

UNIT 4**Equality in America**

45-50-minute classes | 16-20 classes

UNIT PREVIEW

Structure

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Why Teach Equality in America

The United States was the first country in history founded on a commitment to equality: that “all men are created equal.” Since 1776, Americans’ efforts to live and govern by this principle have resulted in the greatest degrees of freedom, prosperity, and security for most people in human history, both for American citizens and for the peoples of the world. It is unprecedented. It is what makes America exceptional. But it is also true that America has not always lived up to the great truth of equality. Thus while the American Founders were at the vanguard of asserting and securing the equal natural rights of all people—setting the nation on the path to establishing such equality—they also allowed the inhumane institution of slavery to become the foremost stumbling block toward achieving the fundamental human equality they had proclaimed. Nevertheless, by the 1850s and 1860s a strong majority of Americans, growing out of an abolitionist movement inspired by the principles of the Declaration of Independence, and led by Abraham Lincoln and the soldiers of the Union, would take up the Founders’ charge to ensure that America would be a nation of equality and freedom for all.

What Teachers Should Consider

Probably the greatest charge against the founders and the founding of the United States is that slavery existed in America. There is absolutely no denying that this was the case. Additionally, it is undeniable that slavery was immensely consequential, most so to African Americans who were held in bondage and suffered under the institution.

So when the truth that slavery was present when the United States was being founded is set side-by-side with the truth that America was founded on the idea that “all men are created equal,” judgements of hypocrisy at best and outright lying at worst are entirely expected. And such judgments were made at the time of the founding as they are made today. By themselves, these two facts can only lead to these two conclusions.

And yet, these facts do not stand by themselves. Like everything in history, an individual moment cannot be isolated from the moments that came before and after it.

As we travel backwards from the time when the Declaration of Independence’s argument that “all men are created equal” established this contradiction, we see slavery that was permitted in all thirteen colonies, though practiced most in the southern colonies. We see its gradual codification in colonial Virginia during the 1600s. But as we broaden our geography from not just what would be the future United States but also to the entire world, we see that slavery and the slave trade were practiced almost everywhere, including by Arab and European slave traders and even among Africans themselves. We see systems of slavery that introduced other forms of brutality to even more enslaved Africans in many colonies that would not become parts of America, such as in the Caribbean. And as we look around the world all through human history, we see slavery in every culture in every part of the world back to the dawn of man.

America in 1776 was exceptional in many ways, but the existence of slavery was not one of them.

But if we return to 1776 and move forward from July 4, we see divisions among the founders themselves on the morality of slavery, the creation of abolitionist societies, and the outlawing of slavery in several states during the Revolution. We see increased citations of the Declaration of Independence as justification to abolish slavery. The Constitution permitted the existence of slavery but placed limitations on it. We see several founders themselves free slaves they had previously claimed to own. Writings of individual founders anticipate the natural decline of slavery simply on the basis of being unprofitable with the principles of the Declaration continuing to change public opinion. And when these projections unexpectedly proved to be wrong with the invention of the cotton gin, a revival in the institution was checked by a growing abolitionist movement that cited the principle that “all men are created equal.” Americans fought the bloodiest war in their history, neighbor against neighbor, a war that ended slavery with an appeal to the principles on which America was founded. Great efforts towards civil rights were made during Reconstruction and, when these failed, figures such as Martin Luther King, Jr. referred to the Declaration’s statement that “all men are created equal” as a “promissory note” in the quest for civil rights a century later, finally achieved in 1964. All the while peoples across the world turned to America and its founding principle of equality to end tyrannies, colonization, and other injustices, establishing the way of life we have come to consider to be the normal state of affairs for human beings.

These are the other facts surrounding the contradiction in America’s founding. Teachers and students must know and understand all of these in order to see America—both her good accomplishments and her moral failures—as they are, not as we wish them to be.

How Teachers Can Learn More

TEXTS

The U.S. Constitution: A Reader, ed. Hillsdale College Politics Faculty Chapters 7–9

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Introduction to the Constitution

Constitution 101

Civil Rights in American History

Primary Sources Studied in This Unit

Statements on slavery, George Washington, John Adams, Benjamin Franklin, Alexander Hamilton, James Madison
Notes on the State of Virginia, Query 18: “Manners,” Thomas Jefferson
 “What to the Slave Is the Fourth of July?” Frederick Douglass
 “The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?” Frederick Douglass
 Speech on the reception of abolition petitions, John C. Calhoun
 Speech on the Oregon Bill, John C. Calhoun
 The Perpetuation of Our Political Institutions, Abraham Lincoln
 Speech at Peoria, Abraham Lincoln
Dred Scott v. Sandford
 Speech on the *Dred Scott* decision, Abraham Lincoln
 “House Divided” speech, Abraham Lincoln
 Speech at Chicago, Stephen Douglas
 The Seventh Lincoln-Douglas Debate
 Address at Cooper Institute, Abraham Lincoln
 Cornerstone Speech, Alexander Stephens
 First inaugural address, Abraham Lincoln
 Message to Congress in Special Session, Abraham Lincoln
 The Emancipation Proclamation, Abraham Lincoln
 Gettysburg Address, Abraham Lincoln
 Second inaugural address, Abraham Lincoln
 Civil Rights Act of 1866
 13th Amendment to the Constitution
 14th Amendment to the Constitution
 15th Amendment to the Constitution
 The Atlanta Exposition Address, Booker T. Washington
 “The Talented Tenth,” W.E.B. DuBois

LESSON PLANS, ASSIGNMENTS, AND FORMATIVE QUIZ

Lesson 1 — Self-Government vs. Slavery

4-5 classes

LESSON OBJECTIVE

Students learn about the status of slavery during the American founding and the ways in which its status changed afterward.

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Introduction to the Constitution

Lecture 3

Constitution 101

Lecture 6

Civil Rights in American History

Lectures 1 and 2

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary sources. While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

Statements on slavery, George Washington, John Adams, Benjamin Franklin, Alexander Hamilton, James Madison

Notes on the State of Virginia, Query 18: “Manners,” Thomas Jefferson

“What to the Slave Is the Fourth of July?” Frederick Douglass

“The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?” Frederick Douglass

Speech on the reception of abolition petitions, John C. Calhoun

Speech on the Oregon Bill, John C. Calhoun

The Perpetuation of Our Political Institutions, Abraham Lincoln

TERMS AND TOPICS

equality

Compromise of 1850

slavery

self-government

Northwest Ordinance

rule of law

abolition

civic education

cotton gin

civic religion

Missouri Compromise

statesmanship

positive good

morality

concurrent majority

political persuasion

sectionalism

political moderation

QUESTIONS FOR THE AMERICAN MIND

- How did the Founders understand the tension between slavery and the principle of equality in the Declaration of Independence?
- What was the nature of the Founders’ compromise with slavery at the time of the founding for the sake of the union? Would it have been possible to abolish slavery in the southern colonies without union?
- Why did many in the founding generation expect that slavery would eventually die out so long as it was not allowed to expand?
- What efforts did some founders make to abolish slavery?
- What are the three clauses related to slavery in the Constitution? Explain each.
- How was the Three-Fifth Compromise a partial victory for slaveholders and a partial victory for abolitionists?
- How did Frederick Douglass’s views on the founding with respect to slavery change during his work for abolition?
- What were the unforeseen consequences of the cotton gin, invented in 1793, four years after the adoption of the Constitution?
- What was the argument in the defense of slavery as a “positive good” that emerged among slaveholding apologists in the decades after the founding?
- How did the idea of slavery as a “positive good” challenge the Constitution’s stance on slavery and the path on which the founding generation had set slavery?
- How did John C. Calhoun critique the Founders on equality, natural rights, and the social contract?
- How did John C. Calhoun reject the ideas of the Declaration of Independence in arguing for slavery?
- How did John C. Calhoun’s theory of the concurrent majority differ and depart from the Founders’ constitutionalism?
- How did sectionalism rise after the founding generation?
- What was Abraham Lincoln’s understandings of the following?
 - the vulnerabilities of self-government
 - how to preserve self-government
 - the rule of law
 - the need for civic education
 - the need for civic religion
 - statesmanship
 - morality
 - political persuasion
 - political moderation

KEYS TO THE LESSON

To begin the study of equality in America, it is necessary that students learn about slavery and the participation of women in the political process before and during the American founding. This involves reviewing an array of facts and being able to put them all in context with one another. What students should discover is how much our present day understandings of certain moral issues are very much the exception, and one of the first exceptions, to the rule in history. They may also discover how these understandings can trace at least some of their ubiquity today back to the American founding. Students will be asked to look at the specific words and deeds of particular individuals, how these views did or did not change, and what actions were taken in law with respect to equality.

Teachers might best plan and teach Self-Government vs. Slavery with emphasis on the following approaches:

- Familiarize students with the views of the leading Founders on slavery. Northern Founders—most of whom were strongly opposed to slavery—and even some southern Founders who believed slavery immoral were politically unable to end slavery. For instance, Gouverneur Morris repeatedly railed against slaveholders in the Constitutional Convention and Thomas Jefferson, who owned slaves himself, included a condemnation of the slave trade and referred to slaves as “men” in the draft of the Declaration of Independence, a section the slaveholding interest demanded be removed. Most anti-slavery Founders continued nevertheless in the belief that the only way that they could have any influence in order to end slavery in the southern states was through union. Without unity, the Americans would very likely have lost the Revolutionary War (giving up their independence and freedom to continued British rule that would perpetuate slavery anyways) or the southern colonies would have formed their own country, in which case those who opposed slavery would have no power to abolish slavery where it existed in the South. During the Civil War, Frederick Douglass made similar arguments for preserving the Union against fellow abolitionists who wanted to let the South secede with slavery intact.
- Consider with students how America is unprecedented in the history of the world because it was founded on the principle that “all men are created equal and that they are endowed by their Creator with certain unalienable rights.” Consider the view of many Founders—as well as abolitionists Abraham Lincoln and Frederick Douglass, and the meaning of the “promissory note” of Martin Luther King Jr.—that America is founded on this principle of the inherent equality of every human being based on humanity and natural rights; and that consequently, the role of the American nation and her citizens, as well as her history, has been one of trying to establish this principle in practice through a self-governing people. The majority of the Founders recognized at the very least that the statement of the principle of equality, despite a compromise that allowed for the pre-existing institution’s continuing existence, philosophically and legally undermined the legitimacy of slavery. For example, nowhere in the founding did the Founders establish in federal law legal “property in man.”
- Take the time to consider, read, and discuss the ways in which slavery was addressed in the Constitution, including the extents to which the Constitution both left slavery in place and also placed new national limits on it. As Frederick Douglass and Abraham Lincoln would later acknowledge, the Declaration’s principle of equality and the Constitution’s arrangements gave the Founders the belief that they had placed slavery on the path to eventual extinction. This of course does not excuse the fact that many of these founders still held African Americans in slavery during their lifetimes.
- Note for students the history-changing invention of Eli Whitney’s cotton gin in 1793, four years after the adoption of the Constitution. The cotton gin would greatly increase the profitability of slavery in the cotton-growing states of the South and thereby create a significant interest in perpetuating the institution of slavery, especially on southern plantations and among northern textile manufacturers. The new economics of slavery that would grow out of the cotton gin and

the vast cotton industry questioned the assumption and changed the projection of the founding generation concerning the viability and eventual demise of slavery.

- Clarify for students the arguments of northerners and southerners concerning the Three-Fifths Clause. The clause was not about the humanity of slaves; it was strictly about how much representation slave-owning states would receive in Congress and the Electoral College. The great hypocrisy of the slaveholders was that while they refused to call a slave a human being, they insisted that each slave be counted as a whole person for purposes of representation. In fact, it was the anti-slavery Founders who did not want slaves counted at all in the Constitution for the purposes of representation. The fact that slaves were only counted as three-fifths for the purposes of representation was a disappointment for southern states, as they had demanded they be counted as a whole person. It was a partial victory for northern opponents to slavery, as it would give the slaveholding states less influence in lawmaking than they wished. Additionally, students should understand that in the mind of those opposed to slavery, this compromise was the only politically viable route if they were to secure southern support for the Constitution, without which the country would become disunited, with the South able to perpetuate slavery indefinitely as their own country without northern abolitionists. Students need not agree with the tenets of the compromise, but they must understand it as the founders themselves understood it.
- Remind students that the slave trade was not formally limited in the states (the Continental Congress had temporarily banned the practice in 1774) until the passage of the Constitution, which allowed for it to be outlawed nationwide in 1808 (which it was) and for Congress to discourage it by imposing tariffs on the slave trade in the meantime. Students should understand that without the compromise that allowed this twenty-year delay, the power to abolish the slave trade would not have been granted by the slaveholding interest in the first place.
- Consider with students the significance of the Constitution not using the word “slave” and instead using “person.” Refusing to use the word “slave” avoided giving legal legitimacy to slavery. Even Article IV, Section 2, Clause 3 emphasizes that slavery was legal based on certain state, not federal, laws. The use of the word “person” forced even slaveholders to recognize the humanity of the slave: that he or she was in fact a human person, not property. There would be no federally-recognized “property in man.”
- Point out for students that clauses that were not about slavery but which slaveholding interests could use to their benefit were not therefore deliberately pro-slavery clauses. Such a logical fallacy would implicate as morally evil anything hijacked for use in committing a wrong act, for example, a road used by bank robbers in their getaway would be “pro-robbery.”
- Consider with students the sectional nature of views on slavery during the founding. The majority of northerners and northern founders (e.g., John Adams, Benjamin Franklin, Benjamin Rush, Gouverneur Morris, and John Jay) spoke and wrote extensively on the immorality of slavery and its need to be abolished. Some northern founders, such as John Jay, Alexander Hamilton, and Benjamin Franklin, founded or served in abolitionist societies.
- Consider also that even among the southern founders who supported slavery or held slaves, several leading founders expressed regret and fear of divine retribution for slavery in America, such as Thomas Jefferson, James Madison, and George Washington. Some freed their slaves as well, such as George Washington, who by the end of his life freed the slaves in his family estate.

And many, like Thomas Jefferson, nevertheless maintained that slaves were men in full possession of the natural rights of all men. Making these observations does not diminish the inhumaneness of slavery or dismiss the wrong of racism by certain colonists or other individual Americans living in other generations.

- Ask students how to judge the Founders who owned slaves and yet supported the Declaration of Independence and Constitution. Students should consider their public and private lives as well as their words and deeds. Taken altogether, students should recognize the difficulty in assigning an absolute moral judgment that a person is entirely bad or entirely good while still being able to pass judgment on specific actions.
- Have students also consider the distinction between judging character absolutely versus judging individual actions. When they do, students will encounter figures who did both much that was good and also some that was bad, and that this contradiction runs through the heart of every person.
- Be careful with the phrase “consider the times,” as this phrase can easily give the impression that truth and morality (good and evil) are merely relative to one’s viewpoint or historical time period. Instead, help students understand that “to consider the times” in which the American colonists and Founders lived is not to excuse moral injustices or to justify relativism. We should consider the circumstances at the time and weigh them against principles that transcend time. It is not whitewashing or rewriting history. It is recognizing the reality of history and honestly assessing how figures at the time acted within their circumstances in light of the truth.
- Have students consider the status of slavery over the initial decades of the country’s history. At the founding, slavery was either openly condemned by northerners or defended (but seldom celebrated) by southerners. Its toleration at the time of the founding was for the sake of a unity that even many abolitionists believed was the only eventual path toward abolition. Based on the evidence at the time, many leading Founders believed slavery was naturally destined for extinction, that public opinion had steadily grown toward seeing slavery for the moral evil that it was, and that the principles of the Declaration of Independence and Revolution helped shape this public opinion and would also be the vehicle for eventual equality. The Founders also believed the Constitution both permitted and yet restricted slavery, created a path to restricting it further (by holding the union together), and kept slavery on the path it was already travelling: to extinction. The Declaration of Independence founded the country on principles of equality that could and would be used to demand the end of slavery. The Northwest Ordinance had prohibited the expansion of slavery. The Constitution refused to give legal standing to the institution, and many states had abolished slavery outright. Even Founders who held slaves believed the profitability of slavery was gradually but decisively waning and that slavery would die out on its own in a short period of time.
- Explain to students how the growth in population in the North would eventually allow northern states to restrict slavery further and perhaps even abolish it via a constitutional amendment. Southern slaveholders recognized that they had to expand the number of slave states if they were to prohibit such actions by northerners. The challenge, however, was that they needed northern states to acquiesce to such expansion. To do so, they appealed first to the argument that slavery was a positive good, as captured in the writings of John C. Calhoun. Students should read

Calhoun's writings in order to examine his arguments and to understand how Calhoun explicitly rejected the American founding as captured in the Declaration of Independence. Students should work through and identify the serious faults in Calhoun's arguments.

- Have students read and annotate Frederick Douglass's works and follow his thoughts as he moved away from viewing the Constitution as pro-slavery.
- Spend time with students to understand Abraham Lincoln's moral and political philosophy in reading his early speeches.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain the ways the Founders addressed the issue of slavery during the American founding and how subsequent events and individuals changed the status of slavery between 1793 and 1850 (4–5 paragraphs).

Lesson 2 — Slavery and Moral Relativism

3-4 classes

LESSON OBJECTIVE

Students learn how Abraham Lincoln understood the nation’s division over slavery to be a question of objective moral truth, and how only in acknowledging the moral evil of slavery and working to return it to the path of extinction would America’s founding ideas be proven true.

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Constitution 101

Lecture 6

Civil Rights in American History

Lectures 2 and 3

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary sources. While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

Speech at Peoria, Abraham Lincoln

Dred Scott v. Sandford

Speech on the *Dred Scott* decision, Abraham Lincoln

“House Divided” speech, Abraham Lincoln

Speech at Chicago, Stephen Douglas

The Seventh Lincoln-Douglas Debate

Address at Cooper Institute, Abraham Lincoln

Cornerstone Speech, Alexander Stephens

TERMS AND TOPICS

Kansas-Nebraska Act

Dred Scott v. Sandford

“a house divided”

popular sovereignty

majority tyranny

objective truth

moral relativism

“don’t care”

QUESTIONS FOR THE AMERICAN MIND

- What was Abraham Lincoln’s understanding of the following?
 - the vulnerabilities in self-government
 - how to preserve self-government
 - the rule of law
 - the need for civic education
 - the need for civic religion
 - statesmanship
 - morality
 - political persuasion
 - political moderation
- What did the Kansas-Nebraska Act and *Dred Scott v. Sandford* do, both in law and as a threat to public opinion on slavery at the time, and how did they contribute to the coming civil war?
- Why did Abraham Lincoln argue that it was impossible to remain a “house divided”?
- How did Abraham Lincoln try to halt the expansion of slavery and win the moral battle against it?
- Contrary to its status at the founding, how was mid-nineteenth-century slavery unlikely to die out on its own?
- What were Abraham Lincoln’s reasons not to assume that politics always progresses toward freedom?
- How did Abraham Lincoln and Stephen Douglas disagree on each of the following?
 - the meaning of the founding, the Declaration of Independence, and the Constitution
 - the meaning of self-government as either unchecked popular sovereignty and majority rule, or grounded and limited by our equal natural rights
 - the limits of democracy and the danger of majority tyranny
- As he expressed in his debates with Stephen Douglas, how did Abraham Lincoln understand equality and the injustice of slavery?
- What were Abraham Lincoln’s arguments against moral neutrality or relativism (“don’t care”) on the fundamental question of slavery?
- How was slavery the true cause of the Civil War?
- In which ways did the Confederacy reject the principle of equality from the Declaration of Independence and insist on the inequality of the races?

KEYS TO THE LESSON

The passage of the Kansas-Nebraska Act in 1854 brought Abraham Lincoln back to the political arena. He saw a tremendous threat in the argument put forward by the bill’s sponsor, Stephen Douglas, namely that slavery was not a moral question but rather one that should simply be decided by the will of the majority. From 1854 to the outbreak of the Civil War in 1861, Lincoln would combat this notion that slavery was morally relative depending on the will of the majority. Students must learn about this arc to Lincoln’s words and deeds and how he took up and articulated the heart of the matter regarding slavery: that the morality of slavery struck at the very founding idea of the United States, i.e., that all men are created equal. Roger Taney’s majority opinion in *Dred Scott v. Sandford* confirmed Lincoln’s predictions, and Lincoln argued the same points throughout his debates with Douglas.

Teachers might best plan and teach Slavery and Moral Relativism with emphasis on the following approaches:

- Read with students parts of Lincoln’s speech in Peoria in response to the Kansas-Nebraska Act. Students should understand that Lincoln saw slavery to be, above all, a moral question, and one

that every American ought to take seriously as such. Lincoln also believed that moral relativism over the question of slavery, as conveyed in the idea of popular sovereignty, was antithetical to the ideas of the Declaration of Independence, and that slavery was simply a form of majority tyranny, the very danger latent in democracy that the Founders had warned against. Finally, Lincoln condemned the Kansas-Nebraska Act as achieving a complete reversal of the stance the Constitution, the Northwest Ordinance, and the founding generation had toward slavery: that it should be contained until it was abolished and by no means allowed to spread.

- Have students consider Abraham Lincoln’s arguments on how Roger Taney’s majority opinion in *Dred Scott v. Sandford* effectively ruled that slaves are not humans but property, and that the Constitution protects their enslavement just as it does any other property. Lincoln points out that Taney’s ruling rejected the Founders’ view on slavery and would lead, in tandem with Stephen Douglas’s popular sovereignty, to the spread of slavery throughout the country. By extension, this reasoning would also allow for any form of majority tyranny. Put another way, Taney’s argument in *Dred Scott*, the idea of “might makes right,” is the same argument that animated despotic regimes like Communist Russia, Fascist Italy, or Nazi Germany.
- Help students think through Lincoln’s understanding of the morality of slavery and its relationship to the founding ideas of America: that all men are created equal, have unalienable rights, and that legitimate government is based on the consent of the governed. Students should see that, although central to the Civil War, the practical question regarding the expansion of slavery ultimately turned on the moral status of slavery.
- Consider the apparently benign stance that Stephen Douglas takes in his position of popular sovereignty—that he does not care about what a group of people does regarding slavery so long as the majority opinion decides it. Students should be asked why this is problematic.
- Emphasize that the governing state known as the Confederacy was founded on the rejection of the principle of equality from the Declaration of Independence, and on an argument of the inequality of races, as asserted in Alexander Stephens’s “Cornerstone Speech.”

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain how Abraham Lincoln saw slavery as a moral question and how this question was related to the moral foundation on which America was established (2–3 paragraphs).

Name _____

Date _____

Unit 4 — Formative Quiz

Covering Lessons 1-2
10-15 minutes

DIRECTIONS: Answer each question in at least one complete sentence.

1. How did those who were opposed to slavery believe that slavery could be abolished only if the union were preserved?
2. Why did the Founders expect that slavery would eventually die out?
3. How did the idea of slavery as a “positive good” challenge the Constitution’s stance on slavery and the path on which the founding generation had set slavery?
4. How did Abraham Lincoln and Stephen Douglas disagree about the limits of democracy and the danger of majority tyranny?
5. What were Abraham Lincoln’s arguments against moral neutrality or relativism (“don’t care”) on the fundamental question of slavery?

Lesson 3 — Lincoln’s Statesmanship and the End of Slavery

4-5 classes

LESSON OBJECTIVE

Students learn about the statesmanship of Abraham Lincoln during the Civil War, which required Lincoln to maintain the union, preserve the Constitution and rule of law, and end slavery, all of which he accomplished successfully.

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Constitution 101

Lecture 7

Civil Rights in American History

Lecture 3

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary sources. While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

First inaugural address, Abraham Lincoln

Message to Congress in Special Session, Abraham Lincoln

The Emancipation Proclamation, Abraham Lincoln

Gettysburg Address, Abraham Lincoln

Second inaugural address, Abraham Lincoln

TERMS AND TOPICS

prudence

states’ rights

justice

war powers

rule of law

Emancipation Proclamation

secession

tragedy

QUESTIONS FOR THE AMERICAN MIND

- In what ways did Abraham Lincoln manifest the ideal qualities of a statesman and the virtue of prudence?
- How did Abraham Lincoln manage to accomplish his competing objectives to maintain the union, preserve the Constitution and the rule of law, and end slavery?
- What were the arguments for and against Southern secession?
- What were the arguments for and against the Union fighting to keep the South from seceding?
- What were the benefits of union, including for the prospects of abolishing slavery?

- How did secession threaten to undermine the Constitution and the moral integrity of the people and its government?
- What are a president’s war powers per the Constitution?
- What were the arguments for and against the legality and necessity of the extraordinary measures taken by Abraham Lincoln to win the war and put down the rebellion?
- How did Abraham Lincoln strive to maintain the rule of law?
- What did the Emancipation Proclamation do? How was Abraham Lincoln able to justify, issue, and enforce it successfully?
- How does the example of Abraham Lincoln show the need and benefits of an energetic executive?
- How does Abraham Lincoln’s Gettysburg Address assert that freedom and self-government require devotion—and even a willingness to sacrifice for—the country and its principles of justice? How are these principles of justice grounded in nature?
- As presented in his second inaugural address, how did Abraham Lincoln view the Civil War as a tragedy, and what do these reflections reveal about the tragic nature of politics and the need for political moderation?
- What are Abraham Lincoln’s reflections on providence?
- Questions from the U.S. Civics Test:
 - Question 94: Abraham Lincoln is famous for many things. Name one.
 - Question 95: What did the Emancipation Proclamation do?
 - Question 97: What amendment gives citizenship to all persons born in the United States?

KEYS TO THE LESSON

“Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure.” These famous opening lines from President Abraham Lincoln on the battlefield at Gettysburg is what the Civil War was about. And whether America, founded in liberty and equality, could long endure depended on whether the nation’s original sin, slavery, would be abolished while still preserving the country’s existence as a union. American students must know how the ideas at the heart of their country were undermined by slavery; but they must also learn how heroic Americans committed to America’s founding ideas sacrificed their all, that these ideas of liberty and equality should prevail over the tyranny and dehumanization of slavery. And students must learn that, like those in Lincoln’s audience, it is up to each of them to similarly conduct themselves if “government of the people, by the people, for the people, shall not perish from the earth.”

Teachers might best plan and teach Lincoln’s Statesmanship and the End of Slavery with emphasis on the following approaches:

- Have students consider the arguments by the South and by Abraham Lincoln regarding the idea of “states’ rights” and the constitutionality of secession, particularly by reading and discussing Abraham Lincoln’s first inaugural address. Students should understand that there is no such thing as a “state right,” since rights belong only to persons. States (as governments) possess powers (not rights), as outlined in their state and in the federal Constitution, which the states are to use to protect the rights and the common good of their citizens (including from encroachment by the federal government). Lincoln’s first inaugural address presents the case for how secession is

unconstitutional and how he, having taken an oath in his office as president, can and must preserve the Constitution and Union.

- Teach students about the delicacy with which Abraham Lincoln had to approach the border states (slave states that remained in the Union) and why this delicacy was needed. Have students work with Lincoln’s first inaugural address, one purpose of which was to keep wavering states in the Union.
- Explain that Abraham Lincoln’s first goal in fighting the Civil War was to preserve the Union. It is important that students understand Lincoln’s reasoning. He was against slavery and wanted it abolished, but his constitutional obligation was to preserve the Union. If he acted otherwise, he would violate the Constitution and the rule of law, becoming no better than the seceding states and forfeiting his moral authority as the defender of the rule of law. Students should also know that while Lincoln did not believe he could abolish slavery alone or that abolishing slavery was the purpose for fighting the war, he nonetheless believed, like many of the Founders, that the only way to abolish slavery would be if the Union were preserved.
- Read aloud in class the Emancipation Proclamation and teach students the technicalities Abraham Lincoln navigated in thinking of it, drawing it up, and the timing of its promulgation. He had to retain the border states, abide by the Constitution, achieve victory, and earn the support of public opinion in order for slaves to be effectively freed—and he did it all. Students should understand that Lincoln’s justification for freeing the slaves involved exercising his executive powers as commander-in-chief of the armed forces during an armed rebellion. This is why Lincoln only had the authority to apply the Emancipation Proclamation to those states in actual rebellion, why it could not be applied to slave-holding border states not in rebellion, and why he knew that after the war, an amendment to the Constitution would be necessary to bring emancipation to all the states and make it permanent.
- Have students read and hold a seminar conversation on the Gettysburg Address. It is a magnificent work of oratory, but it also gets at the heart of the American founding and the ideas that maintain the United States. It also shows the importance of defending and advancing those ideas, both in the Civil War and in our own day, as is incumbent on every American citizen.
- Read and have a seminar conversation about Abraham Lincoln’s second inaugural address. Lincoln addresses many topics within the speech, both reflecting on the war and outlining a plan for after the war. In some respects, this speech is “part two” of what Lincoln began to assert in the Gettysburg Address. One of the main ideas Lincoln suggests, however, is that the Civil War was a punishment for the whole nation. This punishment was not necessarily for the mere existence of slavery but because, unlike the founding generation, the nation had in the time since the founding not continued to work for the abolition of the evil of slavery. While no country will ever be perfect, a people should work to make sure its laws do not promote the perpetuation of a practice that violates the equal natural rights of its fellow citizens.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain the qualities of statesmanship that Abraham Lincoln exhibited and examples of how they were employed during the Civil War (3–4 paragraphs).

Lesson 4 — Civil Rights and Reconstruction

3-4 classes

LESSON OBJECTIVE

Students learn about the remarkable realization of civil rights for freedmen during Reconstruction and the immediate reversal of many of those realizations in Southern states with the sudden end of Reconstruction in 1877.

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Constitution 101

Lecture 7

Civil Rights in American History

Lectures 4 and 5

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary sources. While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

Civil Rights Act of 1866

13th Amendment to the Constitution

14th Amendment to the Constitution

15th Amendment to the Constitution

The Atlanta Exposition Address, Booker T. Washington

“The Talented Tenth,” W.E.B. DuBois

TERMS AND TOPICS

Civil Rights Act of 1866

15th Amendment

13th Amendment

black codes

14th Amendment

Compromise of 1877

QUESTIONS FOR THE AMERICAN MIND

- What were Abraham Lincoln’s plans for reconstruction following the Civil War, as outlined in his second inaugural address and from what we know of his private meetings in the war’s final weeks?
- Compare Andrew Johnson’s Reconstruction actions and those of the Radical Republicans.
- What did a Confederate state have to do in order to be readmitted fully into the Union?
- Regarding the 13th, 14th, and 15th Amendments, what did each do?
- What did the Ku Klux Klan Acts do?
- In which ways did Southern states attempt to curtail the rights of freedmen during Reconstruction? How did they respond to the actions of Republicans in the north?

- What kinds of gains did African Americans attain during Reconstruction after slavery was explicitly abolished via the 13th Amendment?
- What happened in the election of 1876 and in the subsequent compromise of 1877?
- What were the immediate consequences, especially for African Americans living in the South, of the end to Reconstruction in 1877?
- How do Booker T. Washington and W.E.B. DuBois agree and disagree on how to secure civil rights for African Americans? In which ways are their views each compatible with the American founding?
- Questions from the U.S. Civics Test:
 - Question 63: There are four amendments to the U.S. Constitution about who can vote. Describe one of them.
 - Question 97: What amendment gives citizenship to all persons born in the United States?
 - Question 98: When did all men get the right to vote?

KEYS TO THE LESSON

Reconstruction was a period in which Congress attempted to secure civil rights for African Americans in accordance with the principles on which America was founded. The fact that the division over civil rights was geographic and that it came in the wake of a bitter war meant for less than ideal circumstances for achieving long-term successes. Nonetheless, slavery as explicitly abolished by the Constitution and civil rights were enacted and guaranteed, albeit only by military force. The gains witnessed for African Americans were impressive in many respects, but racial ideologies and resentments left over from the Civil War made for a fraught effort to achieve civil rights and heal the country. Students should study the very real accomplishments in fulfilling the promises of the founding during Reconstruction as well as the challenges and ultimate failure of Reconstruction.

Teachers might best plan and teach Civil Rights and Reconstruction with emphasis on the following approaches:

- Have students consider the effect of Abraham Lincoln's assassination on Reconstruction and the future of America, especially as regards civil rights for African Americans. Lincoln's focus was healing the nation while simultaneously providing for the effective and long-term establishment of equal rights for African Americans. Lincoln was succeeded after his assassination by Vice President Andrew Johnson.
- The transformation of a society away from decades of slavery was no small task. Depict Reconstruction as being tragically undermined and strained by the conflicts between congressional Republicans (who strongly opposed slavery), President Andrew Johnson (a pro-Union Democrat with little sympathy for former slaves), and lawmakers in the Southern states (who mostly wished to restrict the rights of the new freedmen), all of whom operated out of distrust following a painful and bloody Civil War.
- Have students read the three amendments to the Constitution and the laws passed during Reconstruction, especially the Civil Rights Act of 1866, related to the abolition of slavery and citizenship of freedmen. It is important to note the major and meaningful efforts Republicans made to guarantee the rights of African Americans.
- Teach students about both the important gains and protections Republicans won for African Americans during Reconstruction as well as the ways in which these were undermined by actions

in the former Confederate states and Johnson himself. Students should gain an appreciation of the remarkable speed and degrees to which former slaves were incorporated into the civil body early in Reconstruction, including the thousands of African Americans who would hold office at the local, state, and even federal level. But they should also understand the ways that Johnson resisted equal treatment of African Americans and in doing so encouraged and allowed certain bad policies (such as “black codes” passed by state legislatures and movements such as what would become the Ku Klux Klan) in the former Confederacy. In fact, many of the reversals of reconstruction began during the presidential reconstruction of Johnson, who was decidedly against secession but by no means opposed to slavery. Congress repeatedly had to override his vetoes and enact Constitutional amendments to prevent his defense of inequalities. Such Congressional action, however, also laid the groundwork for the expansion of federal power into and over state law, especially through the 14th Amendment and military government.

- Have students learn about the ways in which many civil rights achievements were thwarted or undone both during and after Reconstruction. For instance, spend time discussing how as Southerners were disfranchised, African American officials were voted out of office and how “black codes” would eventually become Jim Crow laws. Discuss how “black codes” limited freedmen’s civil rights and imposed economic restrictions, including making being unemployed illegal, prohibiting landownership, requiring long-term labor contracts, prohibiting assemblies of freedmen only, prohibiting teaching freedmen to read or write, segregating public facilities, prohibiting freedmen from serving on juries, and carrying out corporal punishments for violators, among other restrictions and injustices. Note also the use of poll taxes and literacy tests to prohibit African Americans from voting.
- Teach students how Republicans passed and President Ulysses S. Grant signed into law the Ku Klux Klan Acts to prohibit intimidation of freedmen exercising their civil rights. Grant also empowered the president to use the armed forces against those who tried to deny freedmen equal protection under the laws. Nonetheless, such measures were usually sloppily or half-heartedly enforced.
- At the same time, note the improvements during Reconstruction in building hospitals, creating a public school system, securing civil rights in principle, and fostering community within the freedmen community, especially in marital and family stability and through vibrant churches.
- Explain that Reconstruction effectively ended with the Compromise of 1877 that settled the disputed election of 1876. Congress (now controlled by the Democratic Party) would allow Republican Rutherford B. Hayes to be declared president in exchange for his withdrawing federal troops in former confederate states. Point out that in the backdrop was both continuing Southern resistance and a gradual waning of Northern zeal for (and political interest in) reform within the South.
- Ask students to consider the tragic nature of Reconstruction: a time of so much hoped for and achieved in applying the principle of equal natural rights was repeatedly undermined and mismanaged, then suddenly ended for political expediency, enabling new forms of injustice in certain areas of the country, after a war to end injustice had consumed the lives of hundreds of thousands of Americans.
- Nevertheless, make sure students do not lose sight of the momentous achievements in liberty, equality, and self-government fulfilled because of the Civil War. Students should appreciate the very significant achievements of Lincoln and the Civil War while looking forward to future

generations of Americans who would seek to live up to the fundamental principles of America in their own times.

- Following Reconstruction and in referencing American history, read with students Booker T. Washington's and W.E.B. DuBois's two sometimes complementary and sometimes competing approaches to securing equal civil rights for African Americans. These two pieces capture the major responses to Jim Crow during the late 19th and early 20th centuries.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain the fulfillments in civil rights during Reconstruction and the attempts to undermine and reverse these realizations during and especially after Reconstruction (2–3 paragraphs).

APPENDIX A

Study Guide

Test

Writing Assignment

Study Guide — Equality in America Test

Unit 4

Test on _____

TERMS AND TOPICS

Explain each of the following and the context in which it was discussed during this unit's lessons.

equality	civic education	objective truth
slavery	civic religion	moral relativism
Northwest Ordinance	statesmanship	“don’t care”
abolition	morality	prudence
cotton gin	political persuasion	justice
Missouri Compromise	political moderation	secession
positive good	Kansas-Nebraska Act	states’ rights
concurrent majority	<i>Dred Scott v. Sandford</i>	war powers
sectionalism	a house divided	Emancipation Proclamation
Compromise of 1850	popular sovereignty	black codes
self-government	majority tyranny	Compromise of 1877
rule of law		

PRIMARY SOURCES

Explain the main arguments in each of the following sources and their significance to our understanding of equality in America.

Notes on the State of Virginia, Query 18: “Manners,” Thomas Jefferson
 “The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?” Frederick Douglass
 Speech on the reception of abolition petitions, John C. Calhoun
 Speech at Peoria, Abraham Lincoln
 Speech on the *Dred Scott* Decision, Abraham Lincoln
 “House Divided” speech, Abraham Lincoln
 The Seventh Lincoln-Douglas Debate
 First inaugural address, Abraham Lincoln
 Gettysburg Address, Abraham Lincoln
 Second inaugural address, Abraham Lincoln
 Civil Rights Act of 1866
 13th Amendment
 14th Amendment
 15th Amendment

QUESTIONS FOR THE AMERICAN MIND

Based on notes from lessons and seminar conversations, answer each of the following.

Lesson 1 | Self-Government vs. Slavery

- How did the Founders understand the tension between slavery and the principle of equality in the Declaration of Independence?
- What was the nature of the Founders' compromise with slavery at the time of the founding for the sake of the union? Would it have been possible to abolish slavery in the southern colonies without union?
- Why did many in the founding generation expect that slavery would eventually die out so long as it was not allowed to expand?
- What efforts did some founders make to abolish slavery?
- What are the three clauses related to slavery in the Constitution? Explain each.
- How was the Three-Fifth Compromise a partial victory for slaveholders and a partial victory for abolitionists?
- How did Frederick Douglass's views on the founding with respect to slavery change during his work for abolition?
- What were the unforeseen consequences of the cotton gin, invented in 1793, four years after the adoption of the Constitution?
- What was the argument in the defense of slavery as a "positive good" that emerged among Southern apologists in the decades after the founding?
- How did the idea of slavery as a "positive good" challenge the Constitution's stance on slavery and the path on which the founding generation had set slavery?
- How did John C. Calhoun critique the Founders on equality, natural rights, and the social contract?
- How did John C. Calhoun reject the ideas of the Declaration of Independence in arguing for slavery?
- How did sectionalism rise after the founding generation?

Lesson 2 | Slavery and Moral Relativism

- What was Abraham Lincoln's understanding of the following?
 - the vulnerabilities of self-government
 - how to preserve self-government
 - the rule of law
 - the need for civic education
 - the need for civic religion
 - statesmanship
 - morality
 - political persuasion
 - political moderation
- What did the Kansas-Nebraska Act and *Dred Scott v. Sandford* do, both in law and as a threat to public opinion on slavery at the time, and how did they contribute to the coming civil war?
- Why did Abraham Lincoln argue that it was impossible to remain a "house divided"?
- How did Abraham Lincoln try to halt the expansion of slavery and win the moral battle against it?
- Contrary to its status at the founding, how was mid-nineteenth-century slavery unlikely to die out on its own?

- What were Abraham Lincoln’s reasons not to assume that politics always progresses toward freedom?
- How did Abraham Lincoln and Stephen Douglas disagree on each of the following?
 - the meaning of the founding, the Declaration of Independence, and the Constitution
 - the meaning of self-government as either unchecked popular sovereignty and majority rule, or grounded and limited by our equal natural rights
 - the limits of democracy and the danger of majority tyranny
- As he expressed in his debates with Stephen Douglas, how did Abraham Lincoln understand equality and the injustice of slavery?
- What were Abraham Lincoln’s arguments against moral neutrality or relativism (“don’t care”) on the fundamental question of slavery?
- In what sense was slavery the true cause of the Civil War?
- In what ways did the Confederacy reject the principle of equality from the Declaration of Independence and insist on the inequality of the races?

Lesson 3 | Lincoln’s Statesmanship and the End of Slavery

- In what ways did Abraham Lincoln manifest the ideal qualities of a statesman and the virtue of prudence?
- How did Abraham Lincoln manage to accomplish his competing efforts to maintain the union, preserve the Constitution and the rule of law, and end slavery?
- What were the arguments for and against Southern secession?
- What were the arguments for and against the Union fighting to keep the South from seceding?
- What were the benefits of union, including for the prospects of abolishing slavery?
- How did secession threaten to undermine the Constitution and the moral integrity of the people and its government?
- What are a president’s war powers per the Constitution?
- What were the arguments for and against the legality and necessity of the extraordinary measures taken by Abraham Lincoln to win the war and put down the rebellion?
- How did Abraham Lincoln strive to maintain the rule of law?
- What did the Emancipation Proclamation do? How was Abraham Lincoln able to justify, issue, and enforce it successfully?
- How does the example of Abraham Lincoln show the need and benefits of an energetic executive?
- How does Abraham Lincoln’s Gettysburg Address assert that freedom and self-government require devotion—and even a willingness to sacrifice for—the country and its principles of justice? How are these principles of justice grounded in nature?
- As presented in his second inaugural address, how did Abraham Lincoln view the Civil War as a tragedy, and what do these reflections reveal about the tragic nature of politics and the need for political moderation?
- What are Abraham Lincoln’s reflections on providence?

Lesson 4 | Civil Rights and Reconstruction

- What were Abraham Lincoln’s plans for reconstruction following the Civil War, as outlined in his second inaugural address and from what we know of his private meetings in the war’s final weeks?
- Compare Andrew Johnson’s Reconstruction actions and those of the Radical Republicans.
- What did a Confederate state have to do in order to be readmitted fully into the Union?

- Regarding the 13th, 14th, and 15th amendments, what did each do?
- In what ways did Southern states attempt to curtail the rights of freedmen during Reconstruction? How did they respond to the actions of Republicans in the North?
- What kinds of gains did African Americans attain during Reconstruction after slavery was explicitly abolished via the 13th Amendment?
- What were the immediate consequences, especially for African Americans living in the South, of the end to Reconstruction in 1877?
- How do Booker T. Washington and W.E.B. DuBois agree and disagree on how to secure civil rights for African Americans? In which ways are their views each compatible with the American founding?

Name _____

Date _____

Test — Equality in America

Unit 4

TERMS AND TOPICS

Explain each of the following and the context in which it was discussed during this unit's lessons.

1. Northwest Ordinance
2. abolition
3. Missouri Compromise
4. positive good
5. Compromise of 1850
6. rule of law
7. statesmanship
8. political persuasion
9. Kansas-Nebraska Act
10. *Dred Scott v. Sandford*
11. popular sovereignty
12. majority tyranny

13. “don’t care”

14. Emancipation Proclamation

15. black codes

PRIMARY SOURCES

Explain the main arguments in each of the following sources and their significance to our understanding of equality in America.

16. *Notes on the State of Virginia*, Query 18: “Manners,” Thomas Jefferson

17. “The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?” Frederick Douglass

18. “House Divided” speech, Abraham Lincoln

19. First inaugural address, Abraham Lincoln

20. Gettysburg Address, Abraham Lincoln

21. Second inaugural address, Abraham Lincoln

QUESTIONS FOR THE AMERICAN MIND

Answer each of the following. Complete sentences are not necessary, but correct spelling and writing should be employed, and responses must fully answer each question.

22. What was the nature of the Founders' compromise with slavery at the time of the founding for the sake of the union? Would it have been possible to abolish slavery in the southern colonies without union?

23. Why did many in the founding generation expect that slavery would eventually die out so long as it was not allowed to expand?

24. What efforts did some founders make to abolish slavery?

25. What are the three clauses related to slavery in the Constitution? Explain each.

26. How did John C. Calhoun reject the ideas of the Declaration of Independence in arguing for slavery?
27. What was Abraham Lincoln's understanding of self-government's vulnerabilities, the rule of law, morality, and civic education?
28. What were Abraham Lincoln's reasons not to assume that politics always progresses toward freedom?
29. How did Abraham Lincoln and Stephen Douglas disagree on the meaning of self-government as either popular sovereignty and majority rule, or grounded and limited by our equal natural rights?
30. What were Abraham Lincoln's arguments against moral neutrality or relativism ("don't care") on the fundamental question of slavery?
31. How was slavery the true cause of the Civil War?
32. How did Abraham Lincoln manage to accomplish his competing efforts to maintain the union, preserve the Constitution and the rule of law, and end slavery?
33. How did secession threaten to undermine the Constitution and the moral integrity of the people and its government?
34. Regarding the 13th, 14th, and 15th amendments, what did each do?
35. What kinds of gains did African Americans attain during Reconstruction after slavery was officially abolished?

Writing Assignment — Equality in America

Unit 4

Due on _____

DIRECTIONS

Citing primary sources and conversations from class in your argument, write a 500–800-word essay answering the question:

How did America’s principles allow for the abolition of slavery as demonstrated by the founding generation and the statesmanship of Abraham Lincoln? To what extent have some Americans and government failed to pursue equality before the law during the founding, before the Civil War, and after Reconstruction?

APPENDIX B

Primary Sources

George Washington

John Adams

Benjamin Franklin

Alexander Hamilton

James Madison

Thomas Jefferson

Frederick Douglass

John C. Calhoun

Abraham Lincoln

Roger Taney

Stephen Douglas

Alexander Stephens

The United States Congress

The American People

Booker T. Washington

W.E.B. DuBois

Statements on Slavery

EXCERPTS FROM FIVE FOUNDERS

1786-1819

BACKGROUND

The following excerpts catalog views of five leading Founders on the slave trade and the institution of slavery in America during the first few decades of the country's existence.

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George Washington

Letter to Robert Morris, April 12, 1786

"...[T]here is not a man living who wishes more sincerely than I do, to see a plan adopted for the abolition of it...."

5

John Adams

Letter to Robert J. Evans, June 8, 1819

"...Every measure of prudence, therefore, ought to be assumed for the eventual total extirpation of slavery from the United States.... I have, through my whole life, held the practice of slavery in...abhorrence...."

10

George Washington, "To Robert Morris," 12 April 1786, in *The Papers of George Washington, 1748-1799*, "Confederation Series," Vol. 4, ed. W. W. Abbot, et al. (Charlottesville, VA: University of Virginia Press, 1992), 16; John Adams, "To Robert J. Evans," 8 June 1819, in *Selected Writings of John and John Quincy Adams*, ed. Adrienne Koch, et al. (New York: Knopf, 1946), 209-10; Benjamin Franklin, "An Address to the Public from the Pennsylvania Society for Promoting the Abolition of Slavery, and the Relief of Free Negroes Unlawfully Held in Bondage," 9 November 1789, in *The Works of Benjamin Franklin*, Vol. 12, ed. John Bigelow (New York: G. P. Putnam's Sons, 1904), 157-58; Alexander Hamilton, "Philo Camillus no. 2," August 1795, in *The Papers of Alexander Hamilton*, Vol. 19, ed. Harold C. Syrett (New York: Columbia University Press, 1973), 101-02; James Madison, "Speech at the Constitutional Convention," 6 June 1787, in *Records of the Federal Convention of 1787*, Vol. 1, ed. Max Farrand (New Haven, CT: Yale University Press, 1937), 135.

Benjamin Franklin

An Address to the Public from the Pennsylvania Society, November 9, 1789

"...Slavery is such an atrocious debasement of human nature, that its very extirpation, if not performed with solicitous care, may sometimes open a source of serious evils...."

5

Alexander Hamilton

Philo Camillus no. 2, August 1795

10 "...The laws of certain states which give an ownership in the service of negroes as personal property, constitute a similitude between them and other articles of personal property, and thereby subject them to the right of capture by war. But being men, by the laws of God and nature, they were capable of acquiring liberty—and when the captor in war, to whom by the capture the ownership was transferred, thought fit to give them liberty, the gift was not only valid, but irrevocable...."

15 **James Madison**

Speech at the Constitutional Convention, June 6, 1787

"...We have seen the mere distinction of color made in the most enlightened period of time, a ground of the most oppressive dominion ever exercised by man over man...."

ANONYMOUS (THOMAS JEFFERSON)

Query XVIII: Manners

CHAPTER FROM *NOTES ON THE STATE OF VIRGINIA*

May 1785
Paris, France

BACKGROUND

Thomas Jefferson responded to a series of questions posed by a French diplomat in his book *Notes on the State of Virginia*, here discussing slavery in America.

GUIDING QUESTIONS

1. How did the institution of slavery harm both the enslaved and their masters?
2. Why does Jefferson fear God's wrath?
3. What does Jefferson think of the prospects for an end to slavery?

Thomas Jefferson, "Query XVIII: Manners," from *Notes on the State of Virginia*, in *The Writings of Thomas Jefferson*, Vol. 2, ed. A.A. Lipscomb and A.E. Bergh (Washington, D.C.: Thomas Jefferson Memorial Association, 1907), 225–28.

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The particular customs and manners that may happen to be received in that state?

It is difficult to determine on the standard by which the manners of a nation may be tried, whether *catholic* or *particular*. It is more difficult for a native to bring to that standard the manners of his own nation, familiarized to him by habit. There must doubtless be an unhappy influence on the manners of our people produced by the existence of slavery among us. The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this, and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self-love, for restraining the intemperance of passion towards his slave, it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to the worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manners and morals undepraved by such circumstances. And with what execration should the statesman be loaded, who, permitting one half the citizens thus to trample on the rights of the other, transforms those into despots, and these into enemies, destroys the morals of the one part, and the *amor patriae* of the other. For if a slave can have a country in this world, it must be any other in preference to that in which he is born to live and labor for another; in which he must lock up the faculties of his nature, contribute as far as depends on his individual endeavors to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him. With the morals of the people, their industry also is destroyed. For in a warm climate, no man will labor for himself who can make another labor for him. This is so true, that of the proprietors of slaves a very small proportion indeed are ever seen to labor. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed I tremble for

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my country when I reflect that God is just; that his justice cannot sleep forever; that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation is among possible events; that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest. But it is impossible to be temperate and to pursue this subject through the various considerations of policy, of morals, of history natural and civil. We must be contented to hope they will force their way into every one's mind. I think a change already perceptible, since the origin of the present revolution. The spirit of the master is abating, that of the slave rising from the dust, his condition mollifying, the way I hope preparing, under the auspices of heaven, for a total emancipation, and that this is disposed, in the order of events, to be with the consent of the masters, rather than by their extirpation.

FREDERICK DOUGLASS

What to the Slave Is the Fourth of July?

SPEECH

July 5, 1852
Corinthian Hall | Rochester, New York

BACKGROUND

Frederick Douglass gave this speech to the Ladies' Anti-Slavery Society, intentionally on the day following the celebration of the nation's birthday.

GUIDING QUESTIONS

1. Why does Douglass use July 4th for the backdrop of his point on slavery?
2. Does Douglass think that slavery is consistent with the principles of America?
3. At this time, does Douglass view the Constitution as a pro-slavery document?

Frederick Douglass, *Selected Speeches and Writings*, ed. Philip S. Foner (Chicago: Lawrence Hill, 1999), 188-206.

What to the Slave Is the Fourth of July?
Frederick Douglass

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My subject, then, fellow-citizens, is American slavery. I shall see, this day, and its popular characteristics, from the slave's point of view. Standing, there, identified with the American bondman, making his wrongs mine, I do not hesitate to declare, with all my soul, that the character and conduct of this nation never looked blacker to me than on this 4th of July!

5 Whether we turn to the declarations of the past, or to the professions of the present, the conduct of the nation seems equally hideous and revolting. America is false to the past, false to the present, and solemnly binds herself to be false to the future. Standing with God and the crushed and bleeding slave on this occasion, I will, in the name of humanity which is outraged, in the name of liberty which is fettered, in the name of the constitution and the
10 Bible, which are disregarded and trampled upon, dare to call in question and to denounce, with all the emphasis I can command, everything that serves to perpetuate slavery—the great sin and shame of America! “I will not equivocate; I will not excuse;” I will use the severest language I can command; and yet not one word shall escape me that any man, whose judgment is not blinded by prejudice, or who is not at heart a slaveholder, shall not
15 confess to be right and just.

But I fancy I hear some one of my audience say, it is just in this circumstance that you and your brother abolitionists fail to make a favorable impression on the public mind. Would you argue more, and denounce less, would you persuade more, and rebuke less, your cause would be much more likely to succeed. But, I submit, where all is plain there is nothing to
20 be argued. What point in the anti-slavery creed would you have me argue? On what branch of the subject do the people of this country need light? Must I undertake to prove that the slave is a man? That point is conceded already. Nobody doubts it. The slaveholders themselves acknowledge it in the enactment of laws for their government. They acknowledge it when they punish disobedience on the part of the slave. There are seventy-two crimes in
25 the state of Virginia, which, if committed by a black man, (no matter how ignorant he be), subject him to the punishment of death; while only two of the same crimes will subject a white man to the like punishment. What is this but the acknowledgement that the slave is a moral, intellectual and responsible being? The manhood of the slave is conceded. It is admitted in the fact that Southern statute books are covered with enactments forbidding,

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under severe fines and penalties, the teaching of the slave to read or to write. When you can point to any such laws, in reference to the beasts of the field, then I may consent to argue the manhood of the slave. When the dogs in your streets, when the fowls of the air, when the cattle on your hills, when the fish of the sea, and the reptiles that crawl, shall be unable
5 to distinguish the slave from a brute, then will I argue with you that the slave is a man!

For the present, it is enough to affirm the equal manhood of the Negro race. Is it not astonishing that, while we are ploughing, planting and reaping, using all kinds of mechanical tools, erecting houses, constructing bridges, building ships, working in metals of brass, iron, copper, silver and gold; that, while we are reading, writing and cyphering, acting as
10 clerks, merchants and secretaries, having among us lawyers, doctors, ministers, poets, authors, editors, orators and teachers; that, while we are engaged in all manner of enterprises common to other men, digging gold in California, capturing the whale in the Pacific, feeding sheep and cattle on the hill-side, living, moving, acting, thinking, planning, living in families as husbands, wives and children, and, above all, confessing and worshipping the
15 Christian's God, and looking hopefully for life and immortality beyond the grave, we are called upon to prove that we are men!

Would you have me argue that man is entitled to liberty? that he is the rightful owner of his own body? You have already declared it. Must I argue the wrongfulness of slavery? Is that a question for Republicans? Is it to be settled by the rules of logic and argumentation,
20 as a matter beset with great difficulty, involving a doubtful application of the principle of justice, hard to be understood? How should I look to-day, in the presence of Americans, dividing, and subdividing a discourse, to show that men have a natural right to freedom? speaking of it relatively, and positively, negatively, and affirmatively. To do so, would be to make myself ridiculous, and to offer an insult to your understanding. There is not a man
25 beneath the canopy of heaven, that does not know that slavery is wrong for him.

What, am I to argue that it is wrong to make men brutes, to rob them of their liberty, to work them without wages, to keep them ignorant of their relations to their fellow men, to beat them with sticks, to flay their flesh with the lash, to load their limbs with irons, to hunt

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5 them with dogs, to sell them at auction, to sunder their families, to knock out their teeth, to burn their flesh, to starve them into obedience and submission to their masters? Must I argue that a system thus marked with blood, and stained with pollution, is wrong? No! I will not. I have better employments for my time and strength than such arguments would imply.

What, then, remains to be argued? Is it that slavery is not divine; that God did not establish it; that our doctors of divinity are mistaken? There is blasphemy in the thought. That which is inhuman, cannot be divine! Who can reason on such a proposition? They that can, may; I cannot. The time for such argument is passed.

10 At a time like this, scorching irony, not convincing argument, is needed. O! had I the ability, and could I reach the nation's ear, I would, today, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke. For it is not light that is needed, but fire; it is not the gentle shower, but thunder. We need the storm, the whirlwind, and the earthquake. The feeling of the nation must be quickened; the conscience of the nation
15 must be roused; the propriety of the nation must be startled; the hypocrisy of the nation must be exposed; and its crimes against God and man must be proclaimed and denounced.

What, to the American slave, is your 4th of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your
20 national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciations of tyrants, brass fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade, and solemnity, are, to him, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages. There
25 is not a nation on the earth guilty of practices, more shocking and bloody, than are the people of these United States, at this very hour. . . .

Take the American slave trade, which, we are told by the papers, is especially prosperous just now. . . . That trade has long since been denounced by this government, as piracy. It

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has been denounced with burning words, from the high places of the nation, as an execrable traffic. To arrest it, to put an end to it, this nation keeps a squadron, at immense cost, on the coast of Africa. Everywhere, in this country, it is safe to speak of this foreign slave trade, as a most inhuman traffic, opposed alike to the laws of God and of man. . . . It is, however, a notable fact that, while so much execration is poured out by Americans upon those engaged in the foreign slave trade, the men engaged in the slave trade between the states pass without condemnation, and their business is deemed honorable. . . .

But a still more inhuman, disgraceful, and scandalous state of things remains to be presented. By an act of the American Congress, not yet two years old, slavery has been nationalized in its most horrible and revolting form. By that act, Mason and Dixon's line has been obliterated; New York has become as Virginia; and the power to hold, hunt, and sell men, women, and children as slaves remains no longer a mere state institution, but is now an institution of the whole United States. The power is co-extensive with the Star-Spangled Banner and American Christianity. Where these go, may also go the merciless slave-hunter.

. . . For black men there are neither law, justice, humanity, nor religion. The Fugitive Slave Law makes mercy to them a crime; and bribes the judge who tries them. An American judge gets ten dollars for every victim he consigns to slavery, and five, when he fails to do so. The oath of any two villains is sufficient, under this hell-black enactment, to send the most pious and exemplary black man into the remorseless jaws of slavery! His own testimony is nothing. He can bring no witnesses for himself. The minister of American justice is bound by the law to hear but one side; and that side, is the side of the oppressor. Let this damning fact be perpetually told. Let it be thundered around the world, that, in tyrant-killing, king-hating, people-loving, democratic, Christian America, the seats of justice are filled with judges, who hold their offices under an open and palpable bribe, and are bound, in deciding in the case of a man's liberty, hear only his accusers! . . .

[T]he church of this country is not only indifferent to the wrongs of the slave, it actually takes sides with the oppressors. It has made itself the bulwark of American slavery, and the shield of American slave-hunters. Many of its most eloquent Divines, who stand as the very lights of the church, have shamelessly given the sanction of religion and the Bible to the

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whole slave system. They have taught that man may, properly, be a slave; that the relation of master and slave is ordained of God; that to send back an escaped bondman to his master is clearly the duty of all the followers of the Lord Jesus Christ; and this horrible blasphemy is palmed off upon the world for Christianity. . . .

5 Let the religious press, the pulpit, the Sunday school, the conference meeting, the great ecclesiastical, missionary, Bible and tract associations of the land array their immense powers against slavery and slaveholding; and the whole system of crime and blood would be scattered to the winds; and that they do not do this involves them in the most awful responsibility of which the mind can conceive. . . .

10 Fellow-citizens! I will not enlarge further on your national inconsistencies. The existence of slavery in this country brands your republicanism as a sham, your humanity as a base pretense, and your Christianity as a lie. It destroys your moral power abroad; it corrupts your politicians at home. It saps the foundation of religion; it makes your name a hissing, and a bye-word to a mocking earth. It is the antagonistic force in your government, the
15 only thing that seriously disturbs and endangers your Union. It fetters your progress; it is the enemy of improvement, the deadly foe of education; it fosters pride; it breeds insolence; it promotes vice; it shelters crime; it is a curse to the earth that supports it; and yet, you cling to it, as if it were the sheet anchor of all your hopes. Oh! be warned! be warned! a horrible reptile is coiled up in your nation's bosom; the venomous creature is nursing at
20 the tender breast of your youthful republic; for the love of God, tear away, and fling from you the hideous monster, and let the weight of twenty millions crush and destroy it forever!

But it is answered in reply to all this, that precisely what I have now denounced is, in fact, guaranteed and sanctioned by the Constitution of the United States; that the right to hold and to hunt slaves is a part of that Constitution framed by the illustrious Fathers of this
25 Republic. . . .

. . . But I differ from those who charge this baseness on the framers of the Constitution of the United States. It is a slander upon their memory, at least, so I believe. . . .

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Fellow-citizens! there is no matter in respect to which, the people of the North have allowed themselves to be so ruinously imposed upon, as that of the pro-slavery character of the Constitution. In that instrument I hold there is neither warrant, license, nor sanction of the hateful thing; but, interpreted as it ought to be interpreted, the Constitution is a glorious liberty document. Read its preamble, consider its purposes. Is slavery among them? Is it at the gateway? or is it in the temple? It is neither. While I do not intend to argue this question on the present occasion, let me ask, if it be not somewhat singular that, if the Constitution were intended to be, by its framers and adopters, a slave-holding instrument, why neither slavery, slave-holding, nor slave can anywhere be found in it. What would be thought of an instrument, drawn up, legally drawn up, for the purpose of entitling the city of Rochester to a track of land, in which no mention of land was made? . . .

Now, take the Constitution according to its plain reading, and I defy the presentation of a single pro-slavery clause in it. On the other hand it will be found to contain principles and purposes, entirely hostile to the existence of slavery. . . .

. . . Allow me to say, in conclusion, notwithstanding the dark picture I have this day presented of the state of the nation, I do not despair of this country. There are forces in operation, which must inevitably work the downfall of slavery. "The arm of the Lord is not shortened," and the doom of slavery is certain. I, therefore, leave off where I began, with hope. While drawing encouragement from the Declaration of Independence, the great principles it contains, and the genius of American Institutions, my spirit is also cheered by the obvious tendencies of the age. Nations do not now stand in the same relation to each other that they did ages ago. No nation can now shut itself up from the surrounding world, and trot round in the same old path of its fathers without interference. The time was when such could be done. Long established customs of hurtful character could formerly fence themselves in, and do their evil work with social impunity. Knowledge was then confined and enjoyed by the privileged few, and the multitude walked on in mental darkness. But a change has now come over the affairs of mankind. Walled cities and empires have become unfashionable. The arm of commerce has borne away the gates of the strong city. Intelligence is penetrating the darkest corners of the globe. It makes its pathway over and under

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the sea, as well as on the earth. Wind, steam, and lightning are its chartered agents. Oceans no longer divide, but link nations together. From Boston to London is now a holiday excursion. Space is comparatively annihilated. Thoughts expressed on one side of the Atlantic, are distinctly heard on the other. The far off and almost fabulous Pacific rolls in grandeur at our feet. The Celestial Empire, the mystery of ages, is being solved. The fiat of the Almighty, "Let there be Light," has not yet spent its force. No abuse, no outrage whether in taste, sport or avarice, can now hide itself from the all-pervading light. The iron shoe, and crippled foot of China must be seen, in contrast with nature. Africa must rise and put on her yet unwoven garment. "Ethiopia shall stretch out her hand unto God." In the fervent aspirations of William Lloyd Garrison, I say, and let every heart join in saying it:

God speed the year of jubilee

The wide world o'er

When from their galling chains set free,

Th' oppress'd shall vilely bend the knee,

15 And wear the yoke of tyranny

Like brutes no more.

That year will come, and freedom's reign,

To man his plundered rights again

Restore. . .

FREDERICK DOUGLASS

The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery

SPEECH

March 26, 1860

Scottish Anti-Slavery Society | Glasgow, Scotland

BACKGROUND

Former slave and abolitionist Frederick Douglass delivered this speech before the Scottish Anti-Slavery Society responding to the question of whether the U.S. Constitution supported or opposed slavery.

GUIDING QUESTIONS

1. How does Douglass define the Constitution?
2. In which ways does Douglass disagree with other abolitionists, such as William Lloyd Garrison?
3. What evidence does Douglass cite from the founding that has formed his understanding?
4. What is Douglass' main argument against dissolving the Union over the issue of slavery?

Frederick Douglass, *Selected Speeches and Writings*, ed. Philip S. Foner (Chicago: Lawrence Hill, 1999), 188-206.

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I proceed to the discussion. And first a word about the question. Much will be gained at the outset if we fully and clearly understand the real question under discussion. Indeed, nothing is or can be understood. This are often confounded and treated as the same, for no better reason than that they resemble each other, even while they are in their nature and character totally distinct and even directly opposed to each other. This jumbling up things is a sort of dust-throwing which is often indulged in by small men who argue for victory rather than for truth.

Thus, for instance, the American Government and the American Constitution are spoken of in a manner which would naturally lead the hearer to believe that one is identical with the other; when the truth is, they are distinct in character as is a ship and a compass. The one may point right and the other steer wrong. A chart is one thing, the course of the vessel is another. The Constitution may be right, the Government is wrong. If the Government has been governed by mean, sordid, and wicked passions, it does not follow that the Constitution is mean, sordid, and wicked.

What, then, is the question? I will state it. But first let me state what is not the question. It is not whether slavery existed in the United States at the time of the adoption of the Constitution; it is not whether slaveholders took part in the framing of the Constitution; it is not whether those slaveholders, in their hearts, intended to secure certain advantages in that instrument for slavery; it is not whether the American Government has been wielded during seventy-two years in favour of the propagation and permanence of slavery; it is not whether a pro-slavery interpretation has been put upon the Constitution by the American Courts — all these points may be true or they may be false, they may be accepted or they may be rejected, without in any wise affecting the real question in debate.

The real and exact question between myself and the class of persons represented by the speech at the City Hall may be fairly stated thus: — 1st, Does the United States Constitution guarantee to any class or description of people in that country the right to enslave, or hold as property, any other class or description of people in that country? 2nd, Is the dissolution of the union between the slave and free States required by fidelity to the slaves, or by the

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just demands of conscience? Or, in other words, is the refusal to exercise the elective franchise, and to hold office in America, the surest, wisest, and best way to abolish slavery in America?

To these questions the Garrisonians say Yes. They hold the Constitution to be a slaveholding instrument, and will not cast a vote or hold office, and denounce all who vote or hold office, no matter how faithfully such persons labour to promote the abolition of slavery. I, on the other hand, deny that the Constitution guarantees the right to hold property in man, and believe that the way to abolish slavery in America is to vote such men into power as well use their powers for the abolition of slavery. This is the issue plainly stated, and you shall judge between us. Before we examine into the disposition, tendency, and character of the Constitution, I think we had better ascertain what the Constitution itself is. Before looking for what it means, let us see what it is. Here, too, there is much dust to be cleared away. What, then, is the Constitution? I will tell you. It is not even like the British Constitution, which is made up of enactments of Parliament, decisions of Courts, and the established usages of the Government. The American Constitution is a written instrument full and complete in itself. No Court in America, no Congress, no President, can add a single word thereto, or take a single word threthereto. It is a great national enactment done by the people, and can only be altered, amended, or added to by the people. I am careful to make this statement here; in America it would not be necessary. It would not be necessary here if my assailant had shown the same desire to be set before you the simple truth, which he manifested to make out a good case for himself and friends. Again, it should be borne in mind that the mere text, and only the text, and not any commentaries or creeds written by those who wished to give the text a meaning apart from its plain reading, was adopted as the Constitution of the United States. It should also be borne in mind that the intentions of those who framed the Constitution, be they good or bad, for slavery or against slavery, are so respected so far, and so far only, as we find those intentions plainly stated in the Constitution. It would be the wildest of absurdities, and lead to endless confusion and mischiefs, if, instead of looking to the written paper itself, for its meaning, it were attempted to make us search it out, in the secret motives, and dishonest intentions, of some of the men who

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took part in writing it. It was what they said that was adopted by the people, not what they were ashamed or afraid to say, and really omitted to say. Bear in mind, also, and the fact is an important one, that the framers of the Constitution sat with doors closed, and that this was done purposely, that nothing but the result of their labours should be seen, and that

5 that result should be judged of by the people free from any of the bias shown in the debates. It should also be borne in mind, and the fact is still more important, that the debates in the convention that framed the Constitution, and by means of which a pro-slavery interpretation is now attempted to be forced upon that instrument, were not published till more than a quarter of a century after the presentation and the adoption of the Constitution.

10 These debates were purposely kept out of view, in order that the people should adopt, not the secret motives or unexpressed intentions of any body, but the simple text of the paper itself. Those debates form no part of the original agreement. I repeat, the paper itself, and only the paper itself, with its own plainly written purposes, is the Constitution. It must stand or fall, flourish or fade, on its own individual and self-declared character and objects.

15 Again, where would be the advantage of a written Constitution, if, instead of seeking its meaning in its words, we had to seek them in the secret intentions of individuals who may have had something to do with writing the paper? What will the people of America a hundred years hence care about the intentions of the scribes who wrote the Constitution? These men are already gone from us, and in the course of nature were expected to go from

20 us. They were for a generation, but the Constitution is for ages. Whatever we may owe to them, we certainly owe it to ourselves, and to mankind, and to God, to maintain the truth of our own language, and to allow no villainy, not even the villainy of holding men as slaves — which Wesley says is the sum of all villainies — to shelter itself under a fair-seeming and virtuous language. We owe it to ourselves to compel the devil to wear his own garments,

25 and to make wicked laws speak out their wicked intentions. Common sense, and common justice, and sound rules of interpretation all drive us to the words of the law for the meaning of the law. The practice of the Government is dwelt upon with much fervour and eloquence as conclusive as to the slaveholding character of the Constitution. This is really the strong

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point and the only strong point, made in the speech in the City Hall. But good as this argument is, it is not conclusive. A wise man has said that few people have been found better than their laws, but many have been found worse. To this last rule America is no exception. Her laws are one thing, her practice is another thing. We read that the Jews made void the law by their tradition, that Moses permitted men to put away their wives because of the hardness of their hearts, but that this was not so at the beginning. While good laws will always be found where good practice prevails, the reverse does not always hold true. Far from it. The very opposite is often the case. What then? Shall we condemn the righteous law because wicked men twist it to the support of wickedness? Is that the way to deal with good and evil? Shall we blot out all distinction between them, and hand over to slavery all that slavery may claim on the score of long practice? Such is the course commended to us in the City Hall speech. After all, the fact that men go out of the Constitution to prove it pro-slavery, whether that going out is to the practice of the Government, or to the secret intentions of the writers of the paper, the fact that they do go out is very significant. It is a powerful argument on my side. It is an admission that the thing for which they are looking is not to be found where only it ought to be found, and that is in the Constitution itself. If it is not there, it is nothing to the purpose, be it wheresoever else it may be. But I shall have no more to say on this point hereafter.

The very eloquent lecturer at the City Hall doubtless felt some embarrassment from the fact that he had literally to give the Constitution a pro-slavery interpretation; because upon its face it of itself conveys no such meaning, but a very opposite meaning. He thus sums up what he calls the slaveholding provisions of the Constitution. I quote his own words: — “Article 1, section 9, provides for the continuance of the African slave trade for the 20 years, after the adoption of the Constitution. Art. 4, section 9, provides for the recovery from the other States of fugitive slaves. Art. 1, section 2, gives the slave States a representation of the three-fifths of all the slave population; and Art. 1, section 8, requires the President to use the military, naval, ordnance, and militia resources of the entire country for the suppression of slave insurrection, in the same manner as he would employ them to repel invasion.” Now any man reading this statement, or hearing it made with such a show of exactness,

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would unquestionably suppose that he speaker or writer had given the plain written text of the Constitution itself. I can hardly believe that he intended to make any such impression. It would be a scandalous imputation to say he did. Any yet what are we to make of it? How can we regard it? How can he be screened from the charge of having perpetrated a deliberate and point-blank misrepresentation? That individual has seen fit to place himself before the public as my opponent, and yet I would gladly find some excuse for him. I do not wish to think as badly of him as this trick of his would naturally lead me to think. Why did he not read the Constitution? Why did he read that which was not the Constitution? He pretended to be giving chapter and verse, section and clause, paragraph and provision. The words of the Constitution were before him. Why then did he not give you the plain words of the Constitution? Oh, sir, I fear that the gentleman knows too well why he did not. It so happens that no such words as “African slave trade,” no such words as “slave insurrections,” are anywhere used in that instrument. These are the words of that orator, and not the words of the Constitution of the United States. Now you shall see a slight difference between my manner of treating this subject and what which my opponent has seen fit, for reasons satisfactory to himself, to pursue. What he withheld, that I will spread before you: what he suppressed, I will bring to light: and what he passed over in silence, I will proclaim: that you may have the whole case before you, and not be left to depend upon either his, or upon my inferences or testimony. Here then are several provisions of the Constitution to which reference has been made. I read them word for word just as they stand in the paper, called the United States Constitution, Art. I, sec. 2. “Representatives and direct taxes shall be apportioned among the several States which may be included in this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term years, and excluding Indians not taxed, three-fifths of all other persons; Art. I, sec. 9. The migration or importation of such persons as any of the States now existing shall think fit to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding tend dollars for each person; Art. 4, sec. 2. No person held to service or labour in one State, under the laws thereof, escaping into another shall, in consequence of any law or regulation therein, be discharged from service or

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labour; but shall be delivered up on claim of the party to whom such service or labour may be due; Art. I, sec. 8. To provide for calling for the militia to execute the laws of the Union, suppress insurrections, and repel invasions.” Here then, are those provisions of the Constitution, which the most extravagant defenders of slavery can claim to guarantee a right of property in man. These are the provisions which have been pressed into the service of the human fleshmongers of America. Let us look at them just as they stand, one by one. Let us grant, for the sake of the argument, that the first of these provisions, referring to the basis of representation and taxation, does refer to slaves. We are not compelled to make that admission, for it might fairly apply to aliens — persons living in the country, but not naturalized. But giving the provisions the very worse construction, what does it amount to? I answer — It is a downright disability laid upon the slaveholding States; one which deprives those States of two-fifths of their natural basis of representation. A black man in a free State is worth just two-fifths more than a black man in a slave State, as a basis of political power under the Constitution. Therefore, instead of encouraging slavery, the Constitution encourages freedom by giving an increase of “two-fifths” of political power to free over slave States. So much for the three-fifths clause; taking it at its worst, it still leans to freedom, not slavery; for, be it remembered that the Constitution nowhere forbids a coloured man to vote. I come to the next, that which it is said guaranteed the continuance of the African slave trade for twenty years. I will also take that for just what my opponent alleges it to have been, although the Constitution does not warrant any such conclusion. But, to be liberal, let us suppose it did, and what follows? Why, this — that this part of the Constitution, so far as the slave trade is concerned, became a dead letter more than 50 years ago, and now binds no man’s conscience for the continuance of any slave trade whatsoever. Mr. Thompson is just 52 years too late in dissolving the Union on account of this clause. He might as well dissolve the British Government, because Queen Elizabeth granted to Sir John Hawkins to import Africans into the West Indies 300 years ago! But there is still more to be said about this abolition of the slave trade. Men, at that time, both in England and in America, looked upon the slave trade as the life of slavery. The abolition of the slave trade was supposed to be the certain death of slavery. Cut off the stream, and the pond will dry up, was the common notion at the time.

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Wilberforce and Clarkson, clear-sighted as they were, took this view; and the American statesmen, in providing for the abolition of the slave trade, thought they were providing for the abolition of the slavery. This view is quite consistent with the history of the times. All regarded slavery as an expiring and doomed system, destined to speedily disappear from
5 the country. But, again, it should be remembered that this very provision, if made to refer to the African slave trade at all, makes the Constitution anti-slavery rather than for slavery; for it says to the slave States, the price you will have to pay for coming into the American Union is, that the slave trade, which you would carry on indefinitely out of the Union, shall be put an end to in twenty years if you come into the Union. Secondly, if it does apply, it
10 expired by its own limitation more than fifty years ago. Thirdly, it is anti-slavery, because it looked to the abolition of slavery rather than to its perpetuity. Fourthly, it showed that the intentions of the framers of the Constitution were good, not bad. I think this is quite enough for this point.

I go to the “slave insurrection” clause, though, in truth, there is no such clause. The one
15 which is called so has nothing whatever to do with slaves or slaveholders any more than your laws for suppression of popular outbreaks has to do with making slaves of you and your children. It is only a law for suppression of riots or insurrections. But I will be generous here, as well as elsewhere, and grant that it applies to slave insurrections. Let us suppose that an anti-slavery man is President of the United States (and the day that shall see this the
20 case is not distant) and this very power of suppressing slave insurrections would put an end to slavery. The right to put down an insurrection carries with it the right to determine the means by which it shall be put down. If it should turn out that slavery is a source of insurrection, that there is no security from insurrection while slavery lasts, why, the Constitution would be best obeyed by putting an end to slavery, and an anti-slavery Congress would do
25 the very same thing. Thus, you see, the so-called slave-holding provisions of the American Constitution, which a little while ago looked so formidable, are, after all, no defence or guarantee for slavery whatever. But there is one other provision. This is called the “Fugitive Slave Provision.” It is called so by those who wish to make it subserve the interest of slavery in America, and the same by those who wish to uphold the views of a party in this country.

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It is put thus in the speech at the City Hall: — “Let us go back to 1787, and enter Liberty Hall, Philadelphia, where sat in convention the illustrious men who framed the Constitution — with George Washington in the chair. On the 27th of September, Mr. Butler and Mr. Pinckney, two delegates from the State of South Carolina, moved that the Constitution should require that fugitive slaves and servants should be delivered up like criminals, and after a discussion on the subject, the clause, as it stands in the Constitution, was adopted. After this, in the conventions held in the several States to ratify the Constitution, the same meaning was attached to the words. For example, Mr. Madison (afterwards President), when recommending the Constitution to his constituents, told them that the clause would secure them their property in slaves.” I must ask you to look well to this statement. Upon its face, it would seem a full and fair statement of the history of the transaction it professes to describe and yet I declare unto you, knowing as I do the facts in the case, my utter amazement at the downright untruth conveyed under the fair seeming words now quoted. The man who could make such a statement may have all the craftiness of a lawyer, but who can accord to him the candour of an honest debater? What could more completely destroy all confidence in his statements? Mark you, the orator had not allowed his audience to hear read the provision of the Constitution to which he referred. He merely characterized it as one to “deliver up fugitive slaves and servants like criminals,” and tells you that this was done “after discussion.” But he took good care not to tell you what was the nature of that discussion. He have would have spoiled the whole effect of his statement had he told you the whole truth. Now, what are the facts connected with this provision of the Constitution? You shall have them. It seems to take two men to tell the truth. It is quite true that Mr. Butler and Mr. Pinckney introduced a provision expressly with a view to the recapture of fugitive slaves: it is quite true also that there was some discussion on the subject — and just here the truth shall come out. These illustrious kidnappers were told promptly in that discussion that no such idea as property in man should be admitted into the Constitution. The speaker in question might have told you, and he would have told you but the simple truth, if he had told you that he proposition of Mr. Butler and Mr. Pinckney — which he leads you to infer was adopted by the convention that from the Constitution — was, in fact, promptly and indignantly rejected by that convention. He might have told you, had it

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suited his purpose to do so, that the words employed in the first draft of the fugitive slave clause were such as applied to the condition of slaves, and expressly declared that persons held to “servitude” should be given up; but that the word “servitude” was struck from the provision, for the very reason that it applied to slaves. He might have told you that the same
5 Mr. Madison declared that the word was struck out because the convention would not consent that the idea of property in men should be admitted into the Constitution. The fact that Mr. Madison can be cited on both sides of this question is another evidence of the folly and absurdity of making the secret intentions of the framers the criterion by which the Constitution is to be construed. But it may be asked — if this clause does not apply to slaves,
10 to whom does it apply?

I answer, that when adopted, it applies to a very large class of persons — namely, redemptioners — persons who had come to America from Holland, from Ireland, and other quarters of the globe — like the Coolies to the West Indies — and had, for a consideration duly paid, become bound to “serve and labour” for the parties to whom their service and labour was due. It applies to indentured apprentices and others who have become bound for
15 a consideration, under contract duly made, to serve and labour, to such persons this provision applies, and only to such persons. The plain reading of this provision shows that it applies, and that it can only properly and legally apply, to persons “bound to service.” Its object plainly is, to secure the fulfillment of contracts for “service and labour.” It applies to
20 indentured apprentices, and any other persons from whom service and labour may be due. The legal condition of the slave puts him beyond the operation of this provision. He is not described in it. He is a simple article of property. He does not owe and cannot owe service. He cannot even make a contract. It is impossible for him to do so. He can no more make such a contract than a horse or an ox can make one. This provision, then, only respects
25 persons who owe service, and they only can owe service who can receive an equivalent and make a bargain. The slave cannot do that, and is therefore exempted from the operation of this fugitive provision. In all matters where laws are taught to be made the means of oppression, cruelty, and wickedness, I am for strict construction. I will concede nothing. It must be shown that it is so nominated in the bond. The pound of flesh, but not one drop

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of blood. The very nature of law is opposed to all such wickedness, and makes it difficult to accomplish such objects under the forms of law. Law is not merely an arbitrary enactment with regard to justice, reason, or humanity. Blackstone defines it to be a rule prescribed by the supreme power of the State commanding what is right and forbidding what is wrong.

5 The speaker at the City Hall laid down some rules of legal interpretation. These rules send us to the history of the law for its meaning. I have no objection to such a course in ordinary cases of doubt. But where human liberty and justice are at stake, the case falls under an entirely different class of rules. There must be something more than history — something more than tradition. The Supreme Court of the United States lays down this rule, and it

10 meets the case exactly — “Where rights are infringed — where the fundamental principles of the law are overthrown — where the general system of the law is departed from, the legislative intention must be expressed with irresistible clearness.” The same court says that the language of the law must be construed strictly in favour of justice and liberty. Again, there is another rule of law. It is — Where a law is susceptible of two meanings, the one

15 making it accomplish an innocent purpose, and the other making it accomplish a wicked purpose, we must in all cases adopt that which makes it accomplish an innocent purpose. Again, the details of a law are to be interpreted in the light of the declared objects sought by the law. I set these rules down against those employed at the City Hall. To me they seem just and rational. I only ask you to look at the American Constitution in the light of them,

20 and you will see with me that no man is guaranteed a right of property in man, under the provisions of that instrument. If there are two ideas more distinct in their character and essence than another, those ideas are “persons” and “property,” “men” and “things.” Now, when it is proposed to transform persons into “property” and men into beasts of burden, I demand that the law that completes such a purpose shall be expressed with irresistible

25 clearness. The thing must not be left to inference, but must be done in plain English. I know how this view of the subject is treated by the class represented at the City Hall. They are in the habit of treating the Negro as an exception to general rules. When their own liberty is in question they will avail themselves of all rules of law which protect and defend their freedom; but when the black man’s rights are in question they concede everything, admit

30 everything for slavery, and put liberty to the proof. They reserve the common law usage,

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and presume the Negro a slave unless he can prove himself free. I, on the other hand, presume him free unless he is proved to be otherwise. Let us look at the objects for which the Constitution was framed and adopted, and see if slavery is one of them. Here are its own objects as set forth by itself: — “We, the people of these United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.”

The objects here set forth are six in number: union, defence, welfare, tranquility, justice, and liberty. These are all good objects, and slavery, so far from being among them, is a foe of them all. But it has been said that Negroes are not included within the benefits sought under this declaration. This is said by the slaveholders in America — it is said by the City Hall orator — but it is not said by the Constitution itself. Its language is “we the people;” not we the white people, not even we the citizens, not we the privileged class, not we the high, not we the low, but we the people; not we the horses, sheep, and swine, and wheelbarrows, but we the people, we the human inhabitants; and, if Negroes are people, they are included in the benefits for which the Constitution of America was ordained and established. But how dare any man who pretends to be a friend to the Negro thus gratuitously concede away what the Negro has a right to claim under the Constitution? Why should such friends invent new arguments to increase the hopelessness of his bondage? This, I undertake to say, as the conclusion of the whole matter, that the constitutionality of slavery can be made out only by disregarding the plain and common-sense reading of the Constitution itself; by discrediting and casting away as worthless the most beneficent rules of legal interpretation; by ruling the Negro outside of these beneficent rules; by claiming that the Constitution does not mean what it says, and that it says what it does not mean; by disregarding the written Constitution, and interpreting it in the light of a secret understanding. It is in this mean, contemptible, and underhand method that the American Constitution is pressed into the service of slavery. They go everywhere else for proof that the Constitution declares that no person shall be deprived of life, liberty, or property without due process of law; it secures to every man the right of trial by jury, the privilege of the writ of habeas corpus — the great writ that put an end to slavery and slave-hunting in England — and it

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secures to every State a republican form of government. Anyone of these provisions in the hands of abolition statesmen, and backed up by a right moral sentiment, would put an end to slavery in America. The Constitution forbids the passing of a bill of attainder: that is, a law entailing upon the child the disabilities and hardships imposed upon the parent. Every
5 slave law in America might be repealed on this very ground. The slave is made a slave because his mother is a slave. But to all this it is said that the practice of the American people is against my view. I admit it. They have given the Constitution a slaveholding interpretation. I admit it. They have committed innumerable wrongs against the Negro in the name of the Constitution. Yes, I admit it all; and I go with him who goes farthest in denouncing
10 these wrongs. But it does not follow that the Constitution is in favour of these wrongs because the slaveholders have given it that interpretation. To be consistent in his logic, the City Hall speaker must follow the example of some of his brothers in America — he must not only fling away the Constitution, but the Bible. The Bible must follow the Constitution, for that, too, has been interpreted for slavery by American divines. Nay, more, he must not
15 stop with the Constitution of America, but make war with the British Constitution, for, if I mistake not, the gentleman is opposed to the union of Church and State. In America he called himself a Republican. Yet he does not go for breaking down the British Constitution, although you have a Queen on the throne, and bishops in the House of Lords.

My argument against the dissolution of the American Union is this: It would place the slave
20 system more exclusively under the control of the slaveholding States, and withdraw it from the power in the Northern States which is opposed to slavery. Slavery is essentially barbarous in its character. It, above all things else, dreads the presence of an advanced civilization. It flourishes best where it meets no reproofing frowns, and hears no condemning voices. While in the Union it will meet with both. Its hope of life, in the last resort, is to get
25 out of the Union. I am, therefore, for drawing the bond of the Union more completely under the power of the Free States. What they most dread, that I most desire. I have much confidence in the instincts of the slaveholders. They see that the Constitution will afford slavery no protection when it shall cease to be administered by slaveholders. They see, moreover, that if there is once a will in the people of America to abolish slavery, this is no

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word, no syllable in the Constitution to forbid that result. They see that the Constitution has not saved slavery in Rhode Island, in Connecticut, in New York, or Pennsylvania; that the Free States have only added three to their original number. There were twelve Slave States at the beginning of the Government: there are fifteen now. They dissolution of the Union would not give the North a single advantage over slavery, but would take from it many. Within the Union we have a firm basis of opposition to slavery. It is opposed to all the great objects of the Constitution. The dissolution of the Union is not only an unwise but a cowardly measure — 15 millions running away from three hundred and fifty thousand slaveholders. Mr. Garrison and his friends tell us that while in the Union we are responsible for slavery. He and they sing out “No Union with slaveholders,” and refuse to vote. I admit our responsibility for slavery while in the Union but I deny that going out of the Union would free us from that responsibility. There now clearly is no freedom from responsibility for slavery to any American citizen short to the abolition of slavery. The American people have gone quite too far in this slaveholding business now to sum up their whole business of slavery by singing out the cant phrase, “No union with slaveholders.” To desert the family hearth may place the recreant husband out of the presence of his starving children, but this does not free him from responsibility. If a man were on board of a pirate ship, and in company with others had robbed and plundered, his whole duty would not be preformed simply by taking the longboat and singing out, “No union with pirates.” His duty would be to restore the stolen property. The American people in the Northern States have helped to enslave the black people. Their duty will not have been done till they give them back their plundered rights. Reference was made at the City Hall to my having once held other opinions, and very different opinions to those I have now expressed. An old speech of mine delivered fourteen years ago was read to show — I know not what. Perhaps it was to show that I am not infallible. If so, I have to say in defence, that I never pretended to be. Although I cannot accuse myself of being remarkably unstable, I do not pretend that I have never altered my opinion both in respect to men and things. Indeed, I have been very much modified both in feeling and opinion within the last fourteen years. When I escaped from slavery, and was introduced to the Garrisonians, I adopted very many of their opinions, and defended them just as long as I deemed them true. I was young, had read but

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little, and naturally took some things on trust. Subsequent experience and reading have led me to examine for myself. This had brought me to other conclusions. When I was a child, I thought and spoke as a child. But the question is not as to what were my opinions fourteen years ago, but what they are now. If I am right now, it really does not matter what I was
5 fourteen years ago. My position now is one of reform, not of revolution. I would act for the abolition of slavery through the Government — not over its ruins. If slaveholders have ruled the American Government for the last fifty years, let the anti-slavery men rule the nation for the next fifty years. If the South has made the Constitution bend to the purposes of slavery, let the North now make that instrument bend to the cause of freedom and jus-
10 tice. If 350,000 slaveholders have, by devoting their energies to that single end, been able to make slavery the vital and animating spirit of the American Confederacy for the last 72 years, now let the freemen of the North, who have the power in their own hands, and who can make the American Government just what they think fit, resolve to blot out for ever the foul and haggard crime, which is the blight and mildew, the curse and the disgrace of
15 the whole United States.

SEN. JOHN C. CALHOUN (D-SC)

On the Reception of Abolition Petitions

SPEECH EXCERPT

February 6, 1837
U.S. Senate | Washington, D.C.

BACKGROUND

John C. Calhoun delivered this speech in the U.S. Senate in response to petitions submitted by abolitionists demanding an end to slavery in the District of Columbia and the abolition of the slave trade across state lines.

GUIDING QUESTIONS

1. What does Calhoun argue to be the effect of enslavement in America on African Americans? Why?
2. In which ways does Calhoun take exception to northern criticism of the effects of slavery on European Americans?
3. What does Calhoun mean by a “positive good”? What evidence does he claim to support his assertion?
4. How does Calhoun argue that slaves are treated better than laborers in the north?
5. If slavery were to be abolished, what is Calhoun’s fear?
6. What do Calhoun’s tone and words suggest about the changing stance of southerners on the issue of slavery, especially with respect to northern criticism and policies against it?

John C. Calhoun, *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 472-76.

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...Abolition and Union cannot co-exist. 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

5 races, inhabiting that section of the Union, is indispensable to the peace and happiness of both. It cannot be subverted without drenching the country in blood, and extirpating one or the other of the races. Be it good or bad, it has grown up with our society and institutions, and is so interwoven with them, that to destroy it would be to destroy us as a people. But let me not be understood as admitting, even by implication, that the existing relations be-

10 tween the two races in 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. It came among us in a low,

15 degraded, and savage condition, and in the course of a few generations it has grown up under the fostering care of our institutions, reviled as they have been to its present comparatively civilized condition. This, with the rapid increase of numbers, is conclusive proof of the general happiness of the race, in spite of all the exaggerated tales to the contrary. In the mean time, the white or European race has not degenerated. It has kept pace with its

20 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. I ask whether we have not contributed our full share of talents and political wisdom in forming and sustaining this political fabric; and whether we have not constantly inclined most

25 strongly to the side of liberty, and been the first to see and first to resist the encroachments of power. In one thing only are we inferior—the arts of gain; we acknowledge that we are less wealthy than the Northern section of this Union, but I trace this mainly to the fiscal action of this Government, which has extracted much from and spent little among us. Had it been the reverse—if the exaction had been from the other section, and the expenditure

30 with us, this point of superiority would not be against us now, as it was not at the formation

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of this Government. 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
5 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
10 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
15 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
20 old 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 poor house. 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,
25 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
30 so much more stable and quiet than that of the North. The advantages of the former, in this

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respect, will become more and more manifest if left undisturbed by interference from without, as the country advances in wealth and numbers. We have, in fact, but just entered that condition of society where the strength and durability of our political institutions are to be tested; and I venture nothing in predicting that the experience of the next generation will

5 fully test how vastly more favorable our condition of society is to that of other sections for free and stable institutions, provided we are not disturbed by the interference of others, or shall have sufficient intelligence and spirit to resist promptly and successfully such interference. It rests with ourselves to meet and repel them. I look not for aid to this Government, or to the other States; not but there are kind feelings towards us on the part of the

10 great body of the nonslaveholding States; but as kind as their feelings may be, we may rest assured that no political party in those States will risk their ascendancy for our safety. If we do not defend ourselves none will defend us; if we yield we will be more and more pressed as we recede; and if we submit we will be trampled under foot. Be assured that emancipation itself would not satisfy these fanatics—that gained, the next step would be to raise the

15 negroes to a social and political equality with the whites; and that being effected, we would soon find the present condition of the two races reversed. They and their northern allies would be the masters, and we the slaves; the condition of the white race in the British West India Islands, bad as it is, would be happiness to ours. There the mother country is interested in sustaining the supremacy of the European race. It is true that the authority of the

20 former master is destroyed, but the African will there still be a slave, not to individuals but to the community,—forced to labor, not by the authority of the overseer, but by the bayonet of the soldiery and the rod of the civil magistrate. Surrounded as the slaveholding States are with such imminent perils, I rejoice to think that our means of defence are ample, if we shall prove to have the intelligence and spirit to see and apply them before it is too late. All

25 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. One thing alarms me—the eager pursuit of gain which overspreads the land, and which absorbs every faculty

30 of the mind and every feeling of the heart. Of all passions avarice is the most blind and

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compromising—the last to see and the first to yield to danger. I dare not hope that any thing 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.

SENATOR JOHN C. CALHOUN (D-SC)

On the Oregon Bill

SPEECH EXCERPT

June 27, 1848

U.S. Senate | Washington, D.C.

BACKGROUND

Senator John C. Calhoun gave this speech in response to the Oregon Bill, which sought to organize the new territory along anti-slavery principles.

GUIDING QUESTIONS

1. How does Calhoun portray the conflict between the North and the South?
2. How does Calhoun use the Constitution to justify his argument?
3. What theoretical proposition is the cause of the Union's destruction, according to Calhoun?
4. According to Calhoun, what is the relationship between the government and individual liberty?

John C. Calhoun, "On the Oregon Bill," 27 June 1848, in *The Works of John C. Calhoun*, Vol. 4, Ed. Richard Kenner Cralle (New York: D. Appleton & Co., 1888), 503–12.

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...The first question which offers itself for consideration is — Have the Northern States the power which they claim, to prevent the Southern people from emigrating freely, with their property, into territories belonging to the United States, and to monopolize them for their exclusive benefit?...

- 5 Now, I put the question solemnly to the Senators from the North: Can you rightly and justly exclude the South from territories of the United States, and monopolize them for yourselves, even if, in your opinion, you should have the power? It is this question I wish to press on your attention with all due solemnity and decorum. The North and the South stand in the relation of partners in a common Union, with equal dignity and equal rights.
- 10 We of the South have contributed our full share of funds, and shed our full share of blood for the acquisition of our territories. Can you, then, on any principle of equity and justice, deprive us of our full share in their benefit and advantage? Are you ready to affirm that a majority of the partners in a joint concern have the right to monopolize its benefits to the exclusion of the minority, even in cases where they have contributed their full share to the
- 15 concern?...

I turn now to my friends of the South, and ask: What are you prepared to do? If neither the barriers of the constitution nor the high sense of right and justice should prove sufficient to protect you, are you prepared to sink down into a state of acknowledged inferiority; to be stripped of your dignity of equals among equals, and be deprived of your equality of

20 rights in this federal partnership of States? If so, you are woefully degenerated from your sires, and will well deserve to change condition with your slaves;—but if not, prepare to meet the issue. The time is at hand, if the question should not be speedily settled, when the South must rise up, and bravely defend herself, or sink down into base and acknowledged inferiority; and it is because I clearly perceive that this period is favorable for settling it, if

25 it is ever to be settled, that I am in favor of pressing the question now to a decision—not because I have any desire whatever to embarrass either party in reference to the Presidential election. At no other period could the two great parties into which the country is divided be made to see and feel so clearly and intensely the embarrassment and danger caused by the question. Indeed, they must be blind not to perceive that there is a power in action that

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must burst asunder the ties that bind them together, strong as they are, unless it should be speedily settled. Now is the time, if ever. Cast your eyes to the North, and mark what is going on there; reflect on the tendency of events for the last three years in reference to this the most vital of all questions, and you must see that no time should be lost.

5 I am thus brought to the question, How can the question be settled? It can, in my opinion, be finally and permanently adjusted but one way,—and that is on the high principles of justice and the constitution. Fear not to leave it to them. The less you do the better. If the North and South cannot stand together on their broad and solid foundation, there is none other on which they can. If the obligations of the constitution and justice be too feeble to
10 command the respect of the North, how can the South expect that she will regard the far more feeble obligations of an act of Congress? Nor should the North fear that, by leaving it where justice and the constitution leave it, she would be excluded from her full share of the territories. In my opinion, if it be left there, climate, soil, and other circumstances would fix the line between the slaveholding and non-slaveholding States in about 36° 30'. It may
15 zigzag a little, to accommodate itself to circumstances—sometimes passing to the north, and at others passing to the south of it; but that would matter little, and would be more satisfactory to all, and tend less to alienation between the two great sections, than a rigid, straight, artificial line, prescribed by an act of Congress.

And here, let me say to Senators from the North;—you make a great mistake in supposing
20 that the portion which might fall to the south of whatever line might be drawn, if left to soil, and climate, and circumstances to determine, would be closed to the white labor of the North, because it could not mingle with slave labor without degradation. The fact is not so. There is no part of the world were agricultural, mechanical, and other descriptions of labor are more respected than in the South, with the exception of two descriptions of employ-
25 ment—that of menial and body servants. No Southern man—not the poorest or the lowest—will, under any circumstance, submit to perform either of them. He has too much pride for that, and I rejoice that he has. They are unsuited to the spirit of a freeman. But the man who would spurn them feels not the least degradation to work in the same field with his slave; or to be employed to work with them in the same field or in any mechanical

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operation; and, when so employed, they claim the right,—and are admitted, in the country portion of the South—of sitting at the table of their employers. Can as much, on the score of equality, be said of the North? With us the two great divisions of society are not the rich and poor, but white and black; and all the former, the poor as well as the rich, belong to the upper class, and are respected and treated as equals, if honest and industrious; and hence have a position and pride of character of which neither poverty nor misfortune can deprive them.

But I go further, and hold that justice and the constitution are the easiest and safest guard on which the question can be settled, regarded in reference to party. It may be settled on that ground simply by non-action—by leaving the territories free and open to the emigration of all the world, so long as they continue so,—and when they become States, to adopt whatever constitution they please, with the single restriction, to be republican, in order to their admission into the Union. If a party cannot safely take this broad and solid position and successfully maintain it, what other can it take and maintain? If it cannot maintain itself by an appeal to the great principles of justice, the constitution, and self-government, to what other, sufficiently strong to uphold them in public opinion, can they appeal? I greatly mistake the character of the people of this Union, if such an appeal would not prove successful, if either party should have the magnanimity to step forward, and boldly make it. It would, in my opinion, be received with shouts of approbation by the patriotic and intelligent in every quarter. There is a deep feeling pervading the country that the Union and our political institutions are in danger, which such a course would dispel, and spread joy over the land.

Now is the time to take the step, and bring about a result so devoutly to be wished. I have believed, from the beginning, that this was the only question sufficiently potent to dissolve the Union, and subvert our system of government; and that the sooner it was met and settled, the safer and better for all. I have never doubted but that, if permitted to progress beyond a certain point, its settlement would become impossible, and am under deep conviction that it is now rapidly approaching it,—and that if it is ever to be averted, it must be done speedily. In uttering these opinions I look to the whole. If I speak earnestly, it is to

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save and protect all. As deep as is the stake of the South in the Union and our political institutions, it is not deeper than that of the North. We shall be as well prepared and as capable of meeting whatever may come, as you.

5 Now, let me say, Senators, if our Union and system of government are doomed to perish, and we to share the fate of so many great people who have gone before us, the historian, who, in some future day, may record the events ending in so calamitous a result, will devote his first chapter to the ordinance of 1787, lauded as it and its authors have been, as the first of that series which led to it. His next chapter will be devoted to the Missouri compromise, and the next to the present agitation. Whether there will be another beyond, I know not. It
10 will depend on what we may do.

If he should possess a philosophical turn of mind, and be disposed to look to more remote and recondite causes, he will trace it to a proposition which originated in a hypothetical truism, but which, as now expressed and now understood, is the most false and dangerous of all political errors. The proposition to which I allude, has become an axiom in the minds
15 of a vast many on both sides of the Atlantic, and is repeated daily from tongue to tongue, as an established and incontrovertible truth; it is,—that “all men are born free and equal.” I am not afraid to attack error, however deeply it may be entrenched, or however widely extended, whenever it becomes my duty to do so, as I believe it to be on this subject and occasion.

20 Taking the proposition literally (it is in that sense it is understood), there is not a word of truth in it. It begins with “all men are born,” which is utterly untrue. Men are not born. Infants are born. They grow to be men. And concludes with asserting that they are born “free and equal,” which is not less false. They are not born free. While infants they are incapable of freedom, being destitute alike of the capacity of thinking and acting, without
25 which there can be no freedom. Besides, they are necessarily born subject to their parents, and remain so among all people, savage and civilized, until the development of their intellect and physical capacity enables them to take care of themselves. They grow to all the freedom of which the condition in which they were born permits, by growing to be men.

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Nor is it less false that they are born “equal.” They are not so in any sense in which it can be regarded; and thus, as I have asserted, there is not a word of truth in the whole proposition, as expressed and generally understood.

5 If we trace it back, we shall find the proposition differently expressed in the Declaration of Independence. That asserts that “all men are created equal.” The form of expression, though less dangerous, is not less erroneous. All men are not created. According to the Bible, only two—a man and a woman—ever were—and of these one was pronounced subordinate to the other. All others have come into the world by being born, and in no sense, as I have shown, either free or equal. But this form of expression being less striking and popular, has given way to the present, and under the authority of a document put forth on
10 so great an occasion, and leading to such important consequences, has spread far and wide, and fixed itself deeply in the public mind. It was inserted in our Declaration of Independence without any necessity. It made no necessary part of our justification in separating from the parent country, and declaring ourselves independent. Breach of our chartered privileges, and lawless encroachment on our acknowledged and well-established rights by the
15 parent country, were the real causes,—and of themselves sufficient, without resorting to any other, to justify the step. Nor had it any weight in constructing the governments which were substituted in the place of the colonial. They were formed of the old materials and on practical and well-established principles, borrowed for the most part from our own experience and that of the country from which we sprang.
20

If the proposition be traced still further back, it will be found to have been adopted from certain writers in government who had attained much celebrity in the early settlement of these States, and with whose writings all the prominent actors in our revolution were familiar. Among these, Locke and Sydney were prominent. But they expressed it very differently.
25 According to their expression, “all men in the state of nature were free and equal.” From this the others were derived; and it was this to which I referred when I called it a hypothetical truism;—to understand why, will require some explanation.

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Man, for the purpose of reasoning, may be regarded in three different states: in a state of individuality; that is, living by himself apart from the rest of his species. In the social; that is, living in society, associated with others of his species. And in the political; that is, living under government. We may reason as to what would be his rights and duties in either, without taking into consideration whether he could exist in it or not. It is certain, that in the first, the very supposition that he lived apart and separated from all others would make him free and equal. No one in such a state could have the right to command or control another. Every man would be his own master, and might do just as he pleased. But it is equally clear, that man cannot exist in such a state; that he is by nature social, and that society is necessary, not only to the proper development of all his faculties, moral and intellectual, but to the very existence of his race. Such being the case, the state is a purely hypothetical one; and when we say all men are free and equal in it, we announce a mere hypothetical truism; that is, a truism resting on a mere supposed state that cannot exist, and of course one of little or no practical value.

But to call it a state of nature was a great misnomer, and has led to dangerous errors; for that cannot justly be called a state of nature which is so opposed to the constitution of man as to be inconsistent with the existence of his race and the development of the high faculties, mental and moral, with which he is endowed by his Creator.

Nor is the social state of itself his natural state; for society can no more exist without government, in one form or another, than man without society. It is the political, then, which includes the social, that is his natural state. It is the one for which his Creator formed him,—into which he is impelled irresistibly,—and in which only his race can exist and all its faculties be fully developed.

Such being the case, it follows that any, the worst form of government, is better than anarchy; and that individual liberty, or freedom, must be subordinate to whatever power may be necessary to protect society against anarchy within or destruction from without; for the safety and well-being of society is as paramount to individual liberty, as the safety and well-being of the race is to that of individuals; and in the same proportion the power necessary

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for the safety of society is paramount to individual liberty. On the contrary, government has no right to control individual liberty beyond what is necessary to the safety and well-being of society. Such is the boundary which separates the power of government and the liberty of the citizen or subject in the political state, which, as I have shown, is the natural state of man—the only one in which his race can exist, and the one in which he is born, lives, and dies.

It follows from this that all the quantum of power on the part of the government, and of liberty on that of individuals, instead of being equal in all cases, must necessarily be very unequal among different people, according to their different conditions. For just in proportion as a people are ignorant, stupid, debased, corrupt, exposed to violence within, and danger from without, the power necessary for government to possess, in order to preserve society against anarchy and destruction, becomes greater and greater, and individual liberty less and less, until the lowest condition is reached,—when absolute and despotic power becomes necessary on the part of the government, and individual liberty extinct. So, on the contrary, just as a people rise in the scale of intelligence, virtue, and patriotism, and the more perfectly they become acquainted with the nature of government, the ends for which it was ordered, and how it ought to be administered, and the less the tendency to violence and disorder within, and danger from abroad,—the power necessary for government becomes less and less, and individual liberty greater and greater. Instead, then, of all men having the same right to liberty and equality, as is claimed by those who hold that they are all born free and equal, liberty is the noble and highest reward bestowed on mental and moral development, combined with favorable circumstances. Instead, then, of liberty and equality being born with men,—instead of all men and all classes and descriptions being equally entitled to them, they are high prizes to be won, and are in their most perfect state, not only the highest reward that can be bestowed on our race, but the most difficult to be won,—and when won, the most difficult to be preserved.

They have been made vastly more so by the dangerous error I have attempted to expose,—that all men are born free and equal,—as if those high qualities belonged to man without effort to acquire them, and to all equally alike, regardless of their intellectual and moral

condition. The attempt to carry into practice this, the most dangerous of all political errors, and to bestow on all,— without regard to their fitness either to acquire or maintain liberty,—that unbounded and individual liberty supposed to belong to man in the hypothetical and misnamed state of nature, has done more to retard the cause of liberty and civilization, and is doing more at present, than all other causes combined. While it is powerful to pull down governments, it is still more powerful to prevent their construction on proper principles. It is the leading cause among those which have placed Europe in its present anarchical condition, and which mainly stands in the way of reconstructing good governments in the place of those which have been overthrown,—threatening thereby the quarter of the globe most advanced in progress and civilization with hopeless anarchy,—to be followed by military despotism. Nor are we exempt from its disorganizing effects. We now begin to experience the danger of admitting so great an error to have a place in the declaration of our independence. For a long time it lay dormant; but in the process of time it began to germinate, and produce its poisonous fruits. It had strong hold on the mind of Mr. Jefferson, the author of that document, which caused him to take an utterly false view of the subordinate relation of the black to the white race in the South; and to hold, in consequence, that the latter, though utterly unqualified to possess liberty, were as fully entitled to both liberty and equality as the former; and that to deprive them of it was unjust and immoral. To this error, his proposition to exclude slavery from the territory northwest of the Ohio may be traced,—and to that of the ordinance of 1787,—and through it the deep and dangerous agitation which now threatens to engulf, and will certainly engulf, if not speedily settled, our political institutions, and involve the country in countless woes.

ILLINOIS STATE REP. ABRAHAM LINCOLN (WHIG)

The Perpetuation of Our Political Institutions

SPEECH

January 27, 1838

Young Men's Lyceum | Springfield, Illinois

BACKGROUND

Abraham Lincoln offered this address to the Young Men's Lyceum of Springfield early in his career as a Whig in the Illinois state legislature.

GUIDING QUESTIONS

1. What examples does Lincoln give of the increasing disregard for law in the U.S.?
2. Why does Lincoln see mob rule and vigilantism as problematic?
3. What does Lincoln see as the long-term effect of continually disregarding the law?
4. Why does Lincoln think that Americans should obey bad laws?
5. What is the consequence of the fading memories of the Revolution?

Abraham Lincoln, "Address before the Young Men's Lyceum of Springfield, Illinois," in *The Collected Works of Abraham Lincoln*, Vol. 1, ed. Roy P. Basler (New Brunswick, N.J.: Rutgers University Press, 1953), 108–15.

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As a subject for the remarks of the evening, the perpetuation of our political institutions, is selected.

In the great journal of things happening under the sun, we, the American People, find our account running, under date of the nineteenth century of the Christian era. We find ourselves in the peaceful possession, of the fairest portion of the earth, as regards extent of territory, fertility of soil, and salubrity of climate. We find ourselves under the government of a system of political institutions, conducing more essentially to the ends of civil and religious liberty, than any of which the history of former times tells us. We, when mounting the stage of existence, found ourselves the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them — they are a legacy bequeathed us, by a once hardy, brave, and patriotic, but now lamented and departed race of ancestors. Their's was the task (and nobly they performed it) to possess themselves, and through themselves, us, of this goodly land; and to uprear upon its hills and its valleys, a political edifice of liberty and equal rights; 'tis ours only, to transmit these, the former, unprofaned by the foot of an invader; the latter, undecayed by the lapse of time, and untorn by [usurpation — to the latest generation that fate shall permit the world to know. This task of gratitude to our fathers, justice to] ourselves, duty to posterity, and love for our species in general, all imperatively require us faithfully to perform.

How, then, shall we perform it? At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant, to step the Ocean, and crush us at a blow? Never! All the armies of Europe, Asia and Africa combined, with all the treasure of the earth (our own excepted) in their military chest; with a Buonaparte for a commander, could not by force, take a drink from the Ohio, or make a track on the Blue Ridge, in a trial of a thousand years.

At what point then is the approach of danger to be expected? I answer, if it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide.

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I hope I am over wary; but if I am not, there is, even now, something of ill-omen amongst us. I mean the increasing disregard for law which pervades the country; the growing disposition to substitute the wild and furious passions, in lieu of the sober judgement of Courts; and the worse than savage mobs, for the executive ministers of justice. This disposition is awfully fearful in any community; and that it now exists in ours, though grating to our feelings to admit, it would be a violation of truth, and an insult to our intelligence, to deny. Accounts of outrages committed by mobs, form the every-day news of the times. They have pervaded the country, from New England to Louisiana; — they are neither peculiar to the eternal snows of the former, nor the burning suns of the latter; — they are not the creature of climate — neither are they confined to the slaveholding, or the non-slaveholding States. Alike, they spring up among the pleasure hunting masters of Southern slaves, and the order loving citizens of the land of steady habits. Whatever then, their cause may be, it is common to the whole country.

It would be tedious, as well as useless, to recount the horrors of all of them. Those happening in the State of Mississippi, and at St. Louis, are, perhaps, the most dangerous in example, and revolting to humanity. In the Mississippi case, they first commenced by hanging the regular gamblers: a set of men, certainly not following for a livelihood, a very useful, or very honest occupation; but one which, so far from being forbidden by the laws, was actually licensed by an act of the Legislature, passed but a single year before. Next, negroes, suspected of conspiring to raise an insurrection, were caught up and hanged in all parts of the State: then, white men, supposed to be leagued with the negroes; and finally, strangers, from neighboring States, going thither on business, were, in many instances, subjected to the same fate. Thus went on this process of hanging, from gamblers to negroes, from negroes to white citizens, and from these to strangers; till, dead men were seen literally dangling from the boughs of trees upon every road side; and in numbers almost sufficient, to rival the native Spanish moss of the country, as a drapery of the forest.

Turn, then, to that horror-striking scene at St. Louis. A single victim was only sacrificed there. His story is very short; and is, perhaps, the most highly tragic, of any thing of its length, that has ever been witnessed in real life. A mulatto man, by the name of McIntosh,

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was seized in the street, dragged to the suburbs of the city, chained to a tree, and actually burned to death; and all within a single hour from the time he had been a freeman, attending to his own business, and at peace with the world.

5 Such are the effects of mob law; and such are the scenes, becoming more and more frequent in this land so lately famed for love of law and order; and the stories of which, have even now grown too familiar, to attract any thing more, than an idle remark.

10 But you are, perhaps, ready to ask, "What has this to do with the perpetuation of our political institutions?" I answer, it has much to do with it. Its direct consequences are, comparatively speaking, but a small evil; and much of its danger consists, in the proneness of our minds, to regard its direct, as its only consequences. Abstractly considered, the hanging of the gamblers at Vicksburg, was of but little consequence. They constitute a portion of population that is worse than useless in a[ny community; and their death, if no pernicious example be set by it, is never matter of reasonable regret with any one. If they were annually swept, from the stage of existence, by the plague or small pox, honest men would, perhaps, 15 be much profited, by the operation. Similar too, is the correct reasoning, in regard to the burning of the negro at St. Louis. He had forfeited his life, by the perpetration of an outrageous murder, upon one of the most worthy and respectable citizens of the city; and had he not died as he did, he must have died by the sentence of the law, in a very short time afterwards. As to him alone, it was as well the way it was, as it could otherwise have been.

20 But the example in either case, was fearful. When men take it in their heads to day, to hang gamblers, or burn murderers, they should recollect, that, in the confusion usually attending such transactions, they will be as likely to hang or burn some one, who is neither a gambler nor a murderer [as] one who is; and that, acting upon the [exam]ple they set, the mob of to-morrow, may, an[d] probably will, hang or burn some of them, [by th]e very same mistake. And not only so; the innocent, those who have ever set their faces against violations 25 of law in every shape, alike with the guilty, fall victims to the ravages of mob law; and thus it goes on, step by step, till all the walls erected for the defence of the persons and property of individuals, are trodden down, and disregarded. But all this even, is not the full extent of the evil. By such examples, by instances of the perpetrators of such acts going unpunished,

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the lawless in spirit, are encouraged to become lawless in practice; and having been used to no restraint, but dread of punishment, they thus become, absolutely unrestrained. Having ever regarded Government as their deadliest bane, they make a jubilee of the suspension of its operations; and pray for nothing so much, as its total annihilation. While, on the other hand, good men, men who love tranquility, who desire to abide by the laws, and enjoy their benefits, who would gladly spill their blood in the defence of their country; seeing their property destroyed; their families insulted, and their lives endangered; their persons injured; and seeing nothing in prospect that forebodes a change for the better; become tired of, and disgusted with, a Government that offers them no protection; and are not much averse to a change in which they imagine they have nothing to lose. Thus, then, by the operation of this mobocratic spirit, which all must admit, is now abroad in the land, the strongest bulwark of any Government, and particularly of those constituted like ours, may effectually be broken down and destroyed — I mean the attachment of the People. Whenever this effect shall be produced among us; whenever the vicious portion of population shall be permitted to gather in bands of hundreds and thousands, and burn churches, ravage and rob provision stores, throw printing presses into rivers, shoot editors and hang and burn obnoxious persons at pleasure, and with impunity; depend on it, this Government cannot last. By such things, the feelings of the best citizens will become more or less alienated from it; and thus it will be left without friends, or with too few, and those few too weak, to make their friendship effectual. At such a time and under such circumstances, men of sufficient talent and ambition will not be wanting to seize [the opportunity, strike the blow, and overturn that fair fabric], which for the last half century, has been the fondest hope, of the lovers of freedom, throughout the world.

I know the American People are much attached to their Government; — I know they would suffer much for its sake; — I know they would endure evils long and patiently, before they would ever think of exchanging it for another. Yet, notwithstanding all this, if the laws be continually despised and disregarded, if their rights to be secure in their persons and property, are held by no better tenure than the caprice of a mob, the alienation of their affections from the Government is the natural consequence; and to that, sooner or later, it must come.

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Here then, is one point at which danger may be expected.

The question recurs "how shall we fortify against it?" The answer is simple. Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country; and never to tolerate their violation by others. As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and Laws, let every American pledge his life, his property, and his sacred honor; — let every man remember that to violate the law, is to trample on the blood of his father, and to tear the character [charter?] of his own, and his children's liberty. Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap — let it be taught in schools, in seminaries, and in colleges; — let it be written in Primmers, spelling books, and in Almanacs; — let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions, sacrifice unceasingly upon its altars.

While ever a state of feeling, such as this, shall universally, or even, very generally prevail throughout the nation, vain will be every effort, and fruitless every attempt, to subvert our national freedom.

When I so pressingly urge a strict observance of all the laws, let me not be understood as saying there are no bad laws, nor that grievances may not arise, for the redress of which, no legal provisions have been made. I mean to say no such thing. But I do mean to say, that, although bad laws, if they exist, should be repealed as soon as possible, still while they continue in force, for the sake of example, they should be religiously observed. So also in unprovided cases. If such arise, let proper legal provisions be made for them with the least possible delay; but, till then, let them if not too intolerable, be borne with.

There is no grievance that is a fit object of redress by mob law. In any case that arises, as for instance, the promulgation of abolitionism, one of two positions is necessarily true; that is, the thing is right within itself, and therefore deserves the protection of all law and all good

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citizens; or, it is wrong, and therefore proper to be prohibited by legal enactments; and in neither case, is the interposition of mob law, either necessary, justifiable, or excusable.

But, it may be asked, why suppose danger to our political institutions? Have we not preserved them for more than fifty years? And why may we not for fifty times as long?

5 We hope there is no sufficient reason. We hope all dangers may be overcome; but to conclude that no danger may ever arise, would itself be extremely dangerous. There are now, and will hereafter be, many causes, dangerous in their tendency, which have not existed heretofore; and which are not too insignificant to merit attention. That our government should have been maintained in its original form from its establishment until now, is not
10 much to be wondered at. It had many props to support it through that period, which now are decayed, and crumbled away. Through that period, it was felt by all, to be an undecided experiment; now, it is understood to be a successful one. Then, all that sought celebrity and fame, and distinction, expected to find them in the success of that experiment. Their all was staked upon it: — their destiny was inseparably linked with it. Their ambition aspired to
15 display before an admiring world, a practical demonstration of the truth of a proposition, which had hitherto been considered, at best no better, than problematical; namely, the capability of a people to govern themselves. If they succeeded, they were to be immortalized; their names were to be transferred to counties and cities, and rivers and mountains; and to be revered and sung, and toasted through all time. If they failed, they were to be called
20 knaves and fools, and fanatics for a fleeting hour; then to sink and be forgotten. They succeeded. The experiment is successful; and thousands have won their deathless names in making it so. But the game is caught; and I believe it is true, that with the catching, end the pleasures of the chase. This field of glory is harvested, and the crop is already appropriated. But new reapers will arise, and they, too, will seek a field. It is to deny, what the history of
25 the world tells us is true, to suppose that men of ambition and talents will not continue to spring up amongst us. And, when they do, they will as naturally seek the gratification of their ruling passion, as others have so done before them. The question then, is, can that gratification be found in supporting and maintaining an edifice that has been erected by others? Most certainly it cannot. Many great and good men sufficiently qualified for any

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task they should undertake, may ever be found, whose ambition would aspire to nothing beyond a seat in Congress, a gubernatorial or a presidential chair; but such belong not to the family of the lion, or the tribe of the eagle,[,] What! think you these places would satisfy an Alexander, a Caesar, or a Napoleon? Never! Towering genius disdains a beaten path. It seeks regions hitherto unexplored. It sees no distinction in adding story to story, upon the monuments of fame, erected to the memory of others. It denies that it is glory enough to serve under any chief. It scorns to tread in the footsteps of any predecessor, however illustrious. It thirsts and burns for distinction; and, if possible, it will have it, whether at the expense of emancipating slaves, or enslaving freemen. Is it unreasonable then to expect, that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time, spring up among us? And when such a one does, it will require the people to be united with each other, attached to the government and laws, and generally intelligent, to successfully frustrate his designs.

Distinction will be his paramount object; and although he would as willingly, perhaps more so, acquire it by doing good as harm; yet, that opportunity being past, and nothing left to be done in the way of building up, he would set boldly to the task of pulling down.

Here then, is a probable case, highly dangerous, and such a one as could not have well existed heretofore.

Another reason which once was; but which, to the same extent, is now no more, has done much in maintaining our institutions thus far. I mean the powerful influence which the interesting scenes of the revolution had upon the passions of the people as distinguished from their judgment. By this influence, the jealousy, envy, and avarice, incident to our nature, and so common to a state of peace, prosperity, and conscious strength, were, for the time, in a great measure smothered and rendered inactive; while the deep rooted principles of hate, and the powerful motive of revenge, instead of being turned against each other, were directed exclusively against the British nation. And thus, from the force of circumstances, the basest principles of our nature, were either made to lie dormant, or to become

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the active agents in the advancement of the noblest of cause[s?] — that of establishing and maintaining civil and religious liberty.

But this state of feeling must fade, is fading, has faded, with the circumstances that produced it.

5 I do not mean to say, that the scenes of the revolution are now or ever will be entirely forgotten; but that like every thing else, they must fade upon the memory of the world, and grow more and more dim by the lapse of time. In history, we hope, they will be read of, and recounted, so long as the bible shall be read; — but even granting that they will, their influence cannot be what it heretofore has been. Even then, they cannot be so universally known,
10 nor so vividly felt, as they were by the generation just gone to rest. At the close of that struggle, nearly every adult male had been a participator in some of its scenes. The consequence was, that of those scenes, in the form of a husband, a father, a son or a brother, a living history was to be found in every family — a history bearing the indubitable testimonies of its own authenticity, in the limbs mangled, in the scars of wounds received, in the
15 midst of the very scenes related — a history, too, that could be read and understood alike by all, the wise and the ignorant, the learned and the unlearned. But those histories are gone. They can be read no more forever. They were a fortress of strength; but, what invading foe-men could never do, the silent artillery of time has done; the levelling of its walls. They are gone. They were a forest of giant oaks; but the all-resistless hurricane has swept
20 over them, and left only, here and there, a lonely trunk, despoiled of its verdure, shorn of its foliage; unshading and unshaded, to murmur in a few more gentle breezes, and to combat with its mutilated limbs, a few more ruder storms, then to sink, and be no more.

They were the pillars of the temple of liberty; and now, that they have crumbled away, that temple must fall, unless we, their descendants, supply their places with other pillars, hewn
25 from the solid quarry of sober reason. Passion has helped us; but can do so no more. It will in future be our enemy. Reason, cold, calculating, unimpassioned reason, must furnish all the materials for our future support and defence. Let those [materials] be moulded into general intelligence, [sound] morality and, in particular, a reverence for the constitution

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and laws; and, that we improved to the last; that we remained free to the last; that we revered his name to the last; [tha]t, during his long sleep, we permitted no hostile foot to pass over or desecrate [his] resting place; shall be that which to le[arn the last] trump shall awaken our Wash[ington].

- 5 Upon these] let the proud fabric of freedom r[est, as the] rock of its basis; and as truly as has been said of the only greater institution, "the gates of hell shall not prevail against it."

ABRAHAM LINCOLN

Speech at Peoria

SPEECH EXCERPT

October 16, 1854

Lawn of the Peoria County Courthouse | Peoria, Illinois

On the Kansas-Nebraska Act

BACKGROUND

Abraham Lincoln responded to the passage of the Kansas-Nebraska Act and its principal proponent, Stephen A. Douglas, with this address at Peoria.

GUIDING QUESTIONS

1. Is Lincoln in favor or against self-governance?
2. In what way can the right of self-governance be abused according to Lincoln?
3. What principles does Lincoln take to be more essential than the right to self-governance?
4. What are the results of the violation of the Missouri Compromise both in the north and in the south?
5. How does Lincoln think the founders viewed slavery?

Abraham Lincoln, "Speech at Peoria, Illinois," 16 October 1854, in *Collected Works of Abraham Lincoln*, Vol. 2, ed. Roy P. Basler (New Brunswick, N.J.: Rutgers University Press, 1953), 248–83.

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...The repeal of the Missouri Compromise, and the propriety of its restoration, constitute the subject of what I am about to say....

I trust I understand, and truly estimate the right of self-government. My faith in the proposition that each man should do precisely as he pleases with all which is exclusively his own, lies at the foundation of the sense of justice there is in me. I extend the principles to communities of men, as well as to individuals. I so extend it, because it is politically wise, as well as naturally just; politically wise, in saving us from broils about matters which do not concern us. Here, or at Washington, I would not trouble myself with the oyster laws of Virginia, or the cranberry laws of Indiana.

10 The doctrine of self-government is right—absolutely and eternally right—but it has no just application, as here attempted. Or perhaps I should rather say that whether it has such just application depends upon whether a negro is *not* or *is* a man. If he is *not* a man, why in that case, he who *is* a man may, as a matter of self-government, do just as he pleases with him. But if the negro is a man, is it not to that extent, a total destruction of self-government, to say that he too shall not govern *himself*? When the white man governs himself that is self-government; but when he governs himself, and also governs *another* man, that is more than self-government—that is despotism. If the negro is a man, why then my ancient faith teaches me that “all men are created equal;” and that there can be no moral right in connection with one man’s making a slave of another....

20 What I do say is, that no man is good enough to govern another man, without that other’s consent. I say this is the leading principle—the sheet anchor of American republicanism. Our Declaration of Independence says:

25 “We hold these truths to be self evident: 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.”

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I have quoted so much at this time merely to show that according to our ancient faith, the just powers of governments are derived from the consent of the governed. Now the relation of masters and slaves is, *pro tanto*, a total violation of this principle. The master not only governs the slave without his consent; but he governs him by a set of rules altogether different from those which he prescribes for himself. Allow all the governed an equal voice in the government, and that, and that only is self-government....

This same generation of men, and mostly the same individuals of the generation, who declared this principle—who declared independence—who fought the war of the revolution through—who afterwards made the constitution under which we still live—these same men passed the ordinance of '87, declaring that slavery should never go to the north-west territory. I have no doubt Judge Douglas thinks they were very inconsistent in this. It is a question of discrimination between them and him. But there is not an inch of ground left for his claiming that their opinions—their example—their authority—are on his side in this controversy....

I have done with this mighty argument, of self-government. Go, sacred thing! Go in peace....

The Missouri Compromise ought to be restored. For the sake of the Union, it ought to be restored. We ought to elect a House of Representatives which will vote its restoration. If by any means, we omit to do this, what follows? Slavery may or may not be established in Nebraska. But whether it be or not, we shall have repudiated—discarded from the councils of the Nation—the spirit of compromise; for who after this will ever trust in a national compromise? The spirit of mutual concession—that spirit which first gave us the constitution, and which has thrice saved the Union—we shall have strangled and cast from us forever. And what shall we have in lieu of it? The South flushed with triumph and tempted to excesses; the North, betrayed, as they believe, brooding on wrong and burning for revenge. One side will provoke; the other resent. The one will taunt, the other defy; one agrees, the

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other retaliates. Already a few in the North, defy all constitutional restraints, resist the execution of the fugitive slave law, and even menace the institution of slavery in the States where it exists.

5 Already a few in the South, claim the constitutional right to take to and hold slaves in the free states—demand the revival of the slave trade; and demand a treaty with Great Britain by which fugitive slaves may be reclaimed from Canada. As yet they are but few on either side. It is a grave question for the lovers of the Union, whether the final destruction of the Missouri Compromise, and with it the spirit of all compromise will or will not embolden and embitter each of these, and fatally increase the numbers of both....

10 I particularly object to the new position which the avowed principle of this Nebraska law gives to slavery in the body politic. I object to it because it assumes that there can be moral right in the enslaving of one man by another. I object to it as a dangerous dalliance for a few people—a sad evidence that, feeling prosperity we forget right—that liberty, as a principle, we have ceased to revere. I object to it because the fathers of the republic eschewed, and rejected it. The argument of “Necessity” was the only argument they ever admitted in
15 favor of slavery; and so far, and so far only as it carried them, did they ever go. They found the institution existing among us, which they could not help; and they cast blame upon the British King for having permitted its introduction. Before the constitution, they prohibited its introduction into the north-western Territory—the only country we owned, then free
20 from it. At the framing and adoption of the constitution, they forbore to so much as mention the word “slave” or “slavery” in the whole instrument. In the provision for the recovery of fugitives, the slave is spoken of as a “person held to service or labor.” In that prohibiting the abolition of the African slave trade for twenty years, that trade is spoken of as “The migration or importation of such persons as any of the States now existing, shall think
25 proper to admit,” etc. These are the only provisions alluding to slavery. Thus, the thing is hid away, in the constitution, just as an afflicted man hides away a wen or a cancer, which he dares not cut out at once, lest he bleed to death; with the promise, nevertheless, that the cutting may begin at the end of a given time. Less than this our fathers could not do; and now they would not do. Necessity drove them so far, and farther, they would not go. But

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this is not all. The earliest Congress, under the constitution, took the same view of slavery. They hedged and hemmed it in to the narrowest limits of necessity.

In 1794, they prohibited an out-going slave-trade—that is, the taking of slaves from the United States to sell.

- 5 In 1798, they prohibited the bringing of slaves from Africa, into the Mississippi Territory—this territory then comprising what are now the States of Mississippi and Alabama. This was ten years before they had the authority to do the same thing as to the States existing at the adoption of the constitution.

- 10 In 1800 they prohibited American citizens from trading in slaves between foreign countries—as, for instance, from Africa to Brazil.

In 1803 they passed a law in aid of one or two State laws, in restraint of the internal slave trade.

- 15 In 1807, in apparent hot haste, they passed the law, nearly a year in advance, to take effect the first day of 1808—the very first day the constitution would permit—prohibiting the African slave trade by heavy pecuniary and corporal penalties.

In 1820, finding these provisions ineffectual, they declared the trade piracy, and annexed to it, the extreme penalty of death. While all this was passing in the general government, five or six of the original slave States had adopted systems of gradual emancipation; and by which the institution was rapidly becoming extinct within these limits.

- 20 Thus we see, the plain unmistakable spirit of that age, towards slavery, was hostility to the principle, and toleration, only by necessity....

Our republican robe is soiled, and trailed in the dust. Let us repurify it. Let us turn and wash it white, in the spirit, if not the blood, of the Revolution. Let us turn slavery from its claims of “moral right,” back upon its existing legal rights, and its arguments of “necessity.”

- 25 Let us return it to the position our fathers gave it; and there let it rest in peace. Let us re-

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adopt the Declaration of Independence, and with it, the practices, and policy, which harmonize with it. Let north and south—let all Americans—let all lovers of liberty everywhere—join in the great and good work. If we do this, we shall not only have saved the Union; but we shall have so saved it, as to make, and to keep it, forever worthy of the saving.

- 5 We shall have so saved it, that the succeeding millions of free happy people, the world over, shall rise up, and call us blessed, to the latest generations....

CHIEF JUSTICE ROGER TANEY

Dred Scott v. Sandford

U.S. SUPREME COURT MAJORITY OPINION EXCERPTS

March 6, 1857

U.S. Supreme Court | Washington, D.C.

BACKGROUND

Dred Scott was a slave who sued for his freedom after being taken by his owner into territory in which slavery was illegal. The Supreme Court rendered this decision on his case while also using the occasion to address other legalities concerning slavery.

GUIDING QUESTIONS

1. According to Taney's account, what was the status of African Americans at the time of the founding? Does he think they were included in the term "people of the United States"?
2. Which two clauses of the Constitution does Taney think declare African Americans to be a separate class of persons? What is his argument for his interpretation?
3. For what specific reason does Taney declare the Missouri Compromise unconstitutional?

Dred Scott v. Sandford, 60 U.S. (19 How.) 393 (1857).

Mr. Chief Justice Taney delivered the opinion of the court:...

...The question is simply this: can a negro, whose ancestors were imported into this country and sold as slaves, become a member of the political community formed and brought into existence by the Constitution of the United States, and as such become entitled to all the rights, and privileges, and immunities, guaranteed by that instrument to the citizen. One of these rights is the privilege of suing in a court of the United States in the cases specified in the Constitution....

The words "people of the United States" and "citizens" are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the "sovereign people," and every citizen is one of this people, and a constituent member of this sovereignty. The question before us is, whether the class of persons described in the plea in abatement compose a portion of this people, and are constituent members of this sovereignty. We think they are not, and that they are not included, and were not intended to be included, under the word "citizens" in the Constitution, and can, therefore, claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States. On the contrary, they were at that time considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the government might choose to grant them.

It is not the province of the court to decide upon the justice or injustice, the policy or impolicy of these laws. The decision of that question belonged to the political or law-making power; to those who formed the sovereignty and framed the Constitution. The duty of the court is to interpret the instrument they have framed, with the best lights we can obtain on the subject, and to administer it as we find it, according to its true intent and meaning when it was adopted.

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In discussing this question, we must not confound the rights of citizenship which a state may confer within its own limits, and the rights of citizenship as a member of the Union. It does not by any means follow, because he has all the rights and privileges of a citizen of a State, that he must be a citizen of the United States. He may have all of the rights and privileges of the citizen of a State, and yet not be entitled to the rights and privileges of a citizen in any other State. For, previous to the adoption of the Constitution of the United States, every State had the undoubted right to confer on whomsoever it pleased the character of a citizen, and to endow him with all its rights. But this character, of course, was confined to the boundaries of the State, and gave him no rights or privileges in other States beyond those secured to him by the laws of nations and the comity of States. Nor have the several States surrendered the power of conferring these rights and privileges by adopting the Constitution of the United States. Each State may still confer them upon an alien, or any one it thinks proper, or upon any class or description of persons; yet he would not be a citizen in the sense in which that word is used in the Constitution of the United States, nor entitled to sue as such in one of its courts, nor to the privileges and immunities of a citizen in the other States. The rights which he would acquire would be restricted to the State which gave them....

The question then arises, whether the provisions of the Constitution, in relation to the personal rights and privileges to which the citizen of a state should be entitled, embraced the negro African race, at that time in this country, or who might afterwards be imported, who had then or should afterwards be made free in any State; and to put it in the power of a single State to make him a citizen of the United States, and endue him with the full rights of citizenship in every other State without their consent. Does the Constitution of the United States act upon him whenever he shall be made free under the laws of a State, and raised there to the rank of a citizen, and immediately clothe him with all the privileges of a citizen in every other State, and in its own courts?

The court think the affirmative of these propositions cannot be maintained. And if it cannot, the plaintiff in error could not be a citizen of the State of Missouri, within the

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meaning of the Constitution of the United States, and, consequently, was not entitled to sue in its courts....

It is difficult at this day to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of
5 the Declaration of Independence....

...[I]t is too clear for dispute, that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this Declaration; for if the language, as understood in that day, would embrace them, the conduct of the distinguished men who framed the Declaration of Independence would have been utterly
10 and flagrantly inconsistent with the principles they asserted....

But there are two clauses in the Constitution which point directly and specifically to the negro race as a separate class of persons, and show clearly that they were not regarded as a portion of the people or citizens of the government then formed.

One of these clauses reserves to each of the thirteen States the right to import slaves until
15 the year 1808, if it thinks proper. And the importation which it thus sanctions was unquestionably of persons of the race of which we are speaking, as the traffic in slaves in the United States had always been confined to them. And by the other provision the States pledge themselves to each other to maintain the right of property of the master, by delivering up to him any slave who may have escaped from his service, and be found within
20 their respective territories. By the first above-mentioned clause, therefore, the right to purchase and hold this property is directly sanctioned and authorized for twenty years by the people who framed the Constitution. And by the second, they pledge themselves to maintain and uphold the right of the master in the manner specified, as long as the government they then formed should endure. And these two provisions show,
25 conclusively, that neither the description of persons therein referred to, nor their descendants, were embraced in any of the other provisions of the Constitution; for certainly these two clauses were not intended to confer on them or their posterity the blessings of liberty, or any of the personal rights so carefully provided for the citizen....

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- ...]The Missouri Compromise] declares that slavery and involuntary servitude, except as a punishment for crime, shall be forever prohibited in all that part of that territory ceded by France, under the name of Louisiana, which lies north of thirty-six degrees thirty minutes north latitude, and not included within the limits of Missouri. And the difficulty which
- 5 meets us at the threshold of this part of the inquiry is, whether Congress was authorized to pass this law under any of the powers granted to it by the Constitution; for if the authority is not given by that instrument, it is the duty of this court to declare it void and inoperative, and incapable of conferring freedom upon one who is held as a slave under the laws of any one of the States.
- 10 The counsel for the plaintiff has laid much stress upon that article in the Constitution which confers on Congress the power "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States;" but, in the judgment of the court, that provision has no bearing on the present controversy, and the power there given, whatever it may be, is confined, and was intended to be confined, to the
- 15 territory which at that time belonged to, or was claimed by, the United States, and was within their boundaries as settled by the Treaty with Great Britain, and can have no influence upon a territory afterwards acquired from a foreign government. It was a special provision for a known and particular Territory, and to meet a present emergency, and nothing more....
- 20 It seems, however, to be supposed, that there is a difference between property in a slave and other property, and that different rules may be applied to it in expounding the Constitution of the United States. And the laws and usages of nations, and the writings of eminent jurists upon the relation of master and slave and their mutual rights and duties, and the powers which governments may exercise over it, have been dwelt upon in the argument.
- 25 The powers of the government, and the rights of the citizen under it, are positive and practical regulations plainly written down. The people of the United States have delegated to it certain enumerated powers, and forbidden it to exercise others. It has no power over the person or property of a citizen but what the citizens of the United States have granted.

And no laws or usages of other nations, or reasoning of statesmen or jurists upon the relations of master and slave, can enlarge the powers of the government, or take from the citizens the rights they have reserved. And if the Constitution recognizes the right of property of the master in a slave, and makes no distinction between that description of property and other property owned by a citizen, no tribunal, acting under the authority of
5 the United States, whether it be legislative, executive, or judicial, has a right to draw such a distinction, or deny to it the benefit of the provisions and guarantees which have been provided for the protection of private property against the encroachments of the government. ...

10 [T]he right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it, like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every state that might desire it, for twenty years. And the government in express terms pledged to protect it in all future time if the slave escapes from his owner. This is done in plain words—too plain to be
15 misunderstood....The only power conferred is the power coupled with the duty, of guarding and protecting the owner in his rights.

Upon these considerations, it is the opinion of the court that the Act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution,
20 and is therefore void; and that neither Dred Scott himself, nor any of his family, were made free by being carried into this territory; even if they had been carried there by the owner, with the intention of becoming a permanent resident....

Upon the whole, therefore, it is the judgment of this court, that it appears by the record before us that the plaintiff in error is not a citizen of Missouri, in the sense in which that
25 word is used in the Constitution; and that the Circuit Court of the United States, for that reason, had no jurisdiction in the case, and could give no judgment in it.

Its judgment for the defendant must, consequently, be reversed, and a mandate issued directing the suit to be dismissed for want of jurisdiction.

ABRAHAM LINCOLN

On the *Dred Scott* Decision

SPEECH EXCERPT

June 26, 1857
Springfield, Illinois

BACKGROUND

Abraham Lincoln offered this speech in response to Senator Stephen Douglas's defense of the *Dred Scott* decision and his continued promotion of the Kansas-Nebraska Act.

GUIDING QUESTIONS

1. Why does Lincoln argue that African Americans in the United States are worse off in his time than during the time of the founding?
2. How does the *Dred Scott* ruling undermine the principles of the founding in Lincoln's opinion?
3. What is Lincoln's position towards African Americans?
4. What does Lincoln find in common between the *Dred Scott* ruling and Stephen Douglas' arguments?

Abraham Lincoln, "Speech on *Dred Scott*," 26 June 1857, in *The Collected Works of Abraham Lincoln*, Vol. 2, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 403-07.

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...I have said, in substance, that the *Dred Scott* decision was, in part; based on assumed historical facts which were not really true; and I ought not to leave the subject without giving some reasons for saying this; I therefore give an instance or two, which I think fully sustain me. Chief Justice Taney, in delivering the opinion of the majority of the Court,
5 insists at great length that negroes were no part of the people who made, or for whom was made, the Declaration of Independence, or the Constitution of the United States.

On the contrary, Judge Curtis, in his dissenting opinion, shows that in five of the then thirteen states, to wit, New Hampshire, Massachusetts, New York, New Jersey and North Carolina, free negroes were voters, and, in proportion to their numbers, had the same part in
10 making the Constitution that the white people had. He shows this with so much particularity as to leave no doubt of its truth; and, as a sort of conclusion on that point, holds the following language:

"The Constitution was ordained and established by the people of the United States, through the action, in each State, of those persons who were qualified by its laws
15 to act thereon in behalf of themselves and all other citizens of the State. In some of the States, as we have seen, colored persons were among those qualified by law to act on the subject. These colored persons were not only included in the body of 'the people of the United States,' by whom the Constitution was ordained and established; but in at least five of the States they had the power to act, and, doubtless,
20 did act, by their suffrages, upon the question of its adoption."

Again, Chief Justice Taney says: "It is difficult, at this day to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted." And again, after quoting from the
25 Declaration, he says: "The general words above quoted would seem to include the whole human family, and if they were used in a similar instrument at this day, would be so understood."

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In these the Chief Justice does not directly assert, but plainly assumes, as a fact, that the public estimate of the black man is more favorable *now* than it was in the days of the Revolution. This assumption is a mistake. In some trifling particulars, the condition of that race has been ameliorated; but, as a whole, in this country, the change between then and now is decidedly the other way; and their ultimate destiny has never appeared so hopeless as in the last three or four years. In two of the five States—New Jersey and North Carolina—that then gave the free negro the right of voting, the right has since been taken away; and in a third—New York—it has been greatly abridged; while it has not been extended, so far as I know, to a single additional State, though the number of the States has more than doubled. In those days, as I understand, masters could, at their own pleasure, emancipate their slaves; but since then, such legal restraints have been made upon emancipation, as to amount almost to prohibition. In those days, Legislatures held the unquestioned power to abolish slavery in their respective States; but now it is becoming quite fashionable for State Constitutions to withhold that power from the Legislatures. In those days, by common consent, the spread of the black man's bondage to new countries was prohibited; but now, Congress decides that it *will* not continue the prohibition, and the Supreme Court decides that it *could* not if it would. In those days, our Declaration of Independence was held sacred by all, and thought to include all; but now, to aid in making the bondage of the negro universal and eternal, it is assailed, and sneered at, and construed, and hawked at, and torn, till, if its framers could rise from their graves, they could not at all recognize it. All the powers of earth seem rapidly combining against him. Mammon is after him; ambition follows, and philosophy follows, and the Theology of the day is fast joining the cry. They have him in his prison house; they have searched his person, and left no prying instrument with him. One after another they have closed the heavy iron doors upon him, and now they have him, as it were, bolted in with a lock of a hundred keys, which can never be unlocked without the concurrence of every key; the keys in the hands of a hundred different men, and they scattered to a hundred different and distant places; and they stand musing as to what invention, in all the dominions of mind and matter, can be produced to make the impossibility of his escape more complete than it is.

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It is grossly incorrect to say or assume, that the public estimate of the negro is more favorable now than it was at the origin of the government.

Three years and a half ago, Judge Douglas brought forward his famous Nebraska bill. The country was at once in a blaze. He scorned all opposition, and carried it through Congress.

5 Since then he has seen himself superseded in a Presidential nomination, by one indorsing the general doctrine of his measure, but at the same time standing clear of the odium of its untimely agitation, and its gross breach of national faith; and he has seen that successful rival Constitutionally elected, not by the strength of friends, but by the division of adversaries, being in a popular minority of nearly four hundred thousand votes. He has seen his
10 chief aids in his own State, Shields and Richardson, politically speaking, successively tried, convicted, and executed, for an offense not their own, but his. And now he sees his own case, standing next on the docket for trial.

There is a natural disgust in the minds of nearly all white people, to the idea of an indiscriminate amalgamation of the white and black races; and Judge Douglas evidently is basing his chief hope, upon the chances of being able to appropriate the benefit of this disgust
15 to himself. If he can, by much drumming and repeating, fasten the odium of that idea upon his adversaries, he thinks he can struggle through the storm. He therefore clings to this hope, as a drowning man to the last plank. He makes an occasion for lugging it in from the opposition to the *Dred Scott* decision. He finds the Republicans insisting that the Declaration of Independence includes ALL men, black as well as white; and forthwith he boldly
20 denies that it includes negroes at all, and proceeds to argue gravely that all who contend it does, do so only because they want to vote, and eat, and sleep, and marry with negroes! He will have it that they cannot be consistent else. Now I protest against that counterfeit logic which concludes that, because I do not want a black woman for a *slave* I must necessarily
25 want her for a *wife*. I need not have her for either, I can just leave her alone. In some respects she certainly is not my equal; but in her natural right to eat the bread she earns with her own hands without asking leave of any one else, she is my equal, and the equal of all others.

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Chief Justice Taney, in his opinion in the *Dred Scott* case, admits that the language of the Declaration is broad enough to include the whole human family, but he and Judge Douglas argue that the authors of that instrument did not intend to include negroes, by the fact that they did not at once, actually place them on an equality with the whites. Now this grave argument comes to just nothing at all, by the other fact, that they did not at once, *or ever afterwards*, actually place all white people on an equality with one or another. And this is the staple argument of both the Chief Justice and the Senator, for doing this obvious violence to the plain unmistakable language of the Declaration. I think the authors of that notable instrument intended to include *all* men, but they did not intend to declare all men equal in *all respects*. They did not mean to say all were equal in color, size, intellect, moral developments, or social capacity. They defined with tolerable distinctness, in what respects they did consider all men created equal—equal in "certain inalienable rights, among which are life, liberty, and the pursuit of happiness." This they said, and this meant. They did not mean to assert the obvious untruth, that all were then actually enjoying that equality, nor yet, that they were about to confer it immediately upon them. In fact they had no power to confer such a boon. They meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit. They meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere. The assertion that "all men are created equal" was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration, not for that, but for future use. Its authors meant it to be, thank God, it is now proving itself, a stumbling block to those who in after times might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant when such should re-appear in this fair land and commence their vocation they should find left for them at least one hard nut to crack.

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I have now briefly expressed my view of the *meaning* and *objects* of that part of the Declaration of Independence which declares that "all men are created equal."

Now let us hear Judge Douglas' view of the same subject, as I find it in the printed report of his late speech. Here it is:

5 "No man can vindicate the character, motives and conduct of the signers of the Declaration of Independence, except upon the hypothesis that they referred to the white race alone, and not to the African, when they declared all men to have been created equal—that they were speaking of British subjects on this continent being equal to British subjects born and residing in Great Britain—that they were entitled
10 to the same inalienable rights, and among them were enumerated life, liberty and the pursuit of happiness. The Declaration was adopted for the purpose of justifying the colonists in the eyes of the civilized world in withdrawing their allegiance from the British crown, and dissolving their connection with the mother country."

My good friends, read that carefully over some leisure hour, and ponder well upon it—see
15 what a mere wreck—mangled ruin—it makes of our once glorious Declaration.

"They were speaking of British subjects on this continent being equal to British subjects born and residing in Great Britain!" Why, according to this, not only negroes but white people outside of Great Britain and America are not spoken of in that instrument. The English, Irish and Scotch, along with white Americans, were included to be sure, but the
20 French, Germans and other white people of the world are all gone to pot along with the Judge's inferior races.

I had thought the Declaration promised something better than the condition of British subjects; but no, it only meant that we should be *equal* to them in their own oppressed and *unequal* condition. According to that, it gave no promise that having kicked off the
25 King and Lords of Great Britain, we should not at once be saddled with a King and Lords of our own.

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I had thought the Declaration contemplated the progressive improvement in the condition of all men everywhere; but no, it merely "was adopted for the purpose of justifying the colonists in the eyes of the civilized world in withdrawing their allegiance from the British crown, and dissolving their connection with the mother country." Why, that object having
5 been effected some eighty years ago, the Declaration is of no practical use now—mere rubbish—old wadding left to rot on the battle-field after the victory is won.

I understand you are preparing to celebrate the "Fourth," tomorrow week. What for? The doings of that day had no reference to the present; and quite half of you are not even descendants of those who were referred to at that day. But I suppose you will celebrate; and
10 will even go so far as to read the Declaration. Suppose after you read it once in the old fashioned way, you read it once more with Judge Douglas' version. It will then run thus: "We hold these truths to be self-evident that all British subjects who were on this continent eighty-one years ago, were created equal to all British subjects born and *then* residing in Great Britain."

15 And now I appeal to all—to Democrats as well as others,—are you really willing that the Declaration shall be thus frittered away?—thus left no more at most, than an interesting memorial of the dead past? thus shorn of its vitality, and practical value; and left without the *germ* or even the *suggestion* of the individual rights of man in it?...

ABRAHAM LINCOLN (R-IL)

To the Illinois Republican Party Convention

SPEECH

June 16, 1858

House of Representatives Chamber at the Illinois State Capitol | Springfield, Illinois

A House Divided

BACKGROUND

Abraham Lincoln delivered this speech upon his nomination by the Illinois Republican Party to be its candidate for U.S. Senate in Illinois.

GUIDING QUESTIONS

1. To what, in particular, is Lincoln referring when he quotes the Gospel of Matthew, "A house divided against itself cannot stand"?
2. What does Lincoln find problematic about the politics surrounding the *Dred Scott v. Sandford* case?
3. What was "squatter sovereignty," and what does Lincoln think happened to it?
4. What are the three "working points" of "machinery" resulting from *Dred Scott* and Stephen Douglas's policy, and why does Lincoln think they are constitutionally problematic?

Abraham Lincoln, "A House Divided: Speech at Springfield, Illinois," 16 June 1858, in *The Collected Works of Abraham Lincoln*, Vol. 2, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 461–66.

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Mr. President and Gentlemen of the Convention:

If we could first know *where* we are, and *whither* we are tending, we could then 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
5 *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."

10 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.

15 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?

20 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 bosses, from the beginning.

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But, so far, *Congress* only, had acted; and an *endorsement* by the people, *real* or apparent, was indispensable, to *save* the point already gained, and give chance for more.

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.

- 5 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.

- 10 This necessity had not been overlooked; but had been provided for, as well as might be, in the notable argument of "*squatter sovereignty*," otherwise called "*sacred right of self government*," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That if any *one* man, choose to enslave *another*, no *third* man shall be allowed to object.

- 15 That argument was incorporated into the Nebraska Bill itself, in the language which follows: "*It being the true intent and meaning of this act not to legislate slavery into any Territory or state, not to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.*"

Then opened the roar of loose declamation in favor of "Squatter Sovereignty" and "Sacred right of self government."

- 20 "But," said opposition members, "let us be more *specific*—let us *amend* the bill so as to expressly declare that the people of the territory *may* exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

- 25 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 a territory covered by the congressional prohibition, and held him as a slave,

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for a long time in each, was passing through the U. S. Circuit Court for the District of Missouri; and both Nebraska bill and law suit 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.

- 5 *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, requests 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
10 the Supreme Court."

The election came. Mr. Buchanan was elected, and the *endorsement*, such as it was, secured. That was the *second* point gained. The endorsement, however, fell short of a clear popular majority by nearly four hundred thousand votes, and so, perhaps, was not overwhelmingly reliable and satisfactory.

- 15 The *outgoing* President, in his last annual message, as impressively as possible *echoed back* upon the people the *weight* and *authority* of the endorsement.

The Supreme Court met again; *did not* announce their decision, but ordered a re-argument.

- The Presidential inauguration came, and still no decision of the court; but the *incoming* President, in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, *whatever it might be*.
20

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 capitol endorsing the Dred Scott Decision, and vehemently denouncing all opposition to it.

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The new President, too, seizes the early occasion of the Silliman letter to *endorse* and strongly *construe* that decision, and to express his *astonishment* that any different view had ever been entertained.

5 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 squabble 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*. 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
10 would impress upon the public mind—the *principle* for which he declares he has suffered much, and is ready to suffer to the end.

And well may he cling to that principle. If he has any parental feeling, well may he cling to it. 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 tempo-
15 rary scaffolding—like the mold 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.

20 The several points of the Dred Scott decision, in connection with Senator Douglas' "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:

25 First, 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.

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This point is made in order to deprive the negro, in every possible event, of the benefit of this 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."

- 5 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.

- 10 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 *endorsed* by the people at an election, *then* to sustain the logical conclusion that
15 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 *mold* public opinion, at least *Northern* public opinion, not to *care*
20 whether slavery is voted *down* or voted *up*.

This shows exactly where we now are; and *partially* also, whither we are tending.

- It will throw additional light on the latter, to go back, and run the mind over the string of historical facts already stated. Several things will *now* appear less *dark* and *mysterious* than they did *when* they were transpiring. The people were to be left "perfectly free" "subject only
25 to the Constitution." What the *Constitution* had to do with it, outsiders could not *then* see.

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Plainly enough *now*, it was an exactly fitted *niche*, for the Dred Scott decision to afterwards come in, and declare the *perfect freedom* of the people, to be just no freedom at all.

Why was the amendment, expressly declaring the right of the people to exclude slavery, voted down? Plainly enough *now*, the adoption of it, would have spoiled the niche for the
5 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 endorsement? Why the delay of a reargu-
10 ment? 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 endorsements of the decision by the President and others?

We can not absolutely *know* that all these exact adaptations are the result of preconcert.
15 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 mortices exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective
20 places, and not a piece too many or too few—not omitting even scaffolding—or, if a single piece be lacking, we can see the place in the frame exactly fitted and prepared to yet bring such piece in—in *such* a case, we find it impossible to not *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 lick was struck....

SEN. STEPHEN DOUGLAS (D-IL)

Speech at Chicago

SPEECH EXCERPT

July 9, 1858
Chicago, Illinois

BACKGROUND

Democratic Illinois Senator Stephen Douglas traveled extensively to promote the concept of popular sovereignty while also defending the Kansas-Nebraska Act and the *Dred Scott* decision, offering these remarks while in Chicago.

GUIDING QUESTIONS

1. What is the principle of popular sovereignty, according to Douglas?
2. On what grounds does Douglas defend the Kansas-Nebraska Act?
3. What is his criticism of the Lecompton Constitution?
4. On what grounds does he defend the *Dred Scott* decision?
5. Why does he think that Lincoln is wrong to believe that "uniformity is either desirable or possible"?
6. For what reasons does Douglas oppose African American equality?

Stephen Douglas, "Speech of Senator Douglas, On the Occasion of his Public Reception at Chicago," 9 July 1858, in *Political Debates between Abraham Lincoln and Stephen A. Douglas* (New York: G. P. Putnam's Sons, 1912), 16–23, 30–35.

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...Fellow-citizens, while I devoted my best energies—all my energies, mental and physical—to the vindication of the great principle, and whilst the result has been such as will enable the people of Kansas to come into the Union with such a constitution as they desire, yet the credit of this great moral victory is to be divided among a large number of men of various and different political creeds. I was rejoiced when I found in this great contest the Republican party coming up manfully and sustaining the principle that the people of each Territory, when coming into the Union, have the right to decide for themselves whether slavery shall or shall not exist within their limits. I have seen the time when that principle was controverted. I have seen the time when all parties did not recognize the right of a people to have slavery or freedom, to tolerate or prohibit slavery as they deemed best, but claimed that power for the Congress of the United States, regardless of the wishes of the people to be affected by it; and when I found upon the Crittenden-Montgomery bill the Republicans and Americans of the North, and I may say, too, some glorious Americans and old-line Whigs from the South, like Crittenden and his patriotic associates, joined with a portion of the Democracy to carry out and vindicate the right of the people to decide whether slavery should or should not exist within the limits of Kansas, I was rejoiced within my secret soul, for I saw an indication that the American people, when they came to understand the principle, would give it their cordial support....

I regard the great principle of popular sovereignty as having been vindicated and made triumphant in this land as a permanent rule of public policy in the organization of Territories and the admission of new States. Illinois took her position upon this principle many years ago. You all recollect that in 1850, after the passage of the Compromise measures of that year, when I returned to my home there was great dissatisfaction expressed at my course in supporting those measures. I appeared before the people of Chicago at a mass meeting, and vindicated each and every one of those measures; and by reference to my speech on that occasion, which was printed and circulated broadcast throughout the State at the time, you will find that I then and there said that those measures were all founded upon the great principle that every people ought to possess the right to form and regulate their own domestic institutions in their own way, and that, that right being possessed by

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the people of the States, I saw no reason why the same principle should not be extended to all of the Territories of the United States. A general election was held in this State a few months afterwards, for members of the Legislature, pending which all these questions were thoroughly canvassed and discussed, and the nominees of the different parties instructed
5 in regard to the wishes of their constituents upon them. When that election was over, and the Legislature assembled, they proceeded to consider the merits of those Compromise measures, and the principles upon which they were predicated. And what was the result of their action? They passed resolutions, first repealing the Wilmot Proviso instructions, and in lieu thereof adopted another resolution, in which they declared the great principle which
10 asserts the right of the people to make their own form of government and establish their own institutions. That resolution is as follows:

Resolved, That our liberty and independence are based upon the right of the people to form for themselves such a government as they may choose; that this great principle, the birth-right of freemen, the gift of Heaven, secured to us by the blood of our ancestors, ought to
15 be secured to future generations, and no limitation ought to be applied to this power in the organization of any Territory of the United States, of either Territorial Government or State Constitution, provided the Government so established shall be republican, and in conformity with the Constitution of the United States.

That resolution, declaring the great principle of self-government as applicable to the Territories and new States, passed the House of Representatives of this State by a vote of sixty-
20 one in the affirmative, to only four in the negative. Thus you find that an expression of public opinion—enlightened, educated, intelligent public opinion—on this question, by the representatives of Illinois in 1851, approaches nearer to unanimity than has ever been obtained on any controverted question. That resolution was entered on the journal of the
25 Legislature of the State of Illinois, and it has remained there from that day to this, a standing instruction to her Senators, and a request to her Representatives, in Congress to carry out that principle in all future cases. Illinois, therefore, stands pre-eminent as the State which stepped forward early and established a platform applicable to this slavery question, concurred in alike by Whigs and Democrats, in which it was declared to be the wish of our

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people that thereafter the people of the Territories should be left perfectly free to form and regulate their domestic institutions in their own way, and that no limitation should be placed upon that right in any form.

Hence what was my duty in 1854, when it became necessary to bring forward a bill for the organization of the Territories of Kansas and Nebraska? Was it not my duty, in obedience to the Illinois platform, to your standing instructions to your Senators, adopted with almost entire unanimity, to incorporate in that bill the great principle of self-government, declaring that it was "the true intent and meaning of the Act not to legislate slavery into any State or Territory, or to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States?" I did incorporate that principle in the Kansas-Nebraska Bill, and perhaps I did as much as any living man in the enactment of that bill, thus establishing the doctrine in the public policy of the country. I then defended that principle against assaults from one section of the Union. During this last winter it became my duty to vindicate it against assaults from the other section of the Union. I vindicated it boldly and fearlessly, as the people of Chicago can bear witness, when it was assailed by Free-soilers; and during this winter I vindicated and defended it as boldly and fearlessly when it was attempted to be violated by the almost united South. I pledged myself to you on every stump in Illinois in 1854, I pledged myself to the people of other States north and south, wherever I spoke; and in the United States Senate and elsewhere, in every form in which I could reach the public mind or the public ear, I gave the pledge that I, so far as the power should be in my hands, would vindicate the principle of the right of the people to form their own institutions, to establish free States or slave States as they chose, and that that principle should never be violated either by fraud, by violence, by circumvention, or by any other means, if it was in my power to prevent it. I now submit to you, my fellow-citizens, whether I have not redeemed that pledge in good faith. Yes, my friends, I have redeemed it in good faith; and it is a matter of heartfelt gratification to me to see these assembled thousands here tonight bearing their testimony to the fidelity with which I have advocated that principle, and redeemed my pledges in connection with it.

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I will be entirely frank with you. My object was to secure the right of the people of each State and of each Territory, north or south, to decide the question for themselves, to have slavery or not, just as they chose; and my opposition to the Lecompton Constitution was not predicated upon the ground that it was a pro-slavery constitution, nor would my action have been different had it been a Free-soil constitution. My speech against the Lecompton fraud was made on the 9th of December, while the vote on the slavery clause in that constitution was not taken until the 21st of the same month, nearly two weeks after. I made my speech against the Lecompton monstrosity solely on the ground that it was a violation of the fundamental principles of free government; on the ground that it was not the act and deed of the people of Kansas; that it did not embody their will; that they were averse to it; and hence I denied the right of Congress to force it upon them, either as a free State or a slave State. I deny the right of Congress to force a slaveholding State upon an unwilling people. I deny their right to force a free State upon an unwilling people. I deny their right to force a good thing upon a people who are unwilling to receive it. The great principle is the right of every community to judge and decide for itself whether a thing is right or wrong, whether it would be good or evil for them to adopt it; and the right of free action, the right of free thought, the right of free judgment, upon the question is dearer to every true American than any other under a free government. My objection to the Lecompton contrivance was that it undertook to put a constitution on the people of Kansas against their will, in opposition to their wishes, and thus violated the great principle upon which all our institutions rest. It is no answer to this argument to say that slavery is an evil, and hence should not be tolerated. You must allow the people to decide for themselves whether it is a good or an evil. You allow them to decide for themselves whether they desire a Maine liquor law or not; you allow them to decide for themselves what kind of common schools they will have, what system of banking they will adopt, or whether they will adopt any at all; you allow them to decide for themselves the relations between husband and wife, parent and child, guardian and ward,—in fact, you allow them to decide for themselves all other questions: and why not upon this question? Whenever you put a limitation upon the right of any people to decide what laws they want, you have destroyed the fundamental principle of self-government....

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But I am equally free to say that the reason assigned by Mr. Lincoln for resisting the decision of the Supreme Court in the Dred Scott case does not in itself meet my approbation. He objects to it because that decision declared that a negro descended from African parents, who were brought here and sold as slaves, is not and cannot be a citizen of the United States.

5 He says it is wrong because it deprives the negro of the benefits of that clause of the Constitution which says that citizens of one State shall enjoy all the privileges and immunities of citizens of the several States; in other words, he thinks it wrong because it deprives the negro of the privileges, immunities, and rights of citizenship, which pertain, according to that decision, only to the white man. I am free to say to you that in my opinion this government of ours is founded on the white basis. It was made by the white man, for the benefit
10 of the white man, to be administered by white men, in such manner as they should determine. It is also true that a negro, an Indian, or any other man of inferior race to a white man should be permitted to enjoy, and humanity requires that he should have, all the rights, privileges, and immunities which he is capable of exercising consistent with the safety of society. I would give him every right and every privilege which his capacity would
15 enable him to enjoy, consistent with the good of the society in which he lived. But you ask me, What are these rights and these privileges? My answer is, that each State must decide for itself the nature and extent of these rights. Illinois has decided for herself. We have decided that the negro shall not be a slave, and we have at the same time decided that he shall not vote, or serve on juries, or enjoy political privileges. I am content with that system
20 of policy which we have adopted for ourselves. I deny the right of any other State to complain of our policy in that respect, or to interfere with it, or to attempt to change it. On the other hand, the State of Maine has decided that in that State a negro man may vote on an equality with the white man. The sovereign power of Maine had the right to prescribe that rule for herself. Illinois has no right to complain of Maine for conferring the right of negro
25 suffrage, nor has Maine any right to interfere with or complain of Illinois because she has denied negro suffrage.

The State of New York has decided by her constitution that a negro may vote, provided that he own \$250 worth of property, but not otherwise. The rich negro can vote, but the

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poor one cannot. Although that distinction does not commend itself to my judgment, yet I assert that the sovereign power of New York had a right to prescribe that form of the elective franchise. Kentucky, Virginia, and other States have provided that negroes, or a certain class of them in those States, shall be slaves, having neither civil nor political rights.

5 Without endorsing the wisdom of that decision, I assert that Virginia has the same power, by virtue of her sovereignty, to protect slavery within her limits as Illinois has to banish it forever from our own borders. I assert the right of each State to decide for itself on all these questions, and I do not subscribe to the doctrine of my friend Mr. Lincoln, that uniformity is either desirable or possible. I do not acknowledge that the States must all be free or must
10 all be slave.

I do not acknowledge that the negro must have civil and political rights everywhere or nowhere. I do not acknowledge that the Chinese must have the same rights in California that we would confer upon him here. I do not acknowledge that the coolie imported into this country must necessarily be put upon an equality with the white race. I do not acknowledge
15 any of these doctrines of uniformity in the local and domestic regulations in the different States.

Thus you see, my fellow-citizens, that the issues between Mr. Lincoln and myself, as respective candidates for the United States Senate, as made up, are direct, unequivocal, and irreconcilable. He goes for uniformity in our domestic institutions, for a war of sections,
20 until one or the other shall be subdued. I go for the great principle of the Kansas-Nebraska Bill,—the right of the people to decide for themselves.

On the other point, Mr. Lincoln goes for a warfare upon the Supreme Court of the United States because of their judicial decision in the Dred Scott case. I yield obedience to the decisions in that court,—to the final determination of the highest judicial tribunal known to
25 our Constitution. He objects to the Dred Scott decision because it does not put the negro in the possession of the rights of citizenship on an equality with the white man. I am opposed to negro equality. I repeat that this nation is a white people,—a people composed of European descendants, a people that have established this government for themselves and

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their posterity,—and I am in favor of preserving, not only the purity of the blood, but the purity of the government from any mixture or amalgamation with inferior races. I have seen the effects of this mixture of superior and inferior races, this amalgamation of white men and Indians and negroes; we have seen it in Mexico, in Central America, in South America, and in all the Spanish-American States; and its result has been degeneration, demoralization, and degradation below the capacity for self-government.

I am opposed to taking any step that recognizes the negro man or the Indian as the equal of the white man. I am opposed to giving him a voice in the administration of the government. I would extend to the negro and the Indian and to all dependent races every right, every privilege, and every immunity consistent with the safety and welfare of the white races; but equality they never should have, either political or social, or in any other respect whatever.

My friends, you see that the issues are distinctly drawn. I stand by the same platform that I have so often proclaimed to you and to the people of Illinois heretofore. I stand by the Democratic organization, yield obedience to its usages, and support its regular nominations. I endorse and approve the Cincinnati platform, and I adhere to and intend to carry out, as part of that platform, the great principle of self-government, which recognizes the right of the people in each State and Territory to decide for themselves their domestic institutions. In other words, if the Lecompton issue shall arise again, you have only to turn back and see where you have found me during the last six months, and then rest assured that you will find me in the same position, battling for the same principle, and vindicating it from assault from whatever quarter it may come, so long as I have the power to do it...

ABRAHAM LINCOLN (R) & SENATOR STEPHEN DOUGLAS (D)**Seventh Debate in the 1858 Election Campaign**

DEBATE EXCERPTS

October 15, 1858

Outside Alton City Hall | Alton, Illinois

BACKGROUND

Incumbent senator from Illinois, Democrat Stephen Douglas, debated Abraham Lincoln, the Republican candidate, for the seventh and final time in the 1858 election campaign. The candidates were not directly running for U.S. Senate, as senators were still appointed by the state legislature at the time, but their arguments were meant to bolster votes for their respective parties in the state legislature, which would then appoint one of them as U.S. Senator.

GUIDING QUESTIONS

1. What are the three positions at issue in the debate?
2. What does Douglas think would have been the result had Lincoln delivered a version of his "A House Divided" speech at the Constitutional Convention?
3. How does Douglas interpret the meaning of "equality" in the Declaration of Independence?
4. In what sense does Douglas want each state to "mind its own business"?
5. Why does Lincoln think that history is on his side with respect to the meaning of "equality" in the Declaration of Independence?
6. According to Lincoln, how should one interpret the language of the Constitution with regard to slavery? What is the view of the founders on slavery, according to Lincoln?
7. What is the primary dividing line between Republicans and Democrats at this time, according to Lincoln?
8. In Lincoln's view, why is the existence of the Union threatened?
9. On what grounds does Lincoln base the struggle between him and Douglas as the struggle between right and wrong?

Abraham Lincoln and Stephen Douglas, "Seventh and Last Debate with Stephen A. Douglas at Alton, Illinois," 15 October 1858, in *The Collected Works of Abraham Lincoln*, Vol. 3, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 285-87, 296-97, 301-02, 304, 307-08, 312-16, 318-20, 322-23.

Senator Stephen Douglas's Speech

...The issue thus being made up between Mr. Lincoln and myself on three points, we went before the people of the State. During the following seven weeks, between the Chicago speeches and our first meeting at Ottawa, he and I addressed large assemblages of the people in many of the central counties. In my speeches I confined myself closely to those three positions which he had taken controverting his proposition that this Union could not exist as our fathers made it, divided into free and slave States, controverting his proposition of a crusade against the Supreme Court because of the Dred Scott decision, and controverting his proposition that the Declaration of Independence included and meant the negroes as well as the white men, when it declared all men to be created equal. I supposed at that time that these propositions constituted a distinct issue between us, and that the opposite positions we had taken upon them we would be willing to be held to in every part of the State. I never intended to waver one hair's breadth from that issue either in the north or the south, or wherever I should address the people of Illinois. I hold that when the time arrives that I cannot proclaim my political creed in the same terms not only in the northern but the southern part of Illinois, not only in the northern but the southern States, and wherever the American flag waves over American soil, that then there must be something wrong in that creed. So long as we live under a common constitution, so long as we live in a confederacy of sovereign and equal States, joined together as one for certain purposes, that any political creed is radically wrong which cannot be proclaimed in every State, and every section of that Union alike. I took up Mr. Lincoln's three propositions in my several speeches, analyzed them, and pointed out what I believed to be the radical errors contained in them. First, in regard to his doctrine that this government was in violation of the law of God which says, that a house divided against itself cannot stand, I repudiated it as a slander upon the immortal framers of our constitution. I then said, have often repeated, and now again assert, that in my opinion this government can endure forever, divided into free and slave States as our fathers made it,—each State having the right to prohibit, abolish or sustain slavery just as it pleases. This government was made upon the great basis of the sovereignty of the States, the right of each State to regulate its own domestic institutions to suit itself, and that right was conferred with understanding and expectation that inasmuch as each

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locality had separate interests, each locality must have different and distinct local and domestic institutions, corresponding to its wants and interests. Our fathers knew when they made the government, that the laws and institutions which were well adapted to the green mountains of Vermont, were unsuited to the rice plantations of South Carolina. They knew then, as well as we know now, that the laws and institutions which would be well adapted to the beautiful prairies of Illinois would not be suited to the mining regions of California. They knew that in a Republic as broad as this, having such a variety of soil, climate and interest, there must necessarily be a corresponding variety of local laws—the policy and institutions of each State adapted to its condition and wants. For this reason this Union was established on the right of each State to do as it pleased on the question of slavery, and every other question; and the various States were not allowed to complain of, much less interfere, with the policy of their neighbors.

Suppose the doctrine advocated by Mr. Lincoln and the abolitionists of this day had prevailed when the Constitution was made, what would have been the result? Imagine for a moment that Mr. Lincoln had been a member of the convention that framed the Constitution of the United States, and that when its members were about to sign that wonderful document, he had arisen in that convention as he did at Springfield this summer, and addressing himself to the President, had said, "a house divided against itself cannot stand; this government divided into free and slave States cannot endure, they must all be free or all be slave, they must all be one thing or all the other, otherwise, it is a violation of the law of God, and cannot continue to exist;"—suppose Mr. Lincoln had convinced that body of sages, that that doctrine was sound, what would have been the result? Remember that the Union was then composed of thirteen States, twelve of which were slaveholding and one free. Do you think that the one free State would have outvoted the twelve slaveholding States, and thus have secured the abolition of slavery? On the other hand, would not the twelve slaveholding States have outvoted the one free State, and thus have fastened slavery, by a Constitutional provision, on every foot of the American Republic forever? You see that if this abolition doctrine of Mr. Lincoln had prevailed when the government was made, it would have established slavery as a permanent institution, in all the States whether they wanted it or not, and the question for us to determine in Illinois now as one of the free

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States is, whether or not we are willing, having become the majority section, to enforce a doctrine on the minority, which we would have resisted with our heart's blood had it been attempted on us when we were in a minority. How has the South lost her power as the majority section in this Union, and how have the free States gained it, except under the operation of that principle which declares the right of the people of each State and each territory to form and regulate their domestic institutions in their own way. It was under that principle that slavery was abolished in New Hampshire, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania; it was under that principle that one half of the slaveholding States became free; it was under that principle that the number of free States increased until from being one out of twelve States, we have grown to be the majority of States of the whole Union, with the power to control the House of Representatives and Senate, and the power, consequently, to elect a President by Northern votes without the aid of a Southern State. Having obtained this power under the operation of that great principle, are you now prepared to abandon the principle and declare that merely because we have the power you will wage a war against the Southern States and their institutions until you force them to abolish slavery everywhere....

But the Abolition party really think that under the Declaration of Independence the negro is equal to the white man, and that negro equality is an inalienable right conferred by the Almighty, and hence, that all human laws in violation of it are null and void. With such men it is no use for me to argue. I hold that the signers of the Declaration of Independence had no reference to negroes at all when they declared all men to be created equal. They did not mean negro, nor the savage Indians, nor the Fejee Islanders, nor any other barbarous race. They were speaking of white men. They alluded to men of European birth and European descent—to white men, and to none others, when they declared that doctrine. I hold that this Government was established on the white basis. It was established by white men for the benefit of white men and their posterity forever, and should be administered by white men, and none others. But it does not follow, by any means, that merely because the negro is not a citizen, and merely because he is not our equal, that, therefore, he should be a slave. On the contrary, it does follow, that we ought to extend to the negro race, and to all other dependent races all the rights, all the privileges, and all the immunities which they

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can exercise consistently with the safety of society. Humanity requires that we should give them all these privileges; Christianity commands that we should extend those privileges to them. The question then arises what are those privileges, and what is the nature and extent of them. My answer is that that is a question which each State must answer for itself. We in Illinois have decided it for ourselves. We tried slavery, kept it up for twelve years, and finding that it was not profitable we abolished it for that reason, and became a free State. We adopted in its stead the policy that a negro in this State shall not be a slave and shall not be a citizen. We have a right to adopt that policy. For my part I think it is a wise and sound policy for us. You in Missouri must judge for yourselves whether it is a wise policy for you.

5 If you choose to follow our example, very good; if you reject it, still well, it is your business, not ours. So with Kentucky. Let Kentucky adopt a policy to suit herself. If we do not like it we will keep away from it, and if she does not like ours let her stay at home, mind her own business and let us alone. If the people of all the States will act on that great principle, and each State mind its own business, attend to its own affairs, take care of its own negroes and

15 not meddle with its neighbors, then there will be peace between the North and the South, the East and the West, throughout the whole Union. Why can we not thus have peace? Why should we thus allow a sectional party to agitate this country, to array the North against the South, and convert us into enemies instead of friends, merely that a few ambitious men may ride into power on a sectional hobby? How long is it since these ambitious

20 Northern men wished for a sectional organization? Did any one of them dream of a sectional party as long as the North was the weaker section and the South the stronger? Then all were opposed to sectional parties; but the moment the North obtained the majority in the House and Senate by the admission of California, and could elect a President without the aid of Southern votes, that moment ambitious Northern men formed a scheme to excite

25 the North against the South, and make the people be governed in their votes by geographical lines, thinking that the North, being the stronger section, would outvote the South, and consequently they, the leaders, would ride into office on a sectional hobby. I am told that my hour is out. It was very short.

Abraham Lincoln's Reply

...At Galesburg the other day, I said in answer to Judge Douglas, that three years ago there never had been a man, so far as I knew or believed, in the whole world, who had said that the Declaration of Independence did not include negroes in the term "all men." I reassert it
5 today. I assert that Judge Douglas and all his friends may search the whole records of the country, and it will be a matter of great astonishment to me if they shall be able to find that one human being three years ago had ever uttered the astounding sentiment that the term "all men" in the Declaration did not include the negro. Do not let me be misunderstood. I know that more than three years ago there were men who, finding this assertion constantly
10 in the way of their schemes to bring about the ascendancy and perpetuation of slavery, *denied the truth of it*. I know that Mr. Calhoun and all the politicians of his school denied the truth of the Declaration. I know that it ran along in the mouths of some Southern men for a period of years, ending at last in that shameful though rather forcible declaration of Pettit of Indiana, upon the floor of the United States Senate, that the Declaration of Inde-
15 pendence was in that respect "a self-evident lie," rather than a self-evident truth. But I say, with a perfect knowledge of all this hawking at the Declaration without directly attacking it, that three years ago there never had lived a man who had ventured to assail it in the sneaking way of pretending to believe it and then asserting it did not include the negro. I believe the first man who ever said it was Chief Justice Taney in the Dred Scott case, and
20 the next to him was our friend Stephen A. Douglas. And now it has become the catch-word of the entire party. I would like to call upon his friends everywhere to consider how they have come in so short a time to view this matter in a way so entirely different from their former belief? to ask whether they are not being borne along by an irresistible current—whither, they know not?...

25 And when this new principle—this new proposition that no human being ever thought of three years ago,—is brought forward, *I combat it* as having an evil tendency, if not an evil design; I combat it as having a tendency to dehumanize the negro—to take away from him

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the right of ever striving to be a man. I combat it as being one of the thousand things constantly done in these days to prepare the public mind to make property, and nothing but property of the *negro in all the States of this Union....*

Again; the institution of slavery is only mentioned in the Constitution of the United States
5 two or three times, and in neither of these cases does the word "slavery" or "negro race" occur; but covert language is used each time, and for a purpose full of significance. What is the language in regard to the prohibition of the African slave trade? It runs in about this way: "The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thou-
10 sand eight hundred and eight."

The next allusion in the Constitution to the question of slavery and the black race, is on the subject of the basis of representation, and there the language used is, "Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to
15 the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed—three-fifths of all other persons."

It says "persons," not slaves, not negroes; but this "three-fifths" can be applied to no other class among us than the negroes.

Lastly, in the provision for the reclamation of fugitive slaves it is said: "No person held to
20 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." There again there is no mention of the word "negro" or of slavery. In all three of these places, being the only allusions to slavery in the instrument, covert language is used. Language is
25 used not suggesting that slavery existed or that the black race were among us. And I understand the contemporaneous history of those times to be that covert language was used with a purpose, and that purpose was that in our Constitution, which it was hoped and is still hoped will endure forever—when it should be read by intelligent and patriotic men, after

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the institution of slavery had passed from among us—there should be nothing on the face of the great charter of liberty suggesting that such a thing as negro slavery had ever existed among us. This is part of the evidence that the fathers of the Government expected and intended the institution of slavery to come to an end. They expected and intended that it should be in the course of ultimate extinction. And when I say that I desire to see the further spread of it arrested I only say I desire to see that done which the fathers have first done. When I say I desire to see it placed where the public mind will rest in the belief that it is in the course of ultimate extinction, I only say I desire to see it placed where they placed it. It is not true that our fathers, as Judge Douglas assumes, made this government part slave and part free. Understand the sense in which he puts it. He assumes that slavery is a rightful thing within itself,—was introduced by the framers of the Constitution. The exact truth is, that they found the institution existing among us, and they left it as they found it. But in making the government they left this institution with many clear marks of disapprobation upon it. They found slavery among them and they left it among them because of the difficulty— the absolute impossibility of its immediate removal. And when Judge Douglas asks me why we cannot let it remain part slave and part free as the fathers of the government made, he asks a question based upon an assumption which is itself a falsehood; and I turn upon him and ask him the question, when the policy that the fathers of the government had adopted in relation to this element among us was the best policy in the world—the only wise policy—the only policy that we can ever safely continue upon—that will ever give us peace unless this dangerous element masters us all and becomes a national institution—*I turn upon him and ask him why he could not let it alone?* I turn and ask him why he was driven to the necessity of introducing a *new policy* in regard to it? He has himself said he introduced a new policy. He said so in his speech on the 22nd of March of the present year, 1858. I ask him why he could not let it remain where our fathers placed it? I ask too of Judge Douglas and his friends why we shall not again place this institution upon the basis on which the fathers left it? I ask you when he infers that I am in favor of setting the free and slave States at war, when the institution was placed in that attitude by those who made the constitution, *did they make any war?* If we had no war out of it when thus placed, wherein is the ground of belief that we shall have war out of it if we return to that policy? Have we

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had any peace upon this matter springing from any other basis? I maintain that we have not. I have proposed nothing more than a return to the policy of the fathers....

I have stated upon former occasions, and I may as well state again, what I understand to be the real issue in this controversy between Judge Douglas and myself. On the point of my
5 wanting to make war between the free and the slave States, there has been no issue between us. So, too, when he assumes that I am in favor of introducing a perfect social and political equality between the white and black races. These are false issues, upon which Judge Douglas has tried to force the controversy. There is no foundation in truth for the charge that I maintain either of these propositions. The real issue in this controversy—the one pressing
10 upon every mind—is the sentiment on the part of one class that looks upon the institution of slavery *as a wrong*, and of another class that *does not* look upon it as a wrong. The sentiment that contemplates the institution of slavery in this country as a wrong is the sentiment of the Republican party. It is the sentiment around which all their actions—all their arguments circle—from which all their propositions radiate. They look upon it as being a moral,
15 social and political wrong; and while they contemplate it as such, they nevertheless have due regard for its actual existence among us, and the difficulties of getting rid of it in any satisfactory way and to all the constitutional obligations thrown about it. Yet having a due regard for these, they desire a policy in regard to it that looks to its not creating any more danger. They insist that it should as far as may be, *be treated* as a wrong, and one of the
20 methods of treating it as a wrong is to *make provision that it shall grow no larger*. They also desire a policy that looks to a peaceful end of slavery at sometime, as being wrong. These are the views they entertain in regard to it as I understand them; and all their sentiments—all their arguments and propositions are brought within this range. I have said and I repeat it here, that if there be a man amongst us who does not think that the institution of slavery
25 is wrong in any one of the aspects of which I have spoken, he is misplaced and ought not to be with us. And if there be a man amongst us who is so impatient of it as a wrong as to disregard its actual presence among us and the difficulty of getting rid of it suddenly in a satisfactory way, and to disregard the constitutional obligations thrown about it, that man is misplaced if he is on our platform. We disclaim sympathy with him in practical action.
30 He is not placed properly with us.

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On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has any thing ever threatened the existence of this Union save and except this very institution of Slavery? What is it that we hold most dear amongst us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of Slavery? If this is true, how do you propose to improve the condition of things by enlarging Slavery—by spreading it out and making it bigger? You may have a wen or a cancer upon your person and not be able to cut it out lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong—restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way, the old-fashioned way, the way in which the fathers themselves set us the example.

On the other hand, I have said there is a sentiment which treats it as *not* being wrong. That is the Democratic sentiment of this day. I do not mean to say that every man who stands within that range positively asserts that it is right. That class will include all who positively assert that it is right, and all who like Judge Douglas treat it as indifferent and do not say it is either right or wrong. These two classes of men fall within the general class of those who do not look upon it as a wrong. And if there be among you anybody who supposes that he as a Democrat, can consider himself "as much opposed to slavery as anybody," I would like to reason with him. You never treat it as a wrong. What other thing that you consider as a wrong, do you deal with as you deal with that? Perhaps you *say* it is wrong, *but your leader never does, and you quarrel with anybody who says it is wrong*. Although you pretend to say so yourself you can find no fit place to deal with it as a wrong. You must not say anything about it in the free States, *because it is not here*. You must not say anything about it in the slave States, *because it is there*. You must not say anything about it in the pulpit, because that is religion and has nothing to do with it. You must not say anything about it in politics, *because that will disturb the security of "my place."* There is no place to talk about it as being a wrong, although you say yourself it *is* a wrong. But finally you will screw yourself up to the belief that if the people of the slave States should adopt a system of gradual emancipation on the slavery question, you would be in favor of it. You would be in favor of it. You

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say that is getting it in the right place, and you would be glad to see it succeed. But you are deceiving yourself. You all know that Frank Blair and Gratz Brown, down there in St. Louis, undertook to introduce that system in Missouri. They fought as valiantly as they could for the system of gradual emancipation which you pretend you would be glad to see succeed.

5 Now I will bring you to the test. After a hard fight they were beaten, and when the news came over here you threw up your hats and *hurrahed for Democracy*. More than that, take all the argument made in favor of the system you have proposed, and it carefully excludes the idea that there is anything wrong in the institution of slavery. The arguments to sustain that policy carefully excluded it. Even here today you heard Judge Douglas quarrel with me

10 because I uttered a wish that it might sometime come to an end. Although Henry Clay could say he wished every slave in the United States was in the country of his ancestors, I am denounced by those pretending to respect Henry Clay for uttering a wish that it might sometime, in some peaceful way, come to an end. The Democratic policy in regard to that institution will not tolerate the merest breath, the slightest hint, of the least degree of wrong

15 about it. Try it by some of Judge Douglas' arguments. He says he "don't care whether it is voted up or voted down" in the Territories. I do not care myself in dealing with that expression, whether it is intended to be expressive of his individual sentiments on the subject, or only of the national policy he desires to have established. It is alike valuable for my purpose. Any man can say that who does not see anything wrong in slavery, but no man can logically

20 say it who does see a wrong in it; because no man can logically say he don't care whether a wrong is voted up or voted down. He may say he don't care whether an indifferent thing is voted up or down, but he must logically have a choice between a right thing and a wrong thing. He contends that whatever community wants slaves has a right to have them. So they have if it is not a wrong. But if it is a wrong, he cannot say people have a right to do wrong.

25 He says that upon the score of equality, slaves should be allowed to go in a new Territory, like other property. This is strictly logical if there is no difference between it and other property. If it and other property are equal, his argument is entirely logical. But if you insist that one is wrong and the other right, there is no use to institute a comparison between right and wrong. You may turn over everything in the Democratic policy from beginning

30 to end, whether in the shape it takes on the statute book, in the shape it takes in the Dred

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Scott decision, in the shape it takes in conversation or the shape it takes in short maxim-like arguments—it everywhere carefully excludes the idea that there is anything wrong in it.

That is the real issue. That is the issue that will continue in this country when these poor
5 tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these
two principles—right and wrong—throughout the world. They are the two principles that
have stood face to face from the beginning of time; and will ever continue to struggle. The
one is the common right of humanity and the other the divine right of kings. It is the same
principle in whatever shape it develops itself. It is the same spirit that says, "You work and
10 toil and earn bread, and I'll eat it." No matter in what shape it comes, whether from the
mouth of a king who seeks to bestride the people of his own nation and live by the fruit of
their labor, or from one race of men as an apology for enslaving another race, it is the same
tyrannical principle. I was glad to express my gratitude at Quincy, and I re-express it here
to Judge Douglas—that *he looks to no end of the institution of slavery*. That will help the
15 people to see where the struggle really is. It will hereafter place with us all men who really
do wish the wrong may have an end. And whenever we can get rid of the fog which obscures
the real question—when we can get Judge Douglas and his friends to avow a policy looking
to its perpetuation—we can get out from among them that class of men and bring them to
the side of those who treat it as a wrong. Then there will soon be an end of it, and that end
20 will be its "ultimate extinction." Whenever the issue can be distinctly made, and all extra-
aneous matter thrown out so that men can fairly see the real difference between the parties,
this controversy will soon be settled, and it will be done peaceably too. There will be no
war, no violence. It will be placed again where the wisest and best men of the world, placed
it. Brooks of South Carolina once declared that when this Constitution was framed, its
25 framers did not look to the institution existing until this day. When he said this, I think he
stated a fact that is fully borne out by the history of the times. But he also said they were
better and wiser men than the men of these days; yet the men of these days had experience
which they had not, and by the invention of the cotton gin it became a necessity in this
country that slavery should be perpetual. I now say that willingly or unwillingly, purposely
30 or without purpose, Judge Douglas has been the most prominent instrument in changing

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the position of the institution of slavery which the fathers of the government expected to come to an end ere this—and *putting it upon Brooks' cotton gin basis*,—placing it where he openly confesses he has no desire there shall ever be an end of it....

Senator Stephen Douglas's Reply

5 Mr. Lincoln has concluded his remarks by saying that there is not such an Abolitionist as I am in all America. If he could make the Abolitionists of Illinois believe that, he would not have much show for the Senate. Let him make the Abolitionists believe the truth of that statement and his political back is broken.

10 His first criticism upon me is the expression of his hope that the war of the administration will be prosecuted against me and the Democratic party of his State with vigor. He wants that war prosecuted with vigor; I have no doubt of it. His hopes of success, and the hopes of his party depend solely upon it. They have no chance of destroying the Democracy of this State except by the aid of federal patronage. He has all the federal office-holders here as his allies, running separate tickets against the Democracy to divide the party although
15 the leaders all intend to vote directly the Abolition ticket, and only leave the green-horns to vote this separate ticket who refuse to go into the Abolition camp. There is something really refreshing in the thought that Mr. Lincoln is in favor of prosecuting one war vigorously. It is the first war I ever knew him to be in favor of prosecuting. It is the first war that I ever knew him to believe to be just or constitutional. When the Mexican war [was] being
20 waged, and the American army was surrounded by the enemy in Mexico, he thought that war was unconstitutional, unnecessary and unjust. He thought it was not commenced on the right *spot*.

When I made an incidental allusion of that kind in the joint discussion over at Charleston some weeks ago, Lincoln, in replying, said that I, Douglas, had charged him with voting
25 against supplies for the Mexican war, and then he reared up, full length, and swore that he never voted against the supplies—that it was a slander—and caught hold of Ficklin, who sat on the stand, and said, "Here, Ficklin, tell the people that it is a lie." Well, Ficklin, who had served in Congress with him, stood up and told them all that he recollected about it. It

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was that when George Ashmun, of Massachusetts, brought forward a resolution declaring the war unconstitutional, unnecessary, and unjust, that Lincoln had voted for it. "Yes," said Lincoln, "I did." Thus he confessed that he voted that the war was wrong, that our country was in the wrong, and consequently that the Mexicans were in the right; but charged that I had slandered him by saying that he voted against the supplies. I never charged him with voting against the supplies in my life, because I knew that he was not in Congress when they were voted. The war was commenced on the 13th day of May, 1846, and on that day we appropriated in Congress ten millions of dollars and fifty thousand men to prosecute it. During the same session we voted more men and more money, and at the next session we voted more men and more money, so that by the time Mr. Lincoln entered Congress we had enough men and enough money to carry on the war, and had no occasion to vote any more. When he got into the House, being opposed to the war, and not being able to stop the supplies, because they had all gone forward, all he could do was to follow the lead of Corwin, and prove that the war was not begun on the right spot, and that it was unconstitutional, unnecessary, and wrong. Remember, too, that this he did after the war had been begun. It is one thing to be opposed to the declaration of a war, another and very different thing to take sides with the enemy against your own country after the war has been commenced. Our army was in Mexico at the time, many battles had been fought; our citizens, who were defending the honor of their country's flag, were surrounded by the daggers, the guns and the poison of the enemy. Then it was that Corwin made his speech in which he declared that the American soldiers ought to be welcomed by the Mexicans with bloody hands and hospitable graves; then it was that Ashmun and Lincoln voted in the House of Representatives that the war was unconstitutional and unjust; and Ashmun's resolution, Corwin's speech, and Lincoln's vote were sent to Mexico and read at the head of the Mexican army, to prove to them that there was a Mexican party in the Congress of the United States who were doing all in their power to aid them. That a man who takes sides with the common enemy against his own country in time of war should rejoice in a war being made on me now, is very natural. And in my opinion, no other kind of a man would rejoice in it....

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Mr. Lincoln tries to avoid the main issue by attacking the truth of my proposition, that our fathers made this government divided into free and slave States, recognizing the right of each to decide all its local questions for itself. Did they not thus make it? It is true that they did not establish slavery in any of the States, or abolish it in any of them; but finding thirteen States twelve of which were slave and one free, they agreed to form a government uniting them together, as they stood divided into free and slave States, and to guarantee forever to each State the right to do as it pleased on the slavery question. Having thus made the government, and conferred this right upon each State forever, I assert that this government can exist as they made it, divided into free and slave States, if any one State chooses to retain slavery. He says that he looks forward to a time when slavery shall be abolished everywhere. I look forward to a time when each State shall be allowed to do as it pleases. If it chooses to keep slavery forever, it is not my business, but its own; if it chooses to abolish slavery, it is its own business—not mine. I care more for the great principle of self-government, the right of the people to rule, than I do for all the negroes in Christendom. I would not endanger the perpetuity of this Union. I would not blot out the great inalienable rights of the white men for all the negroes that ever existed. Hence, I say, let us maintain this government on the principles that our fathers made it, recognizing the right of each State to keep slavery as long as its people determine, or to abolish it when they please. But Mr. Lincoln says that when our fathers made this government they did not look forward to the state of things now existing; and therefore he thinks the doctrine was wrong; and he quotes Brooks, of South Carolina, to prove that our fathers then thought that probably slavery would be abolished, by each State acting for itself before this time. Suppose they did; suppose they did not foresee what has occurred,—does that change the principles of our government? They did not probably foresee the telegraph that transmits intelligence by lighting, nor did they foresee the railroads that now form the bonds of union between the different States, or the thousand mechanical inventions that have elevated mankind. But do these things change the principles of the government? Our fathers, I say, made this government on the principle of the right of each State to do as it pleases in its own domestic affairs, subject to the constitution, and allowed the people of each to apply to every new

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change of circumstance such remedy as they may see fit to improve their condition. This right they have for all time to come....

ABRAHAM LINCOLN (R-IL)

At Cooper Institute

SPEECH EXCERPT

February 27, 1860

Cooper Union | New York City, New York

BACKGROUND

Sponsored by the Young Men's Central Republican Union, Abraham Lincoln gave this speech reflecting on the *Dred Scott* decision in the months leading up to the Republican convention.

GUIDING QUESTIONS

1. What problems does Lincoln identify with the Supreme Court's reasoning in *Dred Scott*?
2. What is his primary criticism of the strategy of the southern people?
3. What does he think should be the Republican strategy with respect to the territories?
4. What does Lincoln see as the future for slavery in the United States?

Abraham Lincoln, "Address at Cooper Institute, New York City," 27 February 1860, in *The Collected Works of Abraham Lincoln*, Vol. 3, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 535, 543-50.

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...But enough! *Let all who believe that "our fathers, who framed the Government under which we live, understood this question just as well, and even better, than we do now," speak as they spoke, and act as they acted upon it. This is all Republicans ask—all Republicans desire—in relation to slavery. As those fathers marked it, so let it be again marked, as an evil not to be extended, but to be tolerated and protected only because of and so far as its actual presence among us makes that toleration and protection a necessity. Let all the guarantees those fathers gave it, be, not grudgingly, but fully and fairly maintained.* For this Republicans contend, and with this, so far as I know or believe, they will be content.

And now, if they would listen—as I suppose they will not—I would address a few words to the Southern people....

Your purpose, then, plainly stated, is, that you will destroy the Government, unless you be allowed to construe and enforce the Constitution as you please, on all points in dispute between you and us. You will rule or ruin in all events.

This, plainly stated, is your language. Perhaps you will say the Supreme Court has decided the disputed Constitutional question in your favor. Not quite so. But waiving the lawyer's distinction between dictum and decision, the Court have decided the question for you in a sort of way. The Court have substantially said, it is your Constitutional right to take slaves into the federal territories, and to hold them there as property. When I say the decision was made in a sort of way, I mean it was made in a divided Court, by a bare majority of the Judges, and they not quite agreeing with one another in the reasons for making it; that it is so made as that its avowed supporters disagree with one another about its meaning, and that it was mainly based upon a mistaken statement of fact—the statement in the opinion that "the right of property in a slave is distinctly and expressly affirmed in the Constitution."

An inspection of the Constitution will show that the right of property in a slave is not "*distinctly and expressly* affirmed" in it. Bear in mind, the Judges do not pledge their judicial opinion that such right is *impliedly* affirmed in the Constitution; but they pledge their veracity that it is "*distinctly and expressly*" affirmed there—"distinctly," that is, not mingled

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with anything else—"expressly," that is, in words meaning just that, without the aid of any inference, and susceptible of no other meaning.

If they had only pledged their judicial opinion that such right is affirmed in the instrument by implication, it would be open to others to show that neither the word "slave" nor "slavery" is to be found in the Constitution, nor the word "property" even, in any connection with language alluding to the things slave, or slavery, and that wherever in that instrument the slave is alluded to, he is called a "person;"—and wherever his master's legal right in relation to him is alluded to, it is spoken of as "service or labor which may be due,"—as a debt payable in service or labor. Also, it would be open to show, by contemporaneous history, that this mode of alluding to slaves and slavery, instead of speaking of them, was employed on purpose to exclude from the Constitution the idea that there could be property in man.

To show all this, is easy and certain.

When this obvious mistake of the Judges shall be brought to their notice, is it not reasonable to expect that they will withdraw the mistaken statement, and reconsider the conclusion based upon it?

And then it is to be remembered that "our fathers, who framed the Government under which we live"—the men who made the Constitution—decided this same Constitutional question in our favor, long ago—decided it without division among themselves, when making the decision; without division among themselves about the meaning of it after it was made, and, so far as any evidence is left, without basing it upon any mistaken statement of facts.

Under all these circumstances, do you really feel yourselves justified to break up this Government, unless such a court decision as yours is, shall be at once submitted to as a conclusive and final rule of political action? But you will not abide the election of a Republican President! In that supposed event, you say, you will destroy the Union; and then, you say, the great crime of having destroyed it will be upon us! That is cool. A highwayman holds a

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pistol to my ear, and mutters through his teeth, "Stand and deliver, or I shall kill you, and then you will be a murderer!"

To be sure, what the robber demanded of me—my money—was my own; and I had a clear right to keep it; but it was no more my own than my vote is my own; and the threat of death
5 to me, to extort my money, and the threat of destruction to the Union, to extort my vote, can scarcely be distinguished in principle.

A few words now to Republicans. *It is exceedingly desirable that all parts of this great Confederacy shall be at peace, and in harmony, one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper.*
10 *Even though the southern people will not so much as listen to us, let us calmly consider their demands, and yield to them if, in our deliberate view of our duty, we possibly can.* Judging by all they say and do, and by the subject and nature of their controversy with us, let us determine, if we can, what will satisfy them.

Will they be satisfied if the Territories be unconditionally surrendered to them? We know
15 they will not. In all their present complaints against us, the Territories are scarcely mentioned. Invasions and insurrections are the rage now. Will it satisfy them, if, in the future, we have nothing to do with invasions and insurrections? We know it will not. We so know, because we know we never had anything to do with invasions and insurrections; and yet this total abstaining does not exempt us from the charge and the denunciation.

The question recurs, what will satisfy them? Simply this: We must not only let them alone,
20 but we must, somehow, convince them that we do let them alone. This, we know by experience, is no easy task. We have been so trying to convince them from the very beginning of our organization, but with no success. In all our platforms and speeches we have constantly protested our purpose to let them alone; but this has had no tendency to convince
25 them. Alike unavailing to convince them, is the fact that they have never detected a man of us in any attempt to disturb them.

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These natural, and apparently adequate means all failing, what will convince them? This, and this only: cease to call slavery *wrong*, and join them in calling it *right*. And this must be done thoroughly—done in *acts* as well as in *words*. Silence will not be tolerated—we must place ourselves avowedly with them. Senator Douglas's new sedition law must be enacted
5 and enforced, suppressing all declarations that slavery is wrong, whether made in politics, in presses, in pulpits, or in private. We must arrest and return their fugitive slaves with greedy pleasure. We must pull down our Free State constitutions. The whole atmosphere must be disinfected from all taint of opposition to slavery, before they will cease to believe that all their troubles proceed from us.

10 I am quite aware they do not state their case precisely in this way. Most of them would probably say to us, "Let us alone, *do* nothing to us, and say what you please about slavery." But we do let them alone—have never disturbed them— so that, after all, it is what we say, which dissatisfies them. They will continue to accuse us of doing, until we cease saying.

I am also aware they have not, as yet, in terms, demanded the overthrow of our Free-State
15 Constitutions. Yet those Constitutions declare the wrong of slavery, with more solemn emphasis, than do all other sayings against it; and when all these other sayings shall have been silenced, the overthrow of these Constitutions will be demanded, and nothing be left to resist the demand. It is nothing to the contrary, that they do not demand the whole of this just now. Demanding what they do, and for the reason they do, they can voluntarily stop
20 nowhere short of this consummation. Holding, as they do, that slavery is morally right, and socially elevating, they cannot cease to demand a full national recognition of it, as a legal right, and a social blessing.

Nor can we justifiably withhold this, on any ground save our conviction that slavery is wrong. If slavery is right, all words, acts, laws, and constitutions against it, are themselves
25 wrong, and should be silenced, and swept away. If it is right, we cannot justly object to its nationality—its universality; if it is wrong, they cannot justly insist upon its extension—its enlargement. All they ask, we could readily grant, if we thought slavery right; all we ask,

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they could as readily grant, if they thought it wrong. Their thinking it right, and our thinking it wrong, is the precise fact upon which depends the whole controversy. Thinking it right, as they do, they are not to blame for desiring its full recognition, as being right; but, thinking it wrong, as we do, can we yield to them? Can we cast our votes with their view, and against our own? In view of our moral, social, and political responsibilities, can we do this?

Wrong as we think slavery is, we can yet afford to let it alone where it is, because that much is due to the necessity arising from its actual presence in the nation; but can we, while our votes will prevent it, allow it to spread into the National Territories, and to overrun us here in these Free States? If our sense of duty forbids this, then let us stand by our duty, fearlessly and effectively. Let us be diverted by none of those sophistical contrivances wherewith we are so industriously plied and belabored—contrivances such as groping for some middle ground between the right and the wrong, vain as the search for a man who should be neither a living man nor a dead man—such as a policy of "don't care" on a question about which all true men do care—such as Union appeals beseeching true Union men to yield to Disunionists, reversing the divine rule, and calling, not the sinners, but the righteous to repentance—such as invocations to Washington, imploring men to unsay what Washington said, and undo what Washington did.

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.

CONFEDERATE VICE-PRESIDENT ALEXANDER STEPHENS

Cornerstone Speech

SPEECH EXCERPTS

March 21, 1861
Athenaeum | Savannah, Georgia

BACKGROUND

Three weeks after Abraham Lincoln's inauguration, the new vice president of the Confederate States of America was invited to address the people of Savannah and the Confederacy on the state of public affairs.

GUIDING QUESTIONS

1. According to Stephens, what does the "new constitution" of the Confederacy preserve from the "old constitution"?
2. What key improvement does he say have been made as a result of the "new constitution"?
3. Upon what principle does he say the "corner-stone" of the new government rests, and why did the "old constitution" reject it?
4. In what sense does Stephens assert that the principle of equality is preserved in the "new constitution"?

Alexander Stephens, "Sketch of the Corner-Stone Speech," 21 March 1861, in *Public and Private: With Letters and Speeches, Before, During, and Since the War*, ed. Henry Cleveland (Philadelphia: National Publishing Co., 1866), 717–23, 726, 728–29.

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...[W]e are passing through one of the greatest revolutions in the annals of the world. Seven States have within the last three months thrown off an old government and formed a new. This revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood.

5 This new constitution, or form of government, constitutes the subject to which your attention will be partly invited. In reference to it, I make this first general remark. It amply secures all our ancient rights, franchises, and liberties. All the great principles of Magna Charta are retained in it. No citizen is deprived of life, liberty, or property, but by the judgment of his peers under the laws of the land. The great principle of religious liberty, which
10 was the honor and pride of the old constitution, is still maintained and secured. All the essentials of the old constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. Some changes have been made.... Some of these I should have preferred not to have seen made; but these, perhaps, meet the cordial approbation of a majority of this audience, if not an overwhelming majority of the people
15 of the Confederacy. Of them, therefore, I will not speak. But other important changes do meet my cordial approbation. They form great improvements upon the old constitution. So, taking the whole new constitution, I have no hesitancy in giving it as my judgment that it is decidedly better than the old.

Allow me briefly to allude to some of these improvements. The question of building up
20 class interests, or fostering one branch of industry to the prejudice of another under the exercise of the revenue power, which gave us so much trouble under the old constitution, is put at rest forever under the new. We allow the imposition of no duty with a view of giving advantage to one class of persons, in any trade or business, over those of another. All, under our system, stand upon the same broad principles of perfect equality. Honest
25 labor and enterprise are left free and unrestricted in whatever pursuit they may be engaged.... This old thorn of the tariff, which was the cause of so much irritation in the old body politic, is removed forever from the new.

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Again, the subject of internal improvements, under the power of Congress to regulate commerce, is put at rest under our system. The power claimed by construction under the old constitution, was at least a doubtful one— it rested solely upon construction. We of the South, generally apart from considerations of constitutional principles, opposed its exercise
5 upon grounds of its inexpediency and injustice. Notwithstanding this opposition, millions of money, from the common treasury had been drawn for such purposes. Our opposition sprang from no hostility to commerce, or all necessary aids for facilitating it. With us it was simply a question, upon *whom* the burden should fall. In Georgia, for instance, we have done as much for the cause of internal improvements as any other portion of the country
10 according to population and means.... All this was done to open an outlet for our products of the interior, and those to the west of us, to reach the marts of the world. No State was in greater need of such facilities than Georgia, but we did not ask that these works should be made by appropriations out of the common treasury. The cost of the grading, the super-structure, and equipments of our roads, was borne by those who entered on the enter-
15 prise.... What justice was there in taking this money, which our people paid into the common treasury on the importation of our iron, and applying it to the improvement of rivers and harbors elsewhere?

The true principle is to subject the commerce of every locality, to whatever burdens may be necessary to facilitate it. If Charleston harbor needs improvement, let the commerce of
20 Charleston bear the burden. If the mouth of the Savannah river has to be cleared out, let the seagoing navigation which is benefitted by it, bear the burden. So with the mouths of the Alabama and Mississippi river. Just as the products of the interior, our cotton, wheat, corn, and other articles, have to bear the necessary rates of freight over our railroads to reach the seas. This is again the broad principle of perfect equality and justice. And it is
25 especially set forth and established in our new constitution...

But not to be tedious in enumerating the numerous changes for the better, allow me to allude to one other—though last, not least. The new constitution has put at rest, *forever*, all the agitating questions relating to our peculiar institution—African slavery as it exists

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amongst us—the proper *status* of the negro in our form of civilization. This was the immediate cause of the late rupture and present revolution. Jefferson in his forecast, had anticipated this, as the "rock upon which the old Union would split." He was right. What was conjecture with him, is now a realized fact. But whether he fully comprehended the great truth upon which that rock *stood* and *stands*, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old constitution, were that the enslavement of the African was in violation of the laws of nature; that it was wrong in *principle*, socially, morally, and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was that, somehow or other in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the constitution, was the prevailing idea at that time. The constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly urged against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the government built upon it fell when the "storm came and the wind blew."

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth, that the negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition.

This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North, who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind—from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied

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or erroneous premises; so with the anti-slavery fanatics; their conclusions are right if their premises were. They assume that the negro is equal, and hence conclude that he is entitled to equal privileges and rights with the white man. If their premises were correct, their conclusions would be logical and just—but their premise being wrong, their whole argument fails. I recollect once of having heard a gentleman from one of the northern States, of great power and ability, announce in the House of Representatives, with imposing effect, that we of the South would be compelled, ultimately, to yield upon this subject of slavery, that it was as impossible to war successfully against a principle in politics, as it was in physics or mechanics. That the principle would ultimately prevail. That we, in maintaining slavery as it exists with us, were warring against a principle, a principle founded in nature, the principle of the equality of men. The reply I made to him was, that upon his own grounds, we should, ultimately, succeed, and that he and his associates, in this crusade against our institutions, would ultimately fail. The truth announced, that it was as impossible to war successfully against a principle in politics as it was in physics and mechanics, I admitted; but told him that it was he, and those acting with him, who were warring against a principle. They were attempting to make things equal which the Creator had made unequal.

In the conflict thus far, success has been on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our social fabric is firmly planted; and I cannot permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

As I have stated, the truth of this principle may be slow in development, as all truths are and ever have been, in the various branches of science. It was so with the principles announced by Galileo—it was so with Adam Smith and his principles of political economy. It was so with Harvey, and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now, they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests? It is the first government ever instituted upon the principles in strict conformity to nature, and the ordination of Providence, in furnishing the materials

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of human society. Many governments have been founded upon the principle of the subordination and serfdom of certain classes of the same race; such were and are in violation of the laws of nature. Our system commits no such violation of nature's laws. With us, all of the white race, however high or low, rich or poor, are equal in the eye of the law. Not so
5 with the negro. Subordination is his place. He, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect in the construction of buildings, lays the foundation with the proper material—the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know, that it is best, not only for the superior, but for
10 the inferior race, that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of his ordinances, or to question them. For his own purposes, he has made one race to differ from another, as he has made "one star to differ from another star in glory."

The great objects of humanity are best attained when there is conformity to his laws and
15 decrees, in the formation of governments as well as in all things else. Our confederacy is founded upon principles in strict conformity with these laws. This stone which was rejected by the first builders "is become the chief of the corner"—the real "corner-stone"—in our new edifice.

I have been asked, what of the future? It has been apprehended by some that we would have
20 arrayed against us the civilized world. I care not who or how many they may be against us, when we stand upon the eternal principles of truth, *if we are true to ourselves and the principles for which we contend*, we are obliged to, and must triumph.

Thousands of people who begin to understand these truths are not yet completely out of the shell; they do not see them in their length and breadth. We hear much of the civilization
25 and christianization of the barbarous tribes of Africa. In my judgment, those ends will never be attained, but by first teaching them the lesson taught to Adam, that "in the sweat of his brow he should eat his bread," and teaching them to work, and feed, and clothe themselves....

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...Looking to the distant future, and, perhaps, not very far distant either, it is not beyond the range of possibility, and even probability, that all the great States of the north-west will gravitate this way, as well as Tennessee, Kentucky, Missouri, Arkansas, etc. Should they do so, our doors are wide enough to receive them, but not until they are ready to assimilate with us in principle.

The process of disintegration in the old Union may be expected to go on with almost absolute certainty if we pursue the right course. We are now the nucleus of a growing power which, if we are true to ourselves, our destiny, and high mission, will become the controlling power on this continent. To what extent accessions will go on in the process of time, or where it will end, the future will determine... Such are some of the glimpses of the future as I catch them....

In olden times the olive branch was considered the emblem of peace; we will send to the nations of the earth another and far more potential emblem of the same, the cotton plant. The present duties were levied with a view of meeting the present necessities and exigencies, in preparation for war, if need be; but if we have peace, and he hoped we might, and trade should resume its proper course, a duty of ten per cent. upon foreign importations it was thought might be sufficient to meet the expenditures of the government. If some articles should be left on the free list, as they now are, such as breadstuffs, etc., then, of course, duties upon others would have to be higher—but in no event to an extent to embarrass trade and commerce. He concluded in an earnest appeal for union and harmony, on part of all the people in support of the common cause, in which we were all enlisted, and upon the issues of which such great consequences depend.

If, said he, we are true to ourselves, true to our cause, true to our destiny, true to our high mission, in presenting to the world the highest type of civilization ever exhibited by man—there will be found in our lexicon no such word as fail.

Mr. Stephens took his seat, amid a burst of enthusiasm and applause, such as the Athenaeum has never had displayed within its walls, within "the recollection of the oldest inhabitant."

PRESIDENT ABRAHAM LINCOLN (R)
First Inaugural Address

SPEECH

March 4, 1861
U.S. Capitol | Washington, D.C.

BACKGROUND

Abraham Lincoln delivered this speech at his inauguration amidst declarations of secession by southern states.

GUIDING QUESTIONS

1. How does Lincoln try to assuage the fears of Southerners?
2. Why does Lincoln believe that the Union is perpetual?
3. What is Lincoln's understanding of the purpose of the executive power now confided in him?
4. On constitutional questions, what role does the Supreme Court have with respect to the other branches, in Lincoln's understanding?
5. What is "the only substantial dispute," and what are its possible resolutions as Lincoln sees them?

Abraham Lincoln, "First Inaugural Address—Final Text," 4 March 1861, in *The Collected Works of Abraham Lincoln*, Vol. 4, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 262–71.

Fellow citizens of the United States:

In compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take, in your presence, the oath prescribed by the Constitution of the United States, to be taken by the President "before he enters on the execution of his office."

I do not consider it necessary, at present for me to discuss those matters of administration about which there is no special anxiety, or excitement.

Apprehension seems to exist among the people of the Southern States, that by the accession of a Republican Administration, their property, and their peace, and personal security, are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed, and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Those who nominated and elected me did so with full knowledge that I had made this, and many similar declarations, and had never recanted them. And more than this, they placed in the platform, for my acceptance, and as a law to themselves, and to me, the clear and emphatic resolution which I now read:

"Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

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I now reiterate these sentiments: and in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace and security of no section are to be in anywise endangered by the now incoming Administration. I add too, that all the protection which, consistently with the Constitution and the laws, can
5 be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section, as to another.

There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:
10 "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."

15 It is scarcely questioned that this provision was intended by those who made it, for the reclaiming of what we call fugitive slaves; and the intention of the law-giver is the law. All members of Congress swear their support to the whole Constitution—to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause, "shall be delivered up," their oaths are unanimous. Now, if they would
20 make the effort in good temper, could they not, with nearly equal unanimity, frame and pass a law, by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by national or by state authority; but surely that difference is not a very material one. If the slave is to be
25 surrendered, it can be of but little consequence to him, or to others, by which authority it is done. And should any one, in any case, be content that his oath shall go unkept, on a merely unsubstantial controversy as to *how* it shall be kept?

Again, in any law upon this subject, ought not all the safeguards of liberty known in civi-
30 lized and humane jurisprudence to be introduced, so that a free man be not, in any case,

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surrendered as a slave? And might it not be well, at the same time, to provide by law for the enforcement of that clause in the Constitution which guarantees that "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States?"

5 I take the official oath today, with no mental reservations, and with no purpose to construe the Constitution or laws, by any hypercritical rules. And while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest, that it will be much safer for all, both in official and private stations, to conform to, and abide by, all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having
10 them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our national Constitution. During that period fifteen different and greatly distinguished citizens, have, in succession, administered the executive branch of the government. They have conducted it
15 through many perils; and, generally, with great success. Yet, with all this scope for precedent, I now enter upon the same task for the brief constitutional term of four years, under great and peculiar difficulty. A disruption of the Federal Union heretofore only menaced, is now formidably attempted.

20 I hold, that in contemplation of universal law, and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper, ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our national Constitution, and the Union will endure forever—it being impossible to de-
25 stroy it, except by some action not provided for in the instrument itself.

Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade, by less than all the parties who made it? One party to a contract may violate it—break it, so to speak; but does
30 it not require all to lawfully rescind it?

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Descending from these general principles, we find the proposition that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was
5 further matured and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution, was "*to form a more perfect union.*"

10 But if destruction of the Union, by one, or by a part only, of the States, be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State, upon its own mere motion, can lawfully get out
15 of the Union,—that *resolves* and *ordinances* to that effect are legally void; and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances.

I therefore consider that, in view of the Constitution and the laws, the Union is unbroken;
20 and, to the extent of my ability, I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part; and I shall perform it, so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or, in some authoritative manner, direct the contrary. I trust this will not be regarded as a menace, but
25 only as the declared purpose of the Union that it *will* constitutionally defend, and maintain itself.

In doing this there needs to be no bloodshed or violence; and there shall be none, unless it be forced upon the national authority. The power confided to me, will be used to hold,
30 occupy, and possess the property, and places belonging to the government, and to collect

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the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion— no using of force against, or among the people anywhere. Where hostility to the United States, in any interior locality, shall be so great and so universal, as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the government to enforce the exercise of these offices, the attempt to do so would be so irritating, and so nearly impracticable with all, that I deem it better to forego, for the time, the uses of such offices.

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The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed, unless current events, and experience, shall show a modification, or change, to be proper; and in every case and exigency, my best discretion will be exercised, according to circumstances actually existing, and with a view and a hope of a peaceful solution of the national troubles, and the restoration of fraternal sympathies and affections.

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That there are persons in one section, or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm or deny; but if there be such, I need address no word to them. To those, however, who really love the Union, may I not speak?

25

Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories, and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step, while there is any possibility that any portion of the ills you fly from, have no real existence? Will you, while the certain ills you fly to, are greater than all the real ones you fly from? Will you risk the commission of so fearful a mistake? All profess to be content in the Union, if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not.

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Happily the human mind is so constituted, that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution—certainly would, if such right were a vital one. But such is not our case. All the vital rights of minorities, and of individuals, are so plainly assured to them, by affirmations and negations, guaranties and prohibitions, in the Constitution, that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length contain express provisions for all possible questions. Shall fugitives from labor be surrendered by national or by State authority? The Constitution does not expressly say. *May* Congress prohibit slavery in the territories? The Constitution does not expressly say. *Must* Congress protect slavery in the territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the government must cease. There is no other alternative; for continuing the government, is acquiescence on one side or the other. If a minority, in such case, will secede rather than acquiesce, they make a precedent which, in turn, will divide and ruin them; for a minority of their own will secede from them, whenever a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy, a year or two hence, arbitrarily secede again, precisely as portions of the present Union now claim to secede from it. All who cherish disunion sentiments, are now being educated to the exact temper of doing this. Is there such perfect identity of interests among the States to compose a new Union, as to produce harmony only, and prevent renewed secession?

Plainly, the central idea of secession, is the essence of anarchy. A majority, held in restraint by constitutional checks, and limitations, and always changing easily, with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people.

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Whoever rejects it, does, of necessity, fly to anarchy or to despotism. Unanimity is impossible; the rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy, or despotism in some form, is all that is left.

5 I do not forget the position assumed by some, that constitutional questions are to be decided by the Supreme Court; nor do I deny that such decisions must be binding in any case, upon the parties to a suit, as to the object of that suit, while they are also entitled to very high respect and consideration, in all parallel cases, by all other departments of the government. And while it is obviously possible that such decision may be erroneous in any given
10 case, still the evil effect following it, being limited to that particular case, with the chance that it may be over-ruled, and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time the candid citizen must confess that if the policy of the government, upon vital questions, affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordi-
15 nary litigation between parties, in personal actions, the people will have ceased, to be their own rulers, having, to that extent, practically resigned their government, into the hands of that eminent tribunal. Nor is there, in this view, any assault upon the court, or the judges. It is a duty, from which they may not shrink, to decide cases properly brought before them; and it is no fault of theirs, if others seek to turn their decisions to political purposes.

20

One section of our country believes slavery is *right*, and ought to be extended, while the other believes it is *wrong*, and ought not to be extended. This is the only substantial dispute. The fugitive slave clause of the Constitution, and the law for the suppression of the foreign slave trade, are each as well enforced, perhaps, as any law can ever be in a community where
25 the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, cannot be perfectly cured; and it would be worse in both cases *after* the separation of the sections, than before. The foreign slave trade, now imperfectly suppressed, would be ultimately revived without restriction, in one section; while fugitive slaves, now only partially
30 surrendered, would not be surrendered at all, by the other.

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Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence, and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face; and intercourse, either amicable or hostile, must continue between them. Is it possible then to make that intercourse more advantageous, or more satisfactory, *after* separation than *before*? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens, than laws can among friends? Suppose you go to war, you cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their *constitutional* right of amending it, or their *revolutionary* right to dismember, or overthrow it. I can not be ignorant of the fact that many worthy, and patriotic citizens are desirous of having the national constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself; and I should, under existing circumstances, favor, rather than oppose, a fair opportunity being afforded the people to act upon it.

I will venture to add that, to me, the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take, or reject, propositions, originated by others, not especially chosen for the purpose, and which might not be precisely such, as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution—which amendment, however, I have not seen, has passed Congress, to the effect that the federal government, shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments, so far as to say that, holding such a provision to now be implied constitutional law, I have no objection to its being made express, and irrevocable.

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The Chief Magistrate derives all his authority from the people, and they have referred none upon him to fix terms for the separation of the States. The people themselves can do this also if they choose; but the executive, as such, has nothing to do with it. His duty is to administer the present government, as it came to his hands, and to transmit it, unimpaired
5 by him, to his successor.

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better, or equal hope, in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of nations, with his eternal truth and jus-
10 tice, be on your side of the North, or on yours of the South, that truth, and that justice, will surely prevail, by the judgment of this great tribunal, the American people.

By the frame of the government under which we live, this same people have wisely given their public servants but little power for mischief; and have, with equal wisdom, provided
15 for the return of that little to their own hands at very short intervals.

While the people retain their virtue, and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government, in the short space of four
20 years.

My countrymen, one and all, think calmly and *well*, upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to *hurry* any of you, in hot haste, to a step which you would never take *deliberately*, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied, still have the
25 old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied, hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him, who has never yet forsaken this favored land, are still
30 competent to adjust, in the best way, all our present difficulty.

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In *your* hands, my dissatisfied fellow countrymen, and not in *mine*, is the momentous issue of civil war. The government will not assail you. You can have no conflict, without being yourselves the aggressors. *You* have no oath registered in Heaven to destroy the government, while *I* shall have the most solemn one to "preserve, protect and defend it."

5

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field, and patriot grave, to every living heart and hearthstone, all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

10

PRESIDENT ABRAHAM LINCOLN (R)

Message to Congress in Special Session

SPEECH

July 4, 1861

Congress | Washington, D.C.

BACKGROUND

President Abraham Lincoln delivered this speech to Congress after the first three months of the Civil War.

GUIDING QUESTIONS

1. As Lincoln summarizes, what was the policy his administration adopted at the outset of his presidency?
2. According to Lincoln's account, why was Fort Sumter attacked, and why did it fall?
3. In the aftermath of the Battle of Fort Sumter, what does Lincoln believe the conflict puts at stake?
4. What is the policy of "armed neutrality," and what does Lincoln think will be its consequences?
5. How does Lincoln justify authorizing the Commanding General to suspend the privilege of the writ of habeas corpus?
6. What is the "ingenious sophism" to which Lincoln refers, and why does Lincoln think that it is inconsistent with the Constitution?
7. What gives Lincoln confidence in the people of the Union, and what does he say is the "patriotic instinct of the plain people"?

Abraham Lincoln, "Message to Congress in Special Session," 4 July 1861, in *The Collected Works of Abraham Lincoln*, Vol. 4, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 421-41.

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Fellow-citizens of the Senate and House of Representatives:

Having been convened on an extraordinary occasion, as authorized by the Constitution, your attention is not called to any ordinary subject of legislation.

At the beginning of the present Presidential term, four months ago, the functions of the Federal Government were found to be generally suspended within the several States of South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Florida, excepting only those of the Post Office Department.

Within these States, all the Forts, Arsenals, Dock-yards, Custom-houses, and the like, including the movable and stationary property in, and about them, had been seized, and were held in open hostility to this Government, excepting only Forts Pickens, Taylor, and Jefferson, on, and near the Florida coast, and Fort Sumter, in Charleston harbor, South Carolina. The Forts thus seized had been put in improved condition; new ones had been built; and armed forces had been organized, and were organizing, all avowedly with the same hostile purpose.

The Forts remaining in the possession of the Federal government, in, and near, these States, were either besieged or menaced by warlike preparations; and especially Fort Sumter was nearly surrounded by well-protected hostile batteries, with guns equal in quality to the best of its own, and outnumbering the latter as perhaps ten to one. A disproportionate share, of the Federal muskets and rifles, had somehow found their way into these States, and had been seized, to be used against the government. Accumulations of the public revenue, lying within them, had been seized for the same object. The Navy was scattered in distant seas; leaving but a very small part of it within the immediate reach of the government. Officers of the Federal Army and Navy, had resigned in great numbers; and, of those resigning, a large proportion had taken up arms against the government. Simultaneously, and in connection, with all this, the purpose to sever the Federal Union, was openly avowed. In accordance with this purpose, an ordinance had been adopted in each of these States, declaring the States, respectively, to be separated from the National Union. A formula for insti-

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tuting a combined government of these states had been promulgated; and this illegal organization, in the character of confederate States was already invoking recognition, aid, and intervention, from Foreign Powers.

5 Finding this condition of things, and believing it to be an imperative duty upon the incoming Executive, to prevent, if possible, the consummation of such attempt to destroy the Federal Union, a choice of means to that end became indispensable. This choice was made; and was declared in the Inaugural address. The policy chosen looked to the exhaustion of all peaceful measures, before a resort to any stronger ones. It sought only to hold the public places and property, not already wrested from the Government, and to collect the revenue; 10 relying for the rest, on time, discussion, and the ballot-box. It promised a continuance of the mails, at government expense, to the very people who were resisting the government; and it gave repeated pledges against any disturbance to any of the people, or any of their rights. Of all that which a president might constitutionally, and justifiably, do in such a case, everything was foreborne, without which, it was believed possible to keep the govern- 15 ment on foot.

On the 5th of March, (the present incumbent's first full day in office) a letter of Major Anderson, commanding at Fort Sumter, written on the 28th of February, and received at the War Department on the 4th of March, was, by that Department, placed in his hands. This letter expressed the professional opinion of the writer, that re-inforcements could not be 20 thrown into that Fort within the time for his relief, rendered necessary by the limited supply of provisions, and with a view of holding possession of the same, with a force of less than twenty thousand good, and well-disciplined men. This opinion was concurred in by all the officers of his command; and their *memoranda* on the subject, were made enclosures of Major Anderson's letter. The whole was immediately laid before Lieutenant General Scott, 25 who at once concurred with Major Anderson in opinion. On reflection, however, he took full time, consulting with other officers, both of the Army and the Navy; and, at the end of four days, came reluctantly, but decidedly, to the same conclusion as before. He also stated at the same time that no such sufficient force was then at the control of the Government, or could be raised, and brought to the ground, within the time when the provisions in the

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Fort would be exhausted. In a purely military point of view, this reduced the duty of the administration, in the case, to the mere matter of getting the garrison safely out of the Fort.

It was believed, however, that to so abandon that position, under the circumstances, would be utterly ruinous; that the *necessity* under which it was to be done, would not be fully understood—that, by many, it would be construed as a part of a *voluntary* policy—that, at home, it would discourage the friends of the Union, embolden its adversaries, and go far to insure to the latter, a recognition abroad—that, in fact, it would be our national destruction consummated. This could not be allowed. Starvation was not yet upon the garrison; and ere it would be reached, *Fort Pickens* might be reinforced. This last, would be a clear indication of *policy*, and would better enable the country to accept the evacuation of Fort Sumter, as a military *necessity*. An order was at once directed to be sent for the landing of the troops from the Steamship Brooklyn, into Fort Pickens. This order could not go by land, but must take the longer, and slower route by sea. The first return news from the order was received just one week before the fall of Fort Sumter. The news itself was, that the officer commanding the Sabine, to which vessel the troops had been transferred from the Brooklyn, acting upon some *quasi* armistice of the late administration, (and of the existence of which, the present administration, up to the time the order was despatched, had only too vague and uncertain rumors, to fix attention) had refused to land the troops. To now reinforce Fort Pickens, before a crisis would be reached at Fort Sumter was impossible—rendered so by the near exhaustion of provisions in the latter-named Fort. In precaution against such a conjuncture, the government had, a few days before, commenced preparing an expedition, as well adapted as might be, to relieve Fort Sumter, which expedition was intended to be ultimately used, or not, according to circumstances. The strongest anticipated case, for using it, was now presented; and it was resolved to send it forward. As had been intended, in this contingency, it was also resolved to notify the Governor of South Carolina, that he might expect an attempt would be made to provision the Fort; and that, if the attempt should not be resisted, there would be no effort to throw in men, arms, or ammunition, without further notice, or in case of an attack upon the Fort. This notice was

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accordingly given; whereupon the Fort was attacked, and bombarded to its fall, without even awaiting the arrival of the provisioning expedition.

It is thus seen that the assault upon, and reduction of, Fort Sumter, was, in no sense, a matter of self-defense on the part of the assailants. They well knew that the garrison in the Fort could, by no possibility, commit aggression upon them. They knew—they were expressly notified—that the giving of bread to the few brave and hungry men of the garrison, was all which would on that occasion be attempted, unless themselves, by resisting so much, should provoke more. They knew that this Government desired to keep the garrison in the Fort, not to assail them, but merely to maintain visible possession, and thus to preserve the Union from actual, and immediate dissolution—trusting, as herein-before stated, to time, discussion, and the ballot-box, for final adjustment; and they assailed, and reduced the Fort, for precisely the reverse object—to drive out the visible authority of the Federal Union, and thus force it to immediate dissolution.

That this was their object, the Executive well understood; and having said to them in the inaugural address, "You can have no conflict without being yourselves the aggressors," he took pains, not only to keep this declaration good, but also to keep the case so free from the power of ingenious sophistry, as that the world should not be able to misunderstand it. By the affair at Fort Sumter, with its surrounding circumstances, that point was reached. Then, and thereby, the assailants of the Government, began the conflict of arms, without a gun in sight, or in expectancy, to return their fire, save only the few in the Fort, sent to that harbor, years before, for their own protection, and still ready to give that protection, in whatever was lawful. In this act, discarding all else, they have forced upon the country, the distinct issue: "Immediate dissolution, or blood."

And this issue embraces more than the fate of these United States. It presents to the whole family of man, the question, whether a constitutional republic, or a democracy—a government of the people, by the same people—can, or cannot, maintain its territorial integrity, against its own domestic foes. It presents the question, whether discontented individuals, too few in numbers to control administration, according to organic law, in any case, can

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always, upon the pretences made in this case, or on any other pretences, or arbitrarily, without any pretence, break up their Government, and thus practically put an end to free government upon the earth. It forces us to ask: "Is there, in all republics, this inherent, and fatal weakness?" "Must a government, of necessity, be too *strong* for the liberties of its own
5 people, or too *weak* to maintain its own existence?"

So viewing the issue, no choice was left but to call out the war power of the Government; and so to resist force, employed for its destruction, by force, for its preservation.

The call was made; and the response of the country was most gratifying; surpassing, in unanimity and spirit, the most sanguine expectation. Yet none of the States commonly
10 called Slave-states, except Delaware, gave a Regiment through regular State organization. A few regiments have been organized within some others of those states, by individual enterprise, and received into the government service. Of course the seceded States, so called, (and to which Texas had been joined about the time of the inauguration), gave no troops to the cause of the Union. The border States, so called, were not uniform in their actions;
15 some of them being almost *for* the Union, while in others—as Virginia, North Carolina, Tennessee, and Arkansas—the Union sentiment was nearly repressed, and silenced. The course taken in Virginia was the most remarkable—perhaps the most important. A convention, elected by the people of that State, to consider this very question of disrupting the Federal Union, was in session at the capital of Virginia when Fort Sumter fell. To this body
20 the people had chosen a large majority of *professed* Union men. Almost immediately after the fall of Sumter, many members of that majority went over to the original disunion minority, and, with them, adopted an ordinance for withdrawing the State from the Union. Whether this change was wrought by their great approval of the assault upon Sumter, or their great resentment at the government's resistance to that assault, is not definitely
25 known. Although they submitted the ordinance, for ratification, to a vote of the people, to be taken on a day then somewhat more than a month distant, the convention, and the Legislature, (which was also in session at the same time and place) with leading men of the State, not members of either, immediately commenced acting, as if the State were already out of the Union. They pushed military preparations vigorously forward all over the state.

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They seized the United States Armory at Harper's Ferry, and the Navy-yard at Gosport, near Norfolk. They received—perhaps invited— into their state, large bodies of troops, with their warlike appointments, from the so-called seceded States. They formally entered into a treaty of temporary alliance, and co-operation with the so-called "Confederate States," and sent members to their Congress at Montgomery. And, finally, they permitted the insurrectionary government to be transferred to their capital at Richmond.

The people of Virginia have thus allowed this giant insurrection to make its nest within her borders; and this government has no choice left but to deal with it, *where* it finds it. And it has the less regret, as the loyal citizens have, in due form, claimed its protection. Those loyal citizens, this government is bound to recognize, and protect, as being Virginia.

In the border States, so called—in fact, the middle states—there are those who favor a policy which they call "armed neutrality"—that is, an arming of those states to prevent the Union forces passing one way, or the disunion, the other, over their soil. This would be disunion completed. Figuratively speaking, it would be the building of an impassable wall along the line of separation. And yet, not quite an impassable one; for, under the guise of neutrality, it would tie the hands of the Union men, and freely pass supplies from among them, to the insurrectionists, which it could not do as an open enemy. At a stroke, it would take all the trouble off the hands of secession, except only what proceeds from the external blockade. It would do for the disunionists that which, of all things, they most desire—feed them well, and give them disunion without a struggle of their own. It recognizes no fidelity to the Constitution, no obligation to maintain the Union; and while very many who have favored it are, doubtless, loyal citizens, it is, nevertheless, treason in effect.

Recurring to the action of the government, it may be stated that, at first, a call was made for seventy-five thousand militia; and rapidly following this, a proclamation was issued for closing the ports of the insurrectionary districts by proceedings in the nature of Blockade. So far all was believed to be strictly legal. At this point the insurrectionists announced their purpose to enter upon the practice of privateering.

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Other calls were made for volunteers, to serve three years, unless sooner discharged; and also for large additions to the regular Army and Navy. These measures, whether strictly legal or not, were ventured upon, under what appeared to be a popular demand, and a public necessity; trusting, then as now, that Congress would readily ratify them. It is believed that nothing has been done beyond the constitutional competency of Congress.

Soon after the first call for militia, it was considered a duty to authorize the Commanding General, in proper cases, according to his discretion, to suspend the privilege of the writ of habeas corpus; or, in other words, to arrest, and detain, without resort to the ordinary processes and forms of law, such individuals as he might deem dangerous to the public safety.

10 This authority has purposely been exercised but very sparingly. Nevertheless, the legality and propriety of what has been done under it, are questioned; and the attention of the country has been called to the proposition that one who is sworn to "take care that the laws be faithfully executed," should not himself violate them. Of course some consideration was given to the questions of power, and propriety, before this matter was acted upon. The

15 whole of the laws which were required to be faithfully executed, were being resisted, and failing of execution, in nearly one-third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear, that by the use of the means necessary to their execution, some single law, made in such extreme tenderness of the citizen's liberty, that practically, it relieves more of the guilty, than of the innocent, should, to a very limited

20 extent, be violated? To state the question more directly, are all the laws, *but one*, to go unexecuted, and the government itself go to pieces, lest that one be violated? Even in such a case, would not the official oath be broken, if the government should be overthrown, when it was believed that disregarding the single law, would tend to preserve it? But it was not believed that this question was presented. It was not believed that any law was violated. The

25 provision of the Constitution that "The privilege of the writ of habeas corpus, shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it," is equivalent to a provision—is a provision—that such privilege may be suspended when, in cases of rebellion, or invasion, the public safety *does* require it. It was decided that we have a case of rebellion, and that the public safety does require the qualified suspension of

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the privilege of the writ which was authorized to be made. Now it is insisted that Congress, and not the Executive, is vested with this power. But the Constitution itself, is silent as to which, or who, is to exercise the power; and as the provision was plainly made for a dangerous emergency, it cannot be believed the framers of the instrument intended, that in every case, the danger should run its course, until Congress could be called together; the very assembling of which might be prevented, as was intended in this case, by the rebellion.

No more extended argument is now offered; as an opinion, at some length, will probably be presented by the Attorney General. Whether there shall be any legislation upon the subject, and if any, what, is submitted entirely to the better judgment of Congress.

The forbearance of this government had been so extraordinary, and so long continued, as to lead some foreign nations to shape their action as if they supposed the early destruction of our national Union was probable. While this, on discovery, gave the Executive some concern, he is now happy to say that the sovereignty, and rights of the United States, are now everywhere practically respected by foreign powers; and a general sympathy with the country is manifested throughout the world.

The reports of the Secretaries of the Treasury, War, and the Navy, will give the information in detail deemed necessary, and convenient for your deliberation, and action; while the Executive, and all the Departments, will stand ready to supply omissions, or to communicate new facts, considered important for you to know.

It is now recommended that you give the legal means for making this contest a short, and a decisive one; that you place at the control of the government, for the work, at least four hundred thousand men, and four hundred millions of dollars. That number of men is about one tenth of those of proper ages within the regions where, apparently, *all* are willing to engage; and the sum is less than a twenty-third part of the money value owned by the men who seem ready to devote the whole. A debt of six hundred millions of dollars now, is a less sum per head, than was the debt of our revolution, when we came out of that struggle; and the money value in the country, now bears even a greater proportion to what it was *then*,

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than does the population. Surely each man has as strong a motive *now*, to *preserve* our liberties, as each had *then*, to *establish* them.

A right result, at this time, will be worth more to the world, than ten times the men, and ten times the money. The evidence reaching us from the country, leaves no doubt, that the material for the work is abundant; and that it needs only the hand of legislation to give it
5 legal sanction, and the hand of the Executive to give it practical shape and efficiency. One of the greatest perplexities of the government, is to avoid receiving troops faster than it can provide for them. In a word, the people will save their government, if the government itself, will do its part, only indifferently well.

10 It might seem, at first thought, to be of little difference whether the present movement at the South be called "secession" or "rebellion." The movers, however, well understand the difference. At the beginning, they knew they could never raise their treason to any respectable magnitude, by any name which implies *violation* of law. They knew their people possessed as much of moral sense, as much of devotion to law and order, and as much pride
15 in, and reverence for, the history, and government, of their common country, as any other civilized, and patriotic people. They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly they commenced by an insidious debauching of the public mind. They invented an ingenious sophism, which, if conceded, was followed by perfectly logical steps, through all the incidents, to the complete destruc-
20 tion of the Union. The sophism itself is, that any state of the Union may, *consistently* with the national Constitution, and therefore *lawfully*, and *peacefully*, withdraw from the Union, without the consent of the Union, or of any other state. The little disguise that the supposed right is to be exercised only for just cause, themselves to be the sole judge of its justice, is too thin to merit any notice.

25 With rebellion thus sugar-coated, they have been drugging the public mind of their section for more than thirty years; and, until at length, they have brought many good men to a willingness to take up arms against the government the day *after* some assemblage of men

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have enacted the farcical pretence of taking their State out of the Union, who could have been brought to no such thing the day *before*.

This sophism derives much—perhaps the whole—of its currency, from the assumption, that there is some omnipotent, and sacred supremacy, pertaining to a *State*—to each State
5 of our Federal Union. Our States have neither more, nor less power, than that reserved to them, in the Union, by the Constitution—no one of them ever having been a State *out* of the Union. The original ones passed into the Union even *before* they cast off their British colonial dependence; and the new ones each came into the Union directly from a condition of dependence, excepting Texas. And even Texas, in its temporary independence, was never
10 designated a State. The new ones only took the designation of States, on coming into the Union, while that name was first adopted for the old ones, in, and by, the Declaration of Independence. Therein the "United Colonies" were declared to be "Free and Independent States"; but, even then, the object plainly was not to declare their independence of *one another*, or of the *Union*; but directly the contrary, as their mutual pledge, and their mutual
15 action, before, at the time, and afterwards, abundantly show. The express plighting of faith, by each and all of the original thirteen, in the Articles of Confederation, two years later, that the Union shall be perpetual, is most conclusive. Having never been States, either in substance, or in name, *outside* of the Union, whence this magical omnipotence of "State rights," asserting a claim of power to lawfully destroy the Union itself? Much is said about
20 the "sovereignty" of the States; but the word, even, is not in the national Constitution; nor, as is believed, in any of the State constitutions. What is a "sovereignty," in the political sense of the term? Would it be far wrong to define it "A political community, without a political superior"? Tested by this, no one of our States, except Texas, ever was a sovereignty. And even Texas gave up the character on coming into the Union; by which act, she acknowl-
25 edged the Constitution of the United States, and the laws and treaties of the United States made in pursuance of the Constitution, to be, for her, the supreme law of the land. The States have their *status* in the Union, and they have no other *legal status*. If they break from this, they can only do so against law, and by revolution. The Union, and not themselves separately, procured their independence, and their liberty. By conquest, or purchase, the

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Union gave each of them, whatever of independence, and liberty, it has. The Union is older than any of the States; and, in fact, it created them as States. Originally, some dependent colonies made the Union; and, in turn, the Union threw off their old dependence, for them, and made them States, such as they are. Not one of them ever had a State constitution,
5 independent of the Union. Of course, it is not forgotten that all the new States framed their constitutions, before they entered the Union; nevertheless, dependent upon, and preparatory to, coming into the Union.

Unquestionably the States have the powers, and rights, reserved to them in, and by the National Constitution; but among these, surely, are not included all conceivable powers,
10 however mischievous, or destructive; but, at most, such only, as were known in the world, at the time, as governmental powers; and certainly, a power to destroy the government itself, had never been known as a governmental—as a merely administrative power. This relative matter of National power, and State rights, as a principle, is no other than the principle of *generality*, and *locality*. Whatever concerns the whole, should be confided to the
15 whole—to the general government; while, whatever concerns *only* the State, should be left exclusively, to the State. This is all there is of original principle about it. Whether the National Constitution, in defining boundaries between the two, has applied the principle with exact accuracy, is not to be questioned. We are all bound by that defining, without question.

What is now combatted, is the position that secession is *consistent* with the Constitution—
20 is *lawful*, and *peaceful*. It is not contended that there is any express law for it; and nothing should ever be implied as law, which leads to unjust, or absurd consequences. The nation purchased, with money, the countries out of which several of these States were formed. Is it just that they shall go off without leave, and without refunding? The nation paid very large sums, (in the aggregate, I believe, nearly a hundred millions) to relieve Florida of the
25 aboriginal tribes. Is it just that she shall now be off without consent, or without making any return? The nation is now in debt for money applied to the benefit of these so-called seceding States, in common with the rest. Is it just, either that creditors shall go unpaid, or the remaining States pay the whole? A part of the present national debt was contracted to pay the old debts of Texas. Is it just that she shall leave, and pay no part of this herself?

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Again, if one State may secede, so may another; and when all shall have seceded, none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours, when we borrowed their money? If we now recognize this doctrine, by allowing the seceders to go in peace, it is difficult to see what we can do, if others choose to go, or to
5 extort terms upon which they will promise to remain.

The seceders insist that our Constitution admits of secession. They have assumed to make a National Constitution of their own, in which, of necessity, they have either *discarded*, or *retained*, the right of secession, as they insist, it exists in ours. If they have discarded it, they thereby admit that, on principle, it ought not to be in ours. If they have retained, it by their
10 own construction of ours they show that to be consistent they must secede from one another, whenever they shall find it the easiest way of settling their debts, or effecting any other selfish, or unjust object. The principle itself is one of disintegration, and upon which no government can possibly endure.

If all the States, save one, should assert the power to *drive* that one out of the Union, it is
15 presumed the whole class of seceder politicians would at once deny the power, and denounce the act as the greatest outrage upon State rights. But suppose that precisely the same act, instead of being called "driving the one out," should be called "the seceding of the others from that one," it would be exactly what the seceders claim to do; unless, indeed, they make the point, that the one, because it is a minority, may rightfully do, what the others, because
20 they are a majority, may not rightfully do. These politicians are subtle, and profound, on the rights of minorities. They are not partial to that power which made the Constitution, and speaks from the preamble, calling itself "We, the People."

It may well be questioned whether there is, today, a majority of the legally qualified voters of any State, except perhaps South Carolina, in favor of disunion. There is much reason to
25 believe that the Union men are the majority in many, if not in every other one, of the so-called seceded States. The contrary has not been demonstrated in any one of them. It is ventured to affirm this, even of Virginia and Tennessee; for the result of an election, held in military camps, where the bayonets are all on one side of the question voted upon, can

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scarcely be considered as demonstrating popular sentiment. At such an election, all that large class who are, at once, *for* the Union, and *against* coercion, would be coerced to vote against the Union.

5 It may be affirmed, without extravagance, that the free institutions we enjoy, have developed the powers, and improved the condition, of our whole people, beyond any example in the world. Of this we now have a striking, and an impressive illustration. So large an army as the government has now on foot, was never before known, without a soldier in it, but who had taken his place there, of his own free choice. But more than this: there are many single Regiments whose members, one and another, possess full practical knowledge
10 of all the arts, sciences, professions, and whatever else, whether useful or elegant, is known in the world; and there is scarcely one, from which there could not be selected, a President, a Cabinet, a Congress, and perhaps a Court, abundantly competent to administer the government itself. Nor do I say this is not true, also, in the army of our late friends, now adversaries, in this contest; but if it is, so much better the reason why the government, which
15 has conferred such benefits on both them and us, should not be broken up. Whoever, in any section, proposes to abandon such a government, would do well to consider, in deference to what principle it is, that he does it—what better he is likely to get in its stead—whether the substitute will give, or be intended to give, so much of good to the people. There are some foreshadowings on this subject. Our adversaries have adopted some
20 Declarations of Independence, in which, unlike the good old one, penned by Jefferson, they omit the words "all men are created equal." Why? They have adopted a temporary national constitution, in the preamble of which, unlike our good old one, signed by Washington, they omit "We, the People," and substitute "We, the deputies of the sovereign and independent States." Why? Why this deliberate pressing out of view, the rights of men, and the
25 authority of the people?

This is essentially a People's contest. On the side of the Union, it is a struggle for maintaining in the world, that form, and substance of government, whose leading object is, to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all, an unfettered start, and a fair chance, in the race of

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life. Yielding to partial, and temporary departures, from necessity, this is the leading object of the government for whose existence we contend.

I am most happy to believe that the plain people understand, and appreciate this. It is worthy of note, that while in this, the government's hour of trial, large numbers of those in the
5 Army and Navy, who have been favored with the offices, have resigned, and proved false to the hand which had pampered them, not one common soldier, or common sailor is known to have deserted his flag.

Great honor is due to those officers who remain true, despite the example of their treacherous associates; but the greatest honor, and most important fact of all, is the unanimous
10 firmness of the common soldiers, and common sailors. To the last man, so far as known, they have successfully resisted the traitorous efforts of those, whose commands, but an hour before, they obeyed as absolute law. This is the patriotic instinct of the plain people. They understand, without an argument, that destroying the government, which was made by Washington, means no good to them.

15 Our popular government has often been called an experiment. Two points in it, our people have already settled—the successful *establishing*, and the successful *administering* of it. One still remains—its successful *maintenance* against a formidable internal attempt to overthrow it. It is now for them to demonstrate to the world, that those who can fairly carry an election, can also suppress a rebellion—that ballots are the rightful, and peaceful, successors
20 of bullets; and that when ballots have fairly, and constitutionally, decided, there can be no successful appeal, back to bullets; that there can be no successful appeal, except to ballots themselves, at succeeding elections. Such will be a great lesson of peace; teaching men that what they cannot take by an election, neither can they take it by a war—teaching all, the folly of being the beginners of a war.

25 Lest there be some uneasiness in the minds of candid men, as to what is to be the course of the government, towards the Southern States, *after* the rebellion shall have been suppressed, the Executive deems it proper to say, it will be his purpose then, as ever, to be

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guided by the Constitution, and the laws; and that he probably will have no different understanding of the powers, and duties of the Federal government, relatively to the rights of the States, and the people, under the Constitution, than that expressed in the inaugural address.

5 He desires to preserve the government, that it may be administered for all, as it was administered by the men who made it. Loyal citizens everywhere, have the right to claim this of their government; and the government has no right to withhold, or neglect it. It is not perceived that, in giving it, there is any coercion, any conquest, or any subjugation, in any just sense of those terms.

10 The Constitution provides, and all the States have accepted the provision, that "The United States shall guarantee to every State in this Union a republican form of government." But, if a State may lawfully go out of the Union, having done so, it may also discard the republican form of government; so that to prevent its going out, is an indispensable *means*, to the *end*, of maintaining the guaranty mentioned; and when an end is lawful and obligatory,
15 the indispensable means to it, are also lawful, and obligatory.

It was with the deepest regret that the Executive found the duty of employing the war-power, in defense of the government, forced upon him. He could but perform this duty, or surrender the existence of the government. No compromise, by public servants, could, in this case, be a cure; not that compromises are not often proper, but that no popular government can long survive a marked precedent, that those who carry an election, can only
20 save the government from immediate destruction, by giving up the main point, upon which the people gave the election. The people themselves, and not their servants, can safely reverse their own deliberate decisions. As a private citizen, the Executive could not have consented that these institutions shall perish; much less could he, in betrayal of so vast, and so
25 sacred a trust, as these free people had confided to him. He felt that he had no moral right to shrink; nor even to count the chances of his own life, in what might follow. In full view of his great responsibility, he has, so far, done what he has deemed his duty. You will now, according to your own judgment, perform yours. He sincerely hopes that your views, and

Message to Congress in Special Session
Abraham Lincoln

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your action, may so accord with his, as to assure all faithful citizens, who have been disturbed in their rights, of a certain, and speedy restoration to them, under the Constitution, and the laws.

5 And having thus chosen our course, without guile, and with pure purpose, let us renew our trust in God, and go forward without fear, and with manly hearts.

PRESIDENT ABRAHAM LINCOLN (R-IL)

A Proclamation

AN ORDER

January 1, 1863
Executive Mansion | Washington, D.C.

Emancipation Proclamation

BACKGROUND

On September 22, 1862 after the Union victory in the Battle of Antietam, Abraham Lincoln announced this order concerning property in slaves in the rebelling states, which took effect January 1, 1863.

GUIDING QUESTIONS

1. Whom did the proclamation free?
2. In which places did this order apply?
3. By what authority did Lincoln issue this order?
4. What military purpose did the order serve?
5. What did Lincoln implore of slaves freed by the order?

Abraham Lincoln, "Emancipation Proclamation," 1 January 1863, in *The Collected Works of Abraham Lincoln*, Vol. 6, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 28–30.

The Emancipation Proclamation
Abraham Lincoln

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By the President of the United States of America: A Proclamation.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief, of the Army and Navy of the United States in time of actual armed rebellion against authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do publicly proclaimed for the full period of one hundred days, from the day first above mentioned, order and designate as the States and parts of States wherein

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Abraham Lincoln

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the people thereof respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the Parishes of St. Bernard, Plaquemines, Jefferson, St. Johns, St. Charles, St. James, Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans, including the City of New Orleans) Mississippi, Alabama, Florida, Georgia, South-Carolina, North-Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkley, Accomac, Northampton, Elizabeth-City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth); and which excepted parts are, for the present, left precisely as if this proclamation were not issued.

And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

30

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

Done at the City of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-seventh.

By the President:

10 Abraham Lincoln

William H. Seward, *Secretary of State*.

PRESIDENT ABRAHAM LINCOLN (R)

On the Consecration of the Soldiers' National Cemetery

SPEECH

November 19, 1863

Soldiers' National Cemetery | Gettysburg, Pennsylvania

Gettysburg Address

BACKGROUND

Abraham Lincoln delivered these remarks at the dedication of the Union cemetery for those soldiers killed in the Battle of Gettysburg in the summer of 1863.

GUIDING QUESTIONS

1. For Lincoln, what is the central idea of the American Founding?
2. For what cause did the soldiers buried in Gettysburg give their lives?
3. What were they fighting to defend?
4. To what cause does Lincoln wish for listeners to dedicate themselves?

Abraham Lincoln, "Gettysburg Address," 19 November 1863, in *The Collected Works of Abraham Lincoln*, Vol. 7, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 23.

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Four score and seven years ago our fathers brought forth, on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle-field of that war.

5 We have come to dedicate a portion of that field, as a final resting-place for those who here gave their lives, that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it far
10 above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—
15 that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

PRESIDENT ABRAHAM LINCOLN (R)
Second Inaugural Address

SPEECH

March 4, 1865
U.S. Capitol | Washington, D.C.

BACKGROUND

Having been reelected and with the end of the Civil War in sight, Abraham Lincoln delivered this speech at his inauguration to a second term as president.

GUIDING QUESTIONS

1. According to Lincoln, who caused the Civil War?
2. What role in the war does Lincoln ascribe to God?
3. How does Lincoln think the North should treat the South when the war ends?

Abraham Lincoln, "Second Inaugural Address," 4 March 1865, in *The Collected Works of Abraham Lincoln*, Vol. 8, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 332–33.

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Fellow Countrymen:

At this second appearing to take the oath of the presidential office, there is less occasion for an extended address than there was at the first. Then a statement, somewhat in detail, of a course to be pursued, seemed fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention, and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself; and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil-war. All dreaded it—all sought to avert it. While the inaugural address was being delivered from this place, devoted altogether to *saving* the Union without war, insurgent agents were in the city seeking to *destroy* it without war—seeking to dissolve the Union, and divide effects, by negotiation. Both parties deprecated war; but one of them would *make* war rather than let the nation survive; and the other would *accept* war rather than let it perish. And the war came.

One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was, somehow, the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union, even by war; while the government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war, the magnitude, or the duration, which it has already attained. Neither anticipated that the *cause* of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible, and pray to the same God; and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of

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- other men's faces; but let us judge not that we be not judged. The prayers of both could not be answered; that of neither has been answered fully. The Almighty has His own purposes. "Woe unto the world because of offenses! for it must needs be that offenses come; but woe to that man by whom the offense cometh!" If we shall suppose that American Slavery is one
- 5 of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South, this terrible war, as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a Living God always ascribe to Him? Fondly do we hope—fervently do we pray—that this
- 10 mighty scourge of war may speedily pass away. Yet, if God wills that it continue, until all the wealth piled by the bond-man's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said "the judgments of the Lord, are true and righteous altogether."
- 15 With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.

UNITED STATES CONGRESS

Civil Rights Act

LAW

April 9, 1866
United States of America

BACKGROUND

Congress passed this Civil Rights Act of 1866 on the first anniversary of the end to the Civil War.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition

5 of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is

10 enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

Sec. 2. And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of

15 any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time

Civil Rights Act of 1866, Pub. L. No. 39-26, 14 Stat. 27-30 (1866).

been held in a condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor and, on conviction, shall be punished by fine not exceeding one thousand dollars,
 5 or imprisonment not exceeding one year, or both

Sec. 3. And be it further enacted, That the district courts of the United States . . . shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, affecting persons who are denied or cannot
 10 enforce in the courts or judicial tribunals of the State or locality where they may be any of the rights secured to them by the first section of this act. . . .

Sec. 4. And be it further enacted, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the
 15 laws of the United States . . . and every other officer who may be specially empowered by the President of the United States, shall be . . . specially authorized and required, at the expense of the United States, to institute proceedings against . . . every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed . . . for trial before such court of the United States or territorial court as by this act
 20 has cognizance of the offence. . . .

Sec. 6. And be it further enacted, That any person who shall knowingly and willfully obstruct, hinder, or prevent any officer . . . charged with the execution of any warrant . . . or shall rescue or attempt to rescue such person from the custody of the officer . . . or shall aid, abet, or assist any person so arrested . . . to escape from the custody of the officer . . . or
 25 shall harbor or conceal any person for whose arrest a warrant or process shall have been issued . . . so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall . . . be subject to a fine . . . and imprisonment not exceeding six months. . . .

...

5 Sec. 8. And be it further enacted, That whenever the President of the United States shall have reason to believe that offences have been or are likely to be committed against the provisions of this act . . . it shall be lawful for him . . . to direct the judge, marshal, and district attorney . . . to attend at such place . . . for the purpose of the more speedy arrest and trial of persons charged with a violation of this act; and it shall be the duty of every judge or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

10 Sec. 9. And be it further enacted, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation and enforce the due execution of this act.

15 Sec. 10. And be it further enacted, That upon all questions of law arising in any cause under the provisions of this act a final appeal may be taken to the Supreme Court of the United States.

U.S. CONGRESS AND STATES

Thirteenth Amendment to the Constitution

AMENDMENT

December 18, 1865
United States of America

BACKGROUND

The U.S. Congress passed and three-quarters of states ratified the Thirteen Amendment to the U.S. Constitution by December 6, 1865, and the amendment was acknowledged as effective by Secretary of State William Seward on December 18, 1865.

ANNOTATIONS

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Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

U.S. Const. amend. XIII.

U.S. CONGRESS AND STATES**Fourteenth Amendment to the Constitution**

AMENDMENT

July 28, 1868
United States of America

BACKGROUND

The U.S. Congress passed and three-quarters of states ratified the Fourteenth Amendment to the U.S. Constitution by July 21, 1868, and the amendment was acknowledged as effective by Secretary of State William Seward on July 28, 1868.

ANNOTATIONS**NOTES & QUESTIONS**

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of

U.S. Const. amend. XIV.

such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

5 Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

10

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

15

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

U.S. CONGRESS AND STATES

Fifteenth Amendment to the Constitution

AMENDMENT

March 30, 1870
United States of America

BACKGROUND

The U.S. Congress passed and three-quarters of states ratified the Fifteenth Amendment to the U.S. Constitution by February 3, 1870, and the amendment was acknowledged as effective by Secretary of State Hamilton Fish on March 30, 1870.

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Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

U.S. Const. amend. XV.

BOOKER T. WASHINGTON**To the Cotton States and International Exposition**

SPEECH

September 18, 1895
Atlanta, Georgia

The Atlanta Exposition Address

BACKGROUND

Former slave and Tuskegee Institute founder Booker T. Washington delivered this address to attendees at the Cotton States and International Exposition in Atlanta, Georgia.

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Mr. President and Gentlemen of the Board of Directors and Citizens:

One-third of the population of the South is of the Negro race. No enterprise seeking the material, civil, or moral welfare of this section can disregard this element of our population and reach the highest success. I but convey to you, Mr. President and Directors, the senti-
5 ment of the masses of my race when I say that in no way have the value and manhood of the American Negro been more fittingly and generously recognized than by the managers of this magnificent Exposition at every stage of its progress. It is a recognition that will do more to cement the friendship of the two races than any occurrence since the dawn of our freedom.

10 Not only this, but the opportunity here afforded will awaken among us a new era of industrial progress. Ignorant and inexperienced, it is not strange that in the first years of our new life we began at the top instead of at the bottom; that a seat in Congress or the state legislature was more sought than real estate or industrial skill; that the political convention of stump speaking had more attraction than starting a dairy farm or truck garden.

Booker T. Washington, Chapter 14 in *Up from Slavery: An Autobiography* (New York: Doubleday, 1901).

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A ship lost at sea for many days suddenly sighted a friendly vessel. From the mast of the unfortunate vessel was seen a signal, "Water, water; we die of thirst!" The answer from the friendly vessel at once came back, "Cast down your bucket where you are." A second time the signal, "Water, water; send us water!" ran up from the distressed vessel, and was answered, "Cast down your bucket where you are." And a third and fourth signal for water was answered, "Cast down your bucket where you are." The captain of the distressed vessel, at last heeding the injunction, cast down his bucket, and it came up full of fresh, sparkling water from the mouth of the Amazon River. To those of my race who depend on bettering their condition in a foreign land or who underestimate the importance of cultivating friendly relations with the Southern white man, who is their next-door neighbour, I would say: "Cast down your bucket where you are"—cast it down in making friends in every manly way of the people of all races by whom we are surrounded.

Cast it down in agriculture, mechanics, in commerce, in domestic service, and in the professions. And in this connection it is well to bear in mind that whatever other sins the South may be called to bear, when it comes to business, pure and simple, it is in the South that the Negro is given a man's chance in the commercial world, and in nothing is this Exposition more eloquent than in emphasizing this chance. Our greatest danger is that in the great leap from slavery to freedom we may overlook the fact that the masses of us are to live by the productions of our hands, and fail to keep in mind that we shall prosper in proportion as we learn to dignify and glorify common labour and put brains and skill into the common occupations of life; shall prosper in proportion as we learn to draw the line between the superficial and the substantial, the ornamental gewgaws of life and the useful. No race can prosper till it learns that there is as much dignity in tilling a field as in writing a poem. It is at the bottom of life we must begin, and not at the top. Nor should we permit our grievances to overshadow our opportunities.

To those of the white race who look to the incoming of those of foreign birth and strange tongue and habits for the prosperity of the South, were I permitted I would repeat what I say to my own race, "Cast down your bucket where you are." Cast it down among the eight millions of Negroes whose habits you know, whose fidelity and love you have tested in days

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when to have proved treacherous meant the ruin of your firesides. Cast down your bucket among these people who have, without strikes and labour wars, tilled your fields, cleared your forests, builded your railroads and cities, and brought forth treasures from the bowels of the earth, and helped make possible this magnificent representation of the progress of the South. Casting down your bucket among my people, helping and encouraging them as you are doing on these grounds, and to education of head, hand, and heart, you will find that they will buy your surplus land, make blossom the waste places in your fields, and run your factories. While doing this, you can be sure in the future, as in the past, that you and your families will be surrounded by the most patient, faithful, law-abiding, and unresentful people that the world has seen. As we have proved our loyalty to you in the past, in nursing your children, watching by the sick-bed of your mothers and fathers, and often following them with tear-dimmed eyes to their graves, so in the future, in our humble way, we shall stand by you with a devotion that no foreigner can approach, ready to lay down our lives, if need be, in defence of yours, interlacing our industrial, commercial, civil, and religious life with yours in a way that shall make the interests of both races one. In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress.

There is no defence or security for any of us except in the highest intelligence and development of all. If anywhere there are efforts tending to curtail the fullest growth of the Negro, let these efforts be turned into stimulating, encouraging, and making him the most useful and intelligent citizen. Effort or means so invested will pay a thousand per cent. interest. These efforts will be twice blessed—"blessing him that gives and him that takes."

There is no escape through law of man or God from the inevitable:-

The laws of changeless justice bind

Oppressor with oppressed;

And close as sin and suffering joined

We march to fate abreast.

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Nearly sixteen millions of hands will aid you in pulling the load upward, or they will pull against you the load downward. We shall constitute one-third and more of the ignorance and crime of the South, or one-third its intelligence and progress; we shall contribute one-third to the business and industrial prosperity of the South, or we shall prove a veritable
5 body of death, stagnating, depressing, retarding every effort to advance the body politic.

Gentlemen of the Exposition, as we present to you our humble effort at an exhibition of our progress, you must not expect overmuch. Starting thirty years ago with ownership here and there in a few quilts and pumpkins and chickens (gathered from miscellaneous sources), remember the path that has led from these to the inventions and production of
10 agricultural implements, buggies, steam-engines, newspapers, books, statuary, carving, paintings, the management of drug-stores and banks, has not been trodden without contact with thorns and thistles. While we take pride in what we exhibit as a result of our independent efforts, we do not for a moment forget that our part in this exhibition would fall far short of your expectations but for the constant help that has come to our educational
15 life, not only from the Southern states, but especially from Northern philanthropists, who have made their gifts a constant stream of blessing and encouragement.

The wisest among my race understand that the agitation of questions of social equality is the extremest folly, and that progress in the enjoyment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing. No
20 race that has anything to contribute to the markets of the world is long in any degree ostracized. It is important and right that all privileges of the law be ours, but it is vastly more important that we be prepared for the exercises of these privileges. The opportunity to earn a dollar in a factory just now is worth infinitely more than the opportunity to spend a dollar in an opera-house.

25 In conclusion, may I repeat that nothing in thirty years has given us more hope and encouragement, and drawn us so near to you of the white race, as this opportunity offered by the Exposition; and here bending, as it were, over the altar that represents the results of the struggles of your race and mine, both starting practically empty-handed three decades ago,

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I pledge that in your effort to work out the great and intricate problem which God has laid at the doors of the South, you shall have at all times the patient, sympathetic help of my race; only let this be constantly in mind, that, while from representations in these buildings of the product of field, of forest, of mine, of factory, letters, and art, much good will come, yet far above and beyond material benefits will be that higher good, that, let us pray God, 5 will come, in a blotting out of sectional differences and racial animosities and suspicions, in a determination to administer absolute justice, in a willing obedience among all classes to the mandates of law. This, this, coupled with our material prosperity, will bring into our beloved South a new heaven and a new earth

W.E.B. DuBois**“The Talented Tenth”**

ESSAY EXCERPTS

September 1903
*The Negro Problem***BACKGROUND**

Atlanta University professor W.E.B. DuBois published this essay in the book *The Negro Problem* alongside contributions from other African American leaders, including Booker T. Washington, who edited the book.

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The Negro race, like all races, is going to be saved by its exceptional men. The problem of education, then, among Negroes must first of all deal with the Talented Tenth; it is the problem of developing the Best of this race that they may guide the Mass away from the contamination and death of the Worst, in their own and other races. Now the training of

5 men is a difficult and intricate task. Its technique is a matter for educational experts, but its object is for the vision of seers. If we make money the object of man-training, we shall develop money-makers but not necessarily men; if we make technical skill the object of education, we may possess artisans but not, in nature, men. Men we shall have only as we

10 make manhood the object of the work of the schools—intelligence, broad sympathy, knowledge of the world that was and is, and of the relation of men to it—this is the curriculum of that Higher Education which must underlie true life. On this foundation we may build bread winning, skill of hand and quickness of brain, with never a fear lest the child and man mistake the means of living for the object of life....

15 Can the masses of the Negro people be in any possible way more quickly raised than by the effort and example of this aristocracy of talent and character? Was there ever a nation on

W.E.B. DuBois, "The Talented Tenth" in *The Negro Problem: A Series of Articles by Representative American Negroes of To-Day* (New York: James Pott & Co., 1903), 31-75.

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God’s fair earth civilized from the bottom upward? Never; it is, ever was and ever will be from the top downward that culture filters. The Talented Tenth rises and pulls all that are-worth the saving up to their vantage ground. This is the history of human progress; and the two historic mistakes which have hindered that progress were the thinking first that no
5 more could ever rise save the few already risen; or second, that it would better the uprisen to pull the risen down.

How then shall the leaders of a struggling people be trained and the hands of the risen few strengthened? There can be but one answer: The best and most capable of their youth must be schooled in the colleges and universities of the land. We will not quarrel as to just what
10 the university of the Negro should teach or how it should teach it—I willingly admit that each soul and each race-soul needs its own peculiar curriculum. But this is true: A univer- sity is a human invention for the transmission of knowledge and culture from generation to generation, through the training of quick minds and pure hearts, and for this work no other human invention will suffice, not even trade and industrial schools.

15 All men cannot go to college but some men must; every isolated group or nation must have its yeast, must have for the talented few centers of training where men are not so mystified and befuddled by the hard and necessary toil of earning a living, as to have no aims higher than their bellies, and no God greater than Gold. This is true training, and thus in the be-
20 ginning were the favored sons of the freedmen trained. Out of the colleges of the North came, after the blood of war, Ware, Cravath, Chase, Andrews, Bumstead and Spence to build the foundations of knowledge and civilization in the black South. Where ought they to have begun to build? At the bottom, of course, quibbles the mole with his eyes in the earth. Aye! truly at the bottom, at the very bottom; at the bottom of knowledge, down in the very depths of knowledge there where the roots of justice strike into the lowest soil of
25 Truth. And so they did begin; they founded colleges, and up from the colleges shot normal schools, and out from the normal schools went teachers, and around the normal teachers clustered other teachers to teach the public schools; the college trained in Greek and Latin and mathematics, 2,000 men; and these men trained full 50,000 others in morals and man-
ners, and they in turn taught thrift and the alphabet to nine millions of men, who to-day

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hold \$300,000,000 of property. It was a miracle – the most wonderful peace-battle of the 19th century, and yet to-day men smile at it, and in fine superiority tell us that it was all a strange mistake; that a proper way to found a system of education is first to gather the children and buy them spelling books and hoes; afterward men may look about for teachers, if haply they may find them; or again they would teach men Work, but as for Life—why, what has Work to do with Life, they ask vacantly....

The problem of training the Negro is to-day immensely complicated by the fact that the whole question of the efficiency and appropriateness of our present systems of education, for any kind of child, is a matter of active debate, in which final settlement seems still afar off. Consequently it often happens that persons arguing for or against certain systems of education for Negroes, have these controversies in mind and miss the real question at issue. The main question, so far as the Southern Negro is concerned, is: What under the present circumstance, must a system of education do in order to raise the Negro as quickly as possible in the scale of civilization? The answer to this question seems to me clear: It must strengthen the Negro’s character, increase his knowledge and teach him to earn a living. Now it goes without saying that it is hard to do all these things simultaneously or suddenly and that at the same time it will not do to give all the attention to one and neglect the others; we could give black boys trades, but that alone will not civilize a race of ex-slaves; we might simply increase their knowledge of the world, but this would not necessarily make them wish to use this knowledge honestly; we might seek to strengthen character and purpose, but to what end if this people have nothing to eat or to wear? A system of education is not one thing, nor does it have a single definite object, nor is it a mere matter of schools. Education is that whole system of human training within and without the school house walls, which molds and develops men. If then we start out to train an ignorant and unskilled people with a heritage of bad habits, our system of training must set before itself two great aims—the one dealing with knowledge and character, the other part seeking to give the child the technical knowledge necessary for him to earn a living under the present circumstances. These objects are accomplished in part by the opening of the common schools on the one, and of the industrial schools on the other. But only in part, for there must also be trained

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those who are to teach these schools—men and women of knowledge and culture and technical skill who understand modern civilization, and have the training and aptitude to impart it to the children under them. There must be teachers, and teachers of teachers, and to attempt to establish any sort of a system of common and industrial school training, without
5 first (and I say first advisedly) without first providing for the higher training of the very best teachers, is simply throwing your money to the winds. School houses do not teach themselves – piles of brick and mortar and machinery do not send out men. It is the trained, living human soul, cultivated and strengthened by long study and thought, that breathes the real breath of life into boys and girls and makes them human, whether they be black or
10 white, Greek, Russian or American. Nothing, in these latter days, has so dampened the faith of thinking Negroes in recent educational movements, as the fact that such movements have been accompanied by ridicule and denouncement and decrying of those very institutions of higher training which made the Negro public school possible, and make Negro industrial schools thinkable. It was: Fisk, Atlanta, Howard and Straight, those colleges born
15 of the faith and sacrifice of the abolitionists, that placed in the black schools of the South the 30,000 teachers and more, which some, who depreciate the work of these higher schools, are using to teach their own new experiments. If Hampton, Tuskegee and the hundred other industrial schools prove in the future to be as successful as they deserve to be, then their success in training black artisans for the South, will be due primarily to the white
20 colleges of the North and the black colleges of the South, which trained the teachers who to-day conduct these institutions. There was a time when the American people believed pretty devoutly that a log of wood with a boy at one end and Mark Hopkins at the other, represented the highest ideal of human training. But in these eager days it would seem that we have changed all that and think it necessary to add a couple of saw-mills and a hammer
25 to this outfit, and, at a pinch, to dispense with the services of Mark Hopkins.

I would not deny, or for a moment seem to deny, the paramount necessity of teaching the Negro to work, and to work steadily and skillfully; or seem to depreciate in the slightest degree the important part industrial schools must play in the accomplishment of these ends, but I do say, and insist upon it, that it is industrialism drunk with its vision of success,

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to imagine that its own work can be accomplished without providing for the training of broadly cultured men and women to teach its own teachers, and to teach the teachers of the public schools.

- 5 But I have already said that human education is not simply a matter of schools; it is much more a matter of family and group life – the training of one’s home, of one’s daily companions, of one’s social class. Now the black boy of the South moves in a black world – a world with its own leaders, its own thoughts, its own ideals. In this world he gets by far the larger part of his life training, and through the eyes of this dark world he peers into the veiled world beyond. Who guides and determines the education which he receives in his world?
- 10 His teachers here are the group-leaders of the Negro people—the physicians and clergymen, the trained fathers and mothers, the influential and forceful men about him of all kinds; here it is, if at all, that the culture of the surrounding world trickles through and is handed on by the graduates of the higher schools. Can such culture training of group leaders be neglected? Can we afford to ignore it? Do you think that if the leaders of thought
- 15 among Negroes are not trained and educated thinkers, that they will have no leaders? On the contrary a hundred half-trained demagogues will still hold the places they so largely occupy now, and hundreds of vociferous busy-bodies will multiply. You have no choice; either you must help furnish this race from within its own ranks with thoughtful men of trained leadership, or you must suffer the evil consequences of a headless misguided rabble.
- 20 I am an earnest advocate of manual training and trade teaching for black boys, and for white boys, too. I believe that next to the founding of Negro colleges the most valuable addition to Negro education since the war, has been industrial training for black boys. Nevertheless, I insist that the object of all true education is not to make men carpenters, it is to make carpenters men; there are two means of making the carpenter a man, each equally
- 25 important: the first is to give the group and community in which he works, liberally trained teachers and leaders to teach him and his family what life means; the second is to give him sufficient intelligence and technical skill to make him an efficient workman; the first object demands the Negro college and college-bred men—not a quantity of such colleges, but a few of excellent quality; not too many college-bred men, but enough to leaven the lump, to

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inspire the masses, to raise the Talented Tenth to leadership; the second object demands a good system of common schools, well-taught, conveniently located and properly equipped....

5 Men of America, the problem is plain before you. Here is a race transplanted through the criminal foolishness of your fathers. Whether you like it or not the millions are here, and here they will remain. If you do not lift them up, they will pull you down. Education and work are the levers to uplift a people. Work alone will not do it unless inspired by the right ideals and guided by intelligence. Education must not simply teach work—it must teach Life. The Talented Tenth of the Negro race must be made leaders of thought and missionaries
10 of culture among their people. No others can do this work and Negro colleges must train men for it. The Negro race, like all other races, is going to be saved by its exceptional men.