared sense of purpose and determining how
best a large group of people can achieve their political, social, and economic goals is
significantly less simple. From the early days of the constitutional republic, American
politicians recognized that the American people were likely to have widely varying

concerns, and that their resulting differences would need active tempering. In *Federalist No. 10*, James Madison writes:

A landed interest, a manufacturing interest, a mercantile interest, a monied interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests, forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of government.\(^5\)

Madison and his fellow *Federalist* authors believed that a larger republic would in fact help safeguard the interests of these various parties by inhibiting the tyranny of some interests over others. Among a larger population, individuals with one set of opinions would be likely to find others of the same mind, but no one opinion would be likely to dominate the whole country.\(^6\) Ironically, this same feature of a large republic might prevent any real “collective preferences” from taking shape in the United States. Despite a corresponding fear of factions and political parties, Madison and others believed the new national government would be able to establish and meet the country’s needs through negotiation and compromise.\(^7\)

In *Democracy in America*, French observer Alexis de Tocqueville took a more personal view of the development of collective preferences. Writing in the early 1830s after a nine month trip around the United States, Tocqueville undertakes an epic assessment of the American people and the nature of American and global democracy. Nearly sixty years after the signing of the Declaration of Independence, Tocqueville writes that many Americans suffered from what he calls “individualism,” a situation in

\(^5\) Madison, “Federalist No. 10,” 44.

\(^6\) Ibid., 48.

\(^7\) Ibid., 46.
which “every man finds his beliefs within himself,” indeed he finds “that all his feelings are turned in on himself.” In order to combat what he sees as an isolating illness, Tocqueville argues for personal and professional proximity and empathy, what he calls the “Doctrine of Self-Interest Properly Understood.” Tocqueville insists that each democratic citizen must be raised up to understand “that by serving his fellows man serves himself and that doing good is to his private advantage.”

One need not look too far for proof of Tocqueville’s argument, as he illustrates it quite simply by pointing out that men can do hardly anything for themselves alone. With two hands and two legs, one man still cannot build a barn, divert a stream, dig a canal, or care for a herd of livestock. He needs allies, fellows, friends, to help him, and he realizes that in order to secure their aid, he must offer his in return. Tocqueville’s argument is essentially that citizens in a democracy should recognize this truth and act upon it until they develop the artless habit of helping their friends. Working together on a regular basis will breed interest in and care for each other’s concerns, thereby combatting the individualism and isolation which Tocqueville fears, and ultimately fostering a sense of collective preference. When a citizen understands the needs of her neighbor and comes to depend on that neighbor, she is more likely to consider that what is best for all is what is best for her.

Determining the details of what is “best,” however, is considerably more challenging, and, arguably, significantly dependent upon a polity’s particular geography. A community living high in the mountains, for instance, may be in great need of road builders, but not of ocean-going vessels. A city surrounded by desert may be in need of

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9 Ibid., 525.
wheat, but not stone. In *Great Powers and Geopolitical Change*, Jakub J. Grygiel examines the effects of geopolitics – “the combination of geological features (e.g., natural resources) with human activity (e.g., production and communication technology) that alters the value of places” – on the stability and success of the state.\(^\text{10}\) Geopolitics accounts for why the community that needs wheat, for instance, may find that trading with (or conquering) a wheat-rich nation is of more strategic value than trading with a nation that likewise has no wheat. This relationship links geography to a polity’s collective preferences through a natural strategy of give and take. Everyone in the community needs wheat because their land simply will not provide it; therefore it is in everyone’s best interests to acquire wheat. It then becomes the responsibility of the community’s leadership to find a way of acquiring that wheat and ultimately securing it, bringing it into the community, and distributing it. Geography and politics are necessarily linked. As a result, Grygiel writes, geopolitics are ultimately responsible for “three variables: the layout of trade routes, the location of resources, and the nature of state borders” as human beings negotiate how best to get what they want and need.\(^\text{11}\)

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\(^{11}\) Ibid., 1. It is important in any discussion of geopolitics to refer to and clear up the matter of geographic determinism. Geographic determinism, writes Grygiel, starts with “the statement that natural forces and the geographic environment have an objective reality, independent of human desires. This reality is largely outside human control, and as such it determines the course of history. Human beings have no choice but to adapt themselves to the geographic characteristics of the environment in which they live.” (Grygiel, *Great Powers*, 5) The danger of determinism is taking out the element of human agency and elevating geography to the level of solely explaining individual and communal development. This argument has often been used for racist and other prejudicial ends. The argument of geopolitics, however, is not that geography in isolation predetermines how human events will unfold, but rather that it is a significant and influential canvas on which those events unfold and affecting how human beings make decisions about their lives and priorities. Writes Grygiel: “I might add that the mind of man is still a more important source of power than a heartland or a dated theory about it. It is always man that makes his history, however important the environment of the physical resources in setting bounds to the extension of power from any given center at a given time.” (Grygiel, *Great Powers*, 8)
Peter Zeihan also connects the development of collective preferences to the existence of usable transportation routes between people and communities. In the spirit of Tocqueville, Zeihan argues that easy travel between individuals and towns fosters an awareness of the capabilities and sensibilities of others along the route. Zeihan explains:

Successful countries find it easy to move people and goods within their territories...Such easy movement promotes internal trade and development. Trade encourages specialization and moves an economy up the value-added scale, increasing local incomes and generating capital that can be used for everything from building schools and institutions to operating a navy. Such constant interconnections are the most important factors for knitting a people into a nation. Such commonality of interests forms the bedrock of political and cultural unity.\(^{12}\)

People who encounter one another on a daily basis and profit from their interactions are likely to work together to improve and multiply their interactions; they naturally develop shared interests and goals. In this way, collective preferences develop just as strongly via economic concerns as through political priorities. Here, too, however, geography plays a role, for it is often the natural geological features of a region that form that primary internal network. The direction of the flow of rivers and the natural passes across mountain ranges, among other examples, all make it easier for certain sets of people to connect with each other than to connect with others.

Since the domestication of load-bearing animals, however, increasingly sophisticated technology has carried humans, goods, resources, and ideas across terrain that would otherwise have been unpassable.\(^{13}\) The 20\(^{th}\) century especially saw an increase in the forms and functionality of communications and transport technology that


\(^{13}\) The critical role of load-bearing animals in the development, or lack thereof, of civilization is examined thoroughly by Jared Diamond in *Guns, Germs, and Steel* (New York: W.W. Norton & Company, 1999).
have radically changed the way global powers interpret the value of other places. Airplanes are perhaps the most obvious example of this kind of technology; the Alps may have stopped Hannibal, but they did not stop Hitler. Grygiel concedes that, as a result of technology, geography arguably “becomes mere background to the struggle for power between states; it no longer paints the combatants but only the battlefield…geography is no longer the environment that influences human actions but a theater within which men and states act according to a script written by them.”

However, Grygiel argues that an outright dismissal of the importance of geography misses the reality that still very much exists. Steam power, air travel, the internet, and other forms of technology that have radically shrunk humanity’s experience of distance have not completely negated the primary needs of access to resources and secure routes to receive and send them through. Technology has merely changed the dynamics of the game. It is no longer necessary for great powers to control resource sites, so long as those resources can be purchased on the global market. However, “globalization does not mean that trade occurs in cyberspace.” Goods purchased through bank transfers and paper contracts still have to be physically moved from one place to another over land, across the sea, and through the air. “Therefore,” he writes, “it is imperative for states to monitor and, if necessary, protect and patrol these routes, as was done during the times of Venice and Ming China. Globalization, in other words, has not detached the interactions of states from

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14 Grygiel, Great Powers, 13. Italics his emphasis.

15 Ibid., 165.
geography.” Technology changes, but by no means eliminates, the tenets of geopolitics.

Because resources are limited and needs many, every community faces choices. How to regulate access to resources, how to resolve disputes, how to care for those who lose their resources by accident or squander them through imprudence. These decisions are the purview of governments. In authoritarian governments, such as monarchies or oligarchies the right to make these decisions is limited to the hands of a few people who can make whatever choices they deem best. In a representative democracy, however, the agents of the government are subject to the will of the people. Robert Putnam, who draws significantly from a variety of works by Robert Dahl in his own work *Making Democracy Work: Civic Traditions in Modern Italy*, writes:

Democracy grants citizens the right to petition their governments in the hope of achieving some individual or social goal, and it requires fair competition among different versions of the public interest. Good government is, however, more than a forum for competing viewpoints or a sounding board for complaints; it actually gets things done. A good democratic government not only considers the demands of its citizenry (that is, is responsive), but also acts efficaciously upon these demands (that is, is effective). The confluence, then, of geography-based needs and priorities and political action to meet those concerns is what Dahl and Tufte refer to as “system capacity.” This is the measurable point (both qualitative and quantitative) at which the collective preferences of a people can be compared to the ability and willingness of a government to respond to those preferences and an observer can determine whether or not it is a “good” government. If those policies support the populace by providing government money,

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16 Ibid., 165-166.

labor, and facilitation where needed, then it is a good government. Governments that do not meet the needs of their people will find themselves the focus of a struggling, if not failing, populace.

**Resources in Virginia**

British Virginia was, from the first, dominated by agricultural interests, for the simple fact that without successful agriculture, the settlers at Jamestown would, and did, starve. It was the introduction into their communities of tobacco farming by John Rolfe in 1612, that kept the fledgling colony from folding completely and which ultimately shaped the prevailing interests of the region. A native plant, tobacco grew well in eastern Virginia, inspiring farmers at all economic levels to turn as much of their land as possible over to its cultivation. Tobacco, however, required a great deal of labor, and it therefore favored large-scale operations. British legislation, such as the Navigation Act of 1660 which restricted the sale of many colonial goods, including tobacco, to England and her provinces, and tobacco’s natural lifecycle contributed to the growth of vast plantations in the Tidewater and Piedmont, where incredibly wealthy landowners could bring together, or purchase, the labor necessary to turn a profit.\(^\text{18}\) In such an environment, small, sustenance farming became financially infeasible in much of the original colony, pushing poorer and often newer colonists westward into the frontier. Even in the hinterlands, they remained a part of the tobacco economy. As Louis D. Rubin, Jr. has noted, early colonists “concentrated their efforts upon tobacco, not only because it was their most valuable export crop, but because it was the medium of exchange – the currency, even –

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\(^{18}\) Rubin, *Virginia*, 19.
of a place without coinage or mint.” Tobacco became everything, and it was the need for agricultural labor to work the tobacco fields that spurred the importation of white indentured servants and enslaved Africans. By the 1720s, grand plantation houses dotted the landscape, and men like Robert “King” Carter had amassed unimaginable fortunes from tobacco sales. Tobacco had saved them; but tobacco was also their doom.

Despite the vast wealth Virginia’s “cash crop” brought into the colony, the commonwealth’s agricultural future began to look more and more uncertain even as the Old Dominion became a new state. Tobacco was robbing the soils of essential nutrients, and by the late 1810s, Joan E. Cashin argues, “the land east of the Shenandoah Valley seemed to be utterly exhausted.” Inheritance laws, fashioned in the spirit of rebellion and republic, broke down the English system of primogeniture in the colonies and left fathers to choose their favored sons, or to split their land holdings equally among their heirs. The result was what Virginian Edward Ruffin called a “patchwork policy” that turned out tiny family farms that were not large enough to support their owners.

By the early 1830s, many of eastern Virginia’s younger sons were headed west, in search of fresh soil and more progressive methods of agricultural land management; many of them ended up in the Deep South. Cashin argues that these young farmers derided their ancestors for “the careless agricultural methods of the earliest settlers, going all the way back to 1607,” and that, as a generation, they came to “turn away from the

19 Ibid., 7/13.


21 Ibid., 480.

22 Ibid., 492.
ancient idea of human dominion over the earth toward one of stewardship.” Their political and social elders worried that their exodus would hurt Virginia irrevocably, and so, in an effort to staunch the flow, they ruthlessly proclaimed the western frontiers in Alabama and Mississippi to be El Dorados that tricked otherwise honest men into delusional fallacies. At the very least, these wealthy eastern planters could turn to their representatives in the Virginia General Assembly for support, especially given that the Virginia constitution gave them a clear, and wildly disproportionate, majority in the legislature. They could at least assure Virginia’s government would keep Virginia’s agricultural interests – including plantation slavery, economic support for agricultural trade routes, and the political power of the planters themselves – intact.

Cashin argues that eastern Virginians viewed their agriculture as a sacred inheritance. “The first settlement at Jamestown in the seventeenth century made the entire James River Valley a ‘sacred’ place. Those settlers consecrated the land with their brave efforts to build a new society. It was here that Anglo-American farming began…” Despite its iron prominence, tobacco was by no means the only crop that grew well in eastern Virginia. Corn and wheat were grown extensively (especially towards the middle of the nineteenth century), along with a variety of fruits and vegetables such as potatoes, onions, strawberries, and apples. Cattle and swine were raised in abundance, especially the latter, which eventually became a main staple of almost every southerner’s diet. Poultry prospered, too, although sheep were not well-suited to the pastures of Tidewater

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23 Ibid., 478/473.

24 Cashin, “Landscape and Memory,” 492.

25 Ibid., 481.
and Piedmont. Wild game and fresh water seafood were available, though their populations declined as white settlement removed their habitats.\textsuperscript{26} For more than a century, agriculture provided for Virginia, but large-scale tobacco cultivation, unsustainable farming practices, and increased migration into the commonwealth put an expiration date on this success. By the early nineteenth century, agricultural output had slowed considerably, but Virginia was not ready for change. Even as the land itself became less and less productive, the eastern ruling class clung to the notion of Thomas Jefferson’s agricultural republic with Virginia at its center.\textsuperscript{27} Their commitment to the agricultural way of life and the infrastructure that supported it, from slavery to James River transport networks, became more than conviction: it became a patriotic duty and a political imperative.

Unsurprisingly, largescale agriculture never flourished in the mountainous counties west of the Valley of Virginia. Some 80\% of the land that would become West Virginia sits on the Appalachian plateau, at an elevation ranging from 1,000 to 4,000 feet above sea level.\textsuperscript{28} Generally characterized by broad ecological diversity and rapid climate changes, a gain of 100 meters in altitude across a mountain range is considered environmentally equivalent to a 100 kilometer change in latitude.\textsuperscript{29} The land, even if there is topographically a lot of it, is not uniform and predictable, as the lowlands might be. Rain and sunlight do not reach each patch of earth in the same way. Partly for this reason, large-scale agriculture was never a viable option for the mountainous regions of West Virginia.

\textsuperscript{26} Thomas J. Wertenbaker, \textit{The Planters of Colonial Virginia} (New York: Russell & Russell, 1959), 102-103.

\textsuperscript{27} Rubin, \textit{Virginia}, 94.


\textsuperscript{29} Smethurst, “Mountain Geography,” 39.
reason, David Smethurst writes, “mountains stand on the economic margins where resources are extracted for use elsewhere, generally to the advantage of the lowlands.” Without the space and therefore without the capital necessary to process and absorb these resources, mountain peoples tend to make up the bottom rung of the industrial ladder, providing the raw materials but not benefitting from the finished products. “As frontiers or areas beyond the limits of convenient settlement, mountains are less developed than adjacent regions…The result is poverty, a characteristic shared by all mountain peoples.”

Western Virginians embraced agriculture as well as they could, and, as Otis Rice points out, largescale agriculture with a correspondingly high use of slave labor did in fact flourish in small sections of what would eventually become West Virginia, especially in the counties of the Eastern Panhandle, such as Jefferson and Berkeley Counties. Many of the resources that settlers were able to extract from their new lands were there already when they arrived. A plethora of wild game – bears, deer, wild fowl, turkey, rabbits, and the like – roamed the hills and valleys, providing meat and pelts for traders, and wild nuts and fruits dropped plentifully from the trees. Those agricultural processes that did prosper in the mountains tended to be the heartier ones. Settlers mostly raised grains like corn, oats and rye, for wheat was not well suited to the physical landscape. For vegetables, they raised a variety of squash, beans, and potatoes. Animal husbandry, too, thrived in the mountains; herds of cattle and sheep benefitted from the expanses of

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30 Ibid., 42.
31 Rice, West Virginia, 80.
32 Ibid., 57-58.
mountain grasses and were often raised in the west or seen passing through on their way to western markets. But westerners also recognized the industrial promise of their new home, and in the years of stability that followed the War of 1812, they embraced a diversity of ventures.

Strong rivers encouraged the growth of water-powered industry in the western counties, especially milling and textile manufactures, and supported a long and thriving industry in flatboat construction. By the mid-1820s, milled flour had become a major domestic export for the region. Distillers, too, prospered in the mountains, turning corn and rye into whiskey and peaches and apples into brandy and cider. After about 1830, the temperance movement reached them and their markets, dampening but not totally stifling demand. However, western Virginia’s true potential lay in its mineral wealth and the ability of its citizens to move those minerals to market.

Salt extraction was one of the first industries to take root in the western counties, but it spurred the growth of many attendant professions. The region of the Kanawha River, which flows through the lower third of the present state of West Virginia and connects to the Ohio River, was especially rich in mineral resources. Salt extraction was a fairly simple process that involved boiling off the water from briny natural springs and selling the salt that was left behind. On an industrial scale, the work was massive. The first commercial saltworks in Virginia opened in the Kanawha Valley under the direction of Elisha Brooks in 1797, and by 1808 the company was producing 1,250 pounds of salt

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33 Ibid., 81.
34 Ibid., 85.
35 Ibid., 81-82.
per day.\textsuperscript{36} Technology improved to keep up with the growing demand for salt in the western markets of the Ohio and Mississippi Rivers, and soon saltworks operations were drilling down hundreds of feet below the surface. In the peak year of 1846, Rice writes, salt production in the Kanawha Valley reached more 3.2 million bushels.\textsuperscript{37} Such high production required a multitude of people to maintain it, from coopers to wagoneers, flatboat sailors and river navigators, and most importantly, the laborers who extracted the brine, operated the salt furnaces and ultimately changed the social face of the region.

Otis writes that “the salt industry transformed the social structure of the upper Kanawha Valley. The demand for labor drew to the saltworks hundreds of landless and transient workers, whose manners and morals drew considerable criticism…It also led to industrial slavery in the valley…[and] created a new aristocracy” of families who could compete with eastern planters for financial success.\textsuperscript{38}

Operating the salt furnaces also required an incredible amount of fuel, and it soon became clear that the region’s supply of timber would not be enough to keep the fires burning. John P. Turner opened the Kanawha Valley’s first coal mine in 1817, expressly for the purpose of selling coal to the salt manufacturers as fuel. In truth, seams of bituminous coal undergirded western Virginia almost in its entirety, ensuring that coal mining operations would eventually become a statewide priority, but the Kanawha Valley was one of the first areas to commit itself to the coal trade.\textsuperscript{39} Many of the region’s early

\textsuperscript{36} Rice, \textit{West Virginia}, 82.

\textsuperscript{37} Ibid., 83.

\textsuperscript{38} Ibid.
ventures remained “captive” operations, limited to the sole use of one or a few salt manufacturers. But the Kanawha Valley coal reserves were too rich to stay cooped up for too long. By 1835, western Virginia colliers extracted over 133,000 tons of coal from the Kanawha Valley. 40 Industrialists turned eagerly towards the Ohio and Mississippi markets as outlets for their product, but soon their attention turned back to Richmond. The Kanawha River itself was unstable and therefore unreliable as a method for moving their wares. Western industrialists needed the aid of their government to help their young industry survive.

Routes in Virginia

The idea of geostrategy is that geography sets the stage for many of the decisions a government will be called upon to make. Except for the introduction of technological advances that undeniably change the nature of geographic barriers and traits, geography is a fairly static variable in the world of geopolitics. For this reason, Jakub J. Grygiel argues, geography can be used to predict how a state will act in an international/interstate environment, and what will happen to that state in the event that it fails to conquer geography. In the end, it is all about routes. Grygiel writes:

A state that controls lines of communication has full strategic independence. It does not have to rely on the goodwill and protection of other states to access the resources it needs, project power where it wants, and maintain commercial relations with whom it wants. When a state does not have control over the routes linking it with the source of resources and other strategic locations, it falls under the influence of the power in charge of those lines of communication. This is why control of routes has always been an objective of states. 41


40 Ibid., 95.

41 Grygiel, Great Powers, 27.
Thus, governments that control routes tend to control regions, using the security of their pathways to direct and consume resources and assert power wherever they wish. As Peter Zeihan noted, routes also tend to promote the growth and solidification of collective preferences among the people who live along the route, giving these routes the trifold importance of forming economic, political, and social links among communities. In antebellum Virginia, the eastern landholders who gained power and prestige from the agricultural resources they produced used their dominance in the General Assembly to secure their control over the routes that led out of Virginia and the routes that connected sections within the commonwealth. Eager to improve the routes that brought their goods to domestic and Atlantic markets by channeling state resources eastward, they repeatedly refused to adequately fund public works projects that would have increased the amount of coal, salt, and other mountain products that made it out of the western counties. Western legislators and entrepreneurs tried a number of schemes to improve the economic relationship between eastern and western Virginia, from river dredging to railroads, only to be rebuffed time and time again. The end result was a shriveled western economy and a mountain of sectional resentment. Eastern and western Virginians wanted different things. Ultimately, the government of Virginia failed to secure and sustain the physical pathways across the commonwealth that could have contributed critical economic, political, and social support to the growth of state-wide, rather than regional, collective preferences.42

Rivers. Up until the early 20th century, trade and communication across communities as well as regions were reliant on three things: rivers, roads, and rails.

42 For evidence of these assertions, see explorations below.
Between eastern and western Virginia, however, the rivers were uncooperative. South of a line drawn from Pocahontas County (which sits at about the halfway point on the present day border of Virginia and West Virginia) to Tyler County (in the upper northwest portion of the state, abutting the state of Ohio), all the rivers flow west to the Ohio River. This means that a good two-thirds of western Virginia only had access to rivers that flowed away from the rest of Virginia, rather than towards it. James McGregor writes that “If it be true, as Washington once said, that people’s faces are naturally turned in the direction of the flow of their rivers, then we may comprehend why misunderstandings were constantly arising not only between the eastern and western Virginians but also between the inhabitants of the smaller subdivisions of the old state.”

The natural connections that formed among communities along the same river meant that western Virginians were forming attachments with Ohioans and Pennsylvanians far more easily than they did with their Tidewater and Piedmont fellows. Zeihan observes:

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\text{Cheap riverine transport grants loads of personal exposure to the concerns of others in the system, helping to ensure that everyone on the waterway network sees themselves as all in the same boat (often literally). That constant interaction helps a country solidify its identity and political unity in a way that no other geographic feature can.}\]

The rivers, therefore, promoted a commonality of concerns among people in the Trans-Allegheny region and westward into the center of the continent, rather than a deeper connection to the Atlantic seaboard and traditional centers of eastern power. Given the rugged nature of the geography between east and west and the unchangeable direction of

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44 Ibid., 6.

45 Zeihan, Accidental Superpower, 12-13.
the rivers, it was impossible for western Virginians to get their goods to eastern markets without the help of projects known as “internal improvements”.

Harry Watson points out in his work *Liberty and Power* that in the nineteenth century “politics was very directly related to the practical process of economic change.”

Having survived two wars against Great Britain in the space of fifty years, and having doubled the national size through the Louisiana Purchase in 1803, the young United States was poised for great economic growth, but it was still in need of the extensive and well-maintained network of routes that would allow trade and commerce to flow throughout the country. So enter the political drive for “internal improvements,” or projects that would build that transportation infrastructure into being. In many cases, such as the Erie Canal, these projects were funded by a mixture of private and public monies and carried out by private corporations who hoped to profit from them, and often did. In Virginia, a number of both state and national internal improvement projects helped to strengthen commerce in parts of the state, but none managed to build the much needed ties within the state.

At first, Richmond seemed to recognize the need for better routes into the interior, and through the 1830s internal improvements often proceeded with government support. However, when western economic interests clashed with traditional eastern priorities, the legislative dominance enjoyed by eastern planters generally dictated the political outcome. As Sean Patrick Adams has shown in *Old Dominion, Industrial Commonwealth*, the case of the James River Company (JRC) is a prime example. As

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46 Watson, *Liberty and Power*, 34.

47 Ibid.
early as 1812, the Virginia General Assembly recognized the benefits of better connecting the Kanawha Valley’s coal reserves both to Ohio River commerce and to central and eastern Virginia markets, ideally by way of a canal linking the Kanawha River to the James River, but the War of 1812 put any action on hold. After the war, the JRC, which had been tasked with improving transportation and navigability along the James, proved so ineffective as a private venture that it was taken over by the government of Virginia and given a new assignment: to improve the Kanawha River all the way to the Ohio River, to complete improvements on the James into the Tidewater, and to build a road and a canal that would finally link the two major rivers. 48 By 1830, much of the work was technically complete, but the project’s end goals were never accomplished. Improvements on the Kanawha were insufficient to guarantee a year-round draft on the river deep enough for salt and coal barges to make the trip to the Ohio. And the monies spent on the Kanawha Turnpike (more than twice the amount allocated to Kanawha River improvements) seemed an utter waste given that previous experience had shown that turnpikes were structurally inadequate for carrying high volumes of heavy coal cargos. 49 As time passed and it became clear that the General Assembly had no intention of allocating more resources to make the route a success, the project’s failure took on a decidedly sectional hue.

“Because the James River Company held the improvement in trust for the state,” Adams writes, “western Virginians saw the same forces that had squelched reform in the constitutional convention [of 1830-1831] – namely, slaveholding interests – as being

48 Adams, Old Dominion, 88-89.

49 Ibid., 92.
responsible for their poor economic position in the Ohio Valley trade in salt and coal.”⁵⁰

The finances, Adams points out, supported their arguments, for of the $1.3 million appropriated by the state for the James and Kanawha projects, nearly 80% had gone to improvements on the James River from the Blue Ridge Mountains east to Tidewater.⁵¹ In 1832, the JRC morphed into the James River and Kanawha Company (JRKC), but the new iteration had scarcely more luck, or determination, than its predecessor. Eastern legislators simply refused to approve the types of governmental measures that could have helped western industrialists succeed, arguing against allowing eastern tax revenue to support predominantly western projects and declaring that western reformers seeking greater equality for white men across the state also meant to end slavery everywhere in the commonwealth. Western colliers limped along another few decades, trying a number of new projects to open greater trade between the Kanawha Valley and the Ohio, but the authoritative and ineffective presence of the JRKC, Adams notes, stifled all innovation. “Without the improved navigation,” Adams writes, “coal and salt exports gave way to competitors from farther up the Ohio River. Consequently, coal production in the once promising Kanawha County significantly dropped during the 1850s.”⁵² Citizens of eastern Virginia believed that supporting western interests would harm their own, and as a result, western Virginians received little to no support from their government. The General Assembly utterly failed to respond to their needs.

⁵⁰ Ibid., 93. In Chapter 3, I investigate the arguments and legacy of the Virginia Constitutional Convention of 1830-1831 much more deeply, but at this point suffice to say that the complete imbalance of power between eastern and western delegates in the Virginia General Assembly was the main reason why the convention was called.

⁵¹ Ibid.

⁵² Adams, Old Dominion, 96-100. Quote from page 100.
Roads. When white pioneers first began to push west into the Alleghenies, they generally followed the same paths along the mountain ridges that local native populations had used for generations. As settlements and towns began to grow, more elaborate roads were needed, and multi-state projects began to take shape. The federally-funded National Road opened in 1818, linking Cumberland, Maryland to Wheeling, Virginia in the Northern Panhandle. By 1830, Wheeling was the largest town in northwestern Virginia, with tens of thousands of wagon loads of goods passing through its streets on a yearly basis. For western Virginians, the National, or Cumberland, Road did indeed serve to connect their western frontier with thriving eastern markets, but those markets were, importantly, in Washington, D.C. and Baltimore, rather than in Richmond or the Tidewater. Through the National Road, western Virginia built up an economic and social interest in maintaining ties with the federal city via western Pennsylvania and southern Maryland; by twenty-first century state borders, the National Road did not enter Virginia anywhere along its route.

Some public works projects did ultimately link western Virginia towns to central Virginia hubs, encouraging some commerce between the two. The Northwestern Turnpike, completed in 1838, connected Winchester in northern Virginia with Parkersburg on the Ohio River, providing a road across the Alleghenies that was entirely in Virginia, and the Staunton and Parkersburg ultimately connected the Ohio River to a central Virginia town less than 100 miles from Richmond. However, neither project

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53 Williams, West Virginia, 13.
54 Rice, West Virginia, 87.
55 Ibid.
was sufficient to quiet the increasingly discontented voices of western industrialists and western delegates. Even if more roadway projects had made it through appropriations proceedings in the General Assembly, roads and turnpikes were not necessarily useful to the western economy. Adams notes that “British colliers estimated that the overland transportation of coal doubled its price in ten miles, whereas water routes could carry a coal twenty times farther than land transport at exactly the same unit cost.”

Roadways were too structurally weak to provide the reliable thoroughfares needed for moving resources and projecting power; especially in the age of railroads.

Railroads. The privately funded Baltimore & Ohio Railroad reached Wheeling, Virginia by way of Harpers Ferry on January 1, 1853, at last connecting the Ohio River to the Atlantic Ocean via Baltimore some 25 years after the first ground was broken on the line. A proposed branch might have brought the B&O south through the Kanawha Valley, opening the Kanawha salt and coal fields to Baltimore markets, but eastern delegates in Richmond killed the plan. The sectionalism that ordered many of the railroad debates was nothing new. James McGregor recounts that at the outbreak of the Civil War, there were 1,379 miles of railroad track laid down in Virginia, but only 361 of these miles were laid inside of what would become West Virginia. The Virginia General Assembly, in the habit of holding up to three-fifths of the stock on any companies working on railroad projects within the commonwealth, held as much as $20,000,000 in

56 Adams, Old Dominion, 35.


58 Adams, Old Dominion, 91.
company bonds in 1861, but not one of those dollars had gone to projects in western Virginia.  

Throughout the 1850s, interest in public works projects that would have better integrated central and southeastern Virginia with western Virginia did spike. “From 1850 to 1854,” Otis Rice notes, the General Assembly “incorporated more turnpike and railroad companies for internal improvements in the West than in all previous history,” although incorporation is not the same as helping to finance. 60 The Northwestern Virginia railway connecting Grafton in Taylor County to Parkersburg was chartered in 1851 and opened in 1857. In the 1857-1858 legislative session, Virginia’s General Assembly authorized $800,000 to finance the building of the Covington and Ohio Railroad, which would connect the Ohio River and the James River, adding another $2.5 million the following year, but the railroad was never built. 61 Interested parties argued the merits of the new railroad versus the proposed canal connecting the Kanawha River to the James, but neither project came to successful fruition before the outbreak of war. 62 

The time for new construction projects was fast coming to an end. With war on the horizon, McGregor writes, many newspapers and influential Virginians realized that the lack of easy transportation between eastern and western Virginia would have a fateful impact on the state’s history beyond simple economic concerns: mobilizing Virginians soon recognized both that western Virginia was susceptible to occupation from the North


60 Rice, West Virginia, 100.

61 Ibid.

62 Ibid., 101.
and that western Virginian men of fighting age would not be able to reach the South to join the Confederate armies with any speed. By then, however, it was too late.

*Collective Preferences and the Case of Coal*

The case of coal represents an interesting opportunity for comparison within the political annals of antebellum Virginia, for prior to the opening of the Kanawha Valley coal pits, it was the coal mines of the Richmond basin that commanded national attention. The young republic at first depended on imported English coal to fill their limited needs, but as supplies of timber dwindled and tensions with Great Britain grew (ahead of the War of 1812), the need for a dependable American source of fuel became more urgent. First discovered by French Huguenots around 1699, the Richmond coal field stretches 30 miles from its northern reaches in Goochland and Henrico Counties to its southern point in Amelia County, and covered about 150 square miles. Mining operations began there in earnest in the 1740s under the financial auspices of wealthy local planters who either leased their land to independent colliers (by far the more popular option) or worked the seams themselves. Despite the region’s potential mineral wealth, however, Richmond planters never loosened their commitment to agriculture.

Colliers in the Richmond basin often referred to their coal shipments as “harvests” and sent them down the James River in response to unique orders from abroad, rather than as a steady stream of marketable fuel. Many mining operations hired out enslaved persons from local planters in order to meet their labor demand, but many planters were

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64 Adams, *Old Dominion*, 26-27.

65 Ibid., 32.
understandably unwilling to risk the lives of their valuable property in the dangerous and unpredictable coalfields, preferring to keep them at work in the agricultural fields instead.\textsuperscript{66} And there was still the persistent problem of how to bring whatever coal they were able to raise to competitive markets. Repeated attempts to gain financial and political support from the state government were largely unsuccessful, as failed ventures on the James River and local turnpike projects suggest. Turnpikes proved especially ineffective, as turnpike operators, with the backing of the General Assembly, often limited the weight each wagon could carry, increasing the tolls colliers had to pay to reach their markets, even as the jostling of a wagon ride reduced the product to less flammable, less valuable fragments.\textsuperscript{67} As a result, the Richmond basin suffered from extreme labor and capital shortages; by the mid-nineteenth century Pennsylvania’s superior industrial infrastructure had totally eclipsed what had once been the nation’s main source of coal.\textsuperscript{68}

Separately, eastern and western Virginians both went about shaping their economies in geographic regions with rich coal reserves, yet neither were able to see this industry thrive under the auspices of their shared government in Richmond. If geography is meant to, at least in some part, dictate the collective preferences of the people who live upon it, then why did eastern and western Virginia colliers not form a strong pro-coal front, strong enough to force change in Richmond’s policies? The simple answer is probably a numbers game. There were not enough colliers in eastern Virginia to elect

\textsuperscript{66} Ibid., 32-33.

\textsuperscript{67} Adams, \textit{Old Dominion}, 38.

\textsuperscript{68} Ibid., 3.
pro-industry representatives, and there were not enough western representatives period, pro-coal or otherwise, to defeat the bloc of powerful, pro-agriculture eastern Virginians in the General Assembly. Despite the potential wealth coal mining around Richmond might have brought local planters, their traditional commitment to agriculture, and to the slave society that supported it, was too strong.

Adams argues that the presence of slavery in the Richmond basin had a formative impact on the development of the coal trade there. The Peculiar Institution, he writes, “made it difficult for local colliers to transplant British methods of accessing, raising, and shipping coal, but [Richmond’s] close proximity to Tidewater allowed them to dominate the nation’s coal trade for the first half-century after independence…Geology was very kind to colliers of Virginia during the early republic; the vagaries of plantation slavery were not as forthcoming.”

Although enslaved persons were often used in coal operations, the fact that slavery was poorly suited overall to industrial mining meant that, as an economic endeavor, coal mining did not help to uphold the slave system. As a result, wary white Virginians suspected that coal was instead a threat to slavery, and therefore to their very way of life. Western colliers, too, utilized slave labor in their operations, and enslaved persons made up substantial proportions of the population in places like Kanawha County, where 20% of the population was enslaved in 1840. But these facts failed to persuade easterners that slavery was safe in the hands of western industrialists. Broader western feelings towards slavery were suspect for other reasons.

69 Adams, Old Dominion, 14.
70 Ibid., 87/98.
Eastern Virginians took blatant advantage of their majority holdings in the General Assembly to assure that their interests were promoted and safeguarded by state policies, and it was not until the 1850s that their monopoly on representation began to ease. By then, the damage had been done. Virginia’s nascent coal industry had dwindled, east and west, to close to nothing. “By 1860,” writes Adams, “Pennsylvanians mined over fifteen million tons of coal, or 78 percent of the nation’s total, while the Old Dominion’s production languished at just under a half-million tons, or 2.4 percent of the national amount.”

In the case of coal, Virginia’s government failed to support sections of its citizenry in two distinct but geologically similar areas, despite their many appeals for aid. Geography did influence what these citizens wanted from their government, but in favoring agricultural needs over industrial ones, their government failed to respond to these citizens and failed to find methods of administering to both constituencies. Some geographic priorities were chosen over others. Writes Adams: “The history of the first coal trade of the United States demonstrates that, from the very beginning, coal” – the natural geography – “could not be separated from its political context.”

Conclusion

In 1857, Virginia Governor Henry Wise gave an address in which he noted that “by every geographical and geological cause were our people segregated into separate communities and divided from each other and all mutual commercial dependency.” The natural barriers that separated eastern and western Virginians did more than make it

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71 Ibid., 3.

72 Adams, Old Dominion, 14.

difficult for fellow Virginians to engage in commercial ventures together: it made the type of ventures they both pursued quite distinct. While eastern Virginians sunk their efforts into traditional, largescale agriculture, western Virginians embraced their rich mineral deposits and leaned into early industry; they each chose to pursue the enterprise for which their land was best suited. Because all of these economic pursuits required the aid of government, in the form of subsidies, internal improvements, and favorable legislation, geography ultimately had a sizable impact on what local populations wanted from their political leaders. However, due to a disproportionate system of statewide representation, which will be explored more thoroughly in the following chapter, the Virginia General Assembly remained dominated by eastern representatives who endorsed agricultural interests to the exclusion of nearly all else. Western Virginians’ repeated attempts to gain government support for their industry fell on deaf ears. Their government failed to respond to their appeals. Otis Rice neatly sums up the economic straits westerners found themselves in by the late 1850s:

…the salt industry of the Kanawha Valley reach its zenith in 1846, and the Ohio Salt Company…was already on its way to domination of western markets. Droves of cattle and hogs, which had once clogged West Virginia turnpikes on their way from the Ohio Valley to eastern center, almost disappeared. The number of ironworks, sawmills, and spinning and weaving operations also decreased. Travelers interested in mountain scenery preferred to obtain their views from railroads rather than endure arduous stagecoach journeys, which most of West Virginia travel entailed. The Panic of 1857 further strained old economic patterns and undermined confidence in the immediate future.\(^74\)

Democratic governments are assembled for the purpose of building and maintaining the infrastructure and policies that enable their citizens to prosper. If a population is not flourishing, then, logically this may have something to do with the

\(^{74}\) Rice, *West Virginia*, 101.
policies of the government. Political theorists Robert Dahl and Edward Tufte argue that it is possible to assess the rectitude of a government by first determining what a population collectively desires and then by evaluating whether or not its government is effectively responding to those desires, what they call “system capacity.” Are the people getting what they want? In antebellum Virginia, a portion of the population could answer that question in the affirmative; the other portion could not. And geography was the reason why.

This begs the question, then, of whether or not the far larger and arguably even more distinctive regions of the United States might not suffer from the same challenges in the twenty-first century. Can the people of the Midwest see their needs fulfilled in Washington, D.C., while the federal government simultaneously meets the demands of New England and Hawaii? Can oil drilling policy in Alaska meet the environmental protection standards set by California, and by Vermont? Annual election maps provide color-coded graphics to indicate where American opinions align and where they diverge. The United States Census Bureau divides the Lower 48 into four Regions containing nine Divisions for the purposes of population counts. Unsurprisingly, these Divisions are delineated by natural barriers: the Rocky Mountains, the Mississippi River, the Ohio River, the Appalachian Mountains. Geography is embedded in American governance.\(^75\)

However, it is not as if the Virginia General Assembly in the early nineteenth century could not have chosen to respond to eastern and western demands equally, or could not have served both ends simultaneously. Improved transportation routes, for instance, would arguably have benefitted both alike. Certainly increasing the coal trade

would have had a similarly robust impact on Richmond’s tax revenue. The General Assembly simply chose not to take this route, and despite three-quarters of a century’s worth of political turmoil, the legislature in Richmond never came to represent both regions of the state equally. From the moment the United States took shape as a new nation, Virginia’s geography set her on a course towards conflict.
CHAPTER 3
CITIZEN EFFECTIVENESS: REPRESENTATION

Introduction

From the beginning of the American republic, Virginia, and the nation as a whole, struggled to politically accommodate its own size, both in terms of geographic extent and mass of population. The people themselves were so numerous, and the outermost borders of the nation so distant from one another, that traditional conceptions of representative governance needed reevaluation. Direct democracy would not work; it would impractical if not impossible to assemble all of the citizens at once and hear from each one. However, Robert Dahl and Edward Tufte assert that in order for a democratic government to function properly, citizens must have the opportunity to participate in their government and to feel their voices have weight. They must be able to cause change when they feel change is necessary. Dahl and Tufte call this principle “citizen effectiveness,” and it is the second of the two benchmarks which, they argue, all good democracies must meet. “Nation states are too large,” they write, “for citizens to participate directly in all or even most decisions…Therefore, citizens must be able to participate in decisions at least indirectly, typically by electing representatives or delegates to decision-making offices.”

The United States Constitution erected a democratic republic to meet this necessity; citizens elect national, state, and local representatives who then serve as conduits between the public and the government and who can impact government decisions and policies based on the will of their constituents. Through a variety of

\[1\] Dahl and Tufte, *Size and Democracy*, 22.
means, including voting, written and oral communication, and political volunteering, citizens can communicate their political priorities to their representatives. Even those who do none of these things ostensibly submit their opinions through their silence. However, representation is an imperfect system no matter how smoothly it is handled. Each representative is still responsible for deciding which among the chorus of his or her constituents’ voices to put forward to the government at large. And each representative has a varying amount of power and influence within the halls of a capitol building. To a significant extent, the voices of the people are only as loud as the voice of their representative.

Before the Civil War and the creation of West Virginia, disparate geography between eastern and western Virginia influenced not only how these two social communities evolved, but also how they honed their political interests and how they interacted with their shared government in Richmond. Virginia’s first constitution often exacerbated these differences via the system of representation it established. Political battles over equal access to the seat of government and equal participation in the decisions that were made there raged throughout Virginia in the first half of the nineteenth century. Western citizens tried for decades to establish an equal level of influence in Richmond, making their preferences known and arguing for a greater apportionment of representatives to champion their causes. Ongoing debates about the placement of the capital, the basis and equitability of representation, and the naturalness of connecting different parts of the state together as a whole presented a series of challenges that came to a head in 1861.
**Size in Political Philosophy**

Since the advent of democracy in sixth century BCE Athens, political philosophers and career politicians alike have recognized that geographic size and the functioning of the polity were inextricably linked. Different geographies, when combined with technological factors, set natural limits on how far a government could reach and how large a community could grow. In rocky, mountainous Greece, communities’ expansion was limited by the extent of arable and accessible land that could be effectively controlled by a polity facing contemporary restraints (e.g. difficulty of travel and speed of communication) and before running into a rival community. The population size was similarly limited on one end by the number of people who were required for agricultural work to feed and support the community and on the other by the need for different families to own and operate their own space. Without the benefits of easy long-distance travel and communication, the city-state was recognized as the most functional form for democracy because it integrated what appeared to be the natural limits of community in terms of both geographic size and population size.

Over generations, Greeks thinkers formulated their understanding of how a political community could best thrive. In *Politics*, for instance, Aristotle writes:

> A state, then, only begins to exist when it has attained a population sufficient for a good life in the political community… if the citizens of a state are to judge and to distribute offices according to merit, then they must know each other’s characters; where they do not possess this knowledge, both the election to offices and the decision of lawsuits will go wrong.

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In order to truly work, classical philosophers believed that citizens in a democratic political community had to both know each other reasonably well and, logically, had to live within a reasonable distance of each other so that they could assemble to discuss important issues whenever needed and come to proper decisions. As Dahl and Tufte summarize, for the Greeks, “Smallness made it possible for every citizen to know each other, to estimate his qualities, to understand his problems, to develop friendly feelings toward him, to analyze and discuss with comprehension the problems facing the polity.”

After much thought and calculation, Plato even declared that the optimal size for a polity was no more than 5,040 citizens (heads of households), a number which seems ludicrously small today. The Greeks prioritized these concerns, marking out the nature of democracy and defining it as a system with geography at its heart; proximity was paramount. How could any citizen claim to work for the common good if he did not know his neighbors and did not understand what issues they faced? Citizens who lived too far away from one another had no hope of gaining such a proper understanding and therefore had no hope of coming to the kinds of political decisions that would satisfy everyone.

Centuries later, Enlightenment philosophers who grew up studying the classics struggled with the same concerns. The world was full of many forms of governance, from the Italian city-states of Venice and Florence, to the Ottoman Empire in the East. But by the eighteenth century it was becoming clear that the monarchies under which

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5 Ibid., 5. Given that Plato only counted heads of households, the population of such a state might realistically reach upwards of 20,000 people; reasonable for a town or village, perhaps, but unreasonable as a cap on state size.
European peoples had lived for generations were not, in fact, ideologically unassailable bastions. Ideas about human equality were taking root and taking shape. French philosopher Jean-Jacques Rousseau lived and wrote during the eighteenth century and his works bear out the idea that democracy and state size were still very much linked into the modern era. Rousseau believed that participation was crucial to state success, and only a small state could provide the necessary access and practicable infrastructure for all citizens to have a voice. As state size grew, both in territory and population, Rousseau argued, opportunities for participation and engagement declined. Largeness was a recipe for political lethargy and isolation. Moreover, he writes in Book II of *Of the Social Contract*, in a large territory, “not only has the government less vigour and promptitude for securing the observance of the laws, preventing nuisances, correcting abuses, and guarding against seditious undertakings begun in distant places” – a clear argument for the effect of territorial size on a government’s “system capacity” as defined in the previous chapter of this work – but “the people has less affection for its rulers, whom it never sees, for its country, which, to its eyes, seems like the world, and for its fellow-citizens, most of whom are unknown to it.” The dangers of too large a territory are many, Rousseau warns, but for the simple reason that in a broad region the people will have too little interaction with each other and with their government.

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6 Ibid., 6.

7 Rousseau, “The People, continued.”
Rousseau’s slightly older French contemporary, Charles-Louis de Secondat, Baron de le Brède et de Montesquieu, espoused the same philosophy. In his 1748 volume *The Spirit of the Laws*, Montesquieu writes:

> It is in the nature of a republic that it should have a small territory; without that, it could scarcely exist. In a large republic…interests become particularized; a man begins to feel that he can be happy, great, and glorious without his country; and then, that he can become great upon the ruins of his country.

> In a large republic, the common good is sacrificed to a thousand considerations; it is subordinated to various exceptions; it depends on accidents. In a small republic, the public good is more strongly felt, better known, and closer to each citizen; abuses are less extensive, and consequently less protected.8

Like the Greeks before them, Enlightenment philosophers feared that a large republic would inevitably decline into despotism and self-interest, leaving its citizens to communal decay.

**Influence in America**

Montesquieu, Rousseau, and their philosophical colleagues had a great impact on the men who became the Founding Fathers of the United States, but the Greek and Roman philosophers who came before them were no less influential than these more contemporary thinkers. Carl J. Richard argues in *The Founders and the Classics: Greece, Rome, and the American Enlightenment*, that when they assembled at the Second Continental Congress in 1776, and again at the Constitutional Convention in 1787, the Founding Fathers benefited, and were occasionally constrained by, their collective education in classical stories and traditions. The theories of Plato, Aristotle, Cicero, and others had ingrained themselves so early in the minds of these Revolutionary leaders that they could not help but bring ancient lessons to bear as they discussed and debated how to shape a new nation. Delegates to these assemblies wrestled with questions of civic

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virtue, participation, and balance, working to achieve an enlightened government. On a practical level, writes Richard, “the classics supplied mixed government theory, the principal basis of the Constitution.” On an emotional level, “the classics provided the founders with a sense of identity and purpose, assuring them that their exertions were part of a grand universal scheme,” the type of inevitable, global trend towards democracy and equality which Alexis de Tocqueville would speak of so extensively in Democracy in America half a century later.⁹

In a confederacy of thirteen functionally independent states, however, the founders recognized that their new national borders far exceeded the standard size advocated by classical philosophers. It would be impractical to think that the separate states would be willing either to completely subsume their autonomy into one centralized government or that one government administering to such a large territory could address every issue that might arise. Federalists such as James Madison, Alexander Hamilton, and others understood from theory what Dahl and Tufte were able to establish through statistical survey two centuries later. Dahl and Tufte write:

Whatever the structure of authority may be, whether democratic or hierarchical, the search for effective means of communication and control seems to produce a powerful tendency within any organization to break down into subunits as it

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Mixed government theory refers to the concept of a government that uses elements of different traditional governmental forms to create a new type of infrastructure. Specifically, this combines the elements of monarchy, aristocracy, and democracy (the one, the few, the many) that would be used in the Roman Constitution and ultimately become the American version of separation of powers.

Tocqueville, Democracy in America, 11-12.

Tocqueville writes of his belief in the inevitability of human equality and democratic government in Democracy in America, observing that “Running through the pages of our history, there is hardly an important event in the last seven hundred years which has not turned out to be advantageous for equality...Everywhere the diverse happenings in the lives of peoples have turned to democracy’s profit; all men’s efforts have aided it...Therefore the gradual process of equality is something fated.”
grows in size. There are limits to the ‘span of control’ that impose imperious requirements on all organizations…Some degree of decentralization is required, therefore, even in organizations dominated by hierarchical authority, such as military units or political dictatorships.¹⁰

Federalism, then, was the answer, constituting both the natural state of a large organization and the best method of facilitating governance across distances. But the Constitution’s Anti-Federalist opponents interpreted the same tendency towards organizational fragmentation in a different way. While the Federalists argued that a strong central government would pave the way for smooth and effective collaboration and brotherly feeling between the states, the Anti-Federalists held that only a weak central government would give the states the leeway they needed to thrive both individually and together as a network. Richard writes:

[The Antifederalists] cited Montesquieu and classical sources in support of their contention that republics must remain small in order to remain republics and claimed that a loose confederacy of thirteen small republics best achieved that purpose. But, as Alexander Hamilton noted, and as all could clearly see, the ancients would have been as appalled by a republic the size of New York as by one the extent of the United States. On the question of the size of republics, neither side was classical; both emphasized the innovation of representation.¹¹

**Representation in the New Republic**

In her work *The Politics of Size*, Rosemarie Zagarri interrogates the issue of representation in the United States and how disagreements over the nature and apportionment of representation both within individual state legislatures and within Congress led to interstate conflict. Her recounting of how Americans struggled with achieving Dahl and Tufte’s requirement of citizen effectiveness through systems of

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¹¹ Richards, *The Founders and the Classics*, 234.
representation is crucially revealing both for the history of Virginia and West Virginia and that of the United States.

Prior to 1776, American citizens and political leaders lived under the British system of *virtual representation*, a somewhat paternalistic notion that the people’s representatives should work for the common good of the whole, rather than representing the interests of particular constituencies. Representatives need not reflect their region’s economic, religious, or social characteristics, so long as their moral codes aligned. Almost as soon as the United States declared her independence, however, American legislators and people embraced what Zagarri calls the “distinctively American notion of *actual representation*.”[^12] Americans were completely dissatisfied with a system that left the individuality of citizens and communities out of the equation, and they were concerned that each state’s particular interests be respected. Actual representation meant that the legislature ought to accurately reflect the community it claimed to represent. Merchants and teachers, lawyers and doctors, farmers and seaman should elect themselves and their colleagues to office in order to ensure that each voice was being truthfully and equally heard. In this way, Americans could avoid the kind of aloof and tyrannical governance they felt they had suffered under Great Britain. Closely tied to their representatives through bonds of community and shared interests, Americans could ensure their own active participation in the new republic.

However, yet another equally vexing question needed to be settled before such representatives could convene. How would representation in a new legislature be apportioned? Should it be through spatial or demographic means, i.e. through an

assessment of territory size or by the size of a population? Zagarri argues that it is this exact question that threatened the experiment in democratic republicanism from 1776 until the signing of the Apportionment Act of 1842, which finally settled the question. By the time the Constitutional Convention met to reframe the United States in 1787, the small state bloc (made up of Connecticut, New Jersey, Delaware, Maryland, and occasionally the outlier New York) and the large state bloc (Georgia, South Carolina, North Carolina, Massachusetts, Pennsylvania and Virginia) had developed different systems of representation within their state legislatures.\(^{13}\) The small states were wedded to the idea of spatial representation, determining a formula by which a certain amount of land was apportioned a certain number of representatives. The large states, however, several of which had extensive western landholdings, embraced the potential for population growth promised by their larger size and, as a result, moved towards demographic representation, allotting each unit of \(x\) inhabitants a certain number of representatives.\(^{14}\) From the beginning, size, both in territorial and population terms, was an issue of grave concern. “Throughout the antebellum era,” writes Zagarri, “Americans made a fundamental assumption about the relationship between state size and population. State size, they believed, provided an index to a state’s future population growth.”\(^{15}\) Limited geographic size meant limited room for movement and growth; small states would always remain small while large states might increase in size and population indefinitely.

\(^{13}\) Ibid., 65.

\(^{14}\) Ibid., 4. This is not from an explicit quote, rather a gathering of information from across the page.

\(^{15}\) Ibid., 6.
A series of changes and compromises, of trial and error, moved the convention towards a plan that every state could live with, but that none loved wholeheartedly: equal representation in the Senate and representation in the Houses of Representatives divided proportionally to the amount of taxes each state would pay based on population size, aided by a decennial census of the United States.\(^{16}\) In the end, small states achieved more than their fair share of power in the Senate, and surrendered some of their autonomy and interests in the House of Representatives. But within the several states, the debates continued to rage.

Virginia, a large state in both population and western lands, suffered from significant internal conflicts over representation in the state legislature, while also remaining subject to the same national discussions about capital placement and apportionment that were sweeping every state in the Union in the late eighteenth century. Zagarri begins to construct her argument about large-state versus small-state conflict by examining first how each state attempted to deal with its own size issues from 1776 on. In most cases, small states and large states went in opposite directions on issues related to geography and population size. Virginia was no different.

As former colonies got down to the business of writing new state constitutions and reconstructing their governing bodies, writes Zagarri, politicians became concerned with ensuring that all regions of a state would have an equal voice in their state government. In states with significant frontiers, Zagarri explains that it was a matter of course for citizens to expect that frontier populations would be less well represented in the state legislatures than their eastern brethren. Zagarri quotes a commentator from

\(^{16}\) Zagarri, *The Politics of Size*, 79.
1780 Massachusetts to support her point: “It is probable, by Reason of their different situations, that many of the more distant Towns will generally omit the full Exercise of their Rights, and that those at or near the Center of Government will exercise them in their full Extent.” Distance from government was seen as a predictor of how well the government could reach into a community and how well a community could participate in its government. Just as Dahl and Tufte surmise for twentieth century polities, participation in the eighteenth century was in large part dictated by each citizen’s ability to communicate with his or her government, often an impractical task for citizens laboring from dawn to dusk to support their families. Fair representation in the halls of government seemed, in both ages, to be the best remedy.

In the fervor of Revolutionary rhetoric and democratic impulses, citizens who recognized this discrepancy between eastern and western representation sought a remedy in moving their state capitals from their original locations to a new, hopefully optimal places. As James Madison would write in *Federalist No. 14*, “the natural limit of a republic, is that distance from the centre, which will barely allow the representatives of the people to meet as often as may be necessary for the administration of public affairs.” That “centre” was of crucial concern, for it implied that anyone trying to reach the capital would face an equal distance and an equal amount of hardship in getting there. If every representative had the same distance’s worth of obstacles to face between their homes and the capital, more of them were likely to show up when sessions convened.

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17 Ibid., 21.

“Equal access to the assembly, it was thought,” observes Zagarri, “would facilitate more equal representation in the legislature.”

Virginia’s House of Burgesses met for the first time in 1619, the first democratically elected legislative body to convene in British North America. Like most early capitals in the American colonies, Virginia’s legislature was established near the seacoast, intentionally and inevitably close to where most original settlement in the colony had begun. A century later, settlement in the western lands, throughout the Shenandoah Valley and into the Alleghenies, began in earnest, and the promise of open land and opportunity drew many poor easterners and new immigrants to the colony westward. Although the Royal Proclamation of 1763, which forbade further settlement past a line drawn along the Appalachian Mountains beyond which rivers flowed west (rather than east) impeded western settlement for over a decade, by 1775 there were around 30,000 white settlers living in the territory that would become West Virginia.

In 1780, Virginia embraced centralization arguments and moved the state legislature from its home in Williamsburg to Richmond. Richmond was chosen as an approximation of Virginia’s demographic center, as no exact census data was yet available. While small states busied themselves relocating their capitals to more geographically central spots, large states such as Virginia chose their new sites with an eye towards trends in population growth. Both were making political decisions meant

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22 Ibid., 9.
to bolster equal representation and appease demands for centrality, but their methods of solving this issue revealed a fundamental effect of state size on governance. As Madison had observed, the distance between citizens and their government mattered deeply to early Americans; any failure to affect a balance between one regional constituency and another within a single unit led to conflict and inevitable change.

Reforming Richmond

From 1700 to 1767, colonial Virginia established an average of five new counties every decade. Each new county was apportioned two delegates to represent the territory in the House of Burgesses, the same number enjoyed by existing counties. This system of territorial apportionment benefitted eastern Virginians exceptionally well, for the smaller number of wealthy planters and merchants who lived in the Tidewater and the Piedmont regions of the state owned and occupied a great deal of land. They did not, however, have a significant number of neighbors. New counties further west were primarily populated by family farmers and tradesmen; there were more of them but they held proportionally less land. The problem with this arrangement was subtle but significant. “These nineteen thousand [electors] living in one part of the country,” wrote Thomas Jefferson in his 1794 Notes on Virginia, “give law to upwards of thirty thousand living in another.”

By the early republic’s new democratic standards of equitable access and actual representation, this imbalance was an insult both to western Virginians and to democracy itself. Throughout the Union, large and small states were confronting the same issue.

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23 Ibid., 43.

But change came slowly. In the first phase of the Early Republic, from 1776 to the outbreak of another war with Britain in 1812, Zagarri notes that “less than half of the original thirteen states chose to reapportion their legislatures on the basis of population.”

Virginia was one of the states that abstained from such a change, but among the large state bloc, only North Carolina refused as well.

History was part of the problem. Zagarri points out that even throughout the colonial period, governments had struggled with how best to allow frontier regions to be represented in local government. Increasing territorial and population size meant increasing concerns and increasing distance from the government to those concerned parties. Territorial and population growth required a certain amount of political flexibility that was hard to achieve even within a single colony, let alone as part of a relationship to a governing body 3,000 miles away across the Atlantic Ocean.

In *The Disruption of Virginia*, James M. McGregor relied on newspaper accounts, census data, convention proceedings, and personal letters, among other primary sources, to document the slow yet steady decline of the unified Virginia. The decennial censuses of 1790 and 1800 began to provide politicians and community leaders from western

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25 Ibid., 40.

26 Ibid., 42. Zagarri does not explain specifically why Virginia and North Carolina chose not to embrace representation systems based in population, but Virginia’s seventy-five years of strife over this issue probably answers that question: as western populations began to grow and even eclipse eastern numbers, eastern power brokers refused to surrender the authority they still held. My research for this project does not extend into North Carolina, but the history presented by John C. Inscoe in his *Mountain Masters: Slavery and the Sectional Crisis in Western North Carolina* (Knoxville, Tennessee: University of Tennessee Press, 1996) might reasonably suggest North Carolina suffered from the same geography-based divisions as Virginia. Eastern North Carolina planters and western mountaineers often found themselves and their interests at political odds.

27 Ibid. This issue has a direct connection with the issue of size versus growth. A larger region can perhaps survive as long as it does not get any larger. Perhaps it is growth that is the issue, not just size.
Virginia with solid evidence that the west was growing in population at a far faster rate than the east. Sectional rivalries within the state first reached a political tipping point in 1816, when representatives from 51 counties met at Staunton, Virginia to define their grievances against the Richmond legislature and draw up a series of demands. Quoting from the *Memorial of the Staunton Convention*, McGregor notes that the “chief ambition [of the delegates] was to provide for the amendment of the state constitution ‘so as to give a fair and equal representation to every part of the state in both branches of the legislature.’”28 The convention ended with little consequence, but discontented parties had officially begun to raise their voices in dissent.

Within a year, legislators began to present bills in Richmond calling for a new constitutional convention. In 1823, some even advocated for removing the capital from Richmond to some place further west, closer to the new demographic center of the state.29 Nothing came of the suggestion, but the forces for change were growing stronger. By 1828, a referendum on calling a new constitutional convention was put to a popular vote and was approved by a count of 21,896 to 16,646.30 McGregor makes sure to note that seven-eighths of the Tidewater region voted the measure down. Nevertheless, a convention was called and a date set for October 5, 1829.31

Before the delegates even arrived, however, the central issue of representation came to the fore. The legislature was responsible for determining how delegates would

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29 Ibid., 32.

30 Ibid., 33.

31 Ibid.
be chosen and apportioned from around the state. The western caucus advocated for apportionment on the basis of the size of the white population, but they were overruled and every senatorial district was asked to send four delegates to the convention. Of ninety-six total delegates then, the Tidewater region was represented by forty-eight delegates, another twenty hailed from the Piedmont, and only twenty-eight combined from the Valley (between the Blue Ridge Mountains and the Alleghenies) and the Trans-Allegheny regions. Eastern interests were represented by almost 71% of the convention.32

The issues themselves were easily identified. “Before 1830,” writes McGregor, “the inhabitants of western Virginia, ‘the peasantry of the West,’ worked under almost every political disadvantage which could afflict a free people.”33 His statement may seem a trifle hyperbolic, but it reflects the sentiments of the citizens of western Virginia who had been living under what they considered an unjust system since 1776. The first Virginia constitution relied on a geographic method of representation, one which did not take population, tax payments, or racial make-up into account at all. Every county was apportioned two delegates in the House of Delegates and twenty-four senators were chosen from senatorial districts that were never subject to redistricting.34 As was the case in most of the United States at the time, only freeholders (landowners) were able to

32 Ibid., 34. “Stated more graphically,” writes McGregor, “362,745 white inhabitants in the Tidewater and Piedmont elected sixty-eight delegates and 319,518 white persons in the Valley and Trans-Allegheny were represented by twenty-eight delegates.” This calculation works out to about 1 delegate per 5,335 white persons in the east, and about one delegate per 11,412 in the west.

33 Ibid., 28.

34 Ibid., 28-29.
vote.\textsuperscript{35} This arrangement may have seemed fair in 1776, but western population growth in the decades that followed quickly threw such a system’s weaknesses into high relief. Between the census of 1790 and that of 1810, the population of some western counties increased close to fivefold: Harrison County grew from 2,080 persons to 9,958, Randolph County from 951 persons to 2,854.\textsuperscript{36} Imbalances in senatorial representation were worse, as McGregor points out. He notes that in 1810, 212,036 white people in Virginia were represented by four senators, while in another part of the state, thirteen senators were elected to represent 162,717 white persons.\textsuperscript{37} And yet, until 1829, the legislature in Richmond refused to even consider reapportionment.

A little over two weeks after the new constitutional convention assembled, the executive, judiciary, and legislative committees all reported out on their priorities for change. “Two great questions were under discussion the major portion of the time,” writes McGregor, “viz., the basis of representation and the extension of the voting privilege.”\textsuperscript{38} The judiciary and executive committees had little to report; their only suggestion, notes McGregor, was the abolition of the so-called Governor’s Council, “a body which had given offense to the west by its opposition to internal improvement.”\textsuperscript{39} The legislative committee, however, produced three distinct recommendations which together accounted for the great bulk of debate over the next thirteen months.

\textsuperscript{35} Ibid. In the era of Jacksonian politics, the cause of universal suffrage was gaining ground everywhere. It is not surprising or unique that Virginia would be compelled to face this issue in 1829-30.

\textsuperscript{36} Ibid.

\textsuperscript{37} Ibid.

\textsuperscript{38} Ibid., 37.

\textsuperscript{39} Ibid.
The legislative committee recommended 1) that representation in Virginia’s House of Delegates should be apportioned based on white population only (meaning that no enslaved persons would be counted), 2) that reapportionment should be calculated at least every twenty years after 1845, and that 3) the franchise ought to be extended to three additional types of citizens: leaseholders, significant taxpayers, and “owners of an estate in fee, in remainder, or in reversion.” Fair representation was the crux of the convention, for even suffrage and tax payments entered into their equation for what was equitable and what was not. Westerners believed that the unjust distribution of representatives meant that they were not being governed fairly, that their voices were not receiving their due and equal weight in Richmond. Wealthy eastern delegates argued that because a high proportion of the state’s operating budget came out of their coffers, that fact ought to be taken into account when apportioning representatives across the state. With by far the highest concentration of enslaved people in the state living among their counties, the eastern bloc also argued that, just as in the United States Constitution, the enslaved population ought to count somehow in the reckoning of population that led to apportionment. McGregor quotes a delegate of Chesterfield County, which abuts Richmond, who claimed that as enslaved Africans and African-Americans did the work of a yeomanry class in the east, they ought to be counted for representation just as equitably as the white yeomanry class in the west. Western delegates unsurprisingly took great issue with this argument and remained stalwart in their demands for representation based solely on each district’s white population.

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41 Ibid., 39.
McGregor writes that even at this early date, scarcely more than fifty years into Virginia’s statehood, several delegates at the Constitutional Convention of 1829-1830 suggested that the divide between eastern and western interests was so great that the only solution was dissolution.\textsuperscript{42} Indeed, the convention was so rife with conflict that barely anything changed. After almost a year of debate about the House of Delegates, the assembly moved on to discussion of the Senate. Ignoring the question of what representation ought to be based on, the convention ultimately voted to simply distribute a new total of 32 senators across the four regions of Virginia – “a virtual recognition of sectionalism,” asserts McGregor – and to set the House of Delegates at 134 members in total.\textsuperscript{43} The Governor’s Council remained intact and a last minute resolution to create a free public school system was roundly defeated. On January 14, 1830, the convention came to a close with a vote on the proposed constitution; not a single Trans-Allegheny delegate voted in its favor.\textsuperscript{44} When put to a public vote, the constitution was accepted statewide by a margin of 26,055 to 15,563, but a closer look at county-by-county regional voting reveals that the western citizens agreed with their delegates. In the northern Panhandle the constitution was rejected by a vote of 1,014 to 3.\textsuperscript{45} Western Virginians left the convention dissatisfied and disaffected, McGregor writes. As Delegate John Randolph noted in the final days of the convention, “Sir, I will stake anything short of my

\begin{thebibliography}{99}
\bibitem{42} Ibid., 40.
\bibitem{43} Ibid., 43.
\bibitem{44} Ibid., 45.
\bibitem{45} Ibid., 46.
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salvation that those who are malcontent now will be more malcontent three years hence than they are to-day."\textsuperscript{46}

\textit{One Last Try}

The grudging compromises of 1830 lasted two short decades. Throughout the 1830s and 1840s, Virginia was undergoing a number of cultural and political changes that rocked the population base. As Joan E. Cashin has pointed out, large-scale tobacco farming and agricultural practices that continued to favor clearing large swaths of land and dividing large inheritances equally between sons was fast eroding and wearing out the soils of eastern Virginia.\textsuperscript{47} The financial Crisis of 1837 had taken a huge economic toll on all of the United States, and young men in Virginia, as elsewhere, where heading west in ever-growing numbers in search of better land and prosperity. “Emigration from the eastern counties was taking place to such an extent,” writes McGregor, “that many of them showed an actual decrease in population.”\textsuperscript{48} McGregor asserts that while calls for integrating the tax system into apportioning representation grew in strength and volume, some Virginia politicians became concerned that the young men of the state were emigrating west, significantly to the old Southwest, because they were not sufficiently tied to the Virginian political community. If these young men were able and encouraged to take a larger hand in their own government, they would doubtless feel compelled to stay.\textsuperscript{49} To this end, in 1850, yet another constitutional convention was called.

\textsuperscript{46} Ibid., 45.

\textsuperscript{47} Cashin, “Landscape and Memory,” 477.

\textsuperscript{48} McGregor, “The Disruption of Virginia,” 57.
Ultimately, the convention was postponed until January 6, 1851 in order to allow the results of the 1850 national census to be determined and distributed.\textsuperscript{50} The committee appointed to submit proposals for representational reapportionment in Virginia drew up two plans: the eastern faction of the committee favored a plan that assigned delegates based on population and taxation, apportioning at least one delegate for every county that contributed one seventy-fifth of the state’s tax revenue in addition to the delegates they received based on population size. Characteristically, the western delegates preferred a plan that based representation solely on the white population of each county. Neither plan was found acceptable to the larger convention and so a new committee was appointed.\textsuperscript{51} Throughout the convention, the threat of state dissolution was raised and brandished, but still it did not come about. The final compromise reflected the arrangement the national Constitution had finally settled upon: western districts were assigned enough representatives to control the lower House of Delegates, while eastern interests would be able to control the upper Senate. The arrangement was not equal, but it was acceptable, at least for the moment. The next round of reapportionment was set for 1865, but by then the question would be moot. The Convention of 1850 had created other problems, as well. Sections 23 and 24 of the new constitution allowed for all property to be taxed based on its full value; all property, that is, except for enslaved

\textsuperscript{49}Cashin, “Landscape and Memory,” 477; McGregor, “The Disruption of Virginia,” 57. The old Southwest encompasses the territories, and eventually states, that made up the most southwestern portion of the United States before the addition of the Mexican Cession and the Gadsden Purchase. This land makes up the modern states of Mississippi, Louisiana, Arkansas, Texas, and some more southerly parts of Tennessee, Kentucky, and Missouri.

\textsuperscript{50}McGregor, “The Disruption of Virginia,” 59.

\textsuperscript{51}Ibid., 60-61.
people. These two sections required that enslaved adults be taxed at $300 a head regardless of real value and that all slaves under the age of 12 be taxed not at all.\textsuperscript{52} Sean Patrick Adams notes that perhaps one reason why the Constitution of 1850 seemed to quiet so many dissenting voices was because it managed to significantly reduce the time the Virginia statehouse would spend legislating at all. “In the interests of limiting local legislation in areas such as divorces, borrowing money, and debating internal improvement schemes,” Adams writes, “the delegates agreed to limit the legislature to biennial sessions limited to ninety days.”\textsuperscript{53} Over the next decade, then, the Virginia legislature would theoretically only meet for 450 days, barely 64 weeks in a ten year period. “For Virginians interested in industrial development,” as western Virginians who were eager to expand the growing coal industry surely were, “the lack of an annual session created major problems.”\textsuperscript{54} Adams specifically writes about the harm done to corporate chartering and business development, but the larger problems seem all too obvious. How could an assembly of such divided interests hope to stay in tune with one another if they failed to meet except for three months every other year?

\textit{Conclusion}

History books often summarize or even overlook the fact that America’s Founding Fathers regularly disagreed with each other about the best way to move a new democracy forward. Although men like George Washington, Thomas Jefferson, and James Madison often called upon millennia of western European thinking on how

\textsuperscript{52} Ibid., 65.


\textsuperscript{54} Ibid.
population and territory size can affect a democracy, the wisdom they gained from this education frequently left them on opposite sides of critically important arguments. What history books often leave out entirely is the fact that the same debates that were waged on the national level were playing out on the state level, as well. From New Hampshire to Georgia, America’s states wrestled with how to build and apportion their own governments and how best to reach their citizens.

Virginia’s first constitution established a system of state government that was plagued with inequities. Moving the state capital to a more central location was not enough to appease the interests of both east and west, not while the method of apportioning representatives remained so starkly unequal. Consequently, Virginia’s population spent the next seventy-five years pursuing two very different visions of fair and effective governance. Wealthy, slavery-dependent easterners fought to maintain control over the legislature in Richmond, arguing that their wealth and traditional roles as powerful landowners merited their position of strength. Westerners, on the other hand, argued that their numbers alone, in a fair society, ought to justify a larger say in a central government. Both sides saw the other as a potential threat to their way of life and the services and government aid they needed to prosper. As fellow citizens in a large state, each population sought what it felt was its due voice in the decisions made in Richmond, but neither felt they had it. Because of inadequate representation, Virginia failed to provide its western citizens with the kind of access and influence they needed to feel their government was effective. For them, Virginia’s system of republican democracy was failing.
Despite the advent of telephones, internet, automobiles and airplanes, it is hard not to question whether the same issues of access and proximity that plagued the young United States might not still be relevant today. As Alexander Hamilton once wrote, “Distance has a physical effect on men’s minds.” Modern technology may have significantly decreased the inconvenience of the barriers which nature built between early Americans and their governments, but it has not erased the fact of nearly 6,000 miles between the national capital and the furthest state. Washington, D.C. may once have counted a good approximation of the nation’s center – indeed the 1790 census showed that the country’s population center was a point some 23 miles east of Baltimore, fairly near the District of Columbia – but this is hardly true today. In fact, D.C.’s location goes against the notion of government centrality that dates all the way back to Aristotle, who, as Zagarri notes, in Politics “described the ideal seat of government as a ‘common centre, linked to the sea as well as land, and equally linked to the whole territory.’” By this estimation, a better national capital for the United States might sit somewhere in Missouri, on the Mississippi River, hundreds of miles west of its current location.

It is undeniably fair to ask, also, whether Wyoming’s approximately 584,000 citizens ought to have more electoral votes than Fairfax County, Virginia’s 1.14

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56 Ibid., 31n87.
57 Aristotle, The Politics of Aristotle, trans. Ernest Barker (London, 1974), 307, quoted in Zagarri, Politics of Size, 27. Zagarri does not provide the publisher for the copy of Politics she used, but as Barker’s translation appears to be in the public domain, I found it had been reprinted repeatedly by such publishers as the Oxford University Press.
Can Fairfax’s citizens expect their representatives to have as influential a voice in Congress as Wyoming’s? Theoretically Fairfax also has one Representative and two Senators to see to her needs. What is fair and what is practicable in a country as large as the United States is hard to say, but if Dahl and Tufte are to be believed, the quality of republican representation must remain equal and exemplary across the continent (and across an ocean, if Hawaii is to remain in the Union), in order for American democracy to work. Virginia’s final dissolution, examined in the next chapter, illustrates how vulnerable to these challenges a republic can be and what happens when that republic reaches a breaking point.

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CHAPTER 4
SECESSION

Introduction

Historians argue regularly about when and whether the American Civil War ever became inevitable. They point to events like the Dred Scott Decision, the breakdown of the Second Party System, and the day when South Carolina’s Representative Preston Brooks took a cane to Massachusetts Senator Charles Sumner on the floor of the United States Senate and nearly killed him. They also argue about whether or not the war was necessary to bring about the end of slavery. In the 1850s, the views of slaveholders and abolitionists were at extreme odds, with no end or compromise in sight. Yet, in 1888, Brazil became the last western nation to abolish the practice; it is hard to imagine that American slavery would have lasted much longer in such an international environment.¹

There is, however, little doubt that slavery was a root cause of the conflict. Perhaps the best way to put it is “necessary but not sufficient.” A month after Confederate President Jefferson Davis was sworn into office, Confederate Vice President Alexander H. Stephens told a crowd in Savannah, Georgia that the government of the new Confederate States of America rested on the idea that blacks were innately inferior beings. “[The Confederate government’s] foundations are laid,” he said, “its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race, is his natural and moral condition.”² Davis himself told the new Confederate Congress that the North’s determination to surround the South with Free States would render their enslaved property insecure and worthless. “With interests of such overwhelming magnitude imperiled,” he declared, “the people of the

¹ Kolchin, American Slavery, 232.

² Dew, Apostles of Disunion, 14.
Southern states were driven by the conduct of the North to the adoption of some course of action to avert the danger with which they were openly menaced.”³

By 1861, the slavery debate had been an overtly sectional conflict for four generations. This language of regionalism continues to be used today to teach schoolchildren about the war that nearly ended the American experiment in democracy: the War Between the States, the War of Northern Aggression, the Southern Rebellion, etc. Virginia certainly continues to struggle with a mixed heritage of Confederate legacy and Washington-centric urbanity. When Governor Robert F. McDonnell signed a proclamation declaring April to be “Confederate History Month” in 2010, he was both rebuked by Democratic leaders across the state (McDonnell’s two predecessors, both Democrats, had refused to sign the proclamation) and applauded by many in his conservative base. Central to much of the criticism was the fact that McDonnell’s proclamation included no mention of slavery and its role in the war. Quoted in a Washington Post article from April 7, 2010, “McDonnell said he did not include a reference to slavery because ‘there were any number of aspects to that conflict between the states. Obviously, it involved slavery. It involved other issues. But I focused on the ones I thought were most significant for Virginia,’” namely, the men and women who had fought, died, suffered and sacrificed for the Confederacy.⁴ McDonnell’s proclamation did not include any mention of the creation of West Virginia, either.

With South Carolina’s secession from the Union on December 20, 1860, the die was officially cast.⁵ It was time for every state in the Union at last to choose a side. Western Virginia, however, now faced a double choice: stay with Virginia and leave the Union, or leave Virginia

³ Ibid., 15.


⁵ Dew, Apostles of Disunion, 27.
and become an independent member of the United States. Western Virginian politicians called upon both practical wartime concerns and long simmering grievances to persuade each other and their constituents to take the last step toward new statehood. In a country torn apart by secession, they were ready to invoke the same principles themselves. It was time for 75 years of internal friction to come to an end.

Secession I

Abraham Lincoln was elected President of the United States on November 6, 1860. South Carolina seceded just over a month later. Other southern states soon followed South Carolina’s lead, but Virginia, taken as a whole, was no clear secessionist. John Smith Preston, a secessionist commissioner sent from South Carolina to convince Richmond of the wisdom of joining the Confederacy, put the matter succinctly when he wrote home to his governor in February 1861 that “Virginia will not take sides until she is absolutely forced.” Across the state there were pockets of extreme Southern-rights secessionists ready to take up arms at any moment, and communities of citizens who were recent immigrants from Northern states and had no attachment to the South whatsoever. The majority of Virginians seemed most interested in preserving the Union and protecting Southern rights at the same time, giving up neither one for the other. Although Governor John Letcher (himself a westerner) did call for a special session of the General Assembly on the day after Lincoln’s election, November 7, 1860, for the purposes of considering what the state should do now that a Republican was headed for office, he set the session to begin on January 7, 1861, giving the state’s citizens and leaders time to settle down and see what the rest of the South would do before deciding on a course. Fletcher even attempted to serve as a leader in the movement for reconciliation in the Union, calling a Peace Convention of

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8 Rice, *West Virginia*, 112.
the states to be held in Washington, D.C. on February 4. Some states did in fact send delegates, but the Deep South did not, and nothing concrete came of the meeting.9

Even as Letcher pursued his plan for peace, the Virginia legislature opened the door to war. On January 19, the General Assembly called for a special convention to meet in Richmond on February 13 to decide whether or not the Commonwealth of Virginia would secede from the United States. In an effort to win favor from the disaffected west, the General Assembly agreed that delegates to this convention would be apportioned based only on the white population of the state and agreed to consider other reforms for which the west had been clamoring for years. Prominent western delegates to the February convention included men like Waitman T. Willey and Franklin P. Turner, who wasted little time in presenting these reforms before the convention, calling for the entire legislature to be reapportioned upon the basis of Virginia’s white population and insisting that the tax code be amended to tax enslaved property at full value.10 Both of these issues had been discussed and shut down during the Constitutional Convention of 1850-1851. Yet despite eastern Virginia’s initial promises to consider reforms, their words turned out to be little more than empty carrots, dangled in front of western delegates to bring them to the table. Despite Willey and Turner’s efforts and entreaties, no reforms were enacted.11

Then came the events at Fort Sumter, where the first shots of the war were fired on April 12, 1861. Just over a month into his first term, Lincoln sent out a call for 75,000 volunteers to suppress the rebellion.12 “Only then,” writes historian Charles B. Dew, “did the Virginia convention become what [the secession commissioners] Preston, Henry Benning, and Fulton Anderson had tried to make it become – a force for disunion and an agent of the state’s

9 Ibid., 114.

10 Rice, West Virginia, 115.


12 Delbanco, The Portable Abraham Lincoln, xxxvi. Lincoln was inaugurated on March 6, 1861.
On April 17, 1861, the Virginia convention adopted secession and set a statewide referendum on the subject for May 23. But it no longer mattered. On April 19, Letcher sent word to Confederate President Jefferson Davis that Virginia wished to “enter an alliance, offensive and defensive” with the Confederate States, and named Robert E. Lee commander of all of Virginia’s military forces. Less than a month later, on May 7, 1861, two weeks before the scheduled referendum, Virginia officially entered the Confederacy, and by June Richmond had become the capital of the Confederate States of America.

Conventions at Wheeling

In the 1860 presidential election, John C. Breckinridge, one nominee of a divided Democratic Party, narrowly carried western Virginia’s popular plurality, with 21,908 votes. John Bell of the Constitutional Union Party gained 20,997, and Stephen A. Douglas, the second Democrat, picked up 5,742. Most of the 1,929 votes Lincoln received from the entire commonwealth of Virginia came from the Northern Panhandle, where larger communities of northern immigrants turned out to deliver 1,402 votes for the Republican candidate. Otis Rice notes that “most West Virginians who voted for Breckinridge evidently did so in the belief that he stood for both the Union and Southern Rights.” However, the Election Day victories of Lincoln and the Republican Party were not wholly interpreted in the west as a death knell to slavery and the Southern way of life. Many western delegates traveling to Richmond for Virginia’s

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13 Dew, Apostles of Disunion, 73.
14 Rice, West Virginia, 116.
16 Rice, West Virginia, 112.
17 Ibid., 113. Drawn from the writing of Waitman T. Willey.
convention on secession did so either as staunch Unionists, or as moderates willing to negotiate. Weeks of discussion and debate soon raised old arguments and enmities, however. Western delegates began once more to threaten their own secession, often repeating the demands made by their constituents. By the time Virginia was ready to consider secession seriously, western Virginians had realized they had much to lose, and little to gain, by leaving the Union.

Firstly, westerners had no reason to believe that secession would bring them the internal improvements, expanded industrial markets and equitable representation they so craved – a view that was reinforced by the secession convention’s unwillingness to enact reforms. Leaving the Union would merely deny westerners what benefits they might reap from relationships with their industrial neighbors Ohio and Pennsylvania. Secondly, many had very real and practical fears that secession would bring the full weight of the federal army down upon their heads – swiftly and finally. Federal troops moving along the B&O railroad and through Maryland and Pennsylvania would have little to no trouble occupying northwestern Virginia, at least, and would likely have no qualms about destroying infrastructure and harassing residents. Without good roads and river transport, and slowed by mountain travel, Confederate troops would have no way to stop them. And thirdly, many western Virginians simply did not feel that a step as radical as secession was necessary, for in this region Southern identity did not generally supersede national loyalty and the practical benefits of the Union.

In the end, western concerns were not enough to prevent or change the Richmond convention’s final outcome. Virginia’s Ordinance of Secession was adopted in April without western support.

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18 Ibid., 114.

19 Adams, Old Dominion, 26-27.
Rice observes that the event soon sparked a breakdown in western Virginia society.

Numerous officials resigned their posts, and civil government began to disintegrate in many counties. Bands of armed men, taking advantage of the confusion, roamed the countryside and intimidated peaceful citizens. Sensing a great moment in history, farmers left their plows, blacksmiths their anvils, and merchants their shops to gather and discuss the uncertainties of the future and courses of action.²⁰

Some westerners were actually in favor of secession; large pro-secession meetings were held in at least 21 of the counties that would become a part of West Virginia.²¹ But pro-Union sentiments soon coalesced into a stronger, more organized force. A mass meeting of 1200 pro-Union western citizens met a Clarksburg on April 22 and called for a convention to be held at Wheeling in advance of Virginia’s statewide referendum on secession, still set for May 23. The Wheeling Convention met from May 13-15 but its results were unclear. Delegates ultimately decided to postpone any real action until after the May vote.²²

The results of the referendum are fairly unsettled. Working in the early twentieth century, West Virginia historian Charles Henry Ambler placed the results of western Virginia’s votes at 44,000 against secession and about 4,000 in favor, but historian Richard O. Curry later disputed these numbers. Curry argued that only about 34,000 votes were cast, with 19,000 opposed to secession. According to Rice, the real numbers are unknown.²³ But the fact that Virginia had already entered the Confederacy before the

²⁰ Rice, West Virginia, 117.

²¹ Ibid., 113.

²² Ibid., 117-120.

²³ Ibid., 120. I saw these same numbers and this same argument between historians Ambler and Curry related in a number of texts, including Williams’ West Virginia, 81.
referendum was held makes it difficult to argue that western Virginia’s votes are truly reflective of anything: Virginia’s fate had already been sealed.

The Second Wheeling Convention met from June 11-25, 1861 and included delegates from 38 counties, including Fairfax and the City of Alexandria, both of which ultimately remained in Virginia. Suddenly wary of the monumental undertaking the creation of a new state would be, the convention’s delegates took steps first to reorganize Virginia’s government. Disavowing the newly Confederate government still operating in Richmond, the convention declared every public office held by a secessionist vacant and appointed new officers. The Reorganized Government of Virginia, with Francis Pierpont as governor, was established and recognized by President Lincoln in early July.24 The Convention then reconvened for an Adjourned Secession from August 6-21, 1861. The delegates ultimately settled on a “dismemberment ordinance” that included 39 counties, with the understanding that the inclusion of Greenbrier, Pocahontas, Hampshire, Hardy, Berkeley, Morgan, and Jefferson Counties, which made up the Eastern Panhandle and dipped down into the Valley, would be included in the new state – tentatively named “Kanawha” – if the majority of those counties’ voters approved. Western Virginia’s citizens would put the matter to a vote on October 24, 1861.25

James McGregor writes that “the differences of opinion that existed in Virginia in 1861 were not national in their character but entirely sectional, brought out at this time principally for the purpose of enabling the people of one small portion of the state...to

24 Ibid., 120-121.

25 Ibid., 123. “Kanawha” in reference to the Kanawha River and region.
accomplish something which they believed would benefit their locality...”

Ultimately, he argues, the western Virginia leaders who so eagerly sought the creation of a new state instead of secession were more concerned with enacting the threat they had so often brandished than with any real questions of national loyalty. Their priority was to establish the state they had wanted for so long. It would always be difficult to convince their regional constituents to take that final, unequivocal step towards independent statehood, no matter how unhappy they were under Richmond’s governance, but with war looming, many believed it was an actual matter of life and death. If the new state was ever to be created, the time was now. Yet, Rice notes “the deep divisions over the status of slavery in the proposed state” also gave the delegates of the Second Wheeling Convention cause for concern. Westerners had long regarded slavery with two minds.

The Slave Society and the Society with Slaves

It is necessary to recount the history of western Virginia’s final secession if the state is to serve as a case study for the modern United States, but the lesson of slavery in this history is harder to pinpoint. Legally, slavery does not exist in the United States today, and has not for 150 years. Yet, the legacy of slavery lives on in innumerable ways. A century after the 13th Amendment was ratified, President Lyndon Johnson signed the Civil Rights Act and then the Voting Rights Act in hopes of finally fulfilling its spirit. More than forty years after that, the first African American man was elected President of the United States, only to see new waves of racialized violence come crashing through the country and a new movement for racial justice rise out of its wake.

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26 McGregor, “The Disruption of Virginia,” 68.

27 Rice, West Virginia, 122.
Formal slavery may be gone (for, of course, tens of thousands of enslaved people still live and work in the United States), but the specter of slavery in American politics at the national and state level is still very much present, and very visible on a regional level.\textsuperscript{28} Given the large role the Peculiar Institution played in state politics in Virginia in the nineteenth century, it would be remiss to leave this subject out of this study.

Peter J. Parish writes of the “remarkable fact” of slavery’s rapid expansion in eastern Virginia and the larger Chesapeake Bay region after the turn of the eighteenth century. In the first decade of the 1700s, the number of African slaves imported into the region “was more than double the entire total for the seventeenth century.”\textsuperscript{29} Virginia’s early society had absorbed a slow uptick in its enslaved population with relatively little fanfare, for, as Parish continues, “servant and slave were terms which were virtually interchangeable” in the 1600s. Whether indentured or enslaved, the perils of colonial life were such that “in either case, the obligation might well prove to be for life.”\textsuperscript{30} By the early 1700s, however, as white settler societies stabilized and took root, not only were life expectancies in the New World lengthening, but the origin of these two racial populations was changing as well. White masters, born in British North America, now lived their whole lives as masters and employers. Black slaves, likewise born on American soil, lived their whole lives in bondage. By the early nineteenth century, these

\textsuperscript{28} Modern slavery continues to trouble the entire world. A 2013 report from the Walk Free Foundation found 29.8 million people were living as slaves, either through forced marriages, sexual slavery, forced laborers, child soldiers, etc. 60,000 live in the United States. For the full report: https://www.washingtonpost.com/news/worldviews/wp/2013/10/17/this-map-shows-where-the-worlds-30-million-slaves-live-there-are-60000-in-the-u-s/.


\textsuperscript{30} Ibid., 13.
generations of free men and slaves had grown, in the American South, into what
historians identify as a “slave society.”

The idea of a “slave society” as opposed to a “society with slaves” – a term often
used to describe the character of slavery in the northern American states before its
gradual abolition – can be difficult to grasp. David Blight defines a slave society as
follows:

…where the definition of labor, where the definition of the relationship between
ownership and labor -- is defined by slavery...Where slavery affected everything
about society. Where whites and blacks…grew up, were socialized by, married,
reared children, worked, invested in, and conceived of the idea of property, and
honored their most basic habits and values under the influence of a system that said
it was just to own people as property.

Ta-Nehisi Coates’s analogy of southern slavery as a “cancer that cannot be isolated”
provides another, rather more visceral way of understanding the concept. Yet, even
these definitions may not be enough to capture tangibly what it meant to live and operate
in a slave society, as opposed to living in a society with slaves. Modern, everyday
conceptions of slavery tend to be monolithic and characterized by clear definitions of
right and wrong, freedom and restriction. Would not a society with slaves also constitute
a slave society? What would be the difference, and why would it matter? The difference
is important because the history of slavery and its many forms is actually quite gray, on
the whole; rather than a cleanly defined thing, slavery is a spectrum.

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32 Ibid.

33 Ibid.
It is logical to argue that West Virginia was also a slave society in the centuries before the 13th Amendment mandated abolition; it was, after all, governed by the same laws as the rest of the commonwealth and enslaved people did live and work there. The rest of Virginia was unquestionably a slave society, one in which the existence of and reliance upon slavery permeated every aspect of life. However, it is also sound to make the argument that Virginia’s western counties constituted more of a “society with slaves” than a slave society, by Blight’s definition. Western Virginia slavery was somewhere else on the spectrum; slavery certainly existed there, but it did not define the world and worldview of all of western Virginia’s citizens as strictly as it did elsewhere in the South. In very real ways, western, mountain slavery differed from its eastern, plantation neighbor, and many eastern Virginians believed westerners’ practice and opinions of the Peculiar Institution were a threat to their slave society. Wilma A. Dunaway stresses that Appalachian slavery looked different from slavery in the rest of the South in a variety of ways, many of which come down to the fact that the majority of white westerners were not slaveholders and that workplaces were often a mix of races, ethnicities, and genders. She writes:

Such close workplace connections were the context for some ethnic mixing and accommodation between these groups. In spite of legal strictures, Appalachian slaves frequented the grog shops, restaurants, cobble shops, clothing stores and other small enterprises operated by poor whites…Illicit trading networks between blacks and poor whites were routine.34

And in contrast to significantly male labor forces further east and south, she writes that both in the fields and in domestic spaces, “females were overrepresented in the Appalachian slave population because owners valued women’s reproductive capacities.”

When male slaves were sold off for profit, female slaves guaranteed both continuous labor and the promise of a growing labor force.\textsuperscript{35}

Those slaves that did live in the west do not appear to have been put to precisely the same tasks as their eastern brethren. McGregor notes that in 1860, the largest slave-holding counties in eastern Virginia produced the largest amount of tobacco of any in the state. In western Virginia, however, those counties with the most slaves were only minimally engaged in raising tobacco; those counties where tobacco was most plentiful raised the same amount of the crop in 1860 as they did in 1870, when all the enslaved people had at least nominally been set free.\textsuperscript{36} Rather, slaves in the west were far more likely to labor on small landholdings or be hired out for industry. Dunaway also notes that Appalachian slaves were particularly vulnerable to being sold South; they made up nearly 20\% of all interstate sales between 1840 and 1860. At this time, many Upper South slaves were sold to the Lower South, where cotton planting had become exceedingly profitable. It paid far better to sell a laborer South than to keep him working at home in the mountains.\textsuperscript{37} As a result of these factors, among others, there were simply hundreds of thousands fewer slaves living in the west than in the east, a fact which no doubt contributed to a different mindset about slavery.

Not unlike the division between the antebellum North and South, eastern and western Virginians repeatedly clashed over slavery-based issues in politics, in economics, and in their daily lives. There was even a moment, in 1832, when the General Assembly

\textsuperscript{35} Ibid., 79.

\textsuperscript{36} McGregor, “The Disruption of Virginia,” 14.

\textsuperscript{37} Dunaway, \textit{Women, Work, and Family}, 85.
debated two proposals regarding slavery in the commonwealth which, had the votes gone the other way, might have changed the course of American history. The debates were a response to Nat Turner’s Rebellion, the bloodiest slave insurrection in American history. An enslaved preacher, Turner led about sixty other men to turn against their masters in Southampton County, Virginia in August 1831. They killed 58 men, women, and children, ransacked houses and destroyed property, but the rebellion was short-lived. Turner was captured on October 30 and hung 12 days later. All told, about 120 African Americans were executed in the aftermath. White Virginians cried out that something had to be done to ensure their safety; 40 petitions signed by about 2,000 Virginians flooded into Richmond. Some called for gradual emancipation, others for colonization or for the removal of all free blacks from the boundaries of the commonwealth. When the General Assembly session began on December 5, 1831, a committee was formed to consider the problem.

The debate was over by January 25, 1832, with every statute, and every slave, left pretty much in place. The committee decided that there was not a clear enough will among the people, one way or the other, to warrant action from the General Assembly.

As Erik S. Root notes:

The public debate reminded Virginians of longstanding differences between those living in the eastern and in the western parts of the state. Voters east of the Blue Ridge Mountains owned a majority of the state's enslaved population and vigorously defended their rights as slaveholders. Those west of the Blue Ridge generally favored emancipation.

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39 Ibid.
In fact, then Governor John Floyd, a native westerner, privately recognized this division and seemed willing to let the two sections of the state go in opposite directions on the question. He wrote in his personal diary his intention that "before I leave this Government I will have contrived to have a law passed gradually abolishing slavery in this State, or at all events to begin the work by prohibiting slavery on the West side of the Blue Ridge Mountains."\(^{41}\) There, Floyd believed, slavery’s hold was so tenuous it might possibly be eradicable.

The 1830 federal census found that, east of the Blue Ridge, enslaved blacks outnumbered whites 417,398 to 374,984. Once across the Blue Ridge Mountains, in the Valley of Virginia, the proportion of slaves to free whites reversed dramatically, to 34,804 to 134,825. And in the Trans-Allegheny, the numbers were 18,671 to 183,245.\(^{42}\) Many, but by no means all westerners were opposed to slavery for a variety of reasons. Many German religious communities (e.g. Mennonites, Moravians, and Dunkers), peopled by new immigrants and the descendants of established families alike, were antislavery and volubly so.\(^{43}\) McGregor writes that the Northern Panhandle’s antislavery stance was derived from the fact that the “close proximity of this section to Ohio and Pennsylvania [both Free States] made it difficult for the people to keep slaves if the latter desired to escape.”\(^{44}\) McGregor also notes that the area’s large foreign-born population

\(^{40}\) Ibid.

\(^{41}\) Ibid.


\(^{43}\) Dunaway, Women, Work, and Family, 30.

\(^{44}\) McGregor, “The Disruption of Virginia,” 12.
was unused to slavery and therefore opposed it. Across the region, opinions differed. “In contrast with this,” McGregor writes, “we have in the eastern Panhandle a population almost entirely native-born, a people who for generations had been accustomed to regard slavery with tolerance if not always with entire approval.”

As Sean Patrick Adams notes throughout Old Dominion, Industrial Commonwealth, enslaved laborers were certainly at work in the salt and coal mines of western Virginia, used in the transportation of goods and in the construction of roads and railways throughout the region. But they were not an omnipresent force, working in the fields and parlors of homes in every community. Fear of insurrection in a territory where whites outnumbered blacks nearly ten-to-one was nothing compared to living in a place where blacks made up more than 50% of the population. Dunaway writes that, “from the opening of regional frontiers to Euroamerican settlers, African-Americans played a key role in the political economy of Southern Appalachia.” Yet, she notes, western Virginia “had the lowest incidence of enslavement and one of the highest rates of white impoverishment in the country…” The existence of slavery in western Virginia did not enrich the white population that lived there. Instead, the strength of the institution in their state only hurt them. Slavery interests in Richmond curbed the west’s economic development at every turn.

In 1847, Henry Ruffner, then President of Washington College (now Washington and Lee University) wrote a speech entitled “An Address to the People of West Virginia,” in which he condemned the influence of slavery in the state. Ruffner argued

45 Ibid.
46 Dunaway, Women, Work, and Family, 78/12.
that the presence of slavery in the west discouraged new immigrants from settling in the state, damaged the growth of industry and agriculture, and weakened education.”

Far from a defining and bolstering facet of society, as it was in the east, slavery was an active hurdle in the mountains, one which westerners had to overcome in order to succeed at anything. It would be better, Ruffner argued, to allow gradual emancipation to remove this persistent trouble.

Yet, when the moment arrived in 1861-1862, and western political leaders were faced with the choice to allow or to abolish slavery within the boundaries of West Virginia, they hesitated. Some even went so far as to oppose the creation of a new state if it meant giving up slavery. Therefore, it is necessary to conclude that westerners were very much divided in their opinions of the moral and practical rightness of slavery. However, they did know, clearly and without doubt, that slavery presented a handful of serious legal and economic questions, all of which they had fought over for several generations. Should slaves be included in apportioning representatives? How should enslaved property be taxed? Was the continued security of the Peculiar Institution worth abandoning the Union and the legacy of the American Revolution? West Virginia may not have been a slave society, but it was undeniably a society with slaves.

Secession II

War came to northwestern Virginia, in particular, very quickly, and almost as quickly the whole of the area was under Union occupation. When voters went to the polls on October 24, 1861, ready to decide the question of western Virginia’s secession.

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47 Rice, West Virginia, 104.

48 Williams, West Virginia, 54.
from Virginia, the northwestern part of the state was solidly in Union hands and remained so for the rest of the war.\textsuperscript{49} In that, at least, Virginia’s prognostications were right: the northwestern part of the state was all but indefensible from Union Army forays. The military reality certainly paved the way for the October vote, and probably made the outcome somewhat inevitable. The Confederate Army’s “inability to mount a successful campaign,” writes Otis Rice, “made possible events at Wheeling that led to the formation of the Reorganized Government of Virginia and the creation of the state of West Virginia.”\textsuperscript{50} Less than 37% of eligible voters in the 41 counties that participated in the referendum turned out to cast ballots. Of those that did, 18,408 voted in favor of a new state. Only 781 opposed.\textsuperscript{51} This stark decisiveness – which would be repeated in every popular vote between that time and the moment West Virginia entered the Union – probably indicates less an overwhelming support for the new state, than that those who opposed its creation either believed West Virginia would happen with or without their approval, or were intimidated into staying home by new state supporters. Of the 41 counties included, 17 had previously voted for secession, and six of those provided no returns at all.\textsuperscript{52}

West Virginia’s First Constitutional Convention met from November 26, 1861 to February 18, 1862.\textsuperscript{53} Once the delegates had settled on the name “West Virginia” (“Kanawha” was deemed too hard to spell), they set about arguing over the new state’s

\textsuperscript{49} Rice, \textit{West Virginia}, 126/140.

\textsuperscript{50} Ibid., 126.

\textsuperscript{51} Ibid., 140.

\textsuperscript{52} Ibid.

\textsuperscript{53} Ibid.
boundaries.\textsuperscript{54} The debates continued throughout the convention, into the halls of the United States Congress, Lincoln’s Oval Office, and eventually the Supreme Court when, after the war was over, Virginia petitioned to have some counties returned to the state. The lines between West Virginia, Ohio, Kentucky, Maryland, and Pennsylvania were already set, but the counties that spread out from the hills of the Alleghenies were divided. The Potomac counties, including Jefferson, Berkeley, and Morgan counties, contained both Unionist and secessionist sentiments, as did the line of territory that bordered the Valley – Hardy, Pendleton, Pocahontas, Greenbrier, Monroe, and Mercer counties. West Virginia’s new leaders disagreed on whether or not these counties should be included in the new state but ultimately listed them in proposed boundaries. John Williams argues:

\begin{quote}
...expediency was even more nakedly at work in the inclusion of the Potomac counties, although here, too, a unionist minority lived whose real or threatened oppression might be summoned to justify the act. The B&O Railroad was the real reason for creating this ‘eastern panhandle.’ …to remove every mile of B&O track from the reach of Virginia.\textsuperscript{55}
\end{quote}

On February 18, 1862, the convention accepted a constitution that included 48 counties and offered Jefferson, Berkeley, and Frederick counties the opportunity to join the new state if voters wished it. The constitution was accepted by a public vote, and was sent on to Congress in May.\textsuperscript{56}

The months of debate that went into deciding which Virginia counties would break off to become West Virginia demonstrate just how difficult it can be both to define

\textsuperscript{54} Ibid., 141.

\textsuperscript{55} Williams, \textit{West Virginia}, 77.

\textsuperscript{56} Rice, \textit{West Virginia}, 146. Jefferson and Berkeley counties did become a part of West Virginia, Frederick County ultimately stayed in Virginia.
a geographic region and to convince a border zone, murky by definition, to choose a side. The original “dismemberment ordinance” that announced the west’s intention to leave Virginia listed 39 counties, while the committee that was tasked with defining the new state’s boundaries at the First Constitutional Convention suggested a total of 71.\textsuperscript{57} Williams writes that “whenever dismemberment had been discussed in the past, the Blue Ridge was usually assumed to be the point of division…but the majority [of convention delegates] wished to avoid the Valley and Southwest Virginia’s large number of Rebels and slaves.”\textsuperscript{58} The Valley had, after all, long possessed a stronger Virginian identity than her neighbors further west, and it made sense to leave out a section of the state that had never particularly identified itself with western causes.

When the Reorganized Government of Virginia officially approved West Virginia’s secession on behalf of the Old Dominion, they included 48 counties in their judgment. John S. Carlile submitted to Congress the bill that would make West Virginia a state. Much to his colleagues’ surprise, he included 63 counties in his request, including 12 that had already been nixed by the constitutional convention. His bill was eventually pared down. A Second Constitutional Convention submitted a new constitution to the voters in March 1863, and it was approved by a margin of 28,321 to 572. When West Virginia finally entered the Union, on June 20, 1863, it did so with 48 counties in total.\textsuperscript{59} Whether or not secession was constitutional, that summer, West Virginia became the 35\textsuperscript{th} state to join the Union. “West Virginia embarked upon statehood with high hopes,”

\textsuperscript{57} Ibid., 142.

\textsuperscript{58} Williams, \textit{West Virginia}, 76.

\textsuperscript{59} Rice, \textit{West Virginia}, 146-153.
writes Rice, but not without a significant uphill battle ahead. “…The magnitude of the challenges, however, was matched by a confidence, whether justified or not, that the destiny of the state was now in the hands of its own people.”

Conclusion

After 75 years of profound political, economic, and social disagreements, western Virginia broke off from the eastern section of the state and formed a new political entity. Williams argues that without the Civil War, the unhappy west would never have been allowed to sunder the state. Unlike other states that had struggled with internal sectionalism, such as eastern and western Tennessee, North Carolina, and northern and southern California, in Virginia “the Civil War threw a military line across the state…cordonning off the most dissatisfied section….If this had happened elsewhere, other states might have divided, but it happened only in Virginia and only Virginia split.” He may well be right, for certainly at the time, secession meant war. Congress required that Virginia approve the secession of the west before it would recognize the new state, a task which the Reorganized Government of Virginia was happy to accommodate; the Confederate Virginia government at Richmond would almost certainly never have granted such consent.

Whether or not New Yorkers would be willing to lay down their lives to keep South Carolina in the Union today, however, is another matter, and likely one that cannot be easily answered. On the 2013 National Assessment of Educational Progress, only

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60 Ibid., 153.

61 Williams, West Virginia, 36.

62 Rice, West Virginia, 146.
about one-fifth of American students – 22% – tested proficient in civics and only 18% tested proficient in American history. It is hard to lay one’s life on the line for a concept, or a country, one does not understand or necessarily know anything about. It is hard to argue that the Union is worth preserving, if one cannot adequately explain why. A September 2014 poll conducted by Reuters/Ipsos even revealed that nearly a quarter of Americans, 23.9%, would be at least somewhat in favor of it if their state tried to secede. Just over half of Americans, 53.3% were opposed to secession, and the remainder was unsure. Once again, regional trends emerged, for while western states tended to be more in favor of the idea, northeastern states were more strongly opposed. In the end, however, if Montana decided to leave the United States, it is impossible to predict whether New Hampshire would try to stop it.

While the nation grappled with the constitutionality of secession on the battlefields, West Virginians chose their side, and Lincoln allowed it. Yet, geography continued to play a complicated and often muddy role in the politics of the new state. “West” Virginia had never been explicitly codified; indeed, it had never been necessary to define the section’s borders while it was still a part of Virginia. Secession forced that issue. Williams writes that the new state’s borders also failed to follow the dictates of geography:

For the benefit of Congress and posterity, [West Virginia’s leaders] described mountains of Alpine proportions and intricately traced the courses of rivers to

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justify Virginia’s partition, but the boundary they drew coursed diagonally across the top of mountain ranges and followed the watershed between eastern and western rivers for only 75 miles out of nearly 400 miles of border with Virginia.\footnote{Williams, \textit{West Virginia}, 85.}

Listening to Mother Nature might have saved the convention’s delegates weeks of arguments, and the new state’s citizens considerable frustration. But unsurprisingly, mankind once again tried to suit nature to his own needs, rather than to suit his needs to the landscape nature had set him. Defined by its geography from the outset, even West Virginia is an imperfect polity.
CONCLUSION
A RUBRIC FOR DISUNION

Introduction: Four Strategies

Secession is not the most likely, nor often the most desired outcome of political squabbling; it takes a lot for a population to decide to change a status quo which has often been in place for their entire lives, if not many generations. But an unsuccessful government, one that fails to meet the standards of citizen effectiveness and system capacity, will, over time, prove unsustainable. If people do not get what they want from their government, they will cease to believe in that government, and cease to follow its rules. As Thomas Jefferson wrote in the Declaration of Independence, “when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce [a people] under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.” Despotism does not always take the face of absolute monarchy or dictatorship; sometimes it looks more like a languishing factory and a burdensome tax bill.

The first step, as always, is to admit there is a problem. Although troubles within a polity are usually quite visible – declining rates of civic participation, violence between citizens and between citizens and law enforcement, economic stagnation or decline – Dahl and Tufte provide a simple formula for recognizing when those dilemmas have taken on a distinctly geographic hue:

If the application of uniform rules throughout a political system with given boundaries imposes costs (or loss of benefits) on some actors that could be avoided (with no significant costs to others) by nonuniform rules, then the boundaries of a political system are larger than the boundaries of the political problem.²

¹ United States, “The Declaration of Independence.”
² Dahl and Tufte, Size and Democracy, 133-134.
In other words, if applying different laws to different populations could solve any issues, or at least better address them, then the two populations should not continue to live under the same system of government. That is not unequivocally to say that they ought to live under totally separate governments, but something must change. Another system must be tried. In Size and Democracy, as outlined in the Introduction to this work, Dahl and Tufte lay out a series of stratagem which a polity with feuding regional factions can try in order to alleviate the situation:

The alternatives for citizens adversely affected by uniform rules are:
Strategy 1. Adjust unilaterally, either by accepting the losses or by discovering an alternative that avoids them.
Strategy 2. Engage in mutual adjustment by negotiation and bargaining.
Strategy 3. Create a subordinate authority with boundaries small enough to include only the disadvantaged actors by means of administrative or legal autonomy within a unitary system (decentralization), a federal system with constitutional autonomy for the smaller constituent units (federalism), or a confederation (confederalism).
Strategy 4. In the extreme case, separation into an independent, sovereign system: the ‘nation-state.’

The sequence of these strategies is not meant to imply any kind of inevitability or logical order from one to the next, and their clean, simple phrasing does nothing to evoke the years of strife and civil war that often occur between one phase and another. Rather, as Dahl and Tufte write, they are arranged “roughly in order of increasing political difficulty…” They are merely a set of suggestions for what a political group or groups can do to try to reconcile their differences. For the purposes of academic analysis, they also are a useful rubric for determining whether or not a polity can or could have been saved from dissolution. In the present tense, Strategies 1 through 3 should be tried and found to fail before a struggling polity takes up Strategy 4 and dissolves the political bonds that hold the state together. Looking backward at a disbanded union, it may be

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3 Dahl and Tufte, Size and Democracy, 134.
4 Ibid.
possible to see how Strategies 1 through 3 were employed and finally unsuccessful before the state gave up.

The object of this entire project has been to see how looking backward may help the present, and to examine how one polity’s experiences with these strategies led to the state’s ultimate division. How can the nineteenth century case of Virginia and West Virginia inform the twenty-first century conflicts between the regions and individual states of the United States? By taking these strategies one at a time and applying them to the case of antebellum Virginia, it is possible to determine whether or not the breakdown of the state was necessary in order to achieve good government. And by teasing out the threads of history, regional identities, and factional conflicts in the modern United States, it may be possible to see how many of these strategies America has already tried.

Strategy 1. Adjust unilaterally, either by accepting the losses or by discovering an alternative that avoids them.

It is certainly possible that a disadvantaged populace might just get over the fact of their disadvantage. There are, after all, many policies that may cause a certain amount of “harm” but are not worth breaking up a country over. Yet the alternative is true also. There are plenty of issues that may well be worth the division of a nation – certainly Southern state legislatures in the mid-nineteenth century felt that slavery was just such a question. (What caused Georgia to secede from the Union? asked secession commissioner Henry L. Benning. “It was a conviction, a deep conviction on the part of Georgia, that a separation from the North was the only thing that could prevent the abolition of her slavery.”)\(^5\) Although there is no great pile of evidence to suggest that many western Virginians attempted to simply get along with the status quo in their state before the war – people who are just getting along generally do not have rallies and other

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public pronouncements to celebrate it – there is ample evidence that many westerners refused to do just that. Western Virginians’ persistent calls for constitutional reform in their state, and the fact that even after two constitutional conventions they were still pushing their arguments in the very chambers of the secession convention, clearly demonstrates their unwillingness to “adjust unilaterally.” In western Virginia, Strategy 1 did not work.

This strategy is, after all, the weakest option a group has for addressing its injuries and contributing to a more successful government. Its fundamental passivity is not conducive to building strong civic bonds, and it rarely works over time. In the United States, a primary example may be communities of African Americans who, after the Civil War, continued to live in a world “half slave and half free.” Many found ways to live and get along under a horribly objectionable system for generations before their civic anger and desire for political and social rights boiled over in the Civil Rights Movement, and now the Black Lives Matter movement. In fact, a sizable number of Americans are active in their communities and willing to put in the time and effort to advance a cause they support. According to the National Center for Charitable Statistics, there were over 1.5 million nonprofit organizations registered in the United States in 2015, a number which includes everything from major foundations to Elks Lodges to youth baseball teams. The Corporation for National and Community Service found that 62.8 million American adults (25.3%) volunteered 7.9 billion hours of work in 2015.

The catch is that the percentage of American adults who volunteer on an annual basis has been dropping for over a decade. Anna Bernasek of Newsweek points out in a 2014 article:

…the total hours volunteered varies widely in different parts of the country…The reasons for regional discrepancies can’t be boiled down to a single explanation, but in general volunteering is more prevalent in the Midwest than in other regions. One factor that

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seems to influence volunteer rates is financial stress. Single-parent households and families where both parents work full time or hold multiple jobs have little extra time for volunteering.\(^8\)

It does seem to make a certain amount of practical sense that the worst financial crisis since the Great Depression would disrupt Americans’ willingness to give freely of their time, and ongoing uncertainties in the global economy may well exacerbate this problem. What is relevant to consider, however, is that regions with stronger cultures of civic engagement, indicated here at least by volunteering rates, may ultimately work harder to make their voices heard when their priorities come into conflict with another region’s interests on the national level. It is significant to note that, according to data from the Bipartisan Policy Center, the percentage of the Farm Midwest Voting Age Population that turned out to cast ballots in the 2012 presidential election was 67.46%, the highest of all regions tallied. The number nationwide was 57.5%, with the Southwest’s showing coming in at the bottom – only 47.09% visited the polls.\(^9\)

The trouble is that participation in a Parent Teacher Association does not affect official governance, unless that PTA goes canvassing for a School Board Election or something similar. There is a difference between being civically engaged and seeing that work translated into political action. However, the fact that civic participation and voting rates are both highest in the

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\(^8\) Anna Bernasek, “Volunteering in America is On the Decline,” *Newsweek*, September 23, 2014, accessed February 16, 2016, http://www.newsweek.com/2014/10/03/volunteering-america-decline-272675.html. Bernasek: “Utah tops the charts both for the number of volunteers relative to its population and the hours spent volunteering—more than 78 hours annually on average for all Utahans. It’s likely that the Mormon Church’s strong emphasis on volunteer work has a lot to do with Utah’s volunteer rates. At the other end of the spectrum is Arkansas, where citizens on average volunteer only a third as much time as Utah residents.”

Midwest does suggest a connection between the two.¹⁰ Both civic participation rates and voter turnout may well be declining in the United States, but it is unlikely that either will go away entirely. Western Virginians, after all, never gave up working for their civic needs in the face of decades of pressure and disappointment. Under Dahl and Tuft’s Strategy 1, the lesson West Virginia offers for the modern United States is that once a populace settles on a cohesive collective preference and clear regional identity, they are unlikely to stand for a status quo that hurts them. When two or more regions are at odds over the changes they wish to see made, they are unlikely to countenance giving up their own ideas in favor of other regions’. By virtue of geography, western Virginia could not have adopted the plantation economy that would have brought the area into better alignment with the rest of Virginia, so it was up to eastern Virginians in Richmond to approve and support the internal improvements and other civic schemes that might have unified the state. They did not do that. It is not that it is always impossible for opposing regions to accept their losses or to innovate a way of getting everyone what they want, it is just that whatever the problem is, it is not going to go away on its own. Regions and populations do not “adjust unilaterally” to accept fundamental inequalities.

*Strategy 2. Engage in mutual adjustment by negotiation and bargaining.*

Where Strategy 1 puts the onus of acceptance upon the aggrieved faction, Strategy 2 asks that all sides come together to find a solution that works for everyone. This idea, that all political problems can be solved if all sides are willing to accept compromises, is really at the crux of any argument about inevitability in the sociopolitical space. Geography alone did not doom eastern and western Virginians to politically irreconcilable differences and neither does America’s geography constitutes an absolute and unsurmountable barrier to a successful nation. The breakdown in Virginia’s body

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¹⁰ Correlation is, of course, not causation, but the nature of these two variables and their essential similarities makes it perhaps valid to believe that one may encourage the other.
politic was technically avoidable, and the same can be said for the United States.

Geography did shape the economic, social, and political desires of both sides in the Virginia debates, but had they wanted to compromise, they could have. If the two sections had been evenly represented in the Virginia General Assembly, they might have found ways to secure benefits for both populations. Had the east been willing to cede more state funding to internal improvement projects, they could have physically built new roads (canals, turnpikes, railroads, etc.) between themselves and their western colleagues. Had Richmond sponsored a more favorable industrial environment, the entire state might have benefitted from increased coal traffic in the Kanawha Valley and around Richmond, and the sturdier infrastructure it would have required to move large amounts of industrial product from one place to another. Even the issue of slavery might not have been such a touchpoint for social jealousies and political strife if either the east had accepted greater taxes on enslaved property or the west had accepted that the Peculiar Institution was a special case.

Time and time again, western Virginians accepted so-called compromises that ceded very little to their wishes and very much to those of eastern Virginia. From 1776 to 1861, the greatest political victory won by the west was likely the extension of universal white male suffrage, for they made little headway on any of their other significant demands, taxation and representation. Dahl and Tufte’s “mutual adjustment” can only be effective if both sides are willing to negotiate. In Virginia, this was very rarely the case.

Americans have a real participation problem when it comes to politics. In 2014, Pew Research Center conducted an extensive survey of more than 10,000 Americans to assess the state of Political Polarization in the American Public. To anyone who has
been paying attention to American politics in the last few years, their findings are not surprising, but they are both critically important and frankly disconcerting when it comes to assessing the country’s willingness to compromise on issues of nationwide concern.

Encouragingly, Pew found that 49% of Americans actually believe that when the President and Congress disagree, they ought to meet somewhere in the middle when making policy decisions, with each side achieving about half of what they want. The problem is that the half of Americans who feel this way do not vote.11

“On measure after measure,” the survey analysis reads, “whether primary voting, writing letters to officials, volunteering for or donating to a campaign – the most politically polarized are more actively involved in politics, amplifying the voices that are the least willing to see the parties meet each other halfway.”12 Since 1994, the percentage of Americans at either pole, those whose political opinions align wholly with one party or the other, has risen dramatically: the percentage of liberals in this category has quadrupled from 3% to 12%, while conservatives have bounced from 7% in 1994 to 3% in 2004 back up to 9% in 2014.13 Even when taking the 30,000-foot view, the gap between Americans’ ideological views is widening. Pew’s study found that today 92% of Republicans are to the right of the median Democrat, compared to 64% in 1994.


13 Pew Research Center, Political Polarization in the American Public.
Meanwhile, 94% of Democrats are to the left of the median Republican, as opposed to 70% twenty years ago.  

Perhaps unexpectedly, political participation even varies widely across those Americans who are most staunchly devoted to one party or the other. A tremendous 78% of consistent conservatives claim they always vote, while only 58% of consistent liberals say the same. Significantly, a mere 39% of those who hold a mix of liberal and conservative viewpoints report that they are regular voters. Given that politicians, by the very nature of the job, have to rely on constituent votes to maintain their positions of power, it is probably not surprising that they would follow the orders of the only Americans who vote. It may not pay to listen to that half of America that believes compromise should mean a 50-50 split if that half does not show up on Election Day. Politicians have no incentive to compromise when their active constituents do not want it. Pew’s research found that consistent conservatives and consistent liberals both felt their party should only give up about one-third of their position to the altar of compromise, and a smaller but distinct percentage, 16% of those liberals and a full 22% of those conservatives, believed their side ought to hold on to 90% of their goals.

Now, if all Americans who held rigorously partisan views were sprinkled across the United States in an even distribution, their power would likely be quite diminished, like a teaspoon of salt in a few gallons of water. In such a circumstance, real compromise

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might be possible because no one party would necessarily have a stronger voice or electorate than another. But they are not. Just as in western Virginia, geographic, social, and historical factors have combined to foster entire regions of the United States with concentrated political viewpoints. A review of partisan control in statehouses across the country and Electoral College maps from past presidential elections makes it possible to identify where particular parties have historically held sway and to assess whether or not those trends persist across entire regions.

Going back to 1964, the presidential election in which many of the Deep South states went red for the first time (having been mostly Democratic since before the Civil War), political regions do start to emerge, although none of them are entirely consistent across the last fifty years. There are cases, such as the elections of 1972, 1980, and 1984, in which a startling majority of the states voted Republican, and the election of 1976 when a Democrat from Georgia managed to turn most of the South blue for the first and last time since 1964. Elections like these are reminders both of how strongly the individual circumstances of each moment can influence elections, and of how regional loyalties can make a winning candidate out of an unpalatable party. But from 1992 on, several distinct regions do appear. The states of the West Coast now traditionally vote Democratic, while the Rocky Mountain states almost always vote Republican and the line from North Dakota south to Texas unfailingly do. The states in the Rust Belt most frequently go blue, and the states of the old Confederacy stay red – except when a former Arkansas governor managed to pick up a few in 1992 and 1996. New England has
remained a bastion of liberalism from 1992 on. Similar regional trends are noticeable in maps of statehouse control since 2009. Except for occasional splits in Oregon, West Coast statehouses have stayed consistently Democratic in the last seven years. From the Rocky Mountains to that same North Dakota line, they have stayed Republican, as has most of the Deep South. In a true nod to history, Virginia’s legislature has remained split every year.\(^{18}\)

As Dahl and Tufte point out, however, compromise in itself is not guaranteed to keep a polity together. The results of the compromise have to benefit everyone, at least to a noticeable extent, and cannot harm any subset of the population more than any other group. Gradual emancipation, for instance, would only have worked if eastern and western Virginia had each reaped an essentially equal share of benefit from the plan, and suffered the same losses – or had one side or the other not experienced any change in their situation at all based on the policy. The same is true for internal improvements and changes in the tax code. Adjusting the apportionment of representatives across the state would most assuredly have given the west a greater benefit while costing the east significant power, but whether that price would have been untenably high is difficult to say. Westerners, for instance, were not nearly as anti-slavery in their sentiments as easterners often portrayed them to be, meaning that reapportionment probably would not


have been as great a threat to the institution as the east feared. But that fear was incredibly strong, and in the end, it was the fear that mattered.

Since 1994, the proportion of each party with a “highly negative view” of the opposite party has more than doubled, according to Pew’s data. Today, 27% of Democrats and 36% of Republicans “believe the opposing party’s policies ‘are so misguided that they threaten the nation’s well-being.’” It is hard to promote or insist on compromise when voters believe that doing so might place the entire country at risk. Now, consider that these feelings are concentrated in particular regions of the country, many of which are further divided from one another by natural barriers like the Rocky Mountains, the Appalachians, and the Mississippi River. The potential effectiveness of Strategy 2, of “negotiation and bargaining,” seems weaker and weaker. Again, it is not that Strategy 2 cannot work in America, it is that currently and increasingly Americans are not willing to see it work.

**Strategy 3. Create a subordinate authority with boundaries small enough to include only the disadvantaged actors by means of administrative or legal autonomy within a unitary system (decentralization), a federal system with constitutional autonomy for the smaller constituent units (federalism), or a confederation (confederalism).**

Virginians never tried to solve their problems by fitting a new, Virginia-sized federal system into the boundaries of the commonwealth; indeed, no state ever has. Therefore, it is theoretically possible that had Virginia decided to split into two autonomous halves that simply answered to the same, paired down central government in Richmond, the state might have been able to carry on as one. However, that does sound

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20 Pew Research Center, *Political Polarization in the American Public*. 
impractical within the political parameters of the whole United States, and it would have meant designing yet another entirely new system of government in a state that had already seen a new nation and three state constitutions adopted in fewer than 100 years. Virginia would have been the only state to act thusly, and the arrangement would certainly have seemed odd. Given that colonial western lands and the nation’s collective western territory were slowly divided up into separate and independent states, it made much more sense to create an entirely new state than to try to create a new intrastate system.

City and county governments did, of course, exist across Virginia, with local leaders and law enforcement of their own. The Constitutions of 1830 and 1851 both outline several offices for each county court, prescribe some term limits, and set which offices were to be elected by the county or appointed by the courts or governor. But county institutions lacked the capital and the reach to facilitate the kinds of projects and wield the kind of economic and social influence that would have been necessary to constitute a decentralized system within the state. Slavery could not have been legal or illegal on a county-by-county basis, railroads are only useful if they go from one place to another, and manufacturing ventures generally require resources and a market that overspread a much larger territory. All in all, dividing up political power within the state even further would probably not have helped Virginia to divert dissolution. Not so long as the state remained a part of a larger Union.

In the history of the United States, Strategy 3 has been invoked and revoked a number of times. In fact, the first government the new nation formed in the late 1770s was a confederation. The Articles of Confederation were formally adopted in 1781;
Virginia was the first to ratify, in 1777, then war and Maryland’s obstinacy prevented their complete adoption for four more years. Their main function was to establish a central government that would conduct all of the young nation’s foreign affairs. Ultimately, the confederation failed because that same central government could not adequately address either foreign or domestic affairs. Too many of the new states abutted territory held by other nations – including Spain in Florida – and continued to enact their own treaties and commercial deals with these foreign powers.21 The Confederation government could not stop them. Shays’ Rebellion, a popular movement that pitted economically depressed, armed farmers against the government of Massachusetts highlighted the state and central governments’ inability to adequately respond to their citizens’ needs. Many politicians had already begun to call for a stronger central government and a new arrangement. Within months of Shays’ Rebellion, the Constitutional Convention was called.22

The fact that the Constitution has survived for well over 200 years with no more than seventeen significant changes (the Bill of Rights was adopted within two years of the Constitution’s ratification) is undoubtedly a testament to its brilliance and flexibility. But as the Nullification Crisis, the Civil War, and modern nationwide debates over the constitutionality of issues like gay marriage and gun control attest, it is not a perfect system. Many states and many citizens feel themselves to be unduly harmed by the laws of the U.S. Government, policies which other Americans find to be perfectly acceptable.


and even additive to their freedom and happiness. Missouri’s legislature, for instance, spent much of 2013 and 2014 attempting to pass legislation that would have nullified every federal gun law in effect within the state, even making law enforcement officials who tried to uphold those laws liable for civil damages.²³ Politicians from Ted Cruz to Texas state Attorney General Ken Paxton have argued that states and state officials should defy the Supreme Court and refuse to issue marriage licenses to same-sex couples. County Clerk Kim Davis made national news for her choice to personally nullify that decision.²⁴ But the simple fact is that nullification is not legal. Americans who disagree with a federal law or a Supreme Court ruling cannot simply choose to ignore it. They can, of course, work to achieve a constitutional amendment banning gay marriage, or mount a legal campaign to change the voting age, or any of an infinite number of things. Yet they must continue to work and live within the boundaries of the constitutional system.

But is that constitutional system truly fair? Is a government that accepts the constitutionality of gay marriage, or that favors gun rights over gun control, actually being responsive to the desires of all of its citizens? Given the wide gults in opinion across American regions, the answer is: arguably, not. Certainly the central government has a fundamental duty to protect the rights of all of the citizens, and especially to protect

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the rights of minorities (such as African Americans in the South or Mexican Americans in the Southwest) from an oppressive majority. But it is a rather subjective line to walk. Across the country, support for same-sex marriage has risen significantly over the last decade, and it is entirely possible that this trend will continue as more and more Americans know others who are in same-sex marriages or simply notice that their own lives do not change because of the Supreme Court’s ruling.\(^{25}\) The country did, after all, get used to interracial marriage after generations of anti-miscegenation laws were overturned. But the question is whether or not, by adjudicating constitutionality and uniform federal policy for the entire country, the Supreme Court or Congress or the President of the United States unnecessarily harms some citizens (or at least their preferences) by meeting the demands of others. A 2014 poll conducted by the Pew Research Center revealed that while less than half of Southerners (41%) support gay marriage, almost three-quarters of New Englanders (71%) do.\(^{26}\) A full 30 points separate the two regions. When the Supreme Court ruled on Obergefell v. Hodges and effectively legalized same-sex unions across the United States, at least one region saw their government live up to their ideals. For another region, their government failed them. In this case, as in so many, federalism did not save them from a policy they disagree with, but required that all regions submit to one national policy regardless of their particular preferences.


\(^{26}\) Ibid.
Strategy 4. In the extreme case, separation into an independent, sovereign system: the 'nation-state.'

Virginia’s secession from the Union in 1861 pushed the conflict between the eastern and western portions of the state over a precipice. If western Virginians were ever going to make good on their threat to leave the state, that was the moment to do it. They had, for decades, lived under a government that routinely and consciously put them at a disadvantage, a government that was extremely unresponsive to their collective preferences even when those desires were made perfectly clear. Even the most basic idea that a republican people should be able to cause change in their government by voting for the representatives that would actually champion their causes was denied them, because no matter how many western Virginians cast a ballot, they were still voting for a disproportionately small number of state officials. Based on Dahl and Tufte’s criteria for good government and the evidence laid out in Chapters 1-3 of this work, it is necessary to draw the conclusion that western Virginians suffered from very poor and even actively harmful governance.

There was nothing left to be done. Dahl and Tufte’s first three strategies did not save the unified commonwealth of Virginia from dissolution, and so the players were left with Strategy 4. In order to achieve responsive, adequate, good governance for the people of western Virginia, that part of the commonwealth had to secede and form an independent state. The context in which they took this step – that of all out Civil War – surely influenced the secession process and eastern Virginia’s reaction to the move. If other, more pressing wartime matters had not been occupying Richmond’s time – if federal troops had not defended the west’s right to leave – the east might have put up
more of or a different kind of fight. The federal government, too, might not have been so willing to allow the state to divide; after all, the heated Congressional debates that surrounded the entry of each new state into the Union thus far had been responsible for the Missouri Compromise Line, the Compromise of 1850, and the Kansas-Nebraska Act, among others. The creation of West Virginia was as much a product of its moment as of the previous 200 years of history. But, it did happen. West Virginia peeled itself off of Virginia and became a new state with full equality inside the Union. As the only successful secession movement in the history of the United States, it behooves the modern nation, itself so plagued with internal conflict, to discover what forces drove it and to question whether it might have been avoided.

Fundamental to this rift was each section’s particular geography and the regional identity it inspired. Towns and villages, religious congregations, economic markets, and social values all developed within the context of the land and how easy the landscape made it for one individual or groups of persons to reach each other. Where natural and manmade routes between them did not exist, the communities simply did not reach each other, did not interact and build networks of mutual knowledge, reliance, and community mores. Between the mountains and the lowlands there stretched an impassable divide.

The case of West Virginia offers a number of cautionary lessons for the modern United States, and they all come down to recognizing the primary role that geography plays in shaping personal and political identity. The land one lives on and traverses every day helps shape a person’s perception of the world, of what is possible and what is preferential, of what is priority and what is not. In the United States, whole regions of the country have developed these collective perceptions about themselves and about
outsiders. Regional loyalty has competed with national loyalty since the moment the Declaration of Independence was signed. For many very practical and quotidian reasons, as West Virginia demonstrates, those regional loyalties often win.

It makes sense that a group of people who share a common history, who speak the same language, worship at the same altar, and benefit from the same economic policies would feel a kinship for each other and expect their government to help them achieve the goals they deem worthy. Now, that is not to say that any region of the United States – or even of the world – is wholly monolithic in its ethnic and religious make-up, political opinions or social sensitivities. Basic human nature assures that that will never happen. But so long as the people of a particular place have enough in common to feel a bond of loyalty to one another, then that loyalty will frequently come into conflict with other peoples’ loyalties when multiple groups try to make decisions together. Without a consensus, a decision may not be possible. One group or other may decide, instead, to leave the table.

A plethora of factors go into determining which group may be the first to leave. “Often historic cleavages like race, religion, ethnicity, language, culture, and colony help map who will untie from a given country,” writes Juan Enriquez in his 2005 work The Untied States of America. “And they certainly explain a lot in retrospect. Pulitzer-winning historian Daniel Boorstin said planning for the future, without a sense of the past, is like planting cut flowers.”

There are reasons why New England in the 1810s and South Carolina in the 1830s and 1860s were more willing to make the leap to independent statehood than other sections of the country, reasons that had to do with

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history and regional personalities. Western Virginia had its own version of those reasons in the mid-nineteenth century, and every region of the modern United States has its own reasons today. Enriquez’s project is not to advocate for the “untying” of the American states, but rather to show that the federal union is not only fallible, but potentially ripe for dissolution. Look back to history, he writes, and track how quickly change may come: “There has yet to be a U.S. president buried under the same flag he was born under.”

Conclusion

Enriquez notes that untying is often initiated by the wealthiest sections of a state when they begin to feel that supporting the less wealthy sections has become a burden. “As favorite programs are cut, more folks may begin to ask themselves: ‘Why am I footing the bill for these bums?’ Which is why, often, it is the rich regions, not the poor, nor the ethnically conflictive ones, that untie first.” The forces of finite resources and government responsiveness clash when one section feels its capital is going to another section’s priorities, rather than its own. It is an argument that eastern Virginians often made when voting down internal improvement measures that would have primarily benefitted the west. Of course, in this case it was in fact the less wealthy section of the state that introduced the idea of untying, which would seem to go against Enriquez’s observation. But western Virginia was actually convinced that it would be financially better off without the east, since independence would leave them free to pursue their own economic ventures to the northeast and west, unhindered by Richmond and slavery interests. They too wanted the opportunity to use their resources for their own good.

28 Ibid., 25.
29 Ibid., 31.
By laying out a rubric for evaluating democratic governance, Dahl and Tufte make it possible to see whether or not a government is doing its job. If governments are legitimate, “deriving their just Powers from the Consent of the Governed,” then they must do just that. Citizens must have the opportunity to influence and shape the laws they live under (citizen effectiveness) and they must see that their government has the ability to and does indeed react to those wishes (system capacity). If a government fails to meet these two requisites, then the government itself has failed, and the people who live under it have both a right and a duty to seek a new system. Whether that new system requires a complete reshaping of the body politic, a redrawing of borders and a redefinition of citizenship, can only be certain once every other option has been tried.

Enriquez writes:

If one were to search for the seeds of dissent today that might eventually grow into demands for autonomy-secession, here are a couple of things one might look for:
A concentrated population that self-identifies.
Alienation from the group that governs society.
Low levels of participation in the political system.

The point is not that America is on the verge of collapse today; few events that monumental happen overnight. The point is that a government that continually fails to meet its population’s needs may be suffering less from administrative inadequacies than from the simple facts of geographic diversity and regional identities. There may not be enough overlapping points of will on the American political spectrum to make it possible for one federal government to give every section what it wants. And if that is the case, the lessons of history are clear: the united states of America are headed for disunion.

30 United States, “The Declaration of Independence.”
31 Enriquez, Untied States, 143.
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