American Institute for History Education

Causes of the Civil War

Primary Sources

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The Fugitive Slave Act: 1850

Section 1

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the persons who have been, or may hereafter be, appointed commissioners, in virtue of any act of Congress, by the Circuit Courts of the United States, and Who, in consequence of such appointment, are authorized to exercise the powers that any justice of the peace, or other magistrate of any of the United States, may exercise in respect to offenders for any crime or offense against the United States, by arresting, imprisoning, or bailing the same under and by the virtue of the thirty-third section of the act of the twenty-fourth of September seventeen hundred and eighty-nine, entitled "An Act to establish the judicial courts of the United States" shall be, and are hereby, authorized and required to exercise and discharge all the powers and duties conferred by this act.

Section 2

*And be it further enacted,* That the Superior Court of each organized Territory of the United States shall have the same power to appoint commissioners to take acknowledgments of bail and affidavits, and to take depositions of witnesses in civil causes, which is now possessed by the Circuit Court of the United States; and all commissioners who shall hereafter be appointed for such purposes by the Superior Court of any organized Territory of the United States, shall possess all the powers, and exercise all the duties, conferred by law upon the commissioners appointed by the Circuit Courts of the United States for similar purposes, and shall moreover exercise and discharge all the powers and duties conferred by this act.

Section 3

*And be it further enacted,* That the Circuit Courts of the United States shall from time to time enlarge the number of the commissioners, with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

Section 4

*And be it further enacted,* That the commissioners above named shall have concurrent jurisdiction with the judges of the Circuit and District Courts of the United States, in their respective circuits and districts within the several States, and the judges of the Superior Courts of the Territories, severally and collectively, in term-time and vacation; shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

Section 5

*And be it further enacted,* That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant, or other process, when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of such claimant, on the motion of such claimant, by the Circuit or District Court for the district of such marshal; and after arrest of such fugitive, by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the assent of such marshal or his deputy, such marshal shall be liable, on his official bond, to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the State, Territory, or District whence he escaped: and the better to enable the said commissioners, when thus appointed, to execute their duties faithfully and efficiently, in conformity with the requirements of the Constitution of the United States and of this act, they are hereby
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authorized and empowered, within their counties respectively, to appoint, in writing under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; with authority to such commissioners, or the persons to be appointed by them, to execute process as aforesaid, to summon and call to their aid the bystanders, or posse comitatus of the proper county, when necessary to ensure a faithful observance of the clause of the Constitution referred to, in conformity with the provisions of this act; and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required, as aforesaid, for that purpose; and said warrants shall run, and be executed by said officers, any where in the State within which they are issued.

Section 6

And be it further enacted, That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of attorney, in writing, acknowledged and certified under the seal of some legal officer or court of the State or Territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges, or commissioners aforesaid, of the proper circuit, district, or county, for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistrate or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first [fourth] section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court, judge, magistrate, or other person whomsoever

Section 7

And be it further enacted, That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid, or shall rescue, or attempt to rescue, such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and
conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive so lost as aforesaid, to be recovered by action of debt, in any of the District or Territorial Courts aforesaid, within whose jurisdiction the said offence may have been committed.

Section 8

*And be it further enacted,* That the marshals, their deputies, and the clerks of the said District and Territorial Courts, shall be paid, for their services, the like fees as may be allowed for similar services in other cases; and where such services are rendered exclusively in the arrest, custody, and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in whole by such claimant, his or her agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his agent or attorney; or a fee of five dollars in cases where the proof shall not, in the opinion of such commissioner, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her agent or attorney. The person or persons authorized to execute the process to be issued by such commissioner for the arrest and detention of fugitives from service or labor as aforesaid, shall also be entitled to a fee of five dollars each for each person he or they may arrest, and take before any commissioner as aforesaid, at the instance and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioners; and, in general, for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid by such claimants, their agents or attorneys, whether such supposed fugitives from service or labor be ordered to be delivered to such claimant by the final determination of such commissioner or not.

Section 9

*And be it further enacted,* That, upon affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent, or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

Section 10

*And be it further enacted,* That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party. Whereupon the court shall cause a record to be made of the matters so proved, and also a general description of the person so escaping, with such convenient certainty as may be; and a transcript of such record,
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authenticated by the attestation of the clerk and of the seal of the said court, being produced in any other State, Territory, or district in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other office, authorized by the law of the United States to cause persons escaping from service or labor to be delivered up, shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of the person escaping, he or she shall be delivered up to the claimant, And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants or fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his right to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: Provided, That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid. But in its absence the claim shall be heard and determined upon other satisfactory proofs, competent in law.

Approved, September 18, 1850.

Source: The Avalon Project at Yale Law School
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Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union

The people of the State of South Carolina, in Convention assembled, on the 26th day of April, A.D., 1852, declared that the frequent violations of the Constitution of the United States, by the Federal Government, and its encroachments upon the reserved rights of the States, fully justified this State in then withdrawing from the Federal Union; but in deference to the opinions and wishes of the other slaveholding States, she forbore at that time to exercise this right. Since that time, these encroachments have continued to increase, and further forbearance ceases to be a virtue.

And now the State of South Carolina having resumed her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the immediate causes which have led to this act.

In the year 1765, that portion of the British Empire embracing Great Britain, undertook to make laws for the government of that portion composed of the thirteen American Colonies. A struggle for the right of self-government ensued, which resulted, on the 4th of July, 1776, in a Declaration, by the Colonies, "that they are, and of right ought to be, FREE AND INDEPENDENT STATES; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

They further solemnly declared that whenever any "form of government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it, and to institute a new government." Deeming the Government of Great Britain to have become destructive of these ends, they declared that the Colonies "are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

In pursuance of this Declaration of Independence, each of the thirteen States proceeded to exercise its separate sovereignty; adopted for itself a Constitution, and appointed officers for the administration of government in all its departments-- Legislative, Executive and Judicial. For purposes of defense, they united their arms and their counsels; and, in 1778, they entered into a League known as the Articles of Confederation, whereby they agreed to entrust the administration of their external relations to a common agent, known as the Congress of the United States, expressly declaring, in the first Article "that each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not, by this Confederation, expressly delegated to the United States in Congress assembled."

Under this Confederation the war of the Revolution was carried on, and on the 3rd of September, 1783, the contest ended, and a definite Treaty was signed by Great Britain, in which she acknowledged the independence of the Colonies in the following terms: "ARTICLE 1-- His Britannic Majesty acknowledges the said United States, viz: New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be FREE, SOVEREIGN AND INDEPENDENT STATES; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same and every part thereof."

Thus were established the two great principles asserted by the Colonies, namely: the right of a State to govern itself; and the right of a people to abolish a Government when it becomes destructive of the ends for which it was instituted. And concurrent with the establishment of these principles, was the fact, that each Colony became and was recognized by the mother Country a FREE, SOVEREIGN AND INDEPENDENT STATE.
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In 1787, Deputies were appointed by the States to revise the Articles of Confederation, and on 17th September, 1787, these Deputies recommended for the adoption of the States, the Articles of Union, known as the Constitution of the United States.

The parties to whom this Constitution was submitted, were the several sovereign States; they were to agree or disagree, and when nine of them agreed the compact was to take effect among those concurring; and the General Government, as the common agent, was then invested with their authority.

If only nine of the thirteen States had concurred, the other four would have remained as they then were--separate, sovereign States, independent of any of the provisions of the Constitution. In fact, two of the States did not accede to the Constitution until long after it had gone into operation among the other eleven; and during that interval, they each exercised the functions of an independent nation.

By this Constitution, certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily implied their continued existence as sovereign States. But to remove all doubt, an amendment was added, which declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people. On the 23d May, 1788, South Carolina, by a Convention of her People, passed an Ordinance assenting to this Constitution, and afterwards altered her own Constitution, to conform herself to the obligations she had undertaken.

Thus was established, by compact between the States, a Government with definite objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people, and rendered unnecessary any specification of reserved rights.

We hold that the Government thus established is subject to the two great principles asserted in the Declaration of Independence; and we hold further, that the mode of its formation subjects it to a third fundamental principle, namely: the law of compact. We maintain that in every compact between two or more parties, the obligation is mutual; that the failure of one of the contracting parties to perform a material part of the agreement, entirely releases the obligation of the other; and that where no arbiter is provided, each party is remitted to his own judgment to determine the fact of failure, with all its consequences.

In the present case, that fact is established with certainty. We assert that fourteen of the States have deliberately refused, for years past, to fulfill their constitutional obligations, and we refer to their own Statutes for the proof.

The Constitution of the United States, in its fourth Article, provides as follows: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

This stipulation was so material to the compact, that without it that compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which now composes the States north of the Ohio River.

The same article of the Constitution stipulates also for rendition by the several States of fugitives from justice from the other States.

The General Government, as the common agent, passed laws to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the non-slaveholding States to the institution of slavery, has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts,
Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin and Iowa, have enacted laws which either nullify the Acts of Congress or render useless any attempt to execute them. In many of these States the fugitive is discharged from service or labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. The State of New Jersey, at an early day, passed a law in conformity with her constitutional obligation; but the current of anti-slavery feeling has led her more recently to enact laws which render inoperative the remedies provided by her own law and by the laws of Congress. In the State of New York even the right of transit for a slave has been denied by her tribunals; and the States of Ohio and Iowa have refused to surrender to justice fugitives charged with murder, and with inciting servile insurrection in the State of Virginia. Thus the constituted compact has been deliberately broken and disregarded by the non-slaveholding States, and the consequence follows that South Carolina is released from her obligation.

The ends for which the Constitution was framed are declared by itself to be "to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These ends it endeavored to accomplish by a Federal Government, in which each State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized by giving to free persons distinct political rights, by giving them the right to represent, and burthening them with direct taxes for three-fifths of their slaves; by authorizing the importation of slaves for twenty years; and by stipulating for the rendition of fugitives from labor.

We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assume the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of slavery; they have permitted open establishment among them of societies, whose avowed object is to disturb the peace and to elioign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures to servile insurrection.

For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the common Government. Observing the forms of the Constitution, a sectional party has found within that Article establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

This sectional combination for the submersion of the Constitution, has been aided in some of the States by elevating to citizenship, persons who, by the supreme law of the land, are incapable of becoming citizens; and their votes have been used to inaugurate a new policy, hostile to the South, and destructive of its beliefs and safety.

On the 4th day of March next, this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.

The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.
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Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain, by the fact that public opinion at the North has invested a great political error with the sanction of more erroneous religious belief.

We, therefore, the People of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

Adopted December 24, 1860

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The Address of the people of South Carolina, assembled in Convention, to the people of the Slaveholding States of the United States

By Robert Barnwell Rhett

It is now seventy-three years since the union between the United States was made by the Constitution of the United States. During this period their advance in wealth, prosperity, and power, has been with scarcely a parallel in the history of the world. The great object of their union was external defence from the aggressions of more powerful nations; now complete, from their more progress in power, thirty-one millions of people, with a commerce and navigation which explores every sea, and of agricultural productions which are necessary to every civilized people, command the friendship of the world. But, unfortunately, our internal peace has not grown with our external prosperity. Discontent and contention has moved in the bosom of the Confederacy for the last thirty-five years. During this time South Carolina has twice called her people together in solemn convention, to take into consideration the aggressions and unconstitutional wrongs perpetrated by the people of the North on the people of the South. These wrongs were submitted to by the people of the South, under the hope and expectation that they would be final. But these hopes and expectations have proved to be void. Instead of being incentives to forbearance, our submission has only instigated to new forms of aggressions and outrage, and South Carolina, again assembling her people in convention, has this day dissolved her connection with the States constituting the United States.

The one great evil from which all other evils have flowed, is the overthrow of the Constitution of the United States. The Government of the United States is no longer the government of a confederate republic, but of a consolidated democracy. It is no longer a free government, but a despotism. It is, in fact, such a government as Great Britain attempted to set over our fathers, and which was resisted and defeated by a seven years struggle for independence.

The revolution of 1776 turned upon one great principle, self-government, and self-taxation the criterion of self-government. Where the interests of two people united together under one Government are different, each must have the power to protect its interests by the organization of the Government, or they cannot be free. The interests of Great Britain and of the colonies were different and antagonistic. Great Britain was desirous of carrying out the policy of all nations toward their colonies of making them tributary to their wealth and power. She had vast and complicated relations with the whole world. Her policy toward her North American colonies was to identify them with her in all these complicated relations, and to make them bear, in common with the rest of the empire, the full burden of her obligations and necessities. She had a vast public debt; she had a European policy and an Asiatic policy, which had occasioned the accumulation of her public debt, and which kept her in continual wars. The North American colonies saw their interests, political and commercial, sacrificed by such a policy. Their interests required that they should not be identified with the burdens and wars of the mother country. They had been settled under charters which gave them self-government, at least so far as their property was concerned. They had taxed themselves, and had never been taxed by the Government of Great Britain. To make them a part of a consolidated empire the Parliament of Great Britain determined to assume the power of legislating for the colonies in all cases whatsoever. Our ancestors resisted the pretension. They refused to be a part of the consolidated Government of Great Britain.

The Southern States now stand exactly in the same position toward the Northern States that our ancestors in the colonies did toward Great Britain. The Northern States, having the majority in Congress, claim the same power of omnipotence in legislation as the British Parliament. "The general welfare" is the only limit to the legislation of either; and the majority in Congress, as in the British Parliament, are the sole judges of the expediency of the legislation this "general welfare" requires. Thus the Government of the United States has become a consolidated Government, and the people of the Southern States are compelled to meet the very despotism their fathers threw off in the Revolution of 1776.
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The consolidation of the Government of Great Britain over the colonies was attempted to be carried out by the taxes. The British Parliament undertook to tax the colonies to promote British interests. Our fathers resisted this pretension. They claimed the right of self-taxation through their Colonial Legislatures. They were not represented in the British Parliament, and therefore could not rightfully be taxed by its Legislature. The British Government, however, offered them a representation in the British Parliament; but it was not sufficient to enable them to protect themselves from the majority, and they refused it. Between taxation without any representation, and taxation without a representation adequate to protection, there was no difference. By neither would the colonies tax themselves. Hence they refused to pay the taxes paid by the British Parliament.

The Southern States now stand in the same relation toward the Northern States, in the vital matter of taxation, that our ancestors stood toward the people of Great Britain. They are in a minority in Congress. Their representation in Congress is useless to protect them against unjust taxation, and they are taxed by the people of the North for their benefit exactly as the people of Great Britain taxed our ancestors in the British Parliament for their benefit. For the last forty years the taxes laid by the Congress of the United States have been laid with a view of subserving the interests of the North. The people of the South have been taxed by duties on imports not for revenue, but for an object inconsistent with revenue -- to promote, by prohibitions, Northern interests in the productions of their mines and manufactures.

There is another evil in the condition of the Southern toward the Northern States, which our ancestors refused to bear toward Great Britain. Our ancestors not only taxed themselves, but all the taxes collected from them were expended among them. Had they submitted to the pretensions of the British Government, the taxes collected from them would have been expended on other parts of the British Empire. They were fully aware of the effect of such a policy in impoverishing the people from whom taxes are collected, and in enriching those who receive the benefit of their expenditure. To prevent the evils of such a policy was one of the motives which drove them on to revolution. Yet this British policy has been fully realized toward the Southern States by the Northern States. The people of the Southern States are not only taxed for the benefit of the Northern States, but after the taxes are collected three-fourths of them are expended at the North. This cause, with others connected with the operation of the General Government, has provincialized the cities of the South. Their growth is paralyzed, while they are the mere suburbs of Northern cities. The bases of the foreign commerce of the United States are the agricultural productions of the South; yet Southern cities do not carry it on. Our foreign trade is almost annihilated. In 1740 there were five shipyards in South Carolina to build ships to carry on our direct trade with Europe. Between 1740 and 1779 there were built in these yards twenty-five square-rigged vessels, beside a great number of sloops and schooners to carry on our coast and West India trade. In the half century immediately preceding the Revolution, from 1725 to 1775, the population of South Carolina increased seven-fold.

No man can for a moment believe that our ancestors intended to establish over their posterity exactly the same sort of Government they had overthrown. The great object of the Constitution of the United States, in its internal operation, was, doubtless, to secure the great end of the Revolution -- a limited free Government -- a Government limited to those matters only which were general and common to all portions of the United States. All sectional or local interests were to be left to the States. By no other arrangement would they obtain free government by a Constitution common to so vast a Confederacy. Yet, by gradual and steady encroachments on the part of the North, and submission on the part of the South, the limitations in the Constitution have been swept away, and the Government of the United States has become consolidated, with a claim of limitless powers in its operations.

It is not at all surprising, while such is the character of the Government of the United States, that it should assume to possess power over all the institutions of the country. The agitations on the subject of Slavery in the South are the natural results of the consolidation of the Government. Responsibility follows power; and if the people of the North have the power by Congress "to promote the general welfare of the United States," by any means they deem expedient, why should they not assail and overthrow the institution of Slavery in the South? They are responsible for its continuance or existence, in proportion to their power. A majority in Congress, according to their interested and perverted views, is omnipotent. The inducements to act upon the subject of Slavery, under such circumstances, were so imperious as to amount almost to a moral necessity. To make, however, their
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numerical power available to rule the Union, the North must consolidate their power. It would not be united on any matter common to the whole Union -- in other words, on any constitutional subject -- for on such subjects divisions are as likely to exist in the North as in the South. Slavery was strictly a sectional interest. If this could be made the criterion of parties at the North, the North could be united in its power, and thus carry out its measures of sectional ambition, encroachment, and aggrandizement. To build up their sectional predominance in the Union, the Constitution must be first abolished by constructions; but that being done, the consolidation of the North to rule the South, by the tariff and Slavery issues, was in the obvious course of things.

The Constitution of the United States was an experiment. The experiment consisted in uniting under one Government different peoples, living in different climates, and having different pursuits of industry and institutions. It matters not how carefully the limitations of such a government are laid down in the constitution -- its success must at least depend upon the good faith of the parties to the constitutional compact in enforcing them. It is not in the power of human language to exclude false inferences, constructions, and perversions, in any constitution; and when vast sectional interests are to be subserved involving the appropriation of countless millions of money it has not been the usual experience of mankind that words on parchment can arrest power. The Constitution of the United States, irrespective of the interposition of the States, rested on the assumption that power would yield to faith -- that integrity would be stronger than interest, and that thus the limitations of the Constitution would be observed. The experiment has been fairly made. The Southern States, from the commencement of the Government, have striven to keep it within the orbit prescribed by the Constitution. The experiment has failed. The whole Constitution by the constructions of the Northern people, has been swallowed up by a few words in its preamble. In their reckless lust for power they seem unable to comprehend that seeming paradox, that the more power is given to the General Government the weaker it becomes. Its strength consists in its generality and limitations. To extend the scope of its power over sectional or local interests is to raise up against it opposition and resistance. In all such matters the General Government must necessarily be a despotism, because all sectional or local interests must ever be represented by a minority in the councils of the General Government -- having no power to protect itself against the rule of the majority. The majority, constituted from those who do not represent these sectional or local interests, will control and govern them. A free people cannot submit to such a Government; and the more it enlarges the sphere of its power the greater must be the dissatisfaction it must produce, and the weaker it must become. On the contrary, the more it abstains from usurped powers, and the more faithfully it adheres to the limitations of the Constitution, the stronger it is made. The Northern people have had neither the wisdom nor the faith to perceive that to observe the limitation of the Constitution was the only way to its perpetuity.

Under such a Government there must, of course, be many and endless "irrepressible conflicts," between the two great sections of the Union. The same faithlessness which has abolished the Constitution of the United States, will not fail to carry out the sectional purposes for which it has been abolished. There must be conflict; and the weaker section of the Union can only find peace and liberty in an independence of the North. The repeated efforts made by South Carolina, in a wise conservatism, to arrest the progress of the General Government in its fatal progress to consolidation, have been unsupported and denounced as faithless to the obligations of the Constitution by the very men and States who were destroying it by their usurpations. It is now too late to reform or restore the Government of the United States. All confidence in the North is lost in the South. The faithlessness of half a century has opened a gulf of separation between them which no promises or engagements can fill.

It cannot be believed that our ancestors would have assented to any union whatever with the people of the North if the feelings and opinions now existing among them had existed when the Constitution was framed. There was then no tariff -- no negro fanaticism. It was the delegates from New England who proposed in the Convention which framed the Constitution, to the delegates from South Carolina and Georgia, that if they would agree to give Congress the power of regulating commerce by a majority, that they would support the extension of the African slave-trade for twenty years. African Slavery existed in all the States but one. The idea that they would be made to pay that tribute to their Northern confederates which they had refused to pay to Great Britain, or that the institution of African Slavery would be made the grand basis of a sectional organization of the North to rule the South, never crossed their imaginations. The Union of the Constitution was a Union of slaveholding States. It rests
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on Slavery, by prescribing a representation in Congress for three-fifths of our slaves. There is nothing in the proceedings of the Convention which framed the Constitution to show that the Southern States would have formed any other union; and still less that they would have formed a union with more powerful non-slaveholding States, having a majority in both branches of the Legislature of the Government. They were guilty of no such folly. Time and the progress of things have totally altered the relations between the Northern and Southern States since the Union was first established. That identity of feeling, interests, and institutions which once existed is gone. They are now divided between agricultural and manufacturing and commercial States -- between slaveholding and non-slaveholding States. Their institutions and industrial pursuits have made them totally different peoples. That equality in the Government between the two sections of the Union which once existed, no longer exists. We but imitate the policy of our fathers in dissolving a union with non-slaveholding confederates, and seeking a confederation with slave-holding States. Experience has proved that slave-holding States can not be safe in subjection to non-slaveholding States. Indeed, no people ever expect to preserve their rights and liberties unless they are in their own custody. To plunder and oppress where plunder and oppression can be practiced with impunity, seems to be the natural order of things. The fairest portions of the world have been turned into wildernesses, and the most civilized and prosperous communities have been impoverished and ruined by Anti-Slavery fanaticism. The people of the North have not left us in doubt as to their designs and policy. United as a section in the late Presidential election, they have elected as the exponent of their policy one who has openly declared that all the States of the United States must be made Free States or Slave States. It is true that among those who aided in this election, there are various shades of Anti-Slavery hostility. But if African Slavery in the Southern States be the evil their political combinations affirm it to be, the requisitions of an inexorable logic must lead them to emancipation. If it is right to preclude or abolish Slavery in a territory, why should it be allowed to remain in the States? The one is not at all more unconstitutional than the other, according to the decisions of the Supreme Court of the United States. And when it is considered that the Northern States will soon have the power to make that Court what they please, and that the Constitution has never been any barrier whatever to their exercise of power, what check can there be in the unrestrained councils of the North to emancipation? There is sympathy in association, which carries men along without principle; but when there is principle, and that principle is fortified by long existing prejudices and feelings, association is omnipotent in party influences. In spite of all disclaimers and professions there can be but one end to the submission by the South to the rule of a sectional Anti-Slavery Government at Washington; and that end, directly or indirectly, must be the emancipation of the slaves of the South. The hypocrisy of thirty years -- the faithlessness of their whole course from the commencement of our union with them -- show that the people of the non-slaveholding North are not and cannot be safe associates of the slaveholding South under a common Government. Not only their fanaticism, but their erroneous views of the principles of free governments, render it doubtful whether, separated from the South, they can maintain a free Government among themselves. Brute numbers with them is the great element of free Government. A majority is infallible and omnipotent. "The right divine to rule in kings" is only transferred to their majority. The very object of all constitutions, in free, popular Governments, is to restrain the majority. Constitutions, therefore, according to their theory, must be most unrighteous inventions, restricting liberty. None ought to exist, but the body politic ought simply to have a political organization, to bring out and enforce the will of a majority. This theory may be harmless in a small community, having an identity of interests and pursuits, but over a vast State -- still more, over a vast Confederacy, having various and conflicting interests and pursuits -- it is a remorseless despotism. In resisting it, as applicable to ourselves, we are vindicating the great cause of free government, more important, perhaps, to the world than the existence of the United States. Nor in resisting it, do we intend to depart from the safe instrumentality the system of government we have established with them requires. In separating from them we invade no rights -- no interest of theirs. We violate no obligation of duty to them. As separate, independent States in Convention, we made the Constitution of the United States with them; and as separate, independent States, each State acting for itself, we adopted it. South Carolina, acting in her sovereign capacity now thinks proper to secede from the Union. She did not part with her sovereignty in adopting the Constitution. The last thing a State can be presumed to have surrendered is her sovereignty. Her sovereignty is her life. Nothing but a clear, express grant, can alienate it. Inference should be dumb. Yet it is not at all surprising that those who have construed away all the limitations of the Constitution, should also by construction claim the annihilation of the sovereignty of the States. Having abolished all barriers to
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their omnipotence by their faithless constructions in the operations of the General Government, it is most natural that they should endeavor to do the same toward us in the States. The truth is, they having violated the express provisions of the Constitution, it is at an end as a compact. It is morally obligatory only on those who choose to accept its perverted terms. South Carolina, deeming the compact not only violated in particular features, but virtually abolished by her Northern confederates, withdraws herself as a party from its obligations. The right to do so is denied by her Northern confederates. They desire to establish a despotism, not only omnipotent in Congress, but omnipotent over the States; and as if to manifest the imperious necessity of our secession, they threaten us with the sword, to coerce submission to their rule.

Citizens of the slaveholding States of the United States, circumstances beyond our control have placed us in the van of the great controversy between the Northern and Southern States. We would have preferred that other States should have assumed the position we now occupy. Independent ourselves, we disclaim any design or desire to lead the councils of the other Southern States. Providence has cast our lot together, by extending over us an identity of pursuits, interests, and institutions. South Carolina desires no destiny separated from yours. To be one of a great slaveholding confederacy, stretching its arms over a territory larger than any Power in Europe possesses -- with population four times greater than that of the whole United States when they achieved their independence of the British Empire -- with productions which make our existence more important to the world than that of any other people inhabiting it -- with common institutions to defend, and common dangers to encounter -- we ask your sympathy and confederation. While constituting a portion of the United States, it has been your statesmanship which has guided it in its mighty strides to power and expansion. In the field, as in the Cabinet, you have led the way to its renown and grandeur. You have loved the Union, in whose service your great statesmen have labored, and your great soldiers have fought and conquered -- not for the material benefits it conferred, but with the faith of a generous and devoted chivalry. You have long lingered and hoped over the shattered remains of a broken Constitution. Compromise after compromise, formed by your concessions, has been trampled under foot by your Northern confederates. All fraternity of feeling between the North and the South is lost, or has been converted into hate; and we of the South are at last driven together by the stern destiny which controls the existence of nations. Your bitter experience of the faithlessness and rapacity of your Northern confederates may have been necessary to evolve those great principles of free government, upon which the liberties of the world depend, and to prepare you for the grand mission of vindicating and re-establishing them. We rejoice that other nations should be satisfied with their institutions. Self-complacency is a great element of happiness, with nations as with individuals. We are satisfied with ours. If they prefer a system of industry in which capital and labor are in perpetual conflict -- and chronic starvation keeps down the natural increase of population -- and a man is worked out in eight years -- and the law ordains that children shall be worked only ten hours a day -- and the sabre and bayonet are the instruments of order -- be it so. It is their affair, not ours. We prefer, however, our system of industry, by which labor and capital are identified in interest, and capital, therefore, protects labor; by which our population doubles every twenty years; by which starvation is unknown, and abundance crowns the land; by which order is preserved by unpaid police, and the most fertile regions of the world where the Caucasian cannot labor are brought into usefulness by the labor of the African, and the whole world is blessed by our own productions. All we demand of other peoples is to be let alone to work out our own high destinies. United together, and we must be the most independent, as we are the most important among the nations of the world. United together, and we require no other instrument to conquer peace than our beneficent productions. United together, and we must be a great, free and prosperous people, whose renown must spread throughout the civilized world, and pass down, we trust, to the remotest ages. We ask you to join us in forming a confederacy of Slaveholding States.

Source: Library of Congress
Causes of the Civil War: Primary Source Documents

Constitutional Union Party Platform of 1860
May 1860
Adopted at Baltimore, Maryland

Whereas, Experience has demonstrated that Platforms adopted by the partisan Conventions of the country have had the effect to mislead and deceive the people, and at the same time to widen the political divisions of the country, by the creation and encouragement of geographical and sectional parties; therefore

Resolved, that it is both the part of patriotism and of duty to recognize no political principle other than THE CONSTITUTION OF THE COUNTRY, THE UNION OF THE STATES, AND THE ENFORCEMENT OF THE LAWS, and that, as representatives of the Constitutional Union men of the country, in National Convention assembled, we hereby pledge ourselves to maintain, protect, and defend, separately and unitedly, these great principles of public liberty and national safety, against all enemies, at home and abroad; believing that thereby peace may once more be restored to the country; the rights of the People and of the States reestablished, and the Government again placed in that condition of justice, fraternity and equality, which, under the example and Constitution of our fathers, has solemnly bound every citizen of the United States to maintain a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

Resolved, That we, the delegated representatives of the Republican electors of the United States, in Convention assembled, in discharge of the duty we owe to our constituents and our country, unite in the following declarations:

1. That the history of the nation, during the last four years, has fully established the propriety and necessity of the organization and perpetuation of the Republican party, and that the causes which called it into existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph.

2. That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution, "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our Republican institutions; and that the Federal Constitution, the Rights of the States, and the Union of the States, must and shall be preserved.

3. That to the Union of the States this nation owes its unprecedented increase in population, its surprising development of material resources, its rapid augmentation of wealth, its happiness at home and its honor abroad; and we hold in abhorrence all schemes for Disunion, come from whatever source they may: And we congratulate the country that no Republican member of Congress has uttered or countenanced the threats of Disunion so often made by Democratic members without rebuke and with applause from their political associates; and we denounce those threats of Disunion, in case of a popular overthrow of their ascendency, as denying the vital principles of a free government, and as an avowal of contemplated treason, which it is the imperative duty of an indignant People sternly to rebuke and forever silence.

4. That the people justly view with alarm the reckless extravagance which pervades every department of the Federal Government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public treasury by favored partisans, while the recent startling developments of frauds and corruptions at the Federal metropolis, show that an entire change of administration is imperatively demanded.

5. That the present Democratic Administration has far exceeded our worst apprehensions, in its measureless subserviency to the exactions of a sectional interest, as especially evinced in its desperate exertions to force the infamous Lecompton Constitution upon the protesting people of Kansas; in construing the personal relation between master and servant to involve an unqualified property in persons; in its attempted enforcement, everywhere, on land and sea, through the intervention of Congress and of the Federal Courts of the extreme pretensions of a purely local interest; and in its general and unvarying abuse of the power intrusted to it by a confiding people.

6. That the new dogma, that the Constitution, of its own force, carries Slavery into any or all of the Territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument
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itself, with contemporaneous exposition, and with legislative and judicial precedent; is revolutionary in its
tendency, and subversive of the peace and harmony of the country.

8. That the normal condition of all the territory of the United States is that of freedom; That as our Republican
fathers, when they had abolished Slavery in all our national territory, ordained that "no person should be
deprived of life, liberty, or property, without due process of law," it becomes our duty, by legislation,
whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to
violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal
existence to Slavery in any Territory of the United States.

9. That we brand the recent re-opening of the African slave-trade, under the cover of our national flag, aided by
perversions of judicial power, as a crime against humanity and a burning shame to our country and age; and
we call upon Congress to take prompt and efficient measures for the total and final suppression of that
execrable traffic.

10. That in the recent vetoes, by their Federal Governors, of the acts of the Legislatures of Kansas and Nebraska,
prohibiting Slavery in those Territories, we find a practical illustration of the boasted Democratic principle of
Non-Intervention and Popular Sovereignty, embodied in the Kansas-Nebraska bill, and a demonstration of the
deception and fraud involved therein.

11. That Kansas should, of right, be immediately admitted as a State under the Constitution recently formed and
adopted by her people, and accepted by the House of Representatives.

12. That, while providing revenue for the support of the General Government by duties upon imports, sound
policy requires such an adjustment of these imposts as to encourage the development of the industrial
interest of the whole country; and we commend that policy of national exchanges which secures to the
working men liberal wages, to agriculture remunerative prices, to mechanics and manufactures an adequate
reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

13. That we protest against any sale or alienation to others of the Public Lands held by actual settlers, and against
any view of he Homestead policy which regards the settlers as paupers or suppliants for public bounty; and we
demand the passage by Congress of the complete and satisfactory Homestead measure which has already
passed the House.

14. That the Republican party is opposed to any change in our Naturalization Laws or any State legislation by
which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or
impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether
native or naturalized, both at home and abroad.

15. That appropriations by Congress for River and Harbor improvements of a National character, required for the
accommodation and security of an existing commerce, are authorized by the Constitution, and justified by the
obligations of Government to protect the lives and property of its citizens.

16. That a Railroad to the Pacific Ocean is imperatively demanded by the interest of the whole country; that the
Federal Government ought to render immediate and efficient aid in its construction; and that, as preliminary
thereto, a daily overland mail should be promptly established.

17. Finally, having thus set forth our distinctive principles and views, we invite the cooperation of all citizens,
however differing on other questions, who substantially agree with us in their affirrmance and support.

Source: Donald Bruce Johnson, comp., National Party Platforms: Volume 1, 1840-1956 (Chicago: University of
Southern Democratic Party Platform
June 1860
Adopted at Richmond, Virginia

Resolved, That the platform adopted by the Democratic party at Cincinnati be affirmed, with the following explanatory resolutions:

1. That the Government of a Territory organized by an act of Congress is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle with their property in the Territory, without their rights, either of person or property, being destroyed or impaired by Congressional or Territorial legislation.

2. That it is the duty of the Federal Government, in all its departments, to protect, when necessary, the rights of persons and property in the Territories, and wherever else its constitutional authority extends.

3. That when the settlers in a Territory, having an adequate population, form a State Constitution, the right of sovereignty commences, and being consummated by admission into the Union, they stand on an equal footing with the people of other States, and the State thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery.

Resolved, That the Democratic party are in favor of the acquisition of the Island of Cuba, on such terms as shall be honorable to ourselves and just to Spain, at the earliest practicable moment.

Resolved, That the enactments of State Legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the Constitution, and revolutionary in their effect.

Resolved, That the Democracy of the United States recognize it as the imperative duty of this Government to protect the naturalized citizen in all his rights, whether at home or in foreign lands, to the same extent as its native-born citizens.

WHEREAS, One of the greatest necessities of the age, in a political, commercial, postal and military point of view, is speedy communication between the Atlantic and Pacific coasts.

Therefore be it Resolved, that the National Democratic party do hereby pledge themselves to use every means in their power to secure the passage of some bill, to the extent of the constitutional authority of Congress, for the construction of a Pacific Railroad from the Mississippi River to the Pacific Ocean, at the earliest practicable moment.

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South Carolina Ordinance of Secession  
December 20, 1860

An Ordinance to dissolve the union between the State of South Carolina and other States united with her under the compact entitled "The Constitution of the United States of America."

We, the people of the State of South Carolina, in convention assembled, do declare and ordain, and it is hereby declared and ordained, That the ordinance adopted by us in convention on the twenty-third day of May, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also all acts and parts of acts of the General Assembly of this State ratifying amendments of the said Constitution, are hereby repealed; and that the union now subsisting between South Carolina and other States, under the name of the "United States of America," is hereby dissolved.

Done at Charleston the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty.


President Abraham Lincoln to Alexander Stephens  
December 22, 1860

For your own eye only.

Springfield, Ills.  
Dec. 22, 1860

Hon. A. H. Stephens—
My dear Sir

Your obliging answer to my short note is just received, and for which please accept my thanks. I fully appreciate the present peril the country is in, and the weight of responsibility on me.

Do the people of the South really entertain fears that a Republican administration would, directly, or indirectly, interfere with their slaves, or with them, about their slaves? If they do, I wish to assure you, as once a friend, and still, I hope, not an enemy, that there is no cause for such fears.

The South would be in no more danger in this respect, than it was in the days of Washington. I suppose, however, this does not meet the case. You think slavery is right and ought to be extended; while we think it is wrong and ought to be restricted. That I suppose is the rub. It certainly is the only substantial difference between us. Yours very truly.

A. Lincoln

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The Constitution and the Union Speech

Daniel Webster

1850

Mr. President,—I wish to speak to-day, not as a Massachusetts man, nor as a Northern man, but as an American, and a member of the Senate of the United States. It is fortunate that there is a Senate of the United States; a body not yet moved from its propriety, not lost to a just sense of its own dignity and its own high responsibilities, and a body to which the country looks, with confidence, for wise, moderate, patriotic, and healing counsels. It is not to be denied that we live in the midst of strong agitations, and are surrounded by very considerable dangers to our institutions and government. The imprisoned winds are let loose. The East, the North, and the stormy South combine to throw the whole sea into commotion, to toss its billows to the skies, and disclose its profoundest depths. I do not affect to regard myself, Mr. President, as holding, or as fit to hold, the helm in this combat with the political elements; but I have a duty to perform, and I mean to perform it with fidelity, not without a sense of existing dangers, but not without hope. I have a part to act, not for my own security or safety, for I am looking out for no fragment upon which to float away from the wreck, if wretch there must be, but for the good of the whole, and the preservation of all; and there is that which will keep me to my duty during this struggle, whether the sun and the stars shall appear, or shall not appear for many days. I speak to-day for the preservation of the Union. "Hear my for my cause." I speak to-day, out of a solicitous and anxious heart, for the restoration to the country of that quiet and that harmony which make the blessings of this Union so rich, and so dear to us all.

Slavery.—Slavery has existed in the world from time immemorial. There was slavery in the earliest periods of history, among the Oriental nations. There was slavery among the Jews; the theocratic government of that people issued no injunction against it. There was slavery among the Greeks; and the ingenious philosophy of the Greek's found, or sought to find, a justification for it exactly upon the grounds which have been assumed for such a justification in this country; that is, a natural and original difference among the races of mankind, and the inferiority of the black or colored race to the white. The Greeks justified their system of slavery upon that idea, precisely. They held that African and some of the Asiatic tribes to be inferior to the white race; but they did not show, I think, by any close process of logic, that, if this were true, the more intelligent and the stronger had therefore a right to subjugate the weaker.

The more manly philosophy and jurisprudence of the Romans placed the justification of slavery on entirely different grounds. The Roman jurists, from the first and down to the fall of the empire, admitted that slavery was against the natural law, by which, as they maintained, all men, of whatsoever clime, color, or capacity, were equal; but they justified slavery, first, upon the ground and authority of the law of nations, arguing, and arguing truly, that at that day the conventional law of nations admitted that captives in war, whose lives, according to the notions of the times, were at the absolute disposal of the captors, might, in exchange for exemption from death, be made slaves for life, and that such servitude might descend to their posterity. The jurists of Rome also maintained, that, by the civil law, there might be servitude or slavery, personal and hereditary; first, by the voluntary act of an individual, who might sell himself into slavery; secondly, by his being reduced into a state of slavery by his creditors, in satisfaction of his debts; and, thirdly, by being placed in a state of servitude or slavery for crime. At the introduction of Christianity, the Roman world was full of slaves, and I suppose there is to be found
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no injunction against the relation between man and man in the teachings of the Gospel of Jesus Christ or of any of his Apostles. The object of the instruction imparted to mankind by the founder of Christianity was to touch the heart, purify the soul, and improve the lives of individual men. That object went directly to the first fountain of all the political and social relations of the human race, as well as of all true religious feeling, the individual heart and mind of man.

Just Wars.—I do not deny that there may be just wars. There certainly are; but it was the remark of an eminent person, not many years ago, on the other side of the Atlantic, that it is one of the greatest reproaches to human nature that wars are sometimes just. The defence of nations sometimes causes a just war against the injustice of other nations. In this state of sentiment upon the general nature of slavery lies the cause of a great part of those unhappy divisions, exasperations, and reproaches which find vent and support in different parts of the Union.

Slavery Not in Constitution.—The term slave, or slavery, is not used in the Constitution. The Constitution does not require that “fugitive slaves” shall be delivered up. It requires that persons held to service in one State, and escaping into another, shall be delivered up. Mr. Madison opposed the introduction of the term slave, or slavery, into the Constitution; for he said that he did not wish to see it recognized by the Constitution of the United States of America that here could be property in men.

Exclusion of Slavery.—Wherever there is a substantive good to be done, wherever there is a foot of land to be prevented from becoming slave territory, I am ready to assert the principle of the exclusion of slavery. I am pledged to it from the year 1837; I have been pledged to it again and again; and I will perform those pledges; but I will not do a thing unnecessarily that wounds the feelings of others, or that does discredit to my own understanding.

Secession.—Secession! Peaceable secession! Sir, your eyes and mine are never destined to see that miracle. The dismemberment of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffling the surface! Who is so foolish, I beg everybody’s pardon, as to expect to see any such thing? Sir, he who sees these States, now revolving in harmony around a common centre, and expects to see them quit their places and fly off without convulsion, may look the next hour to see the heavenly bodies rush from their spheres, and jostle against each other in the realms of space, without causing the wreck of the universe. There can be no such thing as a peaceable secession. Peaceable secession is an utter impossibility. Is the great Constitution under which we live, covering this whole country, is it to be thawed and melted away by secession, as the snows on the mountain melt under the influence of a vernal sun, disappear almost unobserved, and run off? No, sir! I will not state what might produce the disruption of the Union; but, sir, I see as plainly as I see the sun in heaven what that disruption itself must produce; I see that it must produce war, and such a war as I will not describe, in its twofold character.

Peaceable secession! Peaceable secession! The concurrent agreement of all the members of this great republic to separate! A voluntary separation, with alimony on one side and on the other. Why, what would be the result? Where is the line to be drawn? What States are to secede? What is to remain American? What am I to be? An American no longer? Am I to become a sectional man, a local man, a separatist, with no country in common with the gentlemen who sit around me here, or who fill the other house of Congress? Heaven forbid! Where is the flag of the republic to remain? Where is the eagle still to tower? Or is he to cower, and shrink, and fall to the ground? Why, sir, our ancestors, our fathers and our grandparents, those of them that are yet living amongst us with
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prolonged lives, would rebuke and reproach us; and our children and our grandchildren would cry out shame upon
us, if we of this generation should dishonor these ensigns of the power of the government and the harmony of
that Union which is every day felt among us with so much joy and gratitude. What is to become of the army? What
is to become of the navy? What is to become of the public lands? How is each of the thirty States to defend itself? I
know, although the idea has not been stated distinctly, there is to be, or it is supposed possible that there will be, a
Southern Confederacy. I do not mean, when I allude to this statement, that nay one seriously contemplates such a
state of things. I do not mean to say that it is true, but I have heard it suggested elsewhere, that the idea has been
entertained, that, after the dissolution of this Union, a Southern Confederacy might be formed. I am sorry, sir, that
it has ever been thought of, talked of, or dreamed of, in the wildest flights of human imagination. But the idea, so
far as it exists, must be of a separation, assigning the slave States to one side and the free States to the other. Sir, I
may express myself too strongly, perhaps, but there are impossibilities in the natural as well as in the physical
world, and I hold the idea of a separation of these States, those that are free to form one government, and those
that are free to form one government, and those that are slave-holding to form another, as such an impossibility.
We could not separate the States by any such line, if we were to draw it. We could not sit down here to-day and
draw a line of separation that would satisfy any five men in the country. There are natural causes that would keep
and tie us together, and there are social and domestic relations which we could not break if we would, and which
we should not if we could.

Liberty and Union, Fresh Air of.—And now, Mr. President, instead of speaking of the possibility or utility of
secession, instead of dwelling in those caverns of darkness, instead of groping with those ideas so full of all that is
horrid and horrible, let us come out into the light of day; let us enjoy the fresh air of Liberty and Union; let us
cherish those hopes which belong to us; let us devote ourselves to those great objects that are fit for our
consideration and our action; let us raise our conceptions to the magnitude and the importance of the duties that
devote upon us; let our comprehension be as broad as the country for which we act, our aspirations as high as its
certain destiny; let us not be pigmies in a case that calls for men. Never did there devolve on any generation of
men higher trusts than now devolve upon us, for the preservation of this Constitution and the harmony and peace
of all who are destined to live under it. Let us make our generation one of the strongest and brightest links in that
golden chain which is destined, I fondly believe, to grapple the people of all the States to this Constitution for ages
to come. We have a great, popular, constitutional government, guarded, by law and by judicature, and defended
by the affections of the whole people. No monarchical throne presses these States together, no iron chain of
military power encircles them; they live and stand under a government popular in its form, representative in it,
character, founded upon principles of equality, and so constructed, we hope, as to last forever. In all its history it
has been beneficent; it has trodden down no man’s liberty and patriotism; its yet youthful veins are full of
enterprise, courage, and honorable love of glory and renown. Large before, the country has now, by recent events
become vastly larger. This republic now extends, with a vast breadth, across the whole continent. The two great
seas of the world wash the one and the other shore. We realize, on a mighty scale, the beautiful description of the
ornamental border of the buckler of Achilles:—

Now, the broad shield complete, the artist crowned
With his last hand, and poured the ocean round;
In living silver seemed the waves to roll,
And beat the buckler’s verge, and bound the whole.

Source: www.teachingamericanhistory.org
We are determined that our readers shall have line upon line and precept upon precept. Ours is only one humble voice; but such as it is, we give it freely to our country, and to the cause of humanity. That honesty is the best policy, we all profess to believe, though our practice may often contradict the proverb. The present policy of our Government is evidently to put down the slave-holding rebellion, and at the same time protect and preserve slavery. This policy hangs like a mill-stone about the neck of our people. It carries disorder to the very sources of our national activities. Weakness, faint heartedness and inefficiency is the natural result. The mental and moral machinery of mankind cannot long withstand such disorder without serious damage. This policy offends reason, wounds the sensibilities, and shocks the moral sentiments of men. It forces upon us in consequent conclusions and painful contradictions, while the plain path of duty is obscured and thronged with multiplying difficulties. Let us look this slavery-preserving policy squarely in the face, and search it thoroughly.

Can the friends of that policy tell us why this should not be an abolition war? Is not abolition plainly forced upon the nation as a necessity of national existence? Are not the rebels determined to make the war on their part a war for the utter destruction of liberty and the complete mastery of slavery over every other right and interest in the land? And is not an abolition war on our part the natural and logical answer to be made to the rebels? We all know it is. But it is said that for the Government to adopt the abolition policy, would involve the loss of the support of the Union men of the Border Slave States. Grant it, and what is such friendship worth? We are stronger without than with such friendship. It arms the enemy, while it disarms its friends. The fact is indisputable, that so long as slavery is respected and protected by our Government, the slaveholders can carry on the rebellion, and no longer. Slavery is the stomach of the rebellion. The bread that feeds the rebel army, the cotton that clothes them, and the money that arms them and keeps them supplied with powder and bullets, come from the slaves, who, if consulted as to the use which should be made of their hard earnings, would say, give it to the bottom of the sea rather than do with it this mischief. Strike here, cut off the connection between the fighting master and the working slave, and you at once put an end to this rebellion, because you destroy that which feeds, clothes and arms it. Shall this not be done, because we shall offend the Union men in the Border States?

But we have good reasons for believing that it would not offend them. The great mass of Union men in all those Border States are intelligently so. They are men who set a higher value upon the Union than upon slavery. In many instances, they recognize slavery as the thing of all others the most degrading to labor and oppressive towards them. They dare not say so now; but let the Government say the word, and even they would unite in sending the vile thing to its grave, and rejoice at the opportunity. Such of them as love slavery better than their country are not now, and have never been, friends of the Union. They belong to the detestable class who do the work of enemies in the garb of friendship, and it would be a real gain to get rid of them. Then look at slavery itself—what good thing has it done that it should be allowed to survive a rebellion of its own creation? Why should the nation pour out its blood and lavish its treasure by the million, consent to protect and preserve the guilty cause of all its troubles? The answer returned to these questions is, that the Constitution does not allow the exercise of such power. As if this
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were a time to talk of constitutional power! When a man is well, it would be mayhem to cut off his arm. It would be unconstitutional to do so. But if the arm were shattered and mortifying, it would be quite unconstitutional and criminal not to cut it off. The cause is precisely so with Governments. The grand object, end and aim of Government is the preservation of society, and from nothing worse than anarchy. When Governments, through the ordinary channels of civil law, are unable to secure this end, they are thrown back upon military law, and for the time may set aside the civil law precisely to the extent which it may be necessary to do so in order to accomplish the grand object for which Governments are instituted among men. The power, therefore, to abolish slavery is within the objects sought by the Constitution. But if every letter and syllable of the Constitution were a prohibition of abolition, yet if the life of the nation required it, we should be bound by the Constitution to abolish it, because there can be no interest superior to existence and preservation....

Another evil of the policy of protecting and preserving slavery, is that it deprives us of the important aid which might be rendered to the Government by the four million slaves. These people are repelled by our slaveholding policy. They have their hopes of deliverance from bondage destroyed. They hesitate now; but if our policy is pursued, they will not need to be compelled by Jefferson Davis to fight against us....

A third evil of this policy, is the chilling effect it exerts upon the moral sentiment of mankind. Vast is the power of the sympathy of the civilized world....

Our policy gives the rebels the advantage of seeming to be merely fighting for the right to govern themselves. We divest the war on our part of all those grand elements of progress and philanthropy that naturally win the hearts and command the reverence of all men, and allow it to assume the form of a meaningless display of brute force....

Another evil arising from this mischievous slaveholding policy, is that it invites the interference of other Governments with our blockade.... Let the war be made an abolition war, and no statesman in England or France would dare even, if inclined, to propose any disturbance of the blockade. Make this an abolition war, and you at once unite the world against the rebels, and in favor of the Government.

Source: www.teachingamericanhistory.org
We are asked, "How is the dissolution of the Union to be effected? Give us your plan!" My answer is, whenever THE PEOPLE are ready for Disunion, they will easily find out a way to effect it. When this sentiment shall spread like a flame, as I trust in God it will, through the length and breadth of the free States, (cheers,) the people will come together in their primary assemblies, and elect such men to represent them in General Convention as they may deem best qualified to devise ways and means for effecting a separation, and to frame a new government, free from the spirit of bondage. In that hour, they will not ask for any plan of mine, or any of my associates on this platform: we shall be as drops in the Atlantic ocean. The chain once broken, the EVERETTS, the CHOATES, the WINTHROPS, will then be as ready to obey the popular sentiment, and to take the lead in the cause of freedom, as they have hitherto been subservient to the will of the Slave Power. Our preliminary work is, not to construct a new government, but first of all to make every Northern man see and confess, that our boasted Union is a snare, a curse, and a degrading vassalage; in strict verity, that there is no Union for freedom to be dissolved, but ONE TO BE CREATED! For where is the man who will venture to deny any one of the allegations contained in the resolution I have submitted to the Convention? Allow me to read it once more:

"Resolved, That the American Union is the supremacy of the bowie knife, the revolver, the slave-drivers lash, and lynch law, over freedom of speech, of the press, of conscience, of locomotion, in more than one half of the nation"[Is it not so? "Yes, yes";]"and the degrading vassalage of the entire North to the accursed Slave Power"; [Is not that true? "Yes, yes";} "that such a Union"[mark you! "such a Union" not an ideal one not something yet to be realized]"that such a Union is to be resisted, denounced and repudiated by every lover of liberty, until its utter overthrow shall be consummated; and that, to effect this glorious object, there should be one united shout of "No Union with Slaveholders, religiously or politically!"

This declaration cannot be gainsayed. Let us, then, not waste our time in verbal criticism, or legal hair-splitting, as to the meaning of words. DOWN WITH SUCH A UNION! (Cheers, and a few hisses in the gallery.)

Mr. Chairman, this question does not concern me, or the Abolitionists in particular: it concerns every one who means to be a MAN, and to carry a heart in his bosom every Whig, every Democrat, every Know Nothing, every Free Soiler. I take it for granted, whether they have any bowels of mercy for those in slavery, or not, they mean to assert their own right to freedom of speech and locomotion, in every section of the land; or, if not, then they are dastards. Now, is this a right that they possess? Who, of them all, dares venture south of Mason and Dixon's line, and fearlessly rebuke the slaveholder to his face, and openly declare that his sympathies are with the enslaved? In vain shall he make his appeal to the "higher law"! The Southern substitute for this, in all such cases, is "lynch law." In vain shall he assert his constitutional right to speak his own sentiments: the Constitution is powerless! He will fare no better than the most radical Disunion Abolitionist. That being so, where is our Northern manhood? Do we always mean to cower under the Southern lash? Is it coolly said by any in reply, "We do not want to agitate the subject of slavery"? But what if you did? You cannot with impunity. Men are apt to change their minds; and the Whig, or Democrat, or Know Nothing, who to-day cares nothing for those in bonds, may to-morrow feel
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constrained to plead their cause, even at the South. In that case, he too becomes an outlaw. Ay, the very men who bow down to the Slave Power here who fill our pulpits and our editorial chairs who denounce the anti-slavery movement as undeserving of any support or countenance are them-selves, as the friends of impartial liberty, as much outlaws in the South as any of us. Is such a Union to be perpetuated? By all that is just and equal, no!

Mr. Chairman, declamation and rhetoric, on so grave an issue, are worth little; but facts are irresistible. We are demanding extraordinary action of the people of the North; and in order to induce them to take that action, boldly and understandingly, they need to be shown what are the real facts in the case, especially as affecting their own rights and liberties at the South.

Undeniably, it is a provision of the Constitution of the United States, that "the citizens of each State shall be entitled to all the privileges and immunities of citizens" in the several States. There are no less than eight thousand recognised colored "citizens" in Massachusetts, taxed and represented as such; many of them legal voters, eligible to every office in the gift of the people; all of them to be protected in their rights by the combined power of the Commonwealth, as much as ABBOTT LAWRENCE, or Chief Justice SHAW, or Governor GARDNER for in Massachusetts one citizen is, by our Bill of Rights, equal to every other; and the faith of the whole people is pledged to stand by each other to the end. Now, there is not one of that large number of citizens who can enter the slave States, whether on business, or in quest of health and recreation, without subjecting himself to fine and imprisonment, and even the liability to be sold on the auction-block into perpetual slavery.

Source: www.teachingamericanhistory.org
The election of the Republican candidate, Abraham Lincoln, to the Presidency of the United States, has operated
upon the whole slaveholding South in a manner indicative of the torments of the damned. The brutal dastards and
bloody-minded tyrants, who have so long ruled the country with impunity, are now furiously foaming at the
mouth, gnawing their tongues for pain, indulging in the most horrid blasphemies, uttering the wildest threats, and
avowing the most treasonable designs. Their passions, "set on fire of hell," are leading them into every kind of
excess, and they are inspired by a demoniacal phrenzy. To the South is strikingly applicable, at this hour, the
language of the Revelator:—"Babylon is fallen, is fallen, and is become the habitation of devils, and the hold of
every foul spirit, and a cage of every unclean and hateful bird. Her sins have reached unto heaven, and God hath
remembered her iniquities. In the cup which she hath filled, fill to her double. In her is found the blood of prophets
and of saints. How much she hath glorified herself, and lived deliciously, so much torment and sorrow give her.
Therefore shall her plagues come in one day, death, and mourning, and famine; and she shall be utterly burned
with fire; for strong is the Lord God who judgeth her." So much for dealing in "slaves, and souls of men," trampling
upon all human rights, defying God and his eternal law, and giving unlimited indulgence to every sensual and
devilish inclination! "Rejoice over her, thou heaven, and ye holy apostles and prophets; for God hath judged the
great whore, which did corrupt the earth with her fornication, and hath avenged the blood of his servants at her
hand."

Never has the truth of the ancient proverb, "Whom the gods intend to destroy, they first make mad," been more
signally illustrated than in the present condition of the Southern slaveholders. They are insane from their fears,
their guilty forebodings, their lust of power and rule, their hatred of free institutions, their consciousness of
merited judgments; so that they may be properly classed with the inmates of a lunatic asylum. Their dread of Mr.
Lincoln, of his administration, of the Republican party, demonstrates their insanity. In vain does Mr. Lincoln tell
them, "I do not now, nor ever did, stand in favor of the unconditional repeal of the Fugitive Slave Law"—"I do not
now, nor ever did, stand pledged against the admission of any more Slave States into the Union"—"I do not stand
pledged to the abolition of slavery in the District of Columbia"—"I do not stand pledged to the prohibition of the
slave trade between the different States"—they rave just as fiercely as though he were another John Brown,
armed for Southern invasion and universal emancipation! In vain does the Republican party present but one point
of antagonism to slavery—to wit, no more territorial expansion—and exhibit the utmost cautiousness not to give
offence in any other direction—and make itself hoarse in uttering professions of loyalty to the Constitution and the
Union—still, they protest that its designs are infernal, and for them there is "sleep no more"! Are not these the
signs of a demented people?

Nevertheless, there is "method" in their madness. In their wildest paroxysms, they know precisely how far to
proceed. "Will they secede from the Union?" Will they jump into the Atlantic? Will they conflagrate their own
dwellings, cut their own throats, and enable their slaves to rise in successful insurrection? Perhaps they will —
probably they will not! By their bullying and raving, they have many times frightened the North into a base
submission to their demands—and they expect to do it again! Shall they succeed?
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The Crime Against Kansas: The Apologies for the Crime; The True Remedy

Delivered to the United States Senate, 19-20 May 1856

By Hon. Charles Sumner

[Excerpts]

MR. PRESIDENT, -- You are now called to redress a great wrong. Seldom in the history of nations is such a question presented. Tariffs, army bills, navy bills, land bills, are important, and justly occupy your care; but these all belong to the course of ordinary legislation. As means and instruments only, they are necessarily subordinate to the conservation of Government itself. Grant them or deny them, in greater or less degree, and you inflict no shock. The machinery of Government continues to move. The State does not cease to exist. Far otherwise is it with the eminent question now before you, involving the peace of the whole country, with our good name in history forevermore.

Take down your map, Sir, and you will find that the Territory of Kansas, more than any other region, occupies the middle spot of North America, equally distant from the Atlantic on the east and the Pacific on the west, from the frozen waters of Hudson's Bay on the north and the tepid Gulf Stream on the south, -- constituting the precise geographical centre of the whole vast Continent. To such advantages of situation, on the very highway between two oceans, are added a soil of unsurpassed richness, and a fascinating, undulating beauty of surface, with a health-giving climate, calculated to nurture a powerful and generous people, worthy to be a central pivot of American institutions. A few short months have hardly passed since this spacious mediterranean country was open only to the savage, who ran wild in its woods and prairies; and now it has drawn to its bosom a population of freemen larger than Athens crowded within her historic gates....

Against this Territory, thus fortunate in position and population, a Crime has been committed which is without example in the records of the Past. Not in plundered provinces or in the cruelties of selfish governors will you find its parallel....

The wickedness which I now begin to expose is immeasurably aggravated by the motive which prompted it. Not in any common lust for power did this uncommon tragedy have its origin. It is the rape of a virgin Territory, compelling it to the hateful embrace of Slavery; and it may be clearly traced to a depraved desire for a new Slave State, hideous offspring of such a crime, in the hope of adding to the power of Slavery in the National Government. Yes, Sir, when the whole world, alike Christian and Turk, is rising up to condemn this wrong, making it a hissing to the nations, here in our Republic, force -- ay, Sir, FORCE -- is openly employed in compelling Kansas to this pollution, and all for the sake of political power. There is the simple fact, which you will vainly attempt to deny, but which in itself presents an essential wickedness that makes other public crimes seem like public virtues.

This enormity, vast beyond comparison, swells to dimensions of crime which the imagination toils in vain to grasp, when it is understood that for this purpose are hazarded the horrors of intestine feud, not only in this distant Territory, but everywhere throughout the country. The muster has begun. The strife is no longer local, but national. Even now, while I speak, portents lower in the horizon, threatening to darken the land, which already palpitates with the mutterings of civil war....

Such is the Crime which you are to judge. The criminal also must be dragged into the day, what you may see and measure the power by which all this wrong is sustained. From no common source could it proceed. In its perpetration was needed a spirit of vaulting ambition which would hesitate at nothing; a hardihood of purpose insensible to the judgment of mankind; a madness for Slavery, in spite of Constitution, laws, and all the great examples of our history; also consciousness of power such as comes from the habit of power; a combination of
energies found only in a hundred arms directed by a hundred eyes; a control of Public Opinion through venal pens and a prostituted press; an ability to subsidize crowds in every vocation of life, -- the politician with his local importance, the lawyer with his subtle tongue, and even the authority of the judge on the bench, -- with a familiar use of men in places high and low, so that none, from the President to the lowest border postmaster, should decline to be its tool: all these things, and more, were needed, and they were found in the Slave Power of our Republic. There, Sir, stands the criminal, unmasked before you, heartless, grasping, and tyrannical, with an audacity beyond that of Verres, a subtlety beyond that of Machiavel, a meanness beyond that of Bacon, and an ability beyond that of Hastings. Justice to Kansas can be secured only by the prostration of this influence; for this is the Power behind -- greater than any President -- which succors and sustains the Crime....

Such is the Crime and such the criminal which it is my duty to expose; and, by the blessing of God, this duty shall be done completely to the end. But this will not be enough. The Apologies which, with strange hardihood, are offered for the Crime must be torn away, so that it shall stand forth without a single rag or fig-leaf to cover its vileness. And, finally, the True Remedy must be shown....

Before entering upon the argument, I must say something of a general character, particularly in response to what has fallen from Senators who have raised themselves to eminence on this floor in championship of human wrong: I mean the Senator from South Carolina [Mr. Butler] and the Senator from Illinois [Mr. Douglas], who, though unlike as Don Quixote and Sancho Panza, yet, like this couple, sally forth together in the same adventure. I regret much to miss the elder Senator from his seat; but the cause against which he has run a tilt, with such ebullition of animosity, demands that the opportunity of exposing him should not be lost; and it is for the cause that I speak. The Senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight, with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him, -- though polluted in the sight of the world, is chaste in his sight: I mean the harlot Slavery. For her his tongue is always profuse in words. Let her be impeached in character, or any proposition be made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this Senator. The frenzy of Don Quixote in behalf of his wench Dulcinea del Toboso is all surpassed. The asserted rights of Slavery, which shock equality of all kinds, are cloaked by a fantastic claim of equality. If the Slave States cannot enjoy what, in mockery of the great fathers of the Republic, he misnames Equality under the Constitution, -- in other words, the full power in the National Territories to compel fellow-men to unpaid toil, to separate husband and wife, and to sell little children at the auction-block, - - then, Sir, the chivalric Senator will conduct the State of South Carolina out of the Union! Heroic knight! Exalted Senator! A second Moses come for a second exodus!

Not content with this poor menace, which we have been twice told was "measured," the Senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them "sectional and fanatical"; and resistance to the Usurpation of Kansas he denounces as "an uncalculating fanaticism." To be sure, these charges lack all grace of originality and all sentiment of truth; but the adventurous Senator does not hesitate. He is the uncompromising, unblushing representative on this floor of a flagrant sectionalism, now domineering over the Republic, -- and yet, with a ludicrous ignorance of his own position, unable to see himself as others see him, or with an effrontery which even his white head ought not to protect from rebuke, he applies to those here who resist his sectionalism the very epithet which designates himself. The men who strive to bring back the Government to its original policy, when Freedom and not Slavery was national, while Slavery and not Freedom was sectional, he arraigns as sectional. This will not do. It involves too great a perversion of terms. I tell that Senator that it is to himself, and to the "organization" of which he is the "committed advocate," that this epithet belongs. I now fasten it upon them. For myself, I care little for names; but, since the question is raised here, I affirm that the Republican party of the Union is in no just sense sectional, but, more than any other party, national, -- and that it now goes forth to dislodge from the high places that tyrannical sectionalism of which the Senator from South Carolina is one of the maddest zealots.

To the charge of fanaticism I also reply. Sir, fanaticism is found in an enthusiasm or exaggeration of opinion, particularly on religious subjects; but there may be fanaticism for evil as well as for good. Now I will not deny that
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there are persons among us loving Liberty too well for personal good in a selfish generation. Such there may be; and, for the sake of their example, would that there were more! In calling them "fanatics," you cast contumely upon the noble army of martyrs, from the earliest day down to this hour, -- upon the great tribunes of human rights, by whom life, liberty, and happiness on earth have been secured, -- upon the long line of devoted patriots, who, throughout history have truly loved their country, -- and upon all who, in noble aspiration for the general good, and in forgetfulness of self, have stood out before their age, and gathered into their generous bosoms the shafts of tyranny and wrong, in order to make a pathway for Truth; -- you discredit Luther, when alone he nailed his articles to the door of the church at Wittenberg, and then to the imperial demand that he should retract firmly replied, "Here I stand; I cannot do otherwise, so help me God!".... And in this same dreary catalogue faithful History must record all who now, in an enlightened age, and in a land of boasted Freedom, stand up, in perversion of the Constitution, and in denial of immortal truth, to fasten a new shackle upon their fellow-man. If the Senator wishes to see fanatics, let him look round among his own associates, -- let him look at himself....

Mr. President, I mean to keep absolutely within the limits of parliamentary propriety. I make no personal imputations, but only with frankness, such as belongs to the occasion and my own character, describe a great historical act, now enrolled in the Capitol. Sir, the Nebraska Bill was in every respect a swindle. It was a swindle of the North by the South. On the part of those who had already completely enjoyed their share of the Missouri Compromise, it was a swindle of those whose share was yet absolutely untouched; and the plea of unconstitutionality set up -- like the plea of usury after the borrowed money has been enjoyed -- did not make it less a swindle. Urged as a bill of peace, it was a swindle of the whole country. Urged as opening the doors to slave-masters with their slaves, it was a swindle of Popular Sovereignty in its asserted doctrine. Urged as sanctioning Popular Sovereignty, it was a swindle of slave-masters in their asserted rights. It was a swindle of a broad territory, thus cheated of protection against Slavery. It was a swindle of a great cause, early espoused by Washington, Franklin, and Jefferson, surrounded by the best fathers of the Republic. Sir, it was a swindle of God-given, inalienable rights. Turn it over, look at it on all sides, and it is everywhere a swindle; and if the word I now employ has not the authority of classical usage, it has, on this occasion, the indubitable authority of fitness. No other word will adequately express the mingled meanness and wickedness of the cheat....

[Sumner characterizes the electoral fraud, mob violence, and tainted government of pro-slavery Kansas.]

Thus was the Crime consummated. Slavery stands erect, clanking its chains on the Territory of Kansas, surrounded by a code of death, and trampling upon all cherished liberties, whether of speech, the press, the bar, the trial by jury, or the electoral franchise. And, Sir, all this is done, not merely to introduce a wrong which in itself is a denial of all rights, and in dread of which mothers have taken the lives of their offspring, -- not merely, as is sometimes said, to protect Slavery in Missouri, since it is futile for this State to complain of Freedom on the side of Kansas, when Freedom exists without complaint on the side of Iowa, and also on the side of Illinois, -- but it is done for the sake of political power, in order to bring two new slaveholding Senators upon this floor, and thus to fortify in the National Government the desperate chances of a waning Oligarchy. As the gallant ship, voyaging on pleasant summer seas, is assailed by a pirate crew, and plundered of doubloons and dollars, so is this beautiful Territory now assailed in peace and prosperity, and robbed of its political power for the sake of Slavery. Even now the black flag of the land pirates from Missouri waves at the mast-head; in their laws you hear the pirate yell and see the flash of the pirate knife; while, incredible to relate, the President, gathering the Slave Power at his back, testifies a pirate sympathy.

Sir, all this was done in the name of Popular Sovereignty. And this is the close of the tragedy. Popular Sovereignty, which, when truly understood, is a fountain of just power, has ended in Popular Slavery, -- not in the subjection of the unhappy African race merely, but of this proud Caucasian blood which you boast. The profession with which you began, of All by the People, is lost in the wretched reality of Nothing for the People....

With regret I come again upon the Senator from South Carolina [Mr. Butler], who, omnipresent in this debate, overflows with rage at the simple suggestion that Kansas has applied for admission as a State, and, with incoherent phrase, discharges the loose expectoration of his speech, now upon her representative, and then upon her
people. There was no extravagance of the ancient Parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make, -- with so much of passion, I gladly add, as to save him from the suspicion of intentional aberration. But the Senator touches nothing which he does not disfigure -- with error, sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law, whether in details of statistics or diversions of scholarship. He cannot ope[n] his mouth, but out there flies a blunder....

But it is against the people of Kansas that the sensibilities of the Senator are particularly aroused. Coming, as he announces, "from a State," -- ay, Sir, from South Carolina, -- he turns with lordly disgust from this newly formed community, which he will not recognize even as "a member of the body politic." Pray, Sir, by what title does he indulge in this egotism? Has he read the history of the "State" which he represents? He cannot, surely, forget its shameful imbecility from Slavery, confessed throughout the Revolution, followed by its more shameful assumptions for Slavery since. He cannot forget its wretched persistence in the slave-trade, as the very apple of its eye, and the condition of its participation in the Union. He cannot forget its Constitution, which is republican only in name, confirming power in the hands of the few, and founding the qualifications of its legislators on "a settled freehold estate of five hundred acres of land and ten negroes." And yet the Senator to whom this "State" has in part committed the guardianship of its good name, instead of moving with backward-treading steps to cover its nakedness, rushes forward, in the very ecstasy of madness, to expose it, by provoking comparison with Kansas. South Carolina is old; Kansas is young. South Carolina counts in centuries, where Kansas counts by years. But a beneficent example may be born in a day; and I venture to declare, that against the two centuries of the older "State" may be set already the two years of trial, evolving corresponding virtue, in the younger community. In the one is the long wail of Slavery; in the other, the hymn of Freedom. And if we glance at special achievement, it will be difficult to find anything in the history of South Carolina which presents so much of heroic spirit in an heroic cause as shines in that repulse of the Missouri invaders by the beleaguered town of Lawrence, where even the women gave their effective efforts to Freedom.... Were the whole history of South Carolina blotted out of existence, from its very beginning down to the day of the last election of the Senator to his present seat on this floor, civilization might lose -- I do not say how little, but surely less than it has already gained by the example of Kansas, in that valiant struggle against oppression, and in the development of a new science of emigration. Already in Lawrence alone are newspapers and schools, including a High School, -- and throughout this infant Territory there is more of educated talent, in proportion to its inhabitants, than in his vaunted "State." Ah, Sir, I tell the Senator, that Kansas, welcome as a Free State, "a ministering angel shall be" to the Republic, when South Carolina, in the cloak of darkness which she hugs, "lies howling...."

The contest, which, beginning in Kansas, reaches us will be transferred soon from Congress to that broader stage, where every citizen is not only spectator, but actor; and to their judgment I confidently turn. To the People, about to exercise the electoral franchise, in choosing a Chief Magistrate of the Republic, I appeal, to vindicate the electoral franchise in Kansas. Let the ballot-box of the Union, with multitudinous might, protect the ballot-box in that Territory. Let the voters everywhere, while rejoicing in their own rights, help guard the equal rights of distant fellow-citizens, that the shrines of popular institutions, now desecrated, may be sanctified anew, -- that the ballot-box, now plundered, may be restored, -- and that the cry, "I am an American citizen," shall no longer be impotent against outrage. In just regard for free labor, which you would blast by deadly contact with slave labor, -- in Christian sympathy with the slave, whom you would task and sell, -- in stern condemnation of the Crime consummated on that beautiful soil, -- in rescue of fellow-citizens, now subjugated to Tyrannical Usurpation, -- in dutiful respect for the early Fathers, whose aspirations are ignobly thwarted, -- in the name of the Constitution outraged, of the Laws trampled down, of Justice banished, of Humanity degraded, of Peace destroyed, of Freedom crushed to earth, -- and in the name of the Heavenly Father, whose service is perfect freedom, I make this last appeal.

Causes of the Civil War: Primary Source Documents

Map and Table of 1860 Presidential Election Returns


Electoral Votes: Total 303
Abraham Lincoln = 180
John Breckinridge = 72
John Bell = 39
Stephen Douglas = 12

Popular Vote + Percentage
Abraham Lincoln = 1,865,908 + 39.8%
John Breckinridge = 848,019 + 18.1%
John Bell = 590,901 + 12.6%
Stephen Douglas = 1,380,202 + 29.5%

States Carried: Total 33
Abraham Lincoln = 17 + split N. Jersey w/Douglas
John Breckinridge = 11
John Bell = 3
Stephen Douglass = 1 + split N. Jersey w/Lincoln
President Abraham Lincoln’s Proclamation Calling Militia and Convening Congress

April 15, 1861
By the President of the United States

A Proclamation.

Whereas an insurrection against the Government of the United States has broken out in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, and the laws of the United States for the collection of the revenue cannot be effectually executed therein conformably to that provision of the Constitution which requires duties to be uniform throughout the United States:

And whereas a combination of persons engaged in such insurrection, have threatened to grant pretended letters of marque to authorize the bearers thereof to commit assaults on the lives, vessels, and property of good citizens of the country lawfully engaged in commerce on the high seas, and in waters of the United States: And whereas an Executive Proclamation has already been issued, requiring the persons engaged in these disorderly proceedings to desist therefrom, calling out a militia force for the purpose of repressing the same, and convening Congress in extraordinary session, to deliberate and determine thereon:

Now, therefore, I, Abraham Lincoln, President of the United States, with a view to the same purposes before mentioned, and to the protection of the public peace, and the lives and property of quiet and orderly citizens pursuing their lawful occupations, until Congress shall have assembled and deliberated on the said unlawful proceedings, or until the same time shall have ceased, have further deemed it advisable to set on foot a blockade of the ports within the States aforesaid, in pursuance of the laws of the United States, and of the law of Nations, in such case provided. For this purpose a competent force will be posted so as to prevent entrance and exit of vessels from the ports aforesaid. If, therefore, with a view to violate such blockade, a vessel shall approach, or shall attempt to leave either of the said ports, she will be duly warned by the Commander of one of the blockading vessels, who will endorse on her register the fact and date of such warning, and if the same vessel shall again attempt to enter or leave the blockaded port, she will be captured and sent to the nearest convenient port, for such proceedings against her and her cargo as prize, as may be deemed advisable.

And I hereby proclaim and declare, that if any person, under the pretended authority of the said States, or under any other pretense, shall molest a vessel of the United States, or the persons or cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy.

In witness thereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this fifteenth day of April in the year of our Lord One thousand, Eight hundred and Sixty-one, and of the Independence of the United States the Eighty-fifth.

Abraham Lincoln

By the President
William H. Seward, Secretary of State.

Causes of the Civil War: Primary Source Documents

Virginia Resolution

RESOLVED, That the General Assembly of Virginia, doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State, against every aggression either foreign or domestic, and that they will support the government of the United States in all measures warranted by the former.

That this assembly most solemnly declares a warm attachment to the Union of the States, to maintain which it pledges all its powers; and that for this end, it is their duty to watch over and oppose every infraction of those principles which constitute the only basis of that Union, because a faithful observance of them, can alone secure it's existence and the public happiness.

That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact, to which the states are parties; as limited by the plain sense and intention of the instrument constituting the compact; as no further valid that they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states who are parties thereto, have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them.

That the General Assembly doth also express its deep regret, that a spirit has in sundry instances, been manifested by the federal government, as resulting from the compact, to which the states are parties; as limited by the plain sense and intention of the instrument constituting the compact; as no further valid that they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states who are parties thereto, have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them.

That the General Assembly doth also express its deep regret, that a spirit has in sundry instances, been manifested by the federal government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and that implications have appeared of a design to expound certain general phrases (which having been copied from the very limited grant of power, in the former articles of confederation were the less liable to be misconstrued) so as to destroy the meaning and effect, of the particular enumeration which necessarily explains and limits the general phrases; and so as to consolidate the states by degrees, into one sovereignty, the obvious tendency and inevitable consequence of which would be, to transform the present republican system of the United States, into an absolute, or at best a mixed monarchy.

That the General Assembly doth particularly protest against the palpable and alarming infractions of the Constitution, in the two late cases of the "Alien and Sedition Acts" passed at the last session of Congress; the first of which exercises a power no where delegated to the federal government, and which by uniting legislative and judicial powers to those of executive, subverts the general principles of free government; as well as the particular organization, and positive provisions of the federal constitution; and the other of which acts, exercises in like manner, a power not delegated by the constitution, but on the contrary, expressly and positively forbidden by one of the amendments thereto; a power, which more than any other, ought to produce universal alarm, because it is levelled against that right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed, the only effectual guardian of every other right.

That this state having by its Convention, which ratified the federal Constitution, expressly declared, that among other essential rights, "the Liberty of Conscience and of the Press cannot be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry or ambition, having with other states, recommended an amendment for that purpose, which amendment was, in due time, annexed to the Constitution; it would mark a reproachable
inconsistency, and criminal degeneracy, if an indifference were now shewn, to the most palpable violation of one of the Rights, thus declared and secured; and to the establishment of a precedent which may be fatal to the other.

That the good people of this commonwealth, having ever felt, and continuing to feel, the most sincere affection for their brethren of the other states; the truest anxiety for establishing and perpetuating the union of all; and the most scrupulous fidelity to that constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like dispositions of the other states, in confidence that they will concur with this commonwealth in declaring, as it does hereby declare, that the acts aforesaid, are unconstitutional; and that the necessary and proper measures will be taken by each, for co-operating with this state, in maintaining the Authorities, Rights, and Liberties, referred to the States respectively, or to the people.

That the Governor be desired, to transmit a copy of the foregoing Resolutions to the executive authority of each of the other states, with a request that the same may be communicated to the Legislature thereof; and that a copy be furnished to each of the Senators and Representatives representing this state in the Congress of the United States.

Agreed to by the Senate, December 24, 1798.

Source: The Avalon Project at Yale Law School
The Kentucky Resolution

1799

HE representatives of the good people of this commonwealth in general assembly convened, having maturely considered the answers of sundry states in the Union, to their resolutions passed at the last session, respecting certain unconstitutional laws of Congress, commonly called the alien and sedition laws, would be faithless indeed to themselves, and to those they represent, were they silently to acquiesce in principles and doctrines attempted to be maintained in all those answers, that of Virginia only excepted. To again enter the field of argument, and attempt more fully or forcibly to expose the unconstitutionality of those obnoxious laws, would, it is apprehended be as unnecessary as unavailing.

We cannot however but lament, that in the discussion of those interesting subjects, by sundry of the legislatures of our sister states, unfounded suggestions, and uncandid insinuations, derogatory of the true character and principles of the good people of this commonwealth, have been substituted in place of fair reasoning and sound argument. Our opinions of those alarming measures of the general government, together with our reasons for those opinions, were detailed with decency and with temper, and submitted to the discussion and judgment of our fellow citizens throughout the Union. Whether the decency and temper have been observed in the answers of most of those states who have denied or attempted to obviate the great truths contained in those resolutions, we have now only to submit to a candid world. Faithful to the true principles of the federal union, unconscious of any designs to disturb the harmony of that Union, and anxious only to escape the fangs of despotism, the good people of this commonwealth are regardless of censure or calumination.

Least however the silence of this commonwealth should be construed into an acquiescence in the doctrines and principles advanced and attempted to be maintained by the said answers, or least those of our fellow citizens throughout the Union, who so widely differ from us on those important subjects, should be deluded by the expectation, that we shall be deterred from what we conceive our duty; or shrink from the principles contained in those resolutions: therefore.

RESOLVED, That this commonwealth considers the federal union, upon the terms and for the purposes specified in the late compact, as conducive to the liberty and happiness of the several states: That it does now unequivocally declare its attachment to the Union, and to that compact, agreeable to its obvious and real intention, and will be among the last to seek its dissolution: That if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, annihilation of the state governments, and the erection upon their ruins, of a general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism; since the discretion of those who administer the government, and not the constitution, would be the measure of their powers: That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts done under colour of that instrument, is the rightful remedy: That this commonwealth does upon the most deliberate reconsideration declare, that the said alien and sedition laws, are in their opinion, palpable violations of the said constitution; and however cheerfully it may be disposed to surrender its opinion to a majority of its sister states in matters of ordinary or doubtful policy; yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal: That although this commonwealth as a party to the federal compact; will bow to the laws of the Union, yet it does at the same time declare, that it will not now, nor ever hereafter, cease to oppose in a constitutional manner, every attempt from what quarter soever offered, to violate that compact:
Causes of the Civil War: Primary Source Documents

AND FINALLY, in order that no pretexts or arguments may be drawn from a supposed acquiescence on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of federal compact; this commonwealth does now enter against them, its SOLEMN PROTEST.

Approved December 3rd, 1799.

Source: The Avalon Project at Yale Law School
Causes of the Civil War: Primary Source Documents

A House Divided

Abraham Lincoln

1858

Excerpts:

R. PRESIDENT AND GENTLEMEN OF THE CONVENTION: If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. "A house divided against itself cannot stand." I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved; I do not expect the house to fall; but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the States, old as well as new, North as well as South. Have we no tendency to the latter condition?

Let any one who doubts, carefully contemplate that now almost complete legal combination -- piece of machinery, so to speak— compounded of the Nebraska doctrine and the Dred Scott decision. Let him consider, not only what work the machinery is adapted to do, and how well adapted, but also let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidences of design, and concert of action, among its chief architects, from the beginning.

The new year of 1854 found slavery excluded from more than half the States by State Constitutions, and from most of the National territory by Congressional prohibition. Four days later, commenced the struggle which ended in repealing that Congressional prohibition. This opened all the National territory to slavery, and was the first point gained....

While the Nebraska Bill was passing through Congress, a law case, involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free State, and then into a territory covered by the Congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the District of Missouri; and both Nebraska Bill and lawsuit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally made in the case. Before the then next Presidential election, the law case came to, and was argued in, the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requested the leading advocate of the Nebraska Bill to state his opinion whether the people of a Territory can constitutionally exclude slavery from their limits; and the latter answers: "That is a question for the Supreme Court."

The election came. Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. . . . The Presidential inauguration came, and still no decision of the court; but the incoming President, in his inaugural address, vehemently denounced all opposition to it. Then, in a few days, came the decision.

The reputed author of the Nebraska Bill finds an early occasion to make a speech at this capital indorsing the Dred Scott decision, and vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained!
At length a squabble springs up between the President and the author of the Nebraska Bill, on the mere question of fact, whether the Lecompton Constitution was or was not in any just sense made by the people of Kansas; and in that quarrel the latter declares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted down or voted up; apt I do not understand his declaration, that he cares not whether slavery be voted down or voted up to be intended by him other than as an apt definition of the policy he would impress upon the public mind.... That principle is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision "squatter sovereignty" squatted out of existence, tumbled down like temporary scaffolding; like the mould at the foundry, served through one blast, and fell back into loose sand; helped to carry an election, and then was kicked to the winds. His late joint struggle with the Republicans, against the Lecompton Constitution, involves nothing of the original Nebraska doctrine. That struggle was made on a point -- the right of a people to make their own constitution -- upon which he and the Republicans have never differed.

The several points of the Dred Scott decision, in connection with Senator Douglas's "care not" policy, constitute the piece of machinery, in its present state of advancement. This was the third point gained. The working points of that machinery are:

Firstly, That no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States. This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution which declares that "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

Secondly, That, "subject to the Constitution of the United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States Territory. This point is made in order that individual men may fill up the Territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

Thirdly, That whether the holding a negro in actual slavery in a free State makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott, in the free State of Illinois, every other master may lawfully do with any other one, or one thousand slaves, in Illinois, or in any other free State.

Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mould public opinion, at least Northern public opinion, not to care whether slavery is voted down or voted up. This shows exactly where we now are; and partially, also, whither we are tending....

Why was the amendment, expressly declaring the right of the people, voted down? Plainly enough now,—the adoption of it would have spoiled the niche for the Dred Scott decision. Why was the court decision held up? Why even a Senator's individual opinion withheld, till after the Presidential election? Plainly enough now,—the speaking out then would have damaged the "perfectly free" argument upon which the election was to be carried. Why the outgoing President's felicitation on the indorsement? Why the delay of a reargument? Why the incoming President's advance exhortation in favor of the decision? These things look like the cautious patting and petting of a spirited horse preparatory to mounting him, when it is dreaded that he may give the rider a fall. And why the hasty after-indorsement of the decision by the President and others?

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen,—Stephen, Franklin, Roger and James, for instance,—and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece
too many or too few,—not omitting even scaffolding,—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in,—in such a case, we find it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck....

Source: Civil Bible courtesy of TnCrimLaw
An ordinance to nullify certain acts of the Congress of the United States, purporting to be laws laying duties and imposts on the importation of foreign commodities.

(SC Ordinance of Nullification) 1832

Whereas the Congress of the United States by various acts, purporting to be acts laying duties and imposts on foreign imports, but in reality intended for the protection of domestic manufactures and the giving of bounties to classes and individuals engaged in particular employments, at the expense and to the injury and oppression of other classes and individuals, and by wholly exempting from taxation certain foreign commodities, such as are not produced or manufactured in the United States, to afford a pretext for imposing higher and excessive duties on articles similar to those intended to be protected, bath exceeded its just powers under the constitution, which confers on it no authority to afford such protection, and bath violated the true meaning and intent of the constitution, which provides for equality in imposing the burdens of taxation upon the several States and portions of the confederacy: And whereas the said Congress, exceeding its just power to impose taxes and collect revenue for the purpose of effecting and accomplishing the specific objects and purposes which the constitution of the United States authorizes it to effect and accomplish, hath raised and collected unnecessary revenue for objects unauthorized by the constitution.

We, therefore, the people of the State of South Carolina, in convention assembled, do declare and ordain and it is hereby declared and ordained, that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and effect within the United States, and, more especially, an act entitled "An act in alteration of the several acts imposing duties on imports," approved on the nineteenth day of May, one thousand eight hundred and twenty-eight and also an act entitled "An act to alter and amend the several acts imposing duties on imports," approved on the fourteenth day of July, one thousand eight hundred and thirty-two, are unauthorized by the constitution of the United States, and violate the true meaning and intent thereof and are null, void, and no law, nor binding upon this State, its officers or citizens; and all promises, contracts, and obligations, made or entered into, or to be made or entered into, with purpose to secure the duties imposed by said acts, and all judicial proceedings which shall be hereafter had in affirmance thereof, are and shall be held utterly null and void.

And it is further ordained, that it shall not be lawful for any of the constituted authorities, whether of this State or of the United States, to enforce the payment of duties imposed by the said acts within the limits of this State; but it shall be the duty of the legislature to adopt such measures and pass such acts as may be necessary to give full effect to this ordinance, and to prevent the enforcement and arrest the operation of the said acts and parts of acts of the Congress of the United States within the limits of this State, from and after the first day of February next, and the duties of all other constituted authorities, and of all persons residing or being within the limits of this State, and they are hereby required and enjoined to obey and give effect to this ordinance, and such acts and measures of the legislature as may be passed or adopted in obedience thereto.

And it is further ordained, that in no case of law or equity, decided in the courts of this State, wherein shall be drawn in question the authority of this ordinance, or the validity of such act or acts of the legislature as may be passed for the purpose of giving effect thereto, or the validity of the aforesaid acts of Congress, imposing duties, shall any appeal be taken or allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose; and if any such appeal shall be attempted to be taken, the courts of this State shall proceed to execute and enforce their judgments according to the laws and usages of the State, without reference to such attempted appeal, and the person or persons attempting to take such appeal may be dealt with as for a contempt of the court.
Causes of the Civil War: Primary Source Documents

And it is further ordained, that all persons now holding any office of honor, profit, or trust, civil or military, under this State (members of the legislature excepted), shall, within such time, and in such manner as the legislature shall prescribe, take an oath well and truly to obey, execute, and enforce this ordinance, and such act or acts of the legislature as may be passed in pursuance thereof, according to the true intent and meaning of the same, and on the neglect or omission of any such person or persons so to do, his or their office or offices shall be forthwith vacated, and shall be filled up as if such person or persons were dead or had resigned; and no person hereafter elected to any office of honor, profit, or trust, civil or military (members of the legislature excepted), shall, until the legislature shall otherwise provide and direct, enter on the execution of his office, or be he any respect competent to discharge the duties thereof until he shall, in like manner, have taken a similar oath; and no juror shall be impaneled in any of the courts of this State, in any cause in which shall be in question this ordinance, or any act of the legislature passed in pursuance thereof, unless he shall first, in addition to the usual oath, have taken an oath that he will well and truly obey, execute, and enforce this ordinance, and such act or acts of the legislature as may be passed to carry the same into operation and effect, according to the true intent and meaning thereof.

And we, the people of South Carolina, to the end that it may be fully understood by the government of the United States, and the people of the co-States, that we are determined to maintain this our ordinance and declaration, at every hazard, do further declare that we will not submit to the application of force on the part of the federal government, to reduce this State to obedience, but that we will consider the passage, by Congress, of any act authorizing the employment of a military or naval force against the State of South Carolina, her constitutional authorities or citizens; or any act abolishing or closing the ports of this State, or any of them, or otherwise obstructing the free ingress and egress of vessels to and from the said ports, or any other act on the part of the federal government, to coerce the State, shut up her ports, destroy or harass her commerce or to enforce the acts hereby declared to be null and void, otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union; and that the people of this State will henceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States; and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent States may of right do.

Done in convention at Columbia, the twenty-fourth day of November, in the year of our Lord one thousand eight hundred and thirty-two, and in the fifty-seventh year of the Declaration of the Independence of the United States of America.

Source: The Avalon Project at Yale Law School
Causes of the Civil War: Primary Source Documents

Slavery A Positive Good

By John C Calhoun

1837

I do not belong, said Mr. C., to the school which holds that aggression is to be met by concession. Mine is the opposite creed, which teaches that encroachments must be met at the beginning, and that those who act on the opposite principle are prepared to become slaves. In this case, in particular I hold concession or compromise to be fatal. If we concede an inch, concession would follow concession and compromise would follow compromise, until our ranks would be so broken that effectual resistance would be impossible. We must meet the enemy on the frontier, with a fixed determination of maintaining our position at every hazard. Consent to receive these insulting petitions, and the next demand will be that they be referred to a committee in order that they may be deliberated and acted upon. At the last session we were modestly asked to receive them, simply to lay them on the table, without any view to ulterior action. . . . I then said, that the next step would be to refer the petition to a committee, and I already see indications that such is now the intention. If we yield, that will be followed by another, and we will thus proceed, step by step, to the final consummation of the object of these petitions. We are now told that the most effectual mode of arresting the progress of abolition is, to reason it down; and with this view it is urged that the petitions ought to be referred to a committee. That is the very ground which was taken at the last session in the other House, but instead of arresting its progress it has since advanced more rapidly than ever. The most unquestionable right may be rendered doubtful, if once admitted to be a subject of controversy, and that would be the case in the present instance. The subject is beyond the jurisdiction of Congress - they have no right to touch it in any shape or form, or to make it the subject of deliberation or discussion. . . .

As widely as this incendiary spirit has spread, it has not yet infected this body, or the great mass of the intelligent and business portion of the North; but unless it be speedily stopped, it will spread and work upwards till it brings the two great sections of the Union into deadly conflict. This is not a new impression with me. Several years since, in a discussion with one of the Senators from Massachusetts (Mr. Webster), before this fell spirit had showed itself, I then predicted that the doctrine of the proclamation and the Force Bill that this Government had a right, in the last resort, to determine the extent of its own powers, and enforce its decision at the point of the bayonet, which was so warmly maintained by that Senator, would at no distant day arouse the dormant spirit of abolitionism. I told him that the doctrine was tantamount to the assumption of unlimited power on the part of the Government, and that such would be the impression on the public mind in a large portion of the Union. The consequence would be inevitable. A large portion of the Northern States believed slavery to be a sin, and would consider it as an obligation of conscience to abolish it if they should feel themselves in any degree responsible for its continuance, and that this doctrine would necessarily lead to the belief of such responsibility. I then predicted that it would commence as it has with this fanatical portion of society, and that they would begin their operations on the ignorant, the weak, the young, and the thoughtless and gradually extend upwards till they would become strong enough to obtain political control, when he and others holding the highest stations in society, would, however reluctant, be compelled to yield to their doctrines, or be driven into obscurity. But four years have since elapsed, and all this is already in a course of regular fulfilment.

Standing at the point of time at which we have now arrived, it will not be more difficult to trace the course of future events now than it was then. They who imagine that the spirit now abroad in the North, will die away of
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itself without a shock or convulsion, have formed a very inadequate conception of its real character; it will continue to rise and spread, unless prompt and efficient measures to stay its progress be adopted. Already it has taken possession of the pulpit, of the schools, and, to a considerable extent, of the press; those great instruments by which the mind of the rising generation will be formed.

However sound the great body of the non-slaveholding States are at present, in the course of a few years they will be succeeded by those who will have been taught to hate the people and institutions of nearly one-half of this Union, with a hatred more deadly than one hostile nation ever entertained towards another. It is easy to see the end. By the necessary course of events, if left to themselves, we must become, finally, two people. It is impossible under the deadly hatred which must spring up between the two great nations, if the present causes are permitted to operate unchecked, that we should continue under the same political system. The conflicting elements would burst the Union asunder, powerful as are the links which hold it together. Abolition and the Union cannot coexist.

As the friend of the Union I openly proclaim it and the sooner it is known the better. The former may now be controlled, but in a short time it will be beyond the power of man to arrest the course of events. We of the South will not, cannot, surrender our institutions. To maintain the existing relations between the two races, inhabiting that section of the Union, is indispensable to the peace and happiness of both. It cannot be subverted without drenching the country or the other of the races. . . . But let me not be understood as admitting, even by implication, that the existing relations between the two races in the slaveholding States is an evil: far otherwise; I hold it to be a good, as it has thus far proved itself to be to both, and will continue to prove so if not disturbed by the fell spirit of abolition. I appeal to facts. Never before has the black race of Central Africa, from the dawn of history to the present day, attained a condition so civilized and so improved, not only physically, but morally and intellectually.

In the meantime, the white or European race, has not degenerated. It has kept pace with its brethren in other sections of the Union where slavery does not exist. It is odious to make comparison; but I appeal to all sides whether the South is not equal in virtue, intelligence, patriotism, courage, disinterestedness, and all the high qualities which adorn our nature.

But I take higher ground. I hold that in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing in the slaveholding States between the two, is, instead of an evil, a good, a positive good. I feel myself called upon to speak freely upon the subject where the honor and interests of those I represent are involved. I hold then, that there never has yet existed a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of the other. Broad and general as is this assertion, it is fully borne out by history. This is not the proper occasion, but, if it were, it would not be difficult to trace the various devices by which the wealth of all civilized communities has been so unequally divided, and to show by what means so small a share has been allotted to those by whose labor it was produced, and so large a share given to the non-producing classes. The devices are almost innumerable, from the brute force and gross superstition of ancient times, to the subtle and artful fiscal contrivances of modern. I might well challenge a comparison between them and the more direct, simple, and patriarchal mode by which the labor of the African race is, among us, commanded by the European. I may say with truth, that in few countries so much is left to the share of the laborer, and so little exacted from him, or where there is more kind attention paid to him in sickness or infirmities of age. Compare his condition with the tenants of the poor houses in the more civilized portions of Europe look at the sick, and the old
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and infirm slave, on one hand, in the midst of his family and friends, under the kind superintending care of his
master and mistress, and compare it with the forlorn and wretched condition of the pauper in the poorhouse. But I
will not dwell on this aspect of the question; I turn to the political; and here I fearlessly assert that the existing
relation between the two races in the South, against which these blind fanatics are waging war, forms the most
solid and durable foundation on which to rear free and stable political institutions. It is useless to disguise the fact.
There is and always has been in an advanced stage of wealth and civilization, a conflict between labor and capital.
The condition of society in the South exempts us from the disorders and dangers resulting from this conflict; and
which explains why it is that the political condition of the slaveholding States has been so much more stable and
quiet than that of the North. . . . Surrounded as the slaveholding States are with such imminent perils, I rejoice to
think that our means of defense are ample, if we shall prove to have the intelligence and spirit to see and apply
them before it is too late. All we want is concert, to lay aside all party differences and unite with zeal and energy in
repelling approaching dangers. Let there be concert of action, and we shall find ample means of security without
resorting to secession or disunion. I speak with full knowledge and a thorough examination of the subject, and for
one see my way clearly. . . . I dare not hope that anything I can say will arouse the South to a due sense of danger; I
fear it is beyond the power of mortal voice to awaken it in time from the fatal security into which it has fallen.

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