

UNIT 4**The American Civil War**

1848–1877

45-50-minute classes | 14-18 classes

UNIT PREVIEW**Structure**

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Why Teach the American Civil War

“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 at Gettysburg express why the Civil War was fought. Whether America, founded in liberty and equality, could long endure depended on whether the nation’s original contradiction, slavery, could 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 made great sacrifices and sometimes gave their lives, so that these ideas of liberty and equality might prevail over the dehumanizing tyranny of slavery. And students must learn that, like those in Lincoln's audience, it is up to each American to oppose tyranny and dehumanization to ensure that "government of the people, by the people, for the people, shall not perish from the earth."

Enduring Ideas from This Unit

1. That slavery was the original contradiction in America, and that slavery is immoral, unjust, dehumanizing, and in violation of the inherent dignity and equal possession of natural rights of each person, as are any ways in which one person or group of people is favored over another due to the color of their skin.
2. That at its heart, the Civil War was fought over the issue of slavery: first, whether slavery would expand in America; next, whether it would be permitted at all; and last, whether the half of the country that opposed slavery would let the country be divided and the injustice to continue elsewhere, instead of fighting to preserve a union that would guarantee liberty and abolish slavery.
3. That President Abraham Lincoln exemplified American statesmanship as he piloted the nation toward fulfillment of its founding ideas, ended the barbarous and tyrannical institution of slavery, and nevertheless abided by the rule of law in doing so.
4. That the period of Reconstruction following the Civil War witnessed a realization of civil rights for freedmen, producing greater degrees of justice and equality that would nevertheless be challenged both during Reconstruction and in following decades.

What Teachers Should Consider

The American Civil War is one of the most important events in American history if only for its attempt to prove, with the blood of hundreds of thousands of Americans, that a people may freely govern themselves and organize themselves to preserve the liberty and equal natural rights of all.

Many students may not know that America was founded on these ideas. Fewer, perhaps, know that America even succeeded in proving these ideas true, striving to live up to them for twenty years, before such progress was eclipsed after Reconstruction. Although subsequent decades would manifest different kinds of failures to guarantee the equal protection of natural rights in certain parts of the country, the Civil War demonstrated that some statesmen and a considerable portion of Americans were committed to carrying out America's founding promise to the point of bloodshed.

Teachers will greatly benefit from studying not only the war itself but also the thoughts, words, and deeds of the statesman who conducted the war for the Union: President Abraham Lincoln. Lincoln's ideas and speeches, and his political actions, should constitute for students a model of prudence, both in the public arena and in their own lives. His understanding of the issue of slavery, not merely in the abstract but as it existed in America, can teach students much about their country and its history.

This unit should begin, therefore, with an understanding of slavery as it was found in America in 1848. The teacher should especially emphasize the changes in the status and practice of slavery since the founding in 1776. The teacher should also emphasize changes in legal and public opinion toward the institution since the Constitution went into effect in 1789. In brief, both had entrenched slavery instead of keeping it on the gradual path to extinction, where the founding generation had arguably placed it.

Abraham Lincoln saw these legal and public opinion shifts most clearly, and he saw that such changes struck directly at the ideas on which America was founded. In brief, his entire public career as well as the founding of the Republican Party were devoted to checking this change, to returning slavery to the path of extinction, and to fulfilling the founding ideas of constitutional self-government. Lincoln's arguments to these ends dominate the crescendo leading to war in spring of 1861. At its heart, this is what the Civil War was about.

The teacher will be able to enrich his or her students by cultivating their imaginations with the events, battles, and images of the Civil War, the bloodiest conflict in which Americans have ever been involved. Strategy, battles, and the general history of the war should be taught in detail. The teacher should learn and share accounts and images of the important moments and figures who contributed to Union victory in 1865. Meanwhile, Lincoln's careful yet effective maneuverings—both to preserve the Union and to seize the constitutional opportunity afforded him to emancipate the slaves—should be followed in detail.

The unit best concludes with a study of the period known as Reconstruction. Perhaps never in history was so much hoped for, achieved, and mismanaged in so short a period of time with respect to liberty and equality under the law. Students should learn to appreciate both the sacrifices of the Civil War and its immediate achievements during Reconstruction. Nevertheless, students should also learn about the emergence of different kinds of injustice, especially for African Americans living in the former rebel states: injustices that would be perpetuated for a century.

How Teachers Can Learn More

TEXTS

No Property in Man, Sean Wilentz

Fateful Lightning, Allen Guelzo

Abraham Lincoln, Lord Charnwood

Lincoln and the American Founding, Lucas Morel

The Essential Douglass: Selected Writings and Speeches, Frederick Douglass

The Columbian Orator, ed. David Blight

Crisis of the House Divided, Harry Jaffa

A New Birth of Freedom, Harry Jaffa

The American Heritage: A Reader, ed. Hillsdale College History Faculty

The U.S. Constitution: A Reader, ed. Hillsdale College Politics Faculty (ConstitutionReader.com)

ONLINE COURSES | Online.Hillsdale.edu

The Great American Story
Civil Rights in American History
Constitution 101

Lesson Planning Resources

TEACHER RESOURCES

Battle Cry of Freedom, James McPherson
Reconstruction, Allen Guelzo
A Teacher's Guide to Land of Hope, Wilfred McClay and John McBride
A Student Workbook for Land of Hope, Wilfred McClay and John McBride
A Short History of the Civil War, James Stokesbury

STUDENT RESOURCES

Land of Hope, Wilfred McClay

PRIMARY SOURCES

Speech on the Reception of Abolition Petitions, John C. Calhoun
Speech on the Oregon Bill, John C. Calhoun
Narrative of the Life of Frederick Douglass, Frederick Douglass
Peoria speech on the Kansas-Nebraska Act, Abraham Lincoln
Uncle Tom's Cabin, Harriet Beecher Stowe
Dred Scott v. Sandford, Roger Taney
Speech on the *Dred Scott* decision, Abraham Lincoln
"House Divided" speech, Abraham Lincoln
The Seventh Lincoln-Douglas Debate, Abraham Lincoln and Stephen Douglas
"The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?," Frederick Douglass
Fragment on the Constitution and Union, Abraham Lincoln
First inaugural address, Abraham Lincoln
Emancipation Proclamation, Abraham Lincoln
Gettysburg Address, Abraham Lincoln
Second inaugural address, Abraham Lincoln
Civil Rights Act of 1866
13th, 14th, and 15th Amendments
Black Code from Opelousas, Louisiana

LESSON PLANS, ASSIGNMENTS, AND FORMATIVE QUIZ

Lesson 1 — The Expansion of Slavery

1848–1854

3–4 classes

LESSON OBJECTIVE

Students learn how the defenders of slavery began to assert that slavery was a “positive good” that ought to be expanded throughout the country instead of an existing evil that should be contained and kept on the path to extinction.

TEACHER PREPARATION

Create a note outline based on the following:

Student Texts

<i>Land of Hope</i>	Pages 128–129, 156–162
Primary Sources	See below.

Teacher Texts

<i>Battle Cry of Freedom</i>	Pages 6–144
<i>A Teacher’s Guide to Land of Hope</i>	Pages 157–162
<i>A Student Workbook for Land of Hope</i>	Pages 94–98

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<i>The Great American Story</i>	Lecture 9
<i>Civil Rights in American History</i>	Lecture 3
<i>Constitution 101</i>	Lecture 6

STUDENT PREPARATION

Assignment 1: Students read *Land of Hope*, pages 128–129, 156–162, and either complete the reading questions handout in the *Student Workbook for Land of Hope* (pages 94–98) or prepare for a reading quiz (provided below).

Assignment 2: Students read and annotate Calhoun’s speech on the Reception of Abolition Petitions and speech on the Oregon Bill and answer guiding reading questions (provided in appendix).

Assignment 3: Students read and annotate Lincoln’s speech on the Kansas-Nebraska Act and answer guiding reading questions (provided in appendix).

CORE CONTENT IN THIS LESSON**Geography & Places**

Mason-Dixon Line
 Mexico
 California

Minnesota
 Oregon
 Kansas-Nebraska Territory

Persons

Henry Clay
 John C. Calhoun
 Daniel Webster
 James K. Polk
 Abraham Lincoln
 Zachary Taylor
 Millard Fillmore

Frederick Douglass
 Sojourner Truth
 Harriet Beecher Stowe
 Harriet Tubman
 William Lloyd Garrison
 Franklin Pierce
 Stephen Douglas

Terms and Topics

The Great Triumvirate
 Wilmot Proviso
 “positive good”
 King Cotton
 antebellum
 Gold Rush
 secession
 Compromise of 1850
 Fugitive Slave Law
 abolitionism

*Narrative of the Life of
 Frederick Douglass*
Uncle Tom’s Cabin
 Underground Railroad
 Hillsdale College
 Know-Nothing Party
 Kansas-Nebraska Act
 popular sovereignty

Primary Sources

Speech on the Reception of Abolition Petitions, John C. Calhoun
 Speech on the Oregon Bill, John C. Calhoun
Narrative of the Life of Frederick Douglass, Frederick Douglass
Uncle Tom’s Cabin, Harriet Beecher Stowe
 Peoria speech on the Kansas-Nebraska Act, Abraham Lincoln

To Know by Heart

“The African Chief”—William Cullen Bryant

“The Hunters of Men”—John Greenleaf Whittier

“Knowledge makes a man unfit to be a slave.”—Frederick Douglass

“I have observed this in my experience of slavery—that whenever my condition was improved, instead of its increasing my contentment, it only increased my desire to be free, and set me to thinking of plans to gain my freedom. I have found that, to make a

contented slave, it is necessary to make a thoughtless one. It is necessary to darken his moral and mental vision, and, as far as possible, to annihilate the power of reason.”

—Frederick Douglass, *Narrative of the Life of Frederick Douglass*

Timeline

1846–48	Mexican-American War
1849	California Gold Rush
1850	Compromise of 1850
1852	<i>Uncle Tom’s Cabin</i> published
1854	Kansas-Nebraska Act

Images

Historical figures and events

Photographs and depictions of the life of slaves and the horrors of slavery

Maps of the free-versus-slave-state breakdown when changes occur; Electoral College outcomes

Pictures of first-edition copies of *Narrative of the Life of Frederick Douglass* and *Uncle Tom’s Cabin*

Statue of Frederick Douglass (on the Hillsdale College campus)

Copy of newspaper in which Lincoln’s Peoria speech was first printed

STORIES FOR THE AMERICAN HEART

- Biographies and the roles of Frederick Douglass, Harriet Tubman, and Abraham Lincoln prior to the Civil War
- Childhood biography of Abraham Lincoln
- Scenes from *Narrative of the Life of Frederick Douglass* and *Uncle Tom’s Cabin*
- Frederick Douglass’s letter to his former master, Thomas Auld, 1848
- Actions of Harriet Tubman and the Underground Railroad
- Levi Coffin’s accounts from the Underground Railroad
- Frederick Douglass’s letter to Harriet Tubman, 1868
- James Marshall’s account of striking gold at Sutter’s Mill

QUESTIONS FOR THE AMERICAN MIND

- What general prediction about the future of slavery did the Framers of the Constitution make?
- What technology invented in 1793, four years after the Constitution went into effect, revolutionized the cotton industry, resulting in a revived demand for slave labor and undermining the Founders’ predictions regarding slavery?
- What was life like for slaves in the South? What was a slave auction like?
- What was John C. Calhoun’s idea that slavery was a “positive good”? Why did he argue this, and how was this a change from previous arguments about slavery?
- How would Frederick Douglass have replied to John C. Calhoun’s assertions?
- Compared to the North, how would the South’s society and economy suggest John C. Calhoun was wrong about the supposed economic and social benefits of slavery?

- 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 reject the ideas of the Declaration of Independence in arguing for slavery?
- Why, politically, did the question of the expansion of slavery become so important for the slaveholding interest, especially following the growth of the United States between 1846 and 1848?
- What were the terms of the Compromise of 1850? Was it really a “compromise”? Why or why not?
- What were the two most controversial parts of the Compromise of 1850? What were their effects? What did the compromise settle, and what did it not settle?
- What were the various kinds of abolitionist activities engaged in by Northern abolitionists?
- What roles did Frederick Douglass, William Lloyd Garrison, Harriet Tubman, and Harriet Beecher Stowe play in the abolitionist movement?
- How did the Underground Railroad work?
- What did the Kansas-Nebraska Act do?
- What was the idea of “popular sovereignty”? Where did the idea come from and why?
- Question from the U.S. Civics Test:
 - Question 75: What group of people was taken and sold as slaves?

KEYS TO THE LESSON

The status of slavery in 1848 was markedly different than it was when the Founders crafted the Constitution in 1787. The gradual decline in the profitability of slavery, evident during the founding, was forecast to continue—but this trend reversed direction upon the invention of the cotton gin in 1793. From then on, the demand for slave labor in the Southern states rapidly compounded. But the free population in the South was vastly outstripped by the burgeoning population of the North. If nothing changed, demographics and geography would eventually give Americans living in the North the power to limit slavery through law and perhaps even abolish it entirely through a constitutional amendment. Slaveholders in the South needed to change this trajectory by expanding slavery westward into the territories. Students need to understand that to justify such expansion, slavery advocates in the South had to change the opinion of Northerners: either to believe slavery to be morally beneficial or, at the very least, to view slavery as merely another option to be decided by the majority, what Stephen Douglas called “popular sovereignty.” Moral relativism, the idea that “might makes right,” and a belief in unfettered democracy through the vote of the majority were the slaveholders’ pillars in arguing to preserve slavery. Students should understand that Abraham Lincoln favored government “of the people, by the people, and for the people” but also saw how popular sovereignty’s neutrality concerning slavery violated both equality and consent, as well as liberty itself. Lincoln went about waging an oratorical war in defense of objective standards of truth and justice, of good and evil. They should also learn how abolitionists, of both African and European descent, continued to publicize the horrors of slavery for Americans in Northern states far removed from witnessing slavery firsthand. Abolitionists also shepherded escaped slaves to freedom in the Northern states and Canada.

Teachers might best plan and teach the Expansion of Slavery with emphasis on the following approaches:

- Have students consider the status of slavery over the initial decades of the country’s history. At the founding, slavery was generally either openly condemned by those in the North or defended by those in the South. Its toleration by northern delegates and others who were opposed to slavery

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. The Declaration of Independence established the country on principles of equality that could and would be cited 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 restricted or abolished slavery outright. Lastly, many leading Founders, including those who held slaves, believed that the profitability of slavery was gradually but decisively waning and that slavery would die out on its own in a relatively short period of time. However, the invention of the cotton gin by Eli Whitney four years after the adoption of the Constitution greatly increased the profitability of slavery in the cotton-growing states of the South and thereby create a significant (and regional) interest in perpetuating the institution of slavery. 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.

- Help students to imagine and understand the dehumanizing and brutal tyranny of slavery. Although students should understand that the ways in which various slaveholders treated their slaves varied, from the downright barbaric to more familial—in order to see how many slavery apologists tried to justify slavery—they must nevertheless understand that the sheer fact that some people owned other human beings is and always will be morally reprehensible. Moreover, as Frederick Douglass argued, slavery actually dehumanized the master as well as the slave. William Cullen Bryant’s “The African Chief” may be helpful here.
- Explain to students how the growth in population in the North compared to the South would eventually allow Northern states to restrict slavery further and perhaps even abolish it with a constitutional amendment. Use the Missouri Compromise map handout (*A Student Workbook for Land of Hope*, pages 274–275) to show students the situation in 1820 compared to 1850. 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 to the argument that slavery was a positive good, as articulated in the writings of John C. Calhoun. Students should read Calhoun’s speeches on the Reception of Abolition Petitions and on the Oregon Bill in order to examine his arguments and to understand how Calhoun explicitly rejects the American founding principles as captured in the Declaration of Independence. Students should work through and understand the serious faults in Calhoun’s arguments.
- Teach students that despite this attempted defense of slavery, the institution almost certainly weakened the South as a whole while supporting the lifestyle of the elite few. For all other Southerners, slavery depreciated the value and wages of labor by non-slaves, limited innovation, and thwarted economic development in the South. The Civil War would reveal the weakness of the position in which Southerners’ insistence on slavery had placed them. Students might benefit from hearing read aloud and imagining Alexis de Tocqueville’s antebellum float down the Ohio River: “[T]he traveller who floats down the current of the Ohio...may be said to sail between liberty and servitude; and a transient inspection of the surrounding objects will convince him which of the two is most favourable to mankind. Upon the left bank of the stream the population is rare; from time to time one [discovers] a troop of slaves loitering in the half-desert fields; the primeval forest recurs at every turn; society seems to be asleep, man to be idle, and nature alone offers a scene of activity and of life. From the right bank, on the contrary, a confused hum is heard, which proclaims the presence of industry; the fields are covered with abundant harvests; the elegance of the dwellings announces the taste and activity of the laborer; and man appears to

be in the enjoyment of that wealth and contentment which are the reward of labor” (trans. Henry Reeve, 1848).

- Consider with students that much of the tremendous wealth and prosperity that America has generated throughout its history is not founded on the economics of slavery. Any degree of prosperity generated by slavery is dwarfed by that produced from Americans’ unprecedented freedom to innovate and invest, the ability to patent ideas and inventions, the protection of private property rights, and above all the productive work of citizens within a free marketplace governed by the rule of law and consent of the governed. The great achievements of individual families through the Homestead Act of 1862 demonstrates the point, both for immigrants to America and for the freedmen who would also take advantage of such freedom and opportunity after the Civil War. In brief, the Declaration of Independence and the Constitution are the catalysts for allowing human beings to unleash the most prosperous and technologically advanced economy in history. A simple comparison of the Northern to the Southern economy, infrastructure, and society before and during the Civil War illustrates the case. To make this observation of course does not mean there were not businesses and individuals in the North who profited handsomely from slavery.
- Teach students how the slavery issue nearly resulted in civil war over the question of expanding slavery into the territories acquired from Mexico after the Mexican-American War, brought to a head when California, after a population surge during the California Gold Rush, applied to become a state without slavery. California’s lone admission as a free state would have increased Northern power in Congress and the Electoral College against Southern states on the issue of slavery.
- Spend some time discussing the Compromise of 1850, which was not really a “compromise” in the real sense of the word. A “compromise” would involve all parties sacrificing something of their position to achieve a common outcome. The Compromise of 1850, however, was not one bill but five separate bills that had five separate lines of voting. Students should understand what each of these acts did, especially the Fugitive Slave Law. Using the Missouri Compromise map handout (*A Student Workbook for Land of Hope*, pages 274–275), help students track the changed situation under the Compromise of 1850. This orchestration begun by Henry Clay but completed by Stephen Douglas may have avoided war in the short term, but it only deepened and delayed the divisions tearing at the country over the next ten years.
- Ask students about the effects of the Fugitive Slave Law, which compelled Northerners to assist in capturing escaped slaves and encouraged the practice of abducting free African Americans living in the North and forcing them into slavery. Perhaps use John Greenleaf Whittier’s poem, “The Hunters of Men.”
- Teach students about the various parts of the abolitionist movement and its major figures. Students should learn that there was great diversity among abolitionists, especially in their underlying views about America’s governing principles and the best way to abolish slavery. For instance, William Lloyd Garrison actually agreed with the slaveholder reading of the Constitution while Frederick Douglass moved from this view to that of Abraham Lincoln that the Constitution was pro-freedom. One might read aloud with students some portions of Douglass’s *Narrative of the Life of Frederick Douglass* and Harriet Beecher Stowe’s *Uncle Tom’s Cabin*, important works in making Northerners, most of whom had never seen slavery in practice, aware of its moral evil. Other abolitionists, such as Harriet Tubman and those running the Underground Railroad, heroically worked to lead escaped slaves to freedom. In general, most abolitionists appealed to the principles of equality stated in the Declaration of Independence in justifying their cause.

- Tell students the childhood and political biography of Abraham Lincoln, to show how he rose from poverty and obscurity to become arguably America's greatest president.
- Consider having students learn what the Kansas-Nebraska Act did. Focus specifically on the idea of popular sovereignty as used by Stephen Douglas, and the idea that right and wrong amount to the mere will of the majority opinion, which happens to be what many people today believe constitutes truth and the moral rightness of political decisions. Using the Missouri Compromise map handout (*A Student Workbook for Land of Hope*, pages 274–275), help students track the changed situation under the Kansas-Nebraska Act.
- Have students read and answer guiding questions on parts of Lincoln's speech on the Kansas-Nebraska Act in response to the act of this name. 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.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENTS

Assignment 1: Explain how subsequent events undermined the Founders' projections regarding the future of slavery and how and why slavery became an increasingly divisive political issue, especially between the years 1848 and 1854 (1–2 paragraphs).

Assignment 2: Retell the biography of one of the following: Frederick Douglass, Harriet Tubman, or Abraham Lincoln (3–4 paragraphs).

Name _____

Date _____

Reading Quiz

The American Civil War | Lesson 1
Land of Hope, Pages 156–162

DIRECTIONS: Answer each question.

1. The acquisition of western lands following the war with _____ and the discovery of gold in _____ brought the issue of slavery's expansion to a head in the late 1840s.
2. What was the name of the compromise bill regarding the expansion of slavery that Congress passed in 1850?
3. What was the name of the part of this compromise that Northerners hated most and worked to circumvent?
4. What infrastructure project motivated Illinois Democratic Senator Stephen Douglas to propose the creation of the Kansas-Nebraska Territory?
5. What would Stephen Douglas's proposal of popular sovereignty in the Kansas-Nebraska Territory permit to occur in western territories north of the 36° 30' parallel for the first time since the Missouri Compromise of 1820?

Lesson 2 — Toward Civil War

1854–1861

3–4 classes

LESSON OBJECTIVE

Students learn how Abraham Lincoln and the new Republican Party’s opposition to the expansion of slavery led slaveholding states to secede from the Union, resulting in civil war.

TEACHER PREPARATION

Create a note outline based on the following:

Student Texts

Land of Hope

Pages 162–173

Primary Sources

See below.

Teacher Texts

Battle Cry of Freedom

Pages 145–307

A Teacher’s Guide to Land of Hope

Pages 163–181

A Student Workbook for Land of Hope

Pages 94–98

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The Great American Story

Lecture 9

Civil Rights in American History

Lecture 3

Constitution 101

Lecture 6

STUDENT PREPARATION

Assignment 1: Students read *Land of Hope*, pages 162–173, and either complete the reading questions handout in the *Student Workbook for Land of Hope* (pages 94–98) or prepare for a reading quiz (provided below).

Assignment 2: Students read and annotate excerpts from Abraham Lincoln’s speech on the *Dred Scott* decision and answer guiding reading questions (provided in appendix).

Assignment 3: Students read and annotate Abraham Lincoln’s “House Divided” speech and excerpts from the Seventh Lincoln-Douglas Debate and answer guiding reading questions (provided in appendix).

Assignment 4: Students read and annotate Frederick Douglass’s “The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?” and answer guiding reading questions (provided in appendix).

CORE CONTENT IN THIS LESSON**Geography & Place**

Kansas-Nebraska Territory
 Kansas

Harpers Ferry
 Fort Sumter

Persons

Abraham Lincoln
 Frederick Douglass
 Franklin Pierce
 Stephen Douglas
 Preston Brooks
 Charles Sumner

James Buchanan
 Dred Scott
 Walt Whitman
 Roger Taney
 John Brown

Terms and Topics

Kansas-Nebraska Act
 Bleeding Kansas
 a house divided
 popular sovereignty
 Democratic Party
 Republican Party
Dred Scott v. Sandford

Lincoln-Douglas Debates
 objective truth
 “don’t care,” “I care not”
 moral relativism
 majority tyranny
 “apple and frame” metaphor
 Wilberforce University

Primary Sources

Dred Scott v. Sandford, Roger Taney
 Speech on the *Dred Scott* Decision, Abraham Lincoln
 “House Divided” speech, Abraham Lincoln
 The Seventh Lincoln-Douglas Debate, Abraham Lincoln and Stephen Douglas
 “The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?,” Frederick Douglass
 Fragment on the Constitution and Union, Abraham Lincoln

To Know by Heart

“A house divided against itself cannot stand.”—Abraham Lincoln, paraphrasing from the words of Jesus of Nazareth in the Bible

Timeline

1854	Kansas-Nebraska Act; Republican Party founded
1857	<i>Dred Scott v. Sandford</i>
1859	John Brown raid on Harpers Ferry
1860	Election of Abraham Lincoln; South Carolina secedes
April 12, 1861	Attack on Fort Sumter

Images

Historical figures and events
 Depictions of the Lincoln-Douglas Debates

Campaign materials
 Map of the 1860 election results
 Fort Sumter

STORIES FOR THE AMERICAN HEART

- The breakdown of civil dialogue resulting in Preston Brooks's attack on Charles Sumner
- What the Lincoln-Douglas Debates were like in terms of setting, format, length, etc., especially compared to civil dialogue and debate today
- The scenes at the nominating conventions for each party in 1860
- John Daingerfield's account of John Brown's raid at Harpers Ferry
- John Brown's letter to his pastor, 1859, and last words before his execution
- Aaron Stevens's letter to his brother, 1858
- The young girl who suggested to Abraham Lincoln that he grow a beard
- The first shots fired on Fort Sumter and its surrender

QUESTIONS FOR THE AMERICAN MIND

- What was Bleeding Kansas, what was it like, and why did it happen? How did it show the weakness of popular sovereignty?
- When and why did the Republican Party emerge?
- According to Abraham Lincoln, how does Roger Taney's majority opinion in *Dred Scott v. Sandford* recast the Declaration of Independence, the Constitution, and the founding ideas of equality?
- According to Abraham Lincoln, how does Roger Taney's majority opinion in *Dred Scott v. Sandford* threaten to make slavery legal anywhere in the union?
- Why did Abraham Lincoln argue that the *Dred Scott* decision should not be considered as having set a legitimate precedent?
- What was Abraham Lincoln's view of equality?
- Why did Abraham Lincoln argue that Stephen Douglas's personal stance of how he does not care ("I care not") how a state or territory votes on slavery is dangerous and indefensible? How was this connected to Lincoln's predictions regarding the *Dred Scott v. Sandford* decision?
- Why did Abraham Lincoln believe popular sovereignty without an argument on the morality of slavery amounted to majority tyranny?
- What question and answer did Abraham Lincoln consider to be the solution to the issue of the expansion of slavery?
- Why did Abraham Lincoln see the question of the morality of slavery to be at the heart of America's founding?
- How did Abraham Lincoln end up winning the 1860 election?
- Explain Abraham Lincoln's arguments about the Declaration of Independence and the Constitution as explained in his "apple of gold, frame of silver" metaphor.
- How did President-Elect Abraham Lincoln navigate the period between his election and the first shots at Fort Sumter? How did the country descend into war during this period?
- How 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?

- Question from the U.S. Civics Test:
 - Question 94: Abraham Lincoln is famous for many things. Name one.

KEYS TO THE LESSON

The passage of the Kansas-Nebraska Act in 1854 sparked the little-known Abraham Lincoln to redouble his efforts to engage in the growing national debate over slavery in America. He saw a tremendous threat in the argument put forward by the bill's sponsor, Stephen Douglas, 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 the idea that the morality of slavery was to be determined merely by majority opinion. Students should come to see this arc to Lincoln's words and deeds. They should understand how he took up and articulated the heart of the matter regarding the morality of slavery and that slavery struck at America's founding idea that all men are created equal. Roger Taney's majority opinion in *Dred Scott v. Sandford* interpreted the Constitution to legitimize slavery, and Lincoln argued against both popular sovereignty and Taney's position throughout his debates with Douglas. The moral question regarding slavery, manifesting itself in the practical questions of the expansion of slavery, is what a civil war would be fought over. After all, the formal move to secession—a constitutionally debatable claim also at issue in the approach to war—and the war itself were triggered in response to Lincoln being elected president on the position that slavery was wrong and should not be expanded.

Teachers might best plan and teach Toward Civil War with emphasis on the following approaches:

- Perhaps consider John Quincy Adams's words on civil debate and its enemies: “[W]here prejudice has not acquired an uncontrolled ascendancy, and faction is yet confined within the barriers of peace; the voice of eloquence will not be heard in vain” (Inaugural Oration as Boylston professor of rhetoric and oratory in Harvard College, 1806). Emphasize the breakdown in civil dialogue in the several violent episodes related to slavery preceding the Civil War: Bleeding Kansas, Preston Brooks's attack on Charles Sumner, and John Brown's raid on the federal armory at Harpers Ferry. Go into some detail to bring these events alive for students. For example, it was Colonel Robert E. Lee who led federal troops to put down Brown's uprising.
- Clarify the party alignment that was emerging in 1854. The Democratic Party was dividing between those who favored the principle of “popular sovereignty,” in which a state or territory could vote to allow slavery or not, and those who explicitly favored slavery. Meanwhile, the Republican Party was founded in 1854 in opposition to laws encouraging the spread of slavery. The split of the Democratic Party and the consolidation of the Republican Party in 1860 assured the election of Lincoln and significantly contributed to the coming of the Civil War.
- Consider Abraham Lincoln's arguments against Roger Taney's majority opinion in *Dred Scott v. Sandford* that asserted that slaves are not humans but only property, and that the Constitution protects their enslavement just as it does any other property. To do so, have students read Lincoln's critique at home and then read aloud in class parts of Taney's decision. 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 other forms of majority tyranny. Questions on pages 175–178 of *A Teacher's Guide to Land of Hope* may be helpful.
- 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 the practical question regarding the expansion of slavery ultimately turned on the moral status of slavery.

- Have students read portions of the Seventh Lincoln-Douglas Debate at home and discuss it alongside Lincoln’s “House Divided” speech in class. 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.
- Present the settings and atmosphere of the Lincoln-Douglas Debates as imaginatively as possible.
- Help students to understand the various pressures that were mounting on the Southern states during the 1850s, from increased abolitionist activities to the sheer industrial might of the Northern states to a burgeoning plantation debt as other countries produced more cotton and the price of cotton fell as a result.
- Tell students the stories of Lincoln’s speeches and his reception during these years, including the founding of the Republican Party and the various conventions in 1856 and especially 1860. Students should sense the drama of the times.
- Have students read at home Frederick Douglass’s “The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?” and read aloud in class Abraham Lincoln’s Fragment on the Constitution and Union. Help students understand the arguments in each with respect to the American founding and slavery. Of special note is Douglass’s change in view on the Declaration and Constitution regarding slavery.
- Provide a clear overview of events between Lincoln’s election and South Carolina’s attack on Fort Sumter in Charleston Harbor. Students should learn both Lincoln and the South’s accounts of what happened.
- There were, of course, other factors and dimensions that impelled each side to fight the Civil War. Students should be familiar with these, as well as the view of most Southerners that the war was about defending what they saw as the rights of their states. This view and Lincoln’s counterview and incumbent duty to preserve the Union and Constitution may have been the occasion for the Civil War, but students should understand that the war was, at its heart, fought over whether slavery would be permitted to spread and so remain indefinitely, or be restricted and returned to the path to extinction on which the founding generation had left it. This question was, in turn, based on the morality of slavery, which Abraham Lincoln would later maintain in his Gettysburg Address was a question about the rejection or fulfillment of the ideas on which America was founded.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENTS

Assignment 1: Explain how Abraham Lincoln argued that the issue of the expansion of slavery was at its heart a moral question and why it was so important that American public opinion should understand it as such (1–2 paragraphs).

Assignment 2: Retell the story of how Abraham Lincoln won the 1860 election and review the subsequent events leading up to the opening shots of the Civil War fired on Fort Sumter (2–3 paragraphs).

Name _____

Date _____

Reading Quiz

The American Civil War | Lesson 2
Land of Hope, Pages 162–173

DIRECTIONS: Answer each question.

1. What happened in the Kansas Territory following the passage of the Kansas-Nebraska Act?
2. What did Supreme Court Chief Justice Roger Taney’s opinion in *Dred Scott v. Sandford* rule regarding federal prohibitions on the expansion of slavery?
3. Who debated Stephen Douglas on the moral implications of popular sovereignty in 1858 in the midst of elections that would determine who would be appointed the next Illinois Senator to Congress?
4. What event led South Carolina and six other Southern states to secede and form the Confederate States of America?
5. Significantly, who fired the first shots of the Civil War?

Name _____

Date _____

Unit 4 — Formative Quiz

Covering Lessons 1–2
10–15 minutes

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

1. What technology invented in 1793, four years after the Constitution went into effect, revolutionized the cotton industry, resulting in a revived demand for slave labor and undermining the Founders' predictions regarding slavery?
2. What was John C. Calhoun's idea that slavery was a "positive good"? Why did he argue this, and how did this change from previous arguments about slavery?
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 John C. Calhoun reject the ideas of the Declaration of Independence in arguing for slavery?
5. What was the idea of "popular sovereignty"? Who advocated it and why?
6. According to Abraham Lincoln, how does Roger Taney's majority opinion in *Dred Scott v. Sandford* threaten to make slavery legal everywhere in the union?
7. Why did Abraham Lincoln believe the idea of popular sovereignty determining the morality of slavery amounted to majority tyranny?
8. How was slavery the ultimate cause of the Civil War?

Lesson 3 — The Civil War

1861–1865

4–5 classes

LESSON OBJECTIVE

Students learn about the major figures, common soldiers, strategy, and specific battles of the American Civil War, including a close study of the statesmanship of President Abraham Lincoln.

TEACHER PREPARATION

Create a note outline based on the following:

Student Texts

<i>Land of Hope</i>	Pages 173–189
Primary Sources	See below.

Teacher Texts

<i>Battle Cry of Freedom</i>	Pages 308–852
<i>A Short History of the Civil War</i>	As helpful
<i>A Teacher’s Guide to Land of Hope</i>	Pages 179–187
<i>A Student Workbook for Land of Hope</i>	Pages 109–112

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<i>The Great American Story</i>	Lecture 10
<i>Constitution 101</i>	Lecture 7

STUDENT PREPARATION

Assignment 1: Students read and annotate Lincoln’s first inaugural address and answer guiding reading questions (provided in appendix).

Assignment 2: Students read *Land of Hope*, pages 173–189, and either complete the reading questions handout in the *A Student Workbook for Land of Hope* (pages 109–112) or prepare for a reading quiz (provided below).

Assignment 3: Students read and annotate Lincoln’s Gettysburg Address and second inaugural address and answer guiding reading questions (provided in appendix).

CORE CONTENT IN THIS LESSON

Geography & Places

Fort Sumter	Richmond
Union	West Virginia
Confederacy	Border States

Nevada
 Appomattox Court House
 Ford's Theatre

Washington, DC
 Gettysburg

Persons

Abraham Lincoln
 Jefferson Davis
 Alexander Stephens
 Robert E. Lee
 George McClellan
 Thomas "Stonewall" Jackson
 Ambrose Burnside
 P. G. T. Beauregard
 Winfield Scott
 James Longstreet
 Nathan Bedford Forrest

John Bell Hood
 Braxton Bragg
 Joseph Hooker
 Clara Barton
 George Meade
 Ulysses S. Grant
 William Tecumseh Sherman
 Martin Delany
 Robert Gould Shaw
 John Wilkes Booth

Terms and Topics

secession
 "states' rights"
 Anaconda Plan
 Confederate States of America
 railroads
 minié ball
 Army of the Potomac
 Army of Northern Virginia
 American Red Cross
 Battle of First Manassas/
 Bull Run
 ironclads
 USS *Monitor**
 CSS *Virginia*
 trench warfare
 Battle of Shiloh
 Peninsula Campaign
 abolition
 Battle of Antietam

Battles of Fredericksburg
 and Chancellorsville
 Battle of Fort Wagner
 Siege and Battle of Vicksburg
 Battle of Gettysburg
 Pickett's Charge
 54th Massachusetts Regiment
 Battles of Chickamauga
 and Chattanooga
 writ of habeas corpus
 Battles of the Wilderness
 and Spotsylvania
 Peace Democrats
 scorched earth warfare
 Sherman's "March to the Sea"
 Forty Acres and a Mule
 Burning of Atlanta
 Andersonville Prison
 Siege of Richmond

Primary Sources

First inaugural address, Abraham Lincoln
 Emancipation Proclamation, Abraham Lincoln
 Gettysburg Address, Abraham Lincoln
 Second inaugural address, Abraham Lincoln

*A previous version referred to the USS *Merrimack* instead of the USS *Monitor*.

To Know by Heart

Gettysburg Address—Abraham Lincoln

“So Atlanta is ours, and fairly won.”—William Tecumseh Sherman telegram
announcing the fall of Atlanta to Abraham Lincoln

“Not for themselves but for their country.” — Epitaph for “Old Simon”
the Private Soldier, Monument at Antietam

“The Master”—Edwin Arlington Robinson

Timeline

1860	Abraham Lincoln elected President; South Carolina and six states secede
1861–65	Civil War
March 4, 1861	Lincoln Inaugurated as President of the United States
April 12, 1861	Attack on Fort Sumter; four additional states secede
September 17, 1862	Battle of Antietam
September 22, 1862	Abraham Lincoln announces the Emancipation Proclamation
January 1, 1863	Emancipation Proclamation takes effect
July 1–3, 1863	Battle of Gettysburg
July 4, 1863	Fall of Vicksburg
1864 (Fall)	Fall of Atlanta
1864	Abraham Lincoln reelected
1865	Second inaugural address
April 9, 1865	Robert E. Lee surrenders at Appomattox
April 14–15, 1865	Abraham Lincoln assassinated; Andrew Johnson becomes president
February 12	Lincoln’s Birthday

Images

Historical figures and events

Landscape pictures of geographic places featured in this lesson

Soldier uniforms, weaponry, flags

Depictions and photographs of figures at various scenes and moments and in battle

Maps: overall strategies, specific battles

Relevant forts

Battle scene depictions and photographs

Medical equipment

Reenactment photos

Pictures of the Emancipation Proclamation, Gettysburg Address, etc.

Robert Gould Shaw and the 54th Massachusetts Regiment Memorial

Lincoln Memorial

Statue of Abraham Lincoln (Hillsdale College campus)

STORIES FOR THE AMERICAN HEART

- Biographies and roles of Abraham Lincoln, Jefferson Davis, Robert E. Lee, Ulysses S. Grant, and William Tecumseh Sherman in the Civil War
- Robert E. Lee's letter to his wife, Mary, December 27, 1856
- Robert E. Lee's denial of Abraham Lincoln's offer to command the Union forces
- William Howard Russell's account of the First Battle of Bull Run/Manassas
- Sullivan Ballou's letter to his wife, Sarah, on the eve of the First Battle of Bull Run/Manassas, 1861
- Alexander Stephens proclaims that slavery is the "cornerstone" of the Confederacy
- Columbus Huddle's letter to his father after the Battle of Shiloh, 1862
- How Stonewall Jackson got his nickname
- Battle of the ironclads
- The single bloodiest day for the American people remains September 17, 1862, the Battle of Antietam, with 23,000 dead, wounded, or missing; to this day, fallen soldiers' remains continue to be found
- William Child's letter to his wife after the Battle of Antietam, 1862
- Samuel Chase's account of Abraham Lincoln proclaiming emancipation
- Abraham Lincoln's letter to George McClellan, October 1862
- Abraham Lincoln's Order for Sabbath Observance, 1862
- Clara Barton's letter to her cousin, Vira, December 1862
- The killing of Stonewall Jackson by friendly fire
- Samuel Cabbie's letter to his wife
- Louisa Alexander's letter to her husband, Archer, 1863
- Lewis Douglass's letter to his fiancée, Amelia Loguen, 1863
- William T. House's letter from Vicksburg to his fiancée, Linda Brigham, 1863
- Hannah Johnson's letter to President Lincoln, 1863
- David Hunter's letter to Jefferson Davis on reprisals for mistreatment of African American soldiers, 1863
- John Burrill's letter from Gettysburg to his fiancée, Ell, 1863
- Fighting at Little Round Top and Pickett's Charge
- Alfred Pleasonton's accounts from Gettysburg
- George Pickett's letter from Gettysburg to his fiancée, La Salle Corbell, 1863
- The writing and delivery of the Gettysburg Address
- Henrietta Lee's letter to David Hunter on the burning of her house, 1864
- Martha Liggan's letter to the mother of a Confederate soldier, 1864
- Thomas Bowen's letter to his mother, 1864
- William Pegram's letter to his wife, 1864
- Accounts of the burning of Atlanta
- Joshua Chamberlain's letter to his sister on the surrender of the Confederate forces, 1865
- William Tecumseh Sherman's letter to Anna Gilman Bowen, 1864
- Robert E. Lee's surrender to Ulysses S. Grant at Appomattox Court House
- Robert E. Lee's Farewell Address to his Army, General Order No. 9, 1865
- Ulysses S. Grant's letter to his wife, Julia
- Frances Watkins Harper's letter to William Still

- Abraham Lincoln's cabinet meeting regarding healing with the South just hours before his assassination
- Assassination of Abraham Lincoln at Ford's Theatre and subsequent hunt for John Wilkes Booth
- Abraham Lincoln's funeral train

QUESTIONS FOR THE AMERICAN MIND

- What was the Southern states' argument for the constitutionality of secession?
- What was Abraham Lincoln's argument that secession was unconstitutional, especially as articulated in his first inaugural address?
- What were Abraham Lincoln's goals in his first inaugural address? What was his tone?
- How did Southern states decide to secede? Which segment of the Southern population were those who actually decided for secession?
- What were Jefferson Davis's arguments on the morality and expansion of slavery, the North, and states' rights and secession?
- What was important about Virginia's decision to secede? How did it come about?
- What were Abraham Lincoln's goals with respect to the Union and slavery at the onset of the Civil War? What were his priorities and why?
- Why and how did Abraham Lincoln need to keep the border states in the Union?
- What were the advantages and disadvantages that the Union and the Confederacy each faced at the outset of the war? All else being equal, which side would have won?
- What was the style of warfare in the Civil War, including battlefield strategy, weapons, ammunition, medical care, etc.?
- What were the overall strategies that each side pursued in the course of the war?
- How did each of the following battles begin, what happened in them, and what was their significance: First Bull Run, Peninsula Campaign, Antietam, Vicksburg, Gettysburg, the Battle of the Wilderness, Sherman's March to the Sea?
- How did the Civil War reshape the currency and banking systems of the United States?
- What was the significance of the Homestead Act of 1862 in the midst of the Civil War? What was so remarkable about this act in terms of the government's interest in private land ownership?
- How important were military victories to Lincoln politically?
- What were the problems characteristic of most of the Union's generals from 1861 until the Battle of Gettysburg, in the Virginia and Maryland theater of war?
- What was General Lee's strategic purpose for taking the war north, into Pennsylvania?
- How did Abraham Lincoln successfully approach his decision to issue the Emancipation Proclamation?
- What happened during the first four days of July 1863?
- In summary, what did Abraham Lincoln argue in the Gettysburg Address?
- Why were reelection prospects for Abraham Lincoln so poor for much of 1864?
- Why did General Sherman come to be hated in the postwar South?
- How was Abraham Lincoln perceived by his contemporaries?
- Based on his second inaugural address, how did Abraham Lincoln see the hand of God in the war and its outcome?
- What were the most significant moments in the Civil War?
- What factors, figures, moments, etc., led the Union to victory?

- What was the death toll of the war? In proportion to population, what would such a war cost today?
- 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?
- Questions from the U.S. Civics Test:
 - Question 92: Name the U.S. war between the North and the South.
 - Question 93: The Civil War had many important events. Name one.
 - Question 94: Abraham Lincoln is famous for many things. Name one.
 - Question 95: What did the Emancipation Proclamation do?
 - Question 96: What U.S. war ended slavery?

KEYS TO THE LESSON

The American Civil War may be the defining event in American history. The outcome of the Civil War determined whether the nation would live according to the principles of liberty, equality under law, and self-government, or reject those truths in favor of slavery, inequality, and tyrannical rule. Students should appreciate this about the bloodiest conflict in their nation's history. They should also know the stories of the heroic actions both leaders and of ordinary citizens in that war, understand the strategies employed in general and in specific battles, and consider the key moments and factors that led the Union to ultimate victory. Additionally, students have an unmatched opportunity to understand statesmanship through the careful study of Abraham Lincoln's thoughts, speeches, and actions as he led the nation through the Civil War.

Teachers might best plan and teach the Civil War 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 by appealing to the Constitution itself). 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.
- Help students to see how the decision by Southern states to secede was largely determined by a small elite or even merely by governors. In Virginia, for example, the governor himself made the decision to secede without consulting the legislature. Moreover, insofar as slavery was the chief interest the South wanted to preserve, only a minority of Southerners owned slaves and even a smaller minority owned a large number of slaves on plantations. The majority of Southerners were not slaveholders and while fighting for their states would preserve slavery, many common Southerners fought for the argument of states' rights rather than to preserve the institution of slavery.
- 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."

- 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.
- Have students think through and compare the various advantages and disadvantages each side had at the outset of the war and how these shifted during the war. Having students take simple notes, as a “T-Chart” can be effective for this part of the lesson.
- Build students’ familiarity with the style of warfare in the mid-19th century, and show them plenty of images to do so. Students need this foundation for their subsequent study of battles. This helps them to imagine and understand what happens in battle and to appreciate the bravery of soldiers fighting on both sides.
- Present to students explanations of each side’s strategy at various stages of the war and the tactics and battle plans employed in specific battles. Have students track strategy changes on the Civil War map handout (*A Student Workbook for Land of Hope*, pages 278–279). Of special note are the Union’s Anaconda Plan, James Longstreet’s development of trench warfare, the Mississippi theater of war and the siege and battle of Vicksburg, and Robert E. Lee’s strategy preceding Gettysburg, among others.
- As with any conflict, dwell on the key contributions of both leaders and common soldiers in the war, especially Robert E. Lee, Stonewall Jackson, George McClellan, George Meade, Ulysses S. Grant, and William Tecumseh Sherman.
- Share with students the unity found within the Union ranks in the cause of the United States and eventually the abolition of slavery. 1.3 million Union men of European ancestry fought in the Civil War and 180,000 African American men volunteered for the Union forces, making up nearly 10 percent of the Union army. Of all Union soldiers, 600,000 were wounded and approximately 360,000 Union men were killed.
- Teach the war, especially the major battles and military campaigns, in some detail. Students should understand how the battles came to be, the key stories, factors, and moments from the battle itself, and the significance of their various outcomes on subsequent events. Employ battle maps often and have students track battles and campaigns on the Civil War map handout (*A Student Workbook for Land of Hope*, pages 278–279). *A Short History of the Civil War* is a great aid for teaching these battles; students may enjoy reading select accounts of these battles from this work, too.
- Help students to note the major themes running through the early years of the war, namely how Confederate commanders carried the day repeatedly despite the North’s growing advantages, and how they exhibited military leadership and decisiveness. Students should also appreciate how unpopular Abraham Lincoln was in the North during much of the war.
- Have students come to know Abraham Lincoln, in his personal life, interior thoughts and troubles, and his great love for his country. Students should also engage frequently with the

reasoning and decision-making that marks Lincoln as being perhaps the greatest statesman in American history.

- Explain to students the proposal that freedmen should migrate to Africa after gaining their freedom, especially that this idea was initially shared by a large swath of Americans, including African American abolitionists and Abraham Lincoln. Their main reason for entertaining this proposal was a belief that any people treated so cruelly under slavery would want revenge on their owners afterward, as well as a doubt that most Southerners would actually treat African Americans equally (a projection that Jim Crow would prove to be accurate). The reason abolitionists, African Americans, and Lincoln entertained this proposal was not because they believed African Americans should not live in the United States; indeed, there were already nearly half a million free African Americans peaceably living among Americans of European descent in the North at the time of the Civil War.
- Based on his writings, words, and deeds, show students how Abraham Lincoln always believed in the equal human dignity of African Americans and grew over the course of his career to see that African Americans were equal socially as well, a growth in understanding that he knew more Americans would need to develop in order for African Americans to be treated truly as equals. As his own experience showed, he believed this would take some time, particularly in slave-holding states.
- Note that Congress (with the support of Lincoln) outlawed slavery in Washington, DC, in 1862, an action made numerically possible with the absence of Southern congressmen.
- 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. Questions on page 187 of *A Teacher’s Guide to Land of Hope* may be helpful.
- Note the importance of Abraham Lincoln’s choice of Ulysses S. Grant as General-in-Chief of the entire Union Army. Grant’s decisiveness combined with William Tecumseh Sherman’s boldness proved essential in prosecuting the war from late 1863 onward.
- Recap the war by considering major statistics, including the number of casualties and deaths on each side. Ask what stance Americans today should have towards those who fought in the Civil War, distinguishing between Northern soldiers and Southern soldiers. When considering Southern soldiers, be sure to note the tragic death of so many Americans, even if they were fighting for a confederate government dedicated to preserving slavery. As noted previously, most of those doing the actual fighting for the South did not own slaves and believed that they were fighting for their country as well.

- 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.
- To set up the following unit, outline for students Abraham Lincoln’s preliminary plans for reconstruction, and impress upon students the immense historical consequences of Lincoln’s assassination.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENTS

Assignment 1: By considering his speeches and the Emancipation Proclamation, explain how Abraham Lincoln understood the purpose(s) of the Civil War, both absolutely and as the war unfolded (2–3 paragraphs).

Assignment 2: Recite by heart the Gettysburg Address.

Assignment 3: Retell the history of the Civil War (4–5 paragraphs).

Name _____

Date _____

Reading Quiz

The American Civil War | Lesson 3
Land of Hope, Pages 173–189

DIRECTIONS: Answer each question.

1. What foreign relations goal did the Confederacy place much hope in, especially early in the Civil War, due to international demand for Southern cotton?
2. Who was the first Union general whom Lincoln eventually removed from command for what amounted to a pattern of hesitation in battle, hesitation that may have cost the Union several chances to win the war relatively soon?
3. What was the name of the order given by President Lincoln that freed the slaves in the rebelling states?
4. Name one of the two Union generals who were key in successfully conducting the Union armies from 1864 onward?
5. What happened on April 14, 1865 (Good Friday), at Ford's Theatre in Washington, DC?

Lesson 4 — Reconstruction

1865–1877

2–3 classes

LESSON OBJECTIVE

Students learn about the remarkable fulfillment of civil rights for freedmen during Reconstruction despite the objections of some and then the reversal of many of those realizations in former confederate states during Reconstruction and after its end in 1877.

TEACHER PREPARATION

Create a note outline based on the following:

Student Texts

Land of Hope
Primary Sources

Pages 190–204
See below.

Teacher Texts

Reconstruction
A Teacher’s Guide to Land of Hope
A Student Workbook for Land of Hope

As helpful.
Pages 188–199
Pages 114–117

Online.Hillsdale.edu

The Great American Story
Civil Rights in American History

Lecture 11
Lectures 4 and 5

STUDENT PREPARATION

Assignment 1: Students read *Land of Hope*, pages 190–204, and either complete the reading questions handout in the *A Student Workbook for Land of Hope* (pages 114–117) or prepare for a reading quiz (provided below).

Assignment 2: Students read and annotate the 13th, 14th, and 15th Amendments and excerpts from the Civil Rights Act of 1866 and answer guiding reading questions (provided in appendix).

CORE CONTENT IN THIS LESSON

Geography & Places

Nebraska
Colorado

Promontory Point, Utah
Alaska

Persons

Andrew Johnson
Thaddeus Stevens

Edwin Stanton
Hiram Revels

Ulysses S. Grant
Lewis Howard Latimer

Elijah McCoy
Rutherford B. Hayes

Terms and Topics

Reconstruction
Presidential Reconstruction
Congressional Reconstruction
Radical Republicans
freedmen
13th, 14th, 15th Amendments
incorporation
1864 Reconstruction Act
military districts
Freedmen’s Bureau
impeachment
Civil Rights Act of 1866
sharecropping
black codes

poll tax
literacy test
Reconstruction Act of 1867
scalawags and carpetbaggers
Ku Klux Klan
lynching
Ku Klux Klan Acts
Transcontinental Railroad
Seward’s Folly
Crédit Mobilier Scandal
Panic of 1873
Jim Crow
Compromise of 1877

Primary Sources

Civil Rights Act of 1866
13th Amendment
14th Amendment
15th Amendment
Black Code from Opelousas, Louisiana

To Know by Heart

First lines of the 13th, 14th, and 15th Amendments

Timeline

1865–77	Reconstruction
1865	Abraham Lincoln assassinated; Andrew Johnson becomes president
1868	First African American elected to Congress
1877	Compromise of 1877; Rutherford B. Hayes becomes president

Last Monday in May	Memorial Day (originally Decoration Day, 1868)
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Images

Historical figures and events
Maps showing the gradual re-admittance of Southern states
Photographs of African Americans in the South, both in freedom and with the heavy restrictions placed on their freedom

STORIES FOR THE AMERICAN HEART

- Frederick Douglass reflecting on the Emancipation Proclamation taking effect
- Booker T. Washington's account of news of the end of the Civil War reaching him as a slave
- Sidney Andrew's account from Charleston, South Carolina following the Civil War
- The swearing in of Hiram Revels to the U.S. Senate
- Grenville Dodge's account of the completion of the Transcontinental Railroad at Promontory Point, Utah

QUESTIONS FOR THE AMERICAN MIND

- What were the two major issues facing Andrew Johnson and Republicans in the North during the early years of Reconstruction?
- What were the similarities and differences between Abraham Lincoln's plan for Reconstruction and that of the Radical Republicans, especially concerning means, manner, and ends?
- What were the sources of tension between Andrew Johnson and the Radical Republicans especially?
- How did Andrew Johnson's Reconstruction actions differ from those of the Radical Republicans?
- What did a Confederate state have to do to be readmitted fully into the Union?
- Regarding the 13th, 14th, and 15th Amendments, what did each do?
- What kinds of gains did African Americans attain during Reconstruction after slavery was explicitly abolished via the 13th Amendment?
- In what ways did governments of the former Confederacy attempt to curtail the rights of freedmen during Reconstruction? How did they respond to the actions of Republicans in the North?
- What did the Freedmen's Bureau do?
- How can Ulysses S. Grant's presidency be characterized?
- What did the Ku Klux Klan Acts do?
- Why did the North lose much of its prewar zeal for reform?
- What happened in the election of 1876 and subsequent compromise of 1877?
- What were the immediate consequences, especially for African Americans living in the former Confederacy, of the end to Reconstruction in 1877?
- 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?
 - Question 126: Name three national U.S. holidays.
 - Question 127: What is Memorial Day?

KEYS TO THE LESSON

Even before the battlefield fighting was over, a new kind of struggle would emerge to determine the status of former slaves now made free. In decisive ways, Abraham Lincoln's assassination was devastating for the prospects of healing the nation while effectively securing the equal rights of freedmen. Not only was the desire for vengeance that Lincoln attempted to abate unleashed against the South, but the Republicans

controlling Congress themselves fought bitterly with President Andrew Johnson over the purpose and method of Reconstruction. While some remarkable gains were made for African Americans in the South, particularly in fulfilling in law the core ideas enunciated in the American founding and fought for by the Union, objections to such fulfillments remained, new injustices were established, and the management of Reconstruction was in disarray. The Compromise of 1877 ended the period of Reconstruction, leaving the protections African Americans had gained without federal protection, resulting in decades of restrictions on their rights and liberties.

Teachers might best plan and teach 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. Questions on pages 197–199 of *A Teacher’s Guide to Land of Hope* may be helpful.
- Have students track the re-admittance of Confederate states on the Reconstruction map handout (*A Student Workbook for Land of Hope*, pages 280–281).
- 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 enfranchised, 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. Read sample black codes aloud in class and discuss, such as the Black Code from Opelousas, Louisiana. Note also the use of poll taxes and literacy tests to prohibit African Americans from voting.

- Explain how sharecropping made it nearly impossible for freedmen to accumulate enough capital to purchase their own land or set-off on a different pursuit. Moreover, students should be aware of the struggle facing freedmen who were still in a society prejudiced against them, without capital, land, or even the ability to read.
- Explain the emergence of groups such as the Ku Klux Klan and the power that their intimidation of African Americans and Republicans had in diminishing the political participation of freedmen.
- 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 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.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENTS

Assignment 1: From what would have been the perspective of Abraham Lincoln, explain the ways in which Reconstruction was successful and the ways in which it was not successful (1–2 paragraphs).

Assignment 2: Retell the story of how freedmen had their freedom, natural rights, and civil rights guaranteed during Reconstruction and how certain former confederate governments curtailed or removed those freedoms both during and after Reconstruction (2–3 paragraphs).

Name _____

Date _____

Reading Quiz

The American Civil War | Lesson 4
Land of Hope, Pages 190–204

DIRECTIONS: Answer each question.

1. What was one of the questions that the North had to answer when dealing with the South following the Civil War?
2. What event in the days following Lee's surrender at Appomattox Court House led to a far messier, distrustful, and vengeful form of Reconstruction than may otherwise have been the case?
3. What did the Republicans in Congress do to Andrew Johnson?
4. What military hero was elected president in 1868?
5. In the Compromise of 1877, what did Republicans promise the South if the Democrats on the electoral commission would choose the Republican Rutherford B. Hayes as president?

APPENDIX A

Study Guide

Test

Writing Assignment

Study Guide — The American Civil War Test

Unit 4

Test on _____

TIMELINE

When given chronological dates, match events from a list to the years or dates that they happened.

1846–48	Mexican-American War
1849	California Gold Rush
1850	Compromise of 1850
1854	Kansas-Nebraska Act; Republican Party founded
1857	<i>Dred Scott v. Sandford</i>
1860	Election of Abraham Lincoln; South Carolina secedes
1861–65	Civil War
April 12, 1861	Attack on Fort Sumter
1863	Emancipation Proclamation takes effect
July 1–3, 1863	Battle of Gettysburg
1864	Abraham Lincoln reelected
April 9, 1865	Robert E. Lee surrenders at Appomattox Court House
April 14–15, 1865	Abraham Lincoln assassinated; Andrew Johnson becomes president
1865–77	Reconstruction
1877	Compromise of 1877; Rutherford B. Hayes becomes president

GEOGRAPHY AND PLACES

Identify each on a map and/or tell where it is and explain its significance.

Mexico	Fort Sumter	West Virginia
California	Union	Border States
Kansas-Nebraska Territory	Confederacy	Appomattox Court House
Harpers Ferry	Richmond	Ford's Theatre

PERSONS

Identify each, provide biographical details, and explain what he or she thought or did in specific periods or events.

Henry Clay	Frederick Douglass	James Buchanan
John C. Calhoun	Sojourner Truth	Roger Taney
Daniel Webster	Harriet Beecher Stowe	John Brown
James K. Polk	Harriet Tubman	Jefferson Davis
Abraham Lincoln	William Lloyd Garrison	Robert E. Lee
Zachary Taylor	Franklin Pierce	George McClellan
Millard Fillmore	Stephen Douglas	

Thomas “Stonewall”
Jackson
Clara Barton
George Meade
Ulysses S. Grant

William Tecumseh Sherman
Martin Delany
Robert Gould Shaw
John Wilkes Booth
Andrew Johnson

Thaddeus Stevens
Hiram Revels
Elijah McCoy
Lewis Howard Latimer
Rutherford B. Hayes

TERMS AND TOPICS

Identify each and explain its significance to the period of history studied.

The Great Triumvirate
Wilmot Proviso
“positive good”
antebellum
gold rush
Compromise of 1850
Fugitive Slave Law
abolitionism
Narrative of the Life of Frederick Douglass
Uncle Tom’s Cabin
Underground Railroad
Know-Nothing Party
Kansas-Nebraska Act
“popular sovereignty”
Bleeding Kansas
“a house divided”
Democratic Party
Republican Party
Dred Scott v. Sandford
Lincoln-Douglas Debates
objective truth
“don’t care”
moral relativism

majority tyranny
“apple and frame”
metaphor
Wilberforce University
secession
states’ rights
Confederate States of America
railroads
minié ball
Anaconda Plan
Army of the Potomac
Army of Northern Virginia
American Red Cross
trench warfare
ironclads
USS Monitor
CSS Virginia
abolition
Pickett’s Charge
54th Massachusetts Regiment
writ of habeas corpus
Peace Democrats
scorched-earth warfare

Burning of Atlanta
Andersonville Prison
Reconstruction
Radical Republicans
freedmen
13th, 14th, and 15th Amendments
1864 Reconstruction Act
military districts
Freedmen’s Bureau
impeachment
Civil Rights Act of 1866
sharecropping
black codes
Reconstruction Act of 1867
scalawags and carpetbaggers
Ku Klux Klan
lynching
Ku Klux Klan Acts
Transcontinental Railroad
Crédit Mobilier Scandal
Panic of 1873
Jim Crow
Compromise of 1877

MAJOR CONFLICTS

Explain how each battle began, narrate what happened in it and how, and explain the significance of the battle’s outcome.

First Manassas/Bull Run
Shiloh
Peninsula Campaign
Antietam
Fredericksburg and Chancellorsville

Fort Wagner
Vicksburg
Gettysburg
Chickamauga and Chattanooga
The Battle of the Wilderness

The Battle of Spotsylvania
Sherman's "March to the Sea"

Siege of Richmond

PRIMARY SOURCES

Based on annotations and notes from seminar conversations, be able to answer questions on each primary source. While you will not necessarily be asked why each primary source was created, what it did or argued, and what its effects were, being able to answer these kinds of questions will make you well prepared.

Speech on the Reception of Abolition Petitions, John C. Calhoun

Speech on the Oregon Bill, John C. Calhoun

Narrative of the Life of Frederick Douglass, Frederick Douglass

Speech on the Kansas-Nebraska Act, Abraham Lincoln

Uncle Tom's Cabin, Harriet Beecher Stowe

Dred Scott v. Sandford, Roger Taney

The *Dred Scott* Decision and Slavery Speech, Abraham Lincoln

"House Divided" speech, Abraham Lincoln

Lincoln-Douglas Debates, Abraham Lincoln and Stephen Douglas

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

"Fragment on the Constitution and Union," Abraham Lincoln

First inaugural address, Abraham Lincoln

Emancipation Proclamation, Abraham Lincoln

Gettysburg Address, Abraham Lincoln

Second inaugural address, Abraham Lincoln

Civil Rights Act of 1866

13th Amendment

14th Amendment

15th Amendment

Black Code from Opelousas, Louisiana

TO KNOW BY HEART

Fill in missing words and/or identify the speaker and context.

"Knowledge makes a man unfit to be a slave."—Frederick Douglass

"So you're the little woman who wrote the book that started this great war."—Abraham Lincoln

"A house divided against itself cannot stand."—Abraham Lincoln

"Battle Hymn of the Republic," first stanza—Julia Ward Howe

Gettysburg Address—Abraham Lincoln

"So Atlanta is ours, and fairly won."—William Tecumseh Sherman

"Not for themselves but for their country." — Epitaph for a monument at Antietam

First lines of the 13th, 14th, and 15th Amendments

STORIES FOR THE AMERICAN HEART

In your own words, retell each episode in narrative form. Consider your audience to be middle school students.

- Biographies and the roles of Frederick Douglass, Harriet Tubman, and Abraham Lincoln prior to the Civil War
- Childhood biography of Abraham Lincoln
- Scenes from *Narrative of the Life of Frederick Douglass* and *Uncle Tom's Cabin*
- Actions of Harriet Tubman and the Underground Railroad
- The first shots fired on Fort Sumter
- Biographies and roles of Abraham Lincoln, Jefferson Davis, Robert E. Lee, Ulysses S. Grant, and William Tecumseh Sherman in the Civil War
- Fighting at Little Round Top and Pickett's Charge
- Robert E. Lee's surrender to Ulysses S. Grant at Appomattox Court House
- Assassination of Abraham Lincoln at Ford's Theatre and subsequent killing of John Wilkes Booth
- Frederick Douglass reflecting on the Emancipation Proclamation taking effect
- The swearing in of Hiram Revels to the U.S. Senate
- Completion of the Transcontinental Railroad at Promontory Point, Utah

QUESTIONS FOR THE AMERICAN MIND

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

Lesson 1 | The Expansion of Slavery

- What general prediction about the future of slavery did the Framers of the Constitution make?
- What technology invented in 1793, four years after the Constitution went into effect, revolutionized the cotton industry, resulting in a revived demand for slave labor and undermining the Founders' predictions regarding slavery?
- What was life like for slaves in the South? What was a slave auction like?
- What was John C. Calhoun's idea that slavery was a "positive good"? Why did he argue this, and how was this a change from previous arguments about slavery?
- How would Frederick Douglass have replied to John C. Calhoun's assertions?
- Compared to the north, how would the South's society and economy suggest John C. Calhoun was wrong about the supposed economic and social benefits of slavery?
- 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 reject the ideas of the Declaration of Independence in arguing for slavery?
- Why, politically, did the question of the expansion of slavery become so important for the slaveholding interest?
- What were the terms of the Compromise of 1850? Was it really a "compromise"? Why or why not?
- What were the two most controversial parts of the Compromise of 1850? What were their effects?
- What were the various kinds of abolitionist activities engaged in by Northern abolitionists?
- What roles did Frederick Douglass, William Lloyd Garrison, Harriet Tubman, and Harriet Beecher Stowe play in the abolitionist movement?

- How did the Underground Railroad work?
- What did the Kansas-Nebraska Act do?
- What was the idea of “popular sovereignty”? Where did the idea come from and why?

Lesson 2 | Toward Civil War

- What was Bleeding Kansas, what was it like, and why did it happen?
- According to Abraham Lincoln, how does Roger Taney’s majority opinion in *Dred Scott v. Sandford* recast the Declaration of Independence, the Constitution, and the founding ideas of equality?
- According to Abraham Lincoln, how does Roger Taney’s majority opinion in *Dred Scott v. Sandford* threaten to make slavery legal anywhere in the union?
- Why did Abraham Lincoln argue that Stephen Douglas’s personal stance of how he does not care (“I care not”) how a state or territory votes on slavery is dangerous and indefensible? How was this connected to Lincoln’s predictions regarding the *Dred Scott v. Sandford* decision?
- Why did Abraham Lincoln believe popular sovereignty without an argument on the morality of slavery amounted to majority tyranny?
- What question and answer did Abraham Lincoln consider to be the solution to the issue of the expansion of slavery?
- Why did Lincoln see the question of the morality of slavery to be at the heart of America’s founding?
- How did Abraham Lincoln end up winning the 1860 election?
- Explain Abraham Lincoln’s arguments about the Declaration of Independence and the Constitution as explained in his “apple of gold, frame of silver” metaphor.
- How did Abraham Lincoln navigate the period between his election and the first shots at Fort Sumter? How did the country descend into war during this period?
- How 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 | The Civil War

- What was the Southern states’ argument for the constitutionality of secession?
- What was Abraham Lincoln’s argument that secession was unconstitutional, especially as articulated in his first inaugural address?
- How did Southern states decide to secede? Which segment of the Southern population were those who actually decided for secession?
- What were Jefferson Davis’s arguments on the morality and expansion of slavery, the North, and states’ rights and secession?
- What was important about Virginia’s decision to secede? How did it come about?
- What were Abraham Lincoln’s goals with respect to the Union and slavery at the onset of the Civil War? What were his priorities and why?
- Why and how did Abraham Lincoln need to keep the border states in the Union?
- What were the advantages and disadvantages that the Union and the Confederacy each faced at the outset of the war?
- What was the style of warfare in the Civil War, including battlefield strategy, weapons, ammunition, medical care, etc.?
- What were the overall strategies that each side pursued in the course of the war?

- How did the Civil War reshape the currency and banking systems of the United States?
- What was the significance of the Homestead Act of 1862 in the midst of the Civil War? What was so remarkable about this act in terms of the government's interest in private land ownership?
- What were the problems characteristic of most of the Union's generals from 1861 until the Battle of Gettysburg, in the Virginia and Maryland theater of war?
- How did Abraham Lincoln successfully approach his decision to issue the Emancipation Proclamation?
- In summary, what did Abraham Lincoln argue in the Gettysburg Address?
- Why were reelection prospects for Abraham Lincoln so poor for much of 1864?
- What were the most significant moments in the Civil War?
- What factors, figures, moments, etc., led the Union to victory?
- 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?

Lesson 4 | Reconstruction

- What were the two major issues facing Andrew Johnson and Republicans in the North during the early years of Reconstruction?
- What were the similarities and differences between Abraham Lincoln's plan for Reconstruction and that of the Radical Republicans, especially concerning means, manner, and ends?
- What were the sources of tension between Andrew Johnson and the Radical Republicans especially?
- How did Andrew Johnson's Reconstruction actions differ from those of the Radical Republicans?
- What did a Confederate state have to do to be readmitted fully into the Union?
- Regarding the 13th, 14th, and 15th Amendments, what did each do?
- What kinds of gains did African Americans attain during Reconstruction after slavery was explicitly abolished via the 13th Amendment?
- 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 did the Freedmen's Bureau do?
- How can Ulysses S. Grant's presidency be characterized?
- What did the Ku Klux Klan Acts do?
- What happened in the election of 1876 and 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?

Name _____

Date _____

Test — The American Civil War

Unit 4

TIMELINE

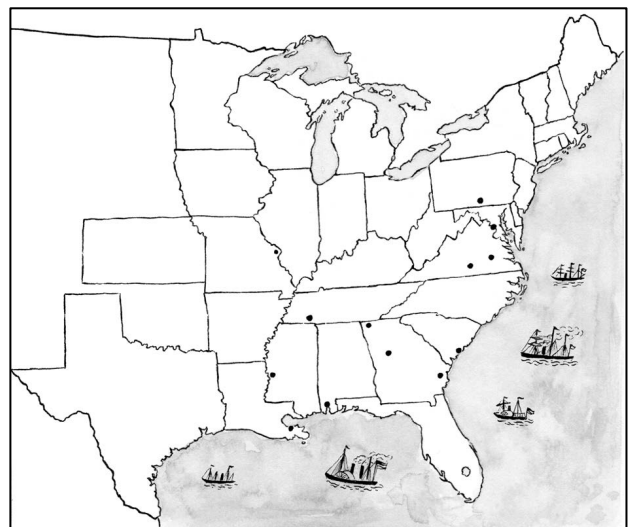
Write the letter of each event next to the date or years it took place.

- 1846–48 _____
- 1849 _____
- 1850 _____
- 1854 _____
- 1857 _____
- 1860 _____
- 1861–65 _____
- April 12, 1861 _____
- 1863 _____
- July 1–3, 1863 _____
- 1864 _____
- April 9, 1865 _____
- April 14–15, 1865 _____
- 1865–77 _____
- 1877 _____

- A. Abraham Lincoln assassinated;
 Andrew Johnson becomes president
- B. Abraham Lincoln reelected
- C. Attack on Fort Sumter
- D. Battle of Gettysburg
- E. California Gold Rush
- F. Civil War
- G. Compromise of 1850
- H. Compromise of 1877;
 Rutherford B. Hayes president
- I. *Dred Scott v. Sandford*
- J. Election of Abraham Lincoln; South
 Carolina secedes
- K. Emancipation Proclamation takes effect
- L. Kansas-Nebraska Act;
 Republican Party founded
- M. Mexican-American War
- N. Reconstruction
- O. Robert E. Lee surrenders at Appomattox
 Court House

GEOGRAPHY AND PLACES

1. Outline and label the Union states, border states, and Confederate states.
2. Label Charleston, Gettysburg, Richmond, Vicksburg, and Washington, DC.



Map courtesy of *A Student Workbook for Land of Hope*.

PERSONS, TERMS, AND TOPICS

Fill in the blank.

3. The balance in power between free and slave states since the Missouri Compromise was upset by the acquisition of Texas, the Mexican-American War, and the lands procured from that conflict. The question of slavery and its expansion nearly resulted in civil war in 1850 when the California _____ enlarged California's population suddenly and the territory petitioned for admittance to the Union as a free state.
4. Although the _____ kept the Union together, it was not really a compromise but a series of separate laws. While it may have postponed conflict, distrust and animosity festered over the next decade, especially in light of the hated Fugitive Slave Law, which attempted to force Northerners to assist in capturing runaway slaves.
5. An escaped slave who taught himself to read and write in the North, _____ became a leading abolitionist and orator, powerfully employing his sufferings in slavery to move the hearts and minds of Northerners.
6. Most Northerners never came into contact with slavery, especially in the most Northern regions of the country. While most Northerners believed slavery was morally wrong, many lacked a passion for abolition until _____'s book, *Uncle Tom's Cabin*, brought the horrors of slavery to the living rooms and imaginations of Northerners. Abraham Lincoln attributed the Civil War to this "little lady."
7. Also having escaped from slavery, _____ was a veteran conductor on the Underground Railroad, working with hundreds of Northern abolitionists to shepherd escaped slaves to the North and into Canada.
8. As abolitionist and pro-slavery advocates flocked west of Missouri to determine whether slavery would exist there, the open conflict between these two groups known as _____ prefigured the blood that would be shed over the question of slavery in the coming civil war.
9. In 1854, former Whigs, Free Soilers, and abolitionists formed the _____ in opposition to the Democratic Party. Unlike the Democratic Party, which had come to promote slavery openly in the South and leave the question to majority vote in the North and West, this new party stood explicitly against the moral evil of the expansion of slavery.
10. In 1856, America's first historically black university, named _____ after the English abolitionist, was founded in central Ohio.
11. _____ argued for the alleged benevolence of slavery based on life at his plantation and strongly defended the right of Southern states to secede. He resigned his seat in the United States Senate to become the president of the Confederate States of America.

12. Within the Maryland and Virginia theater of war, the Union forces were called the Army of _____ and the Confederate forces were called the Army of _____.
13. Having graduated at the top of his class at West Point and having served the United States faithfully for thirty-two years, _____'s care for, as he put it, "my relatives, my children, my home," (i.e., Virginia) outweighed his doubts about the constitutionality of secession. He would be the most accomplished Confederate general and fight until the very end of the war.
14. Having graduated near the bottom of his class at West Point and having lived a tumultuous life of poverty and drinking, _____'s repeated, bold, and well-executed successes in the Mississippi-Tennessee theater garnered him a promotion to General-in-Chief of the Union forces, a position he would use to lead the Union to ultimate victory.
15. The most famous United States Colored Infantry Regiment was the _____. Its tragic attack on Fort Wagner in South Carolina showed Northerners that the war's purpose, which Abraham Lincoln was about to broaden to include the end of slavery, was being fought for by those whom it was attempting to set free.
16. _____ proved to be one of the Union's most successful and controversial generals, especially after his "March to the Sea" campaign of scorched-earth warfare. He justified it by saying, "War is hell." While such tactics may have hastened the South's willingness to surrender, they also escalated the bitterness between the North and South into the years after the war.
17. Abraham Lincoln's reelection prospects were dismal for much of 1864 until the capture and burning of _____ a few weeks before the election projected a victory for the Union and bolstered Lincoln to victory at the ballot box that November.
18. On the night of April 14 at Ford's Theatre in Washington, DC, actor and Southern sympathizer _____ shot Abraham Lincoln, who died the next morning, just six days after the Civil War ended. The assassin's motive may have been outrage at public support for Lincoln's drive to expand voting rights for African Americans.
19. With the Southern states out of the Union for the time being, Congress and the Northern states passed the Reconstruction Amendments: the _____ Amendment explicitly prohibited slavery, the _____ Amendment established citizenship regardless of race, and the _____ Amendment guaranteed voting rights to all citizens regardless of race.
20. The first African Americans were elected to the U.S. Congress in 1868. Over the next decade, hundreds of African Americans were elected as Republicans to state and local offices, fifteen were elected to the U.S. House of Representatives and one, _____, was elected to the U.S. Senate.

21. Although African Americans were freed following the Civil War, many Southern governments tried to limit their rights through _____, including making being unemployed illegal, 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.
22. Republicans passed and President Grant signed into law the _____ Acts to prohibit intimidation of freedmen from exercising their civil rights and to empower the president to use the armed forces against those who tried to deny freedmen equal protection under the laws.
23. Rutherford B. Hayes and Republicans on the electoral commission abandoned the protections afforded to freedmen through the federal military districts in the South in exchange for Democrats supporting Hayes for the presidency, in what was known as the _____. The suddenness of the change in the South resulted in an undoing of some civil rights achievements of Reconstruction and paved the way for other forms of injustice.

MAJOR CONFLICTS

Explain how each battle began, narrate what happened in it and how, and explain the significance of the battle's outcome.

24. Antietam

25. Gettysburg

26. "March to the Sea"

KNOW BY HEART

Fill in missing words and/or identify the speaker.

27. "_____ makes a man unfit to be a _____."—Frederick Douglass

28. "A house divided against itself cannot stand."—_____

29. "...and that government of the _____

Gettysburg Address—Abraham Lincoln

STORIES FOR THE AMERICAN HEART

In your own words, retell each episode in narrative form. Consider your audience to be middle school students.

30. Retell a scene from *Narrative of the Life of Frederick Douglass* or *Uncle Tom's Cabin*.

31. Tell the story of Pickett's Charge.

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.

32. What had been the general prediction about the future of slavery by the Framers of the Constitution? Why did this not happen?

33. How did the idea of slavery as a “positive good” reject the ideas of the Declaration of Independence and change the Constitution’s stance on slavery and the path on which the founding generation had set slavery?

34. Why, politically, did the question of the expansion of slavery become so important for the slaveholding interest?

35. According to Abraham Lincoln, how does Roger Taney’s majority opinion in *Dred Scott v. Sandford* threaten to make slavery legal anywhere in the Union?

36. What was the idea of “popular sovereignty”? Why did Abraham Lincoln believe popular sovereignty without an argument on the morality of slavery amounted to majority tyranny?

37. Why did Lincoln see the question of the morality of slavery to be at the heart of that on which America was founded?

38. Explain Abraham Lincoln’s arguments about the Declaration of Independence and the Constitution as explained in his “apple of gold, frame of silver” metaphor.

39. What was Abraham Lincoln’s argument that secession was unconstitutional, especially as articulated in his first inaugural address?

40. What were Abraham Lincoln's goals with respect to the Union and slavery at the onset of the Civil War? What were his priorities and why?
41. What were the advantages and disadvantages that the Union and the Confederacy each faced at the outset of the war?
42. What were the problems characteristic of most of the Union's generals from 1861 until Gettysburg in the Virginia and Maryland theater of war?
43. How did Abraham Lincoln successfully approach his decision to issue the Emancipation Proclamation?
44. What were the most significant moments in the Civil War? What factors, figures, moments, etc., led the Union to victory?
45. What were the similarities and differences between Abraham Lincoln's plan for Reconstruction and that of the Radical Republicans, especially concerning means, manner, and ends?
46. What kinds of gains did African Americans attain during Reconstruction after slavery was explicitly abolished via the 13th Amendment?
47. In what ways did former confederate states attempt to curtail the rights of freedmen during Reconstruction?
48. What were the immediate consequences, especially for African Americans living in the former confederacy, of the end to Reconstruction in 1877?

Writing Assignment — The American Civil War

Unit 4

Due on _____

DIRECTIONS

Citing events and primary sources in your argument, write a 500–800-word essay answering the question...

In what ways did the American Civil War prove true the principles on which America was founded while still giving the nation a “new birth of freedom”?

APPENDIX B

Primary Sources

John C. Calhoun

Frederick Douglass

Abraham Lincoln

Harriet Beecher Stowe

Roger Taney

Stephen Douglas

The United States Congress

The American People

E.D. Estillette

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

On the Reception of Abolition Petitions
John C. Calhoun

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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

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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.

FREDERICK DOUGLASS

*Narrative of the Life of Frederick Douglass,
An American Slave*

AUTOBIOGRAPHY EXCERPT

May 1, 1845

Anti-Slavery Office | Boston, Massachusetts

BACKGROUND

The former slave and abolitionist Frederick Douglass wrote this autobiography on his life as a slave and his eventual escape and life in freedom.

GUIDING QUESTIONS

1. Who was Douglass' father?
2. What accounts does Douglass give of his childhood and life as a slave?
3. Why does Douglass go to Baltimore the first time?
4. What happens on Douglass's first escape attempt?
5. How does Douglass end up escaping?

Frederick Douglass, *Narrative of the Life of Frederick Douglass: An American Slave* (Boston: Anti-Slavery Office, 1845).

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I WAS born in Tuckahoe, near Hillsborough, and about twelve miles from Easton, in Talbot county, Maryland. I have no accurate knowledge of my age, never having seen any authentic record containing it. By far the larger part of the slaves know as little of their ages as horses know of theirs, and it is the wish of most masters within my knowledge to keep their slaves thus ignorant. I do not remember to have ever met a slave who could tell of his birthday. They seldom come nearer to it than planting-time, harvest-time, cherry-time, spring-time, or fall-time. A want of information concerning my own was a source of unhappiness to me even during childhood. The white children could tell their ages. I could not tell why I ought to be deprived of the same privilege. I was not allowed to make any inquiries of my master concerning it. He deemed all such inquiries on the part of a slave improper and impertinent, and evidence of a restless spirit. The nearest estimate I can give makes me now between twenty-seven and twenty-eight years of age. I come to this, from hearing my master say, some time during 1835, I was about seventeen years old.

My mother was named Harriet Bailey. She was the daughter of Isaac and Betsey Bailey, both colored, and quite dark. My mother was of a darker complexion than either my grandmother or grandfather.

My father was a white man. He was admitted to be such by all I ever heard speak of my parentage. The opinion was also whispered that my master was my father; but of the correctness of this opinion, I know nothing; the means of knowing was withheld from me. My mother and I were separated when I was but an infant—before I knew her as my mother. It is a common custom, in the part of Maryland from which I ran away, to part children from their mothers at a very early age. Frequently, before the child has reached its twelfth month, its mother is taken from it, and hired out on some farm a considerable distance off, and the child is placed under the care of an old woman, too old for field labor. For what this separation is done, I do not know, unless it be to hinder the development of the child's affection toward its mother, and to blunt and destroy the natural affection of the mother for the child. This is the inevitable result.

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I never saw my mother, to know her as such, more than four or five times in my life; and each of these times was very short in duration, and at night. She was hired by a Mr. Stewart, who lived about twelve miles from my home. She made her journeys to see me in the night, travelling the whole distance on foot, after the performance of her day's work. She was a field hand, and a whipping is the penalty of not being in the field at sunrise, unless a slave has special permission from his or her master to the contrary—a permission which they seldom get, and one that gives to him that gives it the proud name of being a kind master. I do not recollect of ever seeing my mother by the light of day. She was with me in the night. She would lie down with me, and get me to sleep, but long before I waked she was gone. Very little communication ever took place between us. Death soon ended what little we could have while she lived, and with it her hardships and suffering.

She died when I was about seven years old, on one of my master's farms, near Lee's Mill. I was not allowed to be present during her illness, at her death, or burial. She was gone long before I knew any thing about it. Never have enjoyed, to any considerable extent, her soothing presence, her tender and watchful care, I received the tidings of her death with much the same emotions I should have probably felt at the death of a stranger.

Called thus suddenly away, she left me without the slightest intimation of who my father was. The whisper that my master was my father, may or may not be true; and, true or false, it is of but little consequence to my purpose whilst the fact remains, in all its glaring odiousness, that slaveholders have ordained, and by law established, that the children of slave women shall in all cases follow the condition of their mothers; and this is done too obviously to administer to their own lusts, and make a gratification of their wicked desires profitable as well as pleasurable; for by this cunning arrangement, the slaveholder, in cases not a few, sustains to his slaves the double relation of master and father.

I know of such cases, and it is worthy, of remark that such slaves invariably suffer greater hardships, and have more to contend with, than others. They are, in the first place, a constant offence to their mistress. She is ever disposed to find fault with them; they can seldom do any thing to please her; she is never better pleased than when she sees them under the

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- lash, especially when she suspects her husband of showing to his mulatto children favors which he withholds from his black slaves. The master is frequently compelled to sell this class of his slaves, out of deference to the feelings of his white wife; and, cruel as the deed may strike any one to be, for a man to sell his own children to human flesh-mongers, it is
- 5 often the dictate of humanity for him to do so; for, unless he does this, he must not only whip them himself, but must stand by and see one white son tie up his brother, of but few shades darker complexion than himself, and ply the gory lash to his naked back; and if he lisp one word of disapproval, “it is set down to his parental partiality, and only makes a bad matter worse, both for himself and the slave whom he would protect and defend.
- 10 Every year brings with it multitudes of this class of slaves. It was doubtless in consequence of a knowledge of this fact, that one great statesman of the south predicted the downfall of slavery by the inevitable laws of population. Whether this prophecy is ever fulfilled or not, it is nevertheless plain that a very different-looking class of people are springing up at the south, and are now held in slavery, from those originally brought to this country from Af-
- 15 rica; and if their increase will do no other good, it will do away the force of the argument, that God cursed Ham, and therefore American slavery is right. If the lineal descendants of Ham are alone to be scripturally enslaved, it is certain that slavery at the south must soon become unscriptural; for thousands are ushered into the world, annually, who, like myself, owe their existence to white fathers, and those fathers most frequently their own masters.
- 20 I have had two masters. My first master’s name was Anthony. I do not remember his first name. He was generally called Captain Anthony—a title which, I presume, he acquired by sailing a craft on the Chesapeake Bay. He was not considered a rich slaveholder. He owned two or three farms, and about thirty slaves. His farms and slaves were under the care of an overseer. The overseer’s name was Plummer. Mr. Plummer was a miserable drunkard, a
- 25 profane swearer, and a savage monster. He always went armed with a cowskin and a heavy cudgel. I have known him to cut and slash the women’s heads so horribly, that even master would be enraged at his cruelty, and would threaten to whip him if he did not mind himself. Master, however, was not a humane slaveholder. It required extraordinary barbarity on the part of an overseer to affect him. He was a cruel man, hardened by a long life of slave-

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holding. He would at times seem to take great pleasure in whipping a slave. I have often been awakened at the dawn of day by the most heart-rending shrieks of an own aunt of mine, whom he used to tie up to a joist, and whip upon her naked back till she was literally covered with blood. No words, no tears, no prayers, from his gory victim, seemed to move
5 his iron heart from its bloody purpose. The louder she screamed, the harder he whipped; and where the blood ran fastest, there he whipped longest. He would whip her to make her scream, and whip her to make her hush; and not until overcome by fatigue, would he cease to swing the blood-clotted cowskin. I remember the first time I ever witnessed this horrible exhibition. I was quite a child, but I well remember it. I never shall forget it whilst I remem-
10 ber any thing. It was the first of a long series of such outrages, of which I was doomed to be a witness and a participant. It struck me with awful force. It was the blood-stained gate, the entrance to the hell of slavery, through which I was about to pass. It was a most terrible spectacle. I wish I could commit to paper the feelings with which I beheld it....

It is partly in consequence of such facts, that slaves, when inquired of as to their condition
15 and the character of their masters, almost universally say they are contented, and that their masters are kind. The slaveholders have been known to send in spies among their slaves, to ascertain their views and feelings in regard to their condition. The frequency of this has had the effect to establish among the slaves the maxim, that a still tongue makes a wise head. They suppress the truth rather than take the consequences of telling it, and in so
20 doing prove themselves a part of the human family. If they have any thing to say of their masters, it is generally in their masters' favor, especially when speaking to an untried man. I have been frequently asked, when a slave, if I had a kind master, and do not remember ever to have given a negative answer; nor did I, in pursuing this course, consider myself as uttering what was absolutely false; for I always measured the kindness of my master by the
25 standard of kindness set up among slaveholders around us. Moreover, slaves are like other people, and imbibe prejudices quite common to others. They think their own better than that of others. Many, under the influence of this prejudice, think their own masters are better than the masters of other slaves; and this, too, in some cases, when the very reverse is true. Indeed, it is not uncommon for slaves even to fall out and quarrel among themselves

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about the relative goodness of their masters, each contending for the superior goodness of his own over that of the others. At the very same time, they mutually execrate their masters when viewed separately. It was so on our plantation. When Colonel Lloyd's slaves met the slaves of Jacob Jepson, they seldom parted without a quarrel about their masters; Colonel Lloyd's slaves contending that he was the richest, and Mr. Jepson's slaves that he was the smartest, and most of a man. Colonel Lloyd's slaves would boast his ability to buy and sell Jacob Jepson. Mr. Jepson's slaves would boast his ability to whip Colonel Lloyd. These quarrels would almost always end in a fight between the parties, and those that whipped were supposed to have gained the point at issue. They seemed to think that the greatness of their masters was transferable to themselves. It was considered as being bad enough to be a slave; but to be a poor man's slave was deemed a disgrace indeed!...

As to my own treatment while I lived on Colonel Lloyd's plantation, it was very similar to that of the other slave children. I was not old enough to work in the field, and there being little else than field work to do, I had a great deal of leisure time. The most I had to do was to drive up the cows at evening, keep the fowls out of the garden, keep the front yard clean, and run of errands for my old master's daughter, Mrs. Lucretia Auld. The most of my leisure time I spent in helping Master Daniel Lloyd in finding his birds, after he had shot them. My connection with Master Daniel was of some advantage to me. He became quite attached to me, and was a sort of protector of me. He would not allow the older boys to impose upon me, and would divide his cakes with me.

I was seldom whipped by my old master, and suffered little from any thing else than hunger and cold. I suffered much from hunger, but much more from cold. In hottest summer and coldest winter, I was kept almost naked—no shoes, no stockings, no jacket, no trousers, nothing on but a coarse tow linen shirt, reaching only to my knees. I had no bed. I must have perished with cold, but that, the coldest nights, I used to steal a bag which was used for carrying corn to the mill. I would crawl into this bag, and there sleep on the cold, damp, clay floor, with my head in and feet out. My feet have been so cracked with the frost, that the pen with which I am writing might be laid in the gashes.

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We were not regularly allowanced. Our food was coarse corn meal boiled. This was called mush. It was put into a large wooden tray or trough, and set down upon the ground. The children were then called, like so many pigs, and like so many pigs they would come and devour the mush; some with oyster shells, others with pieces of shingle, some with naked
5 hands, and none with spoons. He that ate fastest got most; he that was strongest secured the best place; and few left the trough satisfied. I was probably between seven and eight years old when I left Colonel Lloyd's plantation. I left it with joy. I shall never forget the ecstasy with which I received the intelligence that my old master (Anthony) had deter-
10 mined to let me go to Baltimore, to live with Mr. Hugh Auld, brother to my old master's son-in-law, Captain Thomas Auld. I received this information about three days before my departure. They were three of the happiest days I ever enjoyed. I spent the most part of all these three days in the creek, washing off the plantation scurf, and preparing myself for my departure.

The pride of appearance which this would indicate was not my own. I spent the time in
15 washing, not so much because I wished to, but because Mrs. Lucretia had told me I must get all the dead skin off my feet and knees before I could go to Baltimore; for the people in Baltimore were very cleanly, and would laugh at me if I looked dirty. Besides, she was going to give me a pair of trousers, which I should not put on unless I got all the dirt off me. The thought of owning a pair of trousers was great indeed! It was almost a sufficient motive,
20 not only to make me take off what would be called by pig-drovers the mange, but the skin itself. I went at it in good earnest, working for the first time with the hope of reward.

The ties that ordinarily bind children to their homes were all suspended in my case. I found no severe trial in my departure. My home was charmless; it was not home to me; on parting from it, I could not feel that I was leaving any thing which I could have enjoyed by staying.
25 My mother was dead, my grandmother lived far off, so that I seldom saw her. I had two sisters and one brother, that lived in the same house with me; but the early separation of us from our mother had well nigh blotted the fact of our relationship from our memories. I looked for home elsewhere, and was confident of finding none which I should relish less than the one which I was leaving. If, however, I found in my new home hardship, hunger,

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whipping, and nakedness, I had the consolation that I should not have escaped any one of them by staying. Having already had more than a taste of them in the house of my old master, and having endured them there, I very naturally inferred my ability to endure them elsewhere, and especially at Baltimore; for I had something of the feeling about Baltimore that is expressed in the proverb, that “being hanged in England is preferable to dying a
5 natural death in Ireland.” I had the strongest desire to see Baltimore. Cousin Tom, though not fluent in speech, had inspired me with that desire by his eloquent description of the place. I could never point out any thing at the Great House, no matter how beautiful or powerful, but that he had seen something at Baltimore far exceeding, both in beauty and
10 strength, the object which I pointed out to him. Even the Great House itself, with all its pictures, was far inferior to many buildings in Baltimore. So strong was my desire, that I thought a gratification of it would fully compensate for whatever loss of comforts I should sustain by the exchange. I left without a regret, and with the highest hopes of future happiness.

15 We sailed out of Miles River for Baltimore on a Saturday morning. I remember only the day of the week, for at that time I had no knowledge of the days of the month, nor the months of the year. On setting sail, I walked aft, and gave to Colonel Lloyd's plantation what I hoped would be the last look. I then placed myself in the bows of the sloop, and there spent the remainder of the day in looking ahead, interesting myself in what was in the dis-
20 tance rather than in things near by or behind.

In the afternoon of that day, we reached Annapolis. the capital of the State. We stopped but a few moments, so that I had no time to go on shore. It was the first large town that I had ever seen, and though it would look small compared with some of our New England factory villages, I thought it a wonderful place for its size – more imposing even than the Great
25 House Farm

We arrived at Baltimore early on Sunday morning, landing at Smith's Wharf, not far from Bowley's Wharf. We had on board the sloop a large flock of sheep; and after aiding in driving them to the slaughter house of Mr. Curtis on Louden Slater's Hill, I was conducted by

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Rich, one of the hands belonging on board of the sloop, to my new home in Alliciana Street, near Mr. Gardner's ship-yard, on Fells Point.

Mr. and Mrs. Auld were both at home, and met me at the door with their little son Thomas, to take care of whom I had been given. And here I saw what I had never seen before; it was
5 a white face beaming with the most kindly emotions; it was the face of my new mistress, Sophia Auld. I wish I could describe the rapture that flashed through my soul as I beheld it. It was a new and strange sight to me, brightening up my pathway with the light of happiness. Little Thomas was told, there was his Freddy, - and I was told to take care of little Thomas; and thus I entered upon the duties of my new home with the most cheering prospect
10 ahead.

I look upon my departure from Colonel Lloyd's plantation as one of the most interesting events of my life. It is possible, and even quite probable, that but for the mere circumstance of being removed from that plantation to Baltimore, I should have to-day, instead of being here seated by my own table, in the enjoyment of freedom and the happiness of home,
15 writing this Narrative, been confined in the galling chains of slavery. Going to live at Baltimore laid the foundation, and opened the gateway, to all my subsequent prosperity. I have ever regarded it as the first plain manifestation of that kind providence which ever since attended me, and marked my life with so many favors. I regarded the selection of myself as being somewhat remarkable. There were a number of slave children that might have been
20 sent from the plantation to Baltimore. There were those younger, those older, and those of the same age. I was chosen from among them all, and was the first, last, and only choice.

I may be deemed superstitious, and even egotistical, in regarding this event as a special interposition of divine Providence in my favor. But I should be false to the earliest sentiments of my soul, if I suppressed the opinion. I prefer to be true to myself, even at the
25 hazard of incurring the ridicule of others, rather than to be false, and incur my own abhorrence. From my earliest recollection, I date the entertainment of a deep conviction that slavery would not always be able to hold me within its foul embrace; and in the darkest hours of my career in slavery, this living word of faith and spirit of hope departed not from

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me, but remained like ministering angels to cheer me through the gloom. This good spirit was from God, and to him I offer thanksgiving and praise.....

I often found myself regretting my own existence, and wishing myself dead; and but for the hope of being free, I have no doubt but that I should have killed myself, or done something
5 for which I should have been killed. While in this state of mind, I was eager to hear any one speak of slavery. I was a ready listener. Every little while, I could hear something about the abolitionists. It was some time before I found what the word meant. It was always used in such connections as to make it an interesting word to me. If a slave ran away and succeeded in getting clear, or if a slave killed his master, set fire to a barn, or did any thing very wrong
10 in the mind of a slaveholder, it was spoken of as the fruit of *abolition*. Hearing the word in this connection very often, I set about learning what it meant. The dictionary afforded me little or no help. I found it was “the act of abolishing;” but then I did not know what was to be abolished. Here I was perplexed. I did not dare to ask any one about its meaning, for I was satisfied that it was something they wanted me to know very little about. After a pa-
15 tient waiting, I got one of our city papers, contain ing an account of the number of petitions from the north, praying for the abolition of slavery in the District of Columbia, and of the slave trade between the States. From this time I understood the words *abolition* and *aboli-
tionist*, and always drew near when that word was spoken, expecting to hear something of importance to myself and fellow-slaves. The light broke in upon me by degrees. I went one
20 day down on the wharf of Mr. Waters; and seeing two Irishmen unloading a scow of stone, I went, unasked, and helped them. When we had finished, one of them came to me and asked me if I were a slave. I told him I was. He asked, “Are ye a slave for life ” I told him that I was. The good Irishman seemed to be deeply affected by the statement. He said to the other that it was a pity so fine a little fellow as myself should be a slave for life. He said
25 it was a shame to hold me. They both advised me to run away to the north; that I should find friends there, and that I should be free. I pretended not to be interested in what they said, and treated them as if I did not understand them; for I feared they might be treacherous. White men have been known to encourage slaves to escape, and then, to get the reward, catch them and return them to their masters. I was afraid that these seemingly good

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men might use me so; but I nevertheless remembered their advice, and from that time I resolved to run away. I looked forward to a time at which it would be safe for me to escape. I was too young to think of doing so immediately; besides, I wished to learn how to write, as I might have occasion to write my own pass. I consoled myself with the hope that I should
5 one day find a good chance. Meanwhile, I would learn to write.

The idea as to how I might learn to write was suggested to me by being in Durgin and Bailey's ship yard, and frequently seeing the ship carpenters, after hewing, and getting a piece of timber ready for use, write on the timber the name of that part of the ship for which it was intended. When a piece of timber was intended for the larboard side, it would be
10 marked thus –“L.” When a piece was for the starboard side, it would be marked thus –“S.” A piece for the larboard side forward, would be marked thus –“L. F.” When a piece was for starboard side forward, it would be marked thus –“S. F.” For larboard aft, it would be marked thus—“L.A.” For starboard aft, it would be marked thus—“S. A.” I soon learned the names of these letters, and for what they were intended when placed upon a piece of
15 timber in the ship-yard. I immediately commenced copying them, and in a short time was able to make the four letters named. After that, when I met with any boy who I knew could write, I would tell him I could write as well as he. The next word would be, “I don't believe you. Let me see you try it.” I would then make the letters which I had been so fortunate as to learn, and ask him to beat that. In this way I got a good many lessons in writing, which
20 it is quite possible I should never have gotten in any other way. During this time, my copy-book was the board fence, brick wall, and pavement; my pen and ink was a lump of chalk. With these, I learned mainly how to write. I then commenced and continued copying the Italics in Webster's Spelling Book, until I could make them all without looking on the book. By the time, my little Master Thomas had gone to school, and learned how to write, and
25 had written over a number of copy-books. These had been brought home, and shown to some of our near neighbors, and then laid aside. My mistress used to go to class meeting at the Wilk Street meeting-house every Monday afternoon, and leave me to take care of the house. When left thus, I used to spend the time in writing in the spaces left in Master Thomas's copy-book, copying what he had written. I continued to do this until I could

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write a hand very similar to that of Master Thomas. Thus after a long tedious effort for years, I finally succeeded in learning to write.....

At the close of the year 1834, Mr. Freeland again hired me of my master, for the year 1835. But, by this time, I began to want to live upon free land as well as with Freeland; and I was
5 no longer content, there fore, to live with him or any other slaveholder. I began, with the commencement of the year, to prepare myself for a final struggle, which should decide my fate one way or the other. My tendency was upward. I was fast approaching manhood, and year after year had passed, and I was still a slave. These thoughts roused me —I must do something. I therefore re solved that 1835 should not pass without witnessing an attempt,
10 on my part, to secure my liberty. But I was not willing to cherish this determination alone. My fellow-slaves were dear to me. I was anxious to have them participate with me in this, my life-giving deter mination. I therefore, though with great prudence, commenced early to ascertain their views and feelings in regard to their condition, and to imbue their minds with thoughts of freedom. I bent myself to devising ways and means for our escape, and
15 meanwhile strove, on all fitting occasions, to impress them with the gross fraud and inhu- manity of slavery. I went first to Henry, next to John, then to the others. I found, in them all, warm hearts and noble spirits. They were ready to hear, and ready to act when a feasible plan should be proposed. This was what I wanted. Italked to them of our want of manhood, if we submitted to our enslavement without at least one noble effort to be free. We met
20 often, and consulted frequently, and told our hopes and fears, recounted the difficulties, real and imagined, which we should be called on to meet. At times we were almost disposed to give up, and try to content ourselves with our wretched lot; at others, we were firm and unbending in our determination to go. Whenever we suggested any plan, there was shrink
25 ing—the odds were fearful. Our path was beset with the greatest obstacles; and if we suc- ceeded in gaining the end of it, our right to be free was yet questionable –we were yet liable to be returned to bondage. We could see no spot, this side of the ocean, where we could be free. We knew nothing about Canada. Our knowledge of the north did not extend farther than New York; and to go there, and be forever harassed with the frightful liability of being returned to slavery –with the certainty of being treated tenfold worse than before —the

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thought was truly a horrible one, and one which it was not easy to overcome. The case sometimes stood thus: At every gate through which we were to pass, we saw a watchman— at every ferry a guard—on every bridge a sentinel—and in every wood a patrol. We were hemmed in upon every side. Here were the difficulties, real or imagined—the good to be sought, and the evil to be shunned. On the one hand, there stood slavery, a stern reality, 5 glaring frightfully upon us, - its robes already crimsoned with the blood of millions, and even now feasting itself greedily upon our own flesh. On the other hand, away back in the dim distance, under the flickering light of the north star, behind some craggy hill or snow-covered mountain, stood a doubtful freedom -half frozen—beckoning us to come and share its hospitality. This in itself was sometimes enough to stagger us; but when we permitted ourselves to survey the road, we were frequently appalled. Upon either side we saw grim death, assuming the most horrid shapes. Now it was starvation, causing us to eat our own flesh; -now we were contending with the waves, and were drowned ; -now we were over taken, and torn to pieces by the fangs of the terrible bloodhound. We were stung by 15 scorpions, chased by wild beasts, bitten by snakes, and finally, after having nearly reached the desired spot, — after swimming rivers, encountering wild beasts, sleeping in the woods, suffering hunger and nakedness, -we were overtaken by our pursuers, and, in our resistance, we were shot dead upon the spot! I say, this picture sometimes appalled us, and made us “rather bear those ills we had, Than fly to others, that we knew not of.” In coming 20 to a fixed determination to run away, we did more than Patrick Henry, when he resolved upon liberty or death. With us it was a doubtful liberty at most, and almost certain death if we failed. For my part, I should prefer death to hopeless bondage.

Sandy, one of our number, gave up the notion, but still encouraged us. Our company then consisted of Henry Harris, John Harris, Henry Bailey, Charles Roberts, and myself. Henry 25 Bailey was my uncle, and belonged to my master. Charles married my aunt: he belonged to my master's father-in-law, Mr. William Hamilton.

The plan we finally concluded upon was, to get a large canoe belonging to Mr. Hamilton, and upon the Saturday night previous to Easter holidays, paddle directly up the Chesapeake Bay. On our arrival at the head of the bay, a distance of seventy or eighty miles from where

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we lived, it was our purpose to turn our canoe adrift, and follow the guidance of the north star till we got beyond the limits of Maryland. Our reason for taking the water route was, that we were less liable to be suspected as runaways; we hoped to be regarded as fishermen; whereas, if we should take the land route, we should be subjected to interruptions of almost every kind. Any one having a white face, and being so disposed, could stop us, and subject us to examination.

The week before our intended start, I wrote several protections, one for each of us. As well as I can remember, they were in the following words, to wit: "THIS is to certify that I, the undersigned, have given the bearer, my servant, full liberty to go to Baltimore, and spend the Easter holidays. Written with mine own hand, &c., 1835. - "WILLIAM HAMILTON, "Near St. Michael's, in Talbot county, Maryland."

We were not going to Baltimore; but, in going up the bay, we went toward Baltimore, and these protections were only intended to protect us while on the bay.

As the time drew near for our departure, our anxiety became more and more intense. It was truly a matter of life and death with us. The strength of our determination was about to be fully tested. At this time, I was very active in explaining every difficulty, removing every doubt, dispelling every fear, and inspiring all with the firmness indispensable to success in our undertaking; assuring them that half was gained the instant we made the move; we had talked long enough; we were now ready to move; if not now, we never should be ; and if we did not intend to move now, we had as well fold our arms, sit down, and acknowledge ourselves fit only to be slaves. This, none of us were prepared to acknowledge. Every man stood firm ; and at our last meeting, we pledged our selves afresh, in the most solemn manner, that, at the time appointed, we would certainly start in pursuit of freedom. This was in the middle of the week, at the end of which we were to be off. We went, as usual, to our several fields of labor, but with bosoms highly agitated with thoughts of our truly hazardous undertaking. We tried to conceal our feelings as much as possible; and I think we succeeded very well.

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After a painful waiting, the Saturday morning, whose night was to witness our departure, came. I hailed it with joy, bring what of sadness it might. Friday night was a sleepless one for me. I probably felt more anxious than the rest, because I was, by com: mon consent, at the head of the whole affair. The responsibility of success or failure lay heavily upon me.

5 The glory of the one, and the confusion of the other, were alike mine. The first two hours of that morning were such as I never experienced before, and hope never to again. Early in the morning, we went, as usual, to the field. We were spreading manure; and all at once, while thus engaged, I was over whelmed with an indescribable feeling, in the fulness of which I turned to Sandy, who was near by, and said, “We are betrayed I” “Well,” said he,
10 “that thought has this moment struck me.” We said no more. I was never more certain of any thing.

The horn was blown as usual, and we went up from the field to the house for breakfast. I went for the form, more than for want of any thing to eat that morning. Just as I got to the house, in looking out at the lane gate, I saw four white men, with two colored men. The
15 white men were on horseback, and the colored ones were walking behind, as if tied. I watched them a few moments till they got up to our lane gate. Here they halted, and tied the colored men to the gate-post. I was not yet certain as to what the matter was. In a few moments, in rode Mr. Hamilton, with a speed betokening great excitement. He came to the door, and inquired if Master William was in. He was told he was at the barn. Mr. Hamilton,
20 with out dismounting, rode up to the barn with extraordinary speed. In a few moments, he and Mr. Free land returned to the house. By this time, the three constables rode up, and in great haste dismounted, tied their horses, and met Master William and Mr. Hamilton returning from the barn; and after talking awhile, they all walked up to the kitchen door. There was no one in the kitchen but myself and John. Henry and Sandy were up at the barn.
25 Mr. Freeland put his head in at the door, and called me by name, saying, there were some gentlemen at the door who wished to see me. I stepped to the door, and inquired what they wanted. They at once seized me, and, without giving me any satisfaction, tied me —lashing my hands closely together. I insisted upon knowing what the matter was. They at length

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said, that they had learned I had been in a “scrape,” and that I was to be examined before my master; and if their information proved false, I should not be hurt.

In a few moments, they succeeded in tying John. They then turned to Henry, who had by this time returned, and commanded him to cross his hands. “I won't!” said Henry, in a firm
5 tone, indicating his readiness to meet the consequences of his refusal. “Won't you?” said Tom Graham, the constable. “No, I won't!” said Henry, in a still stronger tone. With this, two of the constables pulled out their shining pistols, and swore, by their Creator, that they would make him cross his hands or kill him. Each cocked his pistol, and, with fingers on the trigger, walked up to Henry, saying, at the same time, if he did not cross his hands, they
10 would blow his damned heart out. “Shoot me, shoot me!” said Henry; “you can't kill me but once. Shoot, shoot, —and be damned I won't be tied!” This he said in a tone of loud defiance; and at the same time, with a motion as quick as lightning, he with one single stroke dashed the pistols from the hand of each constable. As he did this, all hands fell upon him, and, after beating him some time, they finally over powered him, and got him tied.

15 During the scuffle, I managed, I know not how, to get my pass out, and, without being discovered, put it into the fire. We were all now tied; and just as we were to leave for Easton jail, Betsy Freeland, mother of William Freeland, came to the door with her hands full of biscuits, and divided them between Henry and John. She then delivered herself of a speech, to the following effect: —addressing herself to me, she said, “You devil / You yellow devil it
20 was you that put it into the heads of Henry and John to run away. But for you, you long-legged mulatto devil! Henry nor John would never have thought of such a thing.” I made no reply, and was immediately hurried off towards St. Michael's. Just a moment previous to the scuffle with Henry, Mr. Hamilton suggested the propriety of making a search for the protections which he had understood Frederick had written for himself and the rest. But,
25 just at the moment he was about carrying his proposal into effect, his aid was needed in helping to tie Henry ; and the excitement attending the scuffle caused them either to forget, or to deem it unsafe, under the circumstances, to search. So we were not yet convicted of the intention to run away.

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When we got about half way to St. Michael's, while the constables having us in charge were looking ahead, Henry inquired of me what he should do with his pass. I told him to eat it with his biscuit, and own nothing; and we passed the word around, "Own nothing ;" and "Own nothing !" said we all. Our confidence in each other was unshaken. We were resolved to succeed or fail together, after the calamity had befallen us as much as before. We were now prepared for any thing. We were to be dragged that morning fifteen miles behind horses, and then to be placed in the Easton jail. When we reached St. Michael's, we underwent a sort of examination. We all denied that we ever intended to run away. We did this more to bring out the evidence against us, than from any hope of getting clear of being sold; for, as I have said, we were ready for that. The fact was, we cared but little where we went, so we went together. Our greatest concern was about separation. We dreaded that more than any thing this side of death. We found the evidence against us to be the testimony of one person; our master would not tell who it was ; but we came to a unanimous decision among ourselves as to who their informant was. We were sent off to the jail at Easton. When we got there, we were delivered up to the sheriff, Mr. Joseph Graham, and by him placed in jail. Henry, John, and myself, were placed in one room together— Charles, and Henry Bailey, in another. Their object in separating us was to hinder concert.

We had been in jail scarcely twenty minutes, when a swarm of slave traders, and agents for slave traders, flocked into jail to look at us, and to ascertain if we were for sale. Such a set of beings I never saw before I felt myself surrounded by so many fiends from perdition. A band of pirates never looked more like their father, the devil. They laughed and grinned over us, saying, "Ah, my boys! we have got you, haven't we ?" And after taunting us in various ways, they one by one went into an examination of us, with intent to ascertain our value. They would impudently ask us if we would not like to have them for our masters. We would make them no answer, and leave them to find out as best they could. Then they would curse and swear at us, telling us that they could take the devil out of us in a very little while, if we were only in their hands.....

I Now come to that part of my life during which planned, and finally succeeded in making, my escape from slavery. But before narrating any of the peculiar circumstances, I deem it

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proper to make known my intention not to state all the facts connected with the transaction. My reasons for pursuing this course may be understood from the following: First, were I to give a minute statement of all the facts, it is not only possible, but quite probable, that others would thereby be involved in the most embarrassing difficulties. Secondly, such a statement would most undoubtedly induce greater vigilance on the part of slave holders than has existed heretofore among them; which would, of course, be the means of guarding a door whereby some dear brother bondman might escape his galling chains. I deeply regret the necessity that impels me to suppress any thing of importance connected with my experience in slavery. It would afford me great pleasure indeed, as well as materially add to the interest of my narrative, were I at liberty to gratify a curiosity, which I know exists in the minds of many, by an accurate statement of all the facts pertaining to my most fortunate escape. But I must deprive myself of this pleasure, and the curious of the gratification which such a statement would afford. I would allow myself to suffer under the greatest imputations which evil-minded men might suggest, rather than exculpate myself, and thereby run the hazard of closing the slightest avenue by which a brother slave might clear himself of the chains and fetters of slavery.

I have never approved of the very public manner in which some of our western friends have conducted what they call the underground railroad, but which, I think, by their open declarations, has been made most emphatically the upperground railroad. I honor those good men and women for their noble daring, and applaud them for willingly subjecting themselves to bloody persecution, by openly avowing their participation in the escape of slaves. I, however, can see very little good resulting from such a course, either to themselves or the slaves escaping; while, upon the other hand, I see and feel assured that those open declarations are a positive evil to the slaves remaining, who are seeking to escape. They do nothing towards enlightening the slave, whilst they do much towards enlightening the master. They stimulate him to greater watchfulness, and enhance his power to capture his slave. We owe something to the slaves south of the line as well as to those north of it; and in aiding the latter on their way to freedom, we should be careful to do nothing which would be likely to hinder the former from escaping from slavery. I would keep the merciless slaveholder

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profoundly ignorant of the means of flight adopted by the slave. I would leave him to imagine himself surrounded by myriads of invisible tormentors, ever ready to snatch from his infernal grasp his trembling prey. Let him be left to feel his way in the dark; let darkness commensurate with his crime hover over him; and let him feel that at every step he takes, in pursuit of the flying bondman, he is running the frightful risk of having his hot brains dashed out by an invisible agency. Let us render the tyrant no aid; let us not hold the light by which he can trace the footprints of our flying brother. But enough of this. I will now proceed to the statement of those facts, connected with my escape, for which I am alone responsible, and for which no one can be made to suffer but myself.

10 In the early part of the year 1838, I became quite restless. I could see no reason why I should, at the end of each week, pour the reward of my toil into the purse of my master. When I carried to him my weekly wages, he would, after counting the money, look me in the face with a robber-like fierceness, and ask, "Is this all " He was satisfied with nothing less than the last cent. He would, however, when I made him six dollars, sometimes give me six cents, to encourage me. It had the opposite effect. I regarded it as a sort of admission of my right to the whole. The fact that he gave me any part of my wages was proof, to my mind, that he believed me entitled to the whole of them. I always felt worse for having received any thing; for I feared that the giving me a few cents would ease his conscience, and make him feel himself to be a pretty honorable sort of robber. My discontent grew upon me. I was ever on the look-out for means of escape; and, finding no direct means, I determined to try to hire my time, with a view of getting money with which to make my escape. In the spring of 1838, when Master Thomas came to Baltimore to purchase his spring goods, I got an opportunity, and applied to him to allow me to hire my time. He unhesitatingly refused my request, and told me this was another stratagem by which to escape. He told me I could go nowhere but that he could get me ; and that, in the event of my running away, he should spare no pains in his efforts to catch me. He exhorted me to content myself, and be obedient. He told me, if I would be happy, I must lay out no plans for the future. He said, if I behaved myself properly, he would take care of me. Indeed, he advised me to complete thoughtlessness of the future, and taught me to depend solely upon him for happiness. He

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seemed to see fully the pressing necessity of setting aside my intellectual nature, in order to contentment in slavery. But in spite of him, and even in spite of myself, I continued to think, and to think about the injustice of my enslavement, and the means of escape.

About two months after this, I applied to Master Hugh for the privilege of hiring my time.

5 He was not acquainted with the fact that I had applied to Master Thomas, and had been refused. He too, at first, seemed disposed to refuse; but, after some reflection, he granted me the privilege, and proposed the following terms: I was to be allowed all my time, make all contracts with those for whom I worked, and find my own employment; and, in return for this liberty, I was to pay him three dollars at the end of each week; find myself in calking
10 tools, and in board and clothing. My board was two dollars and a half per week. This, with the wear and tear of clothing and calking tools, made my regular expenses about six dollars per week. This amount I was compelled to make up, or relinquish the privilege of hiring my time. Rain or shine, work or no work, at the end of each week the money must be forthcoming, or I must give up my privilege. This arrangement, it will be perceived, was decid-
15 edly in my master's favor. It relieved him of all need of looking after me. His money was sure. He received all the benefits of slaveholding without its evils; while I endured all the evils of a slave, and suffered all the care and anxiety of a freeman. I found it a hard bar gain. But, hard as it was, I thought it better than the old mode of getting along. It was a step towards freedom to be allowed to bear the responsibilities of a freeman, and I was deter-
20 mined to hold on upon it. I bent myself to the work of making money. I was ready to work at night as well as day, and by the most untiring perseverance and industry, I made enough to meet my expenses, and lay up a little money every week. I went on thus from May till August. Master Hugh then refused to allow me to hire my time longer. The ground for his refusal was a failure on my part, one Saturday night, to pay him for my week's time. This
25 failure was occasioned by my attending a camp meeting about ten miles from Baltimore. During the week, I had entered into an engagement with a number of young friends to start from Baltimore to the camp ground early Saturday evening; and being detained by my employer, I was unable to get down to Master Hugh's without disappointing the company. I knew that Master Hugh was in no special need of the money that night, I therefore decided

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to go to camp meeting, and upon my return pay him the three dollars. I staid at the camp meeting one day longer than intended when I left. But as soon as I returned, I called upon him to pay him what he considered his due. I found him very angry; he could scarce restrain his wrath. He said he had a great mind to give me a severe whipping. He wished to know how I dared go out of the city without asking his permission. I told him I hired my time, and while I paid him the price which he asked for it, I did not know that I was bound to ask him when and where I should go. This reply troubled him; and, after reflecting a few moments, he turned to me, and said I should hire my time no longer; that the next thing he should know of, I would be running away. Upon the same plea, he told me to bring my tools and clothing home forthwith. I did so : but instead of seeking work, as I had been accustomed to do previously to hiring my time, I spent the whole week without the performance of a single stroke of work. I did this in retaliation. Saturday night, he called upon me as usual for my week's wages. I told him I had no wages; I had done no work that week. Here we were upon the point of coming to blows. He raved, and swore his determination to get hold of me. I did not allow myself a single word; but was resolved, if he laid the weight of his hand upon me, it should be blow for blow. He did not strike me, but told me that he would find me in constant employment in future. I thought the matter over during the next day, Sunday, and finally resolved upon the third day of September, as the day upon which I would make a second attempt to secure my freedom. I now had three weeks during which to prepare for my journey. Early on Monday morning, before Master Hugh had time to make any engagement for me, I went out and got employment of Mr. Butler, at his shipyard near the drawbridge, upon what is called the City Block, thus making it unnecessary for him to seek employment for me. At the end of the week, I brought him between eight and nine dollars. He seemed very well pleased, and asked me why I did not do the same the week before. He little knew what my plans were. My object in working steadily was to remove any suspicion he might entertain of my intent to run away; and in this I succeeded admirably. I suppose he thought I was never better satisfied with my condition than at the very time during which I was planning my escape. The second week passed, and again I carried him my full wages; and so well pleased was he, that he gave me twenty-five cents,

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(quite a large sum for a slaveholder to give a slaves) and bade me to make a good use of it. I told him I would.

Things went on without very smoothly indeed, but within there was trouble. It is impossible for me to describe my feelings as the time of my contemplated start drew near. I had a
5 number of warm-hearted friends in Baltimore, — friends that I loved almost as I did my life, -and the thought of being separated from them forever was painful beyond expression. It is my opinion that thousands would escape from slavery, who now remain, but for the strong cords of affection that bind them to their friends. The thought of leaving my friends was decidedly the most painful thought with which I had to contend. The love of them was
10 my tender point, and shook my decision more than all things else. Besides the pain of separation, the dread and apprehension of a failure exceeded what I had experienced at my first attempt. The appalling de feat I then sustained returned to torment me. I felt assured that, if I failed in this attempt, my case would be a hopeless one —it would seal my fate as a slave forever. I could not hope to get off with any thing less than the severest punishment,
15 and being placed beyond the means of escape. It required no very vivid imagination to depict the most frightful scenes through which I should have to pass, in case I failed. The wretchedness of slavery, and the blessed ness of freedom, were perpetually before me. It was life and death with me. But I remained firm, and, according to my resolution, on the third day of September, 1838, I left my chains, and succeeded in reaching New York with-
20 out the slightest interruption of any kind. How I did so, - what means I adopted, -what direction I travelled, and by what mode of conveyance, — I must leave unexplained, for the reasons before mentioned.

I have been frequently asked how I felt when I found myself in a free State. I have never been able to answer the question with any satisfaction to myself. It was a moment of the
25 highest excitement I ever experienced. I suppose I felt as one may imagine the un armed mariner to feel when he is rescued by a friendly man-of-war from the pursuit of a pirate. In writing to a dear friend, immediately after my arrival at New York, I said I felt like one who had escaped a den of hungry lions. This state of mind, however, very soon subsided ; and I was again seized with a feeling of great insecurity and loneliness. I was yet liable to be

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taken back, and subjected to all the tortures of slavery. This in itself was enough to damp the ardor of my enthusiasm. But the loneliness overcame me. There I was in the midst of thousands, and yet a perfect stranger; without home and without friends, in the midst of thousands of my own brethren – children of a common Father, and yet I dared not unfold to any one of them my sad condition. I was afraid to speak to any one for fear of speaking to the wrong one, and thereby falling into the hands of money-loving kidnappers, whose business it was to lie in wait for the panting fugitive, as the ferocious beasts of the forest lie in wait for their prey. The motto which I adopted when I started from slavery was this—“Trust no man!” I saw in every white man an enemy, and in almost every colored man cause for distrust. It was a most painful situation; and, to understand it, one must needs experience it, or imagine himself in similar circumstances. Let him be a fugitive slave in a strange land—a land given up to be the hunting-ground for slaveholders – whose inhabitants are legalized kidnappers – where he is every moment subjected to the terrible liability of being seized upon by his fellow men, as the hideous crocodile seizes upon his prey! I say, let him place himself in my situation—without home or friends—without money or credit – wanting shelter, and no one to give it—wanting bread, and no money to buy it, –and at the same time let him feel that he is pursued by merciless men-hunters, and in total darkness as to what to do, where to go, or where to stay, –perfectly helpless both as to the means of defence and means of escape, –in the midst of plenty, yet suffering the terrible gnawings of hunger, — in the midst of houses, yet having no home, —among fellow-men, yet feeling as if in the midst of wild beasts, whose greediness to swallow up the trembling and half-famished fugitive is only equalled by that with which the monsters of the deep swallow up the helpless fish upon which they subsist, —I say, let him be placed in this most trying situation, —the situation in which I was placed, –then, and not till then, will he fully appreciate the hardships of, and know how to sympathize with, the toil-worn and whip-scarred fugitive slave.

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) pp. 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,
15 and rejected it. The argument of “Necessity” was the only argument they ever admitted in 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....

HARRIET BEECHER STOWE

Uncle Tom's Cabin

SERIAL BOOK EXCERPTS

June 5, 1851-March 20, 1852
The National Era | Washington, D.C.

BACKGROUND

Abolitionist writer Harriet Beecher Stowe published this novel about slavery in the South serially in 1851 and as a complete book in 1852. The book itself sold hundreds of thousands of copies in the North in the nine years leading up to the Civil War.

GUIDING QUESTIONS

1. How are the two gentlemen, Mr. Shelby and Mr. Haley, different?
2. On what grounds does Mary object to the new law?
3. Why does Prue tell Tom she won't go to heaven?
4. Why does Legree decide to kill Tom?
5. How does Tom respond to Legree's threats? What happens to Sambo and Quimbo?
6. In his letter, what solution does George favor for the problem of slavery? Why?
7. In her concluding remarks, what is Stowe's assessment of the state of slavery in America?

Harriet Beecher Stowe, *Uncle Tom's Cabin* (Connecticut: The Easton Press, 1979).

From the author's preface:

...The object of these sketches is to awaken sympathy and feeling for the African race, as they exist among us; to show their wrongs and sorrows, under a system so necessarily cruel and unjust as to defeat and do away the good effects of all that can be attempted
5 for them, by their best friends, under it.

In doing this, the author can sincerely disclaim any invidious feeling towards those individuals who, often without any fault of their own, are involved in the trials and embarrassments of the legal relations of slavery.

Experience has shown her that some of the noblest of minds and hearts are often
10 thus involved; and no one knows better than they do, that what may be gathered of the evils of slavery from sketches like these, is not the half that could be told, of the unspeakable whole...

...“He shall not fail not be discouraged

Till He have set judgment in the earth.”

15 “He shall deliver the needy when he crieth,

The poor, and him that hath no helper.”

“He shall redeem their soul from deceit and violence,

And precious shall their blood be in His sight.”

Chapter 1: In which the reader is introduced to a man of humanity

20 Late in the afternoon of a chilly day in February, two gentlemen were sitting alone over their wine, in a well-furnished dining parlor, in the town of P—, in Kentucky. There were no servants present, and the gentlemen, with chairs closely approaching, seemed to be discussing some subject with great earnestness.

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For convenience sake, we have said, hitherto, two gentlemen. One of the parties, however, when critically examined, did not seem, strictly speaking, to come under the species. He was a short, thick-set man, with coarse, commonplace features, and that swaggering air of pretension which marks a low man who is trying to elbow his way upward in the world...

His companion, Mr. Shelby, had the appearance of a gentleman; and the arrangement of the house, and the general air of the housekeeping, indicated easy, and even opulent circumstances. As we before stated, the two were in the midst of an earnest conversation.

“That is the way I should arrange the matter,” said Mr. Shelby.

“I can’t make trade that way—I positively can’t, Mr. Shelby,” said the other, holding up a glass of wine between his eye and the light.

“Why, the fact is, Haley, Tom is an uncommon fellow; he is certainly worth that sum anywhere,—steady, honest, capable, manages my whole farm like a clock.”

“You mean honest, as n—s go,” said Haley, helping himself to a glass of brandy.

“No; I mean, really, Tom is a good, steady, sensible, pious fellow. He got religion at a camp-meeting, four years ago; and I believe he really did get it. I’ve trusted him, since then, with everything I have,—money, house horses,— and let him come and go round the country; and I always found him true and square in everything.”

“Some folks don’t believe there is pious n—s, Shelby,” said Haley, with a candid flourish of his hand, “but I do. I had a fellow, now, in this yer last lot I took to Orleans— ’twas as good as a meetin’, now, really, to hear that critter pray; and he was quite gentle and quiet like. He fetched me a good sum, too, for I bought him cheap of a man that was ’bliged to sell out; so I realized six hundred on him. Yes, I consider religion a valeyable thing in a n—, when it’s the genuine article, and no mistake.”...

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“Well, then, Haley, how will you trade?” said Mr. Shelby, after an uneasy interval of silence.

“Well, haven't you a boy or gal that you could throw in with Tom?”

“Hum!—none that I could well spare; to tell the truth, it's only hard necessity
5 makes me willing to sell at all. I don't like parting with any of my hands, that's a fact.”

Here the door opened, and a small quadroon boy, between four and five years of age, entered the room. There was something in his appearance remarkably beautiful and engaging. His black hair, fine as floss silk, hung in glossy curls about his round, dimpled face, while a pair of large dark eyes, full of fire and softness, looked out from beneath the
10 rich, long lashes, as he peered curiously into the apartment...

“Hulloa, Jim Crow!” said Mr. Shelby, whistling, and sapping a bunch of raisins towards him, “pick that up, now!”

The child scampered, with all his little strength, after the prize, while his master laughed.

15 “Come here, Jim Crow,” said he. The child came up, and the master patted the curly head, and chucked him under the chin.

“Now Jim, show this gentleman how you can dance and sing.” The boy commenced one of those wild, grotesque songs common among the negroes, in a rich, clear voice, accompanying his singing with many comic evolutions of the hands, feet, and whole
20 body, all in perfect time to the music.

“Bravo!” said Haley, throwing him a quarter of an orange.

“Now, Jim, walk like old Uncle Cudjoe, when he has the rheumatism,” said his master.

Instantly the flexible limbs of the child assumed the appearance of deformity and distortion, as, with his back humped up, and his master's stick in his hand, he hobbled about the room, his childish face drawn into a doleful picker, and spitting from right to left, in imitation of an old man.

5 Both gentlemen laughed uproariously...

Chapter 9: In which it appears that a Senator is but a man

The light of the cheerful fire shone on the rug and carpet of a cosey parlor, and glittered on the sides of the tea-cups and well-brightened tea-pot, as Senator Bird was drawing off his boots, preparatory to inserting his feet in a pair of new handsome slippers, which
10 his wife had been working for him while away on his senatorial tour. Mrs. Bird, looking the very picture of delight, was superintending the arrangements of the table, ever and anon mingling admonitory remarks to a number of frolicsome juveniles, who were effervescing in all those modes of untold gambol and mischief that have astonished mothers ever since the flood.

15 "Tom, let the door-knob alone,—there's a man! Mary! Mary! don't pull the cat's tail,—poor pussy! Jim, you musn't climb on that table,—no, no! You don't know my dear, what a surprise it is to us all, to see you here to-night!" said she, at last, when she found a space to say something to her husband.

"Yes, yes, I thought I'd just make a run down, spend the night, and have a little
20 comfort at home. I'm tired to death, and my head aches!"

Mrs. Bird cast a glance at a camphor-bottle, which stood in the half-open closet, and appeared to meditate an approach to it, but her husband interposed.

"No, no, Mary, no doctoring! a cup of your good hot tea, and some of our good home living, is what I want. It's a tiresome business, this legislating!"

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And the senator smiled, as if he rather liked the idea of considering himself a sacrifice to his country.

“Well,” said his wife, after the business of the tea-table was getting rather slack, “and what have they been doing in the Senate?”

5 Now, it was a very unusual thing for gentle little Mrs. Bird ever to trouble her head with what was going on in the house of the state, very wisely considering that she had enough to do to mind her own. Mr. Bird, therefore, opened his eyes in surprise and said,

“Not very much of importance.”

10 “Well; but is it true that they have been passing a law forbidding people to give meat and drink to those poor colored folks that come along? I heard they were talking of some such law, but I didn’t think any Christian legislature would pass it!”

“Why, Mary, you are getting to be a politician, all at once.”

15 “No, nonsense! I wouldn’t give a fip for all your politics, generally, but I think this is something downright cruel and unchristian. I hope, my dear, no such law has been passed.”

20 “There has been a law passed forbidding people to help off the slaves that come over from Kentucky, my dear; so much of that thing has been done by these reckless Abolitionists, that our brethren in Kentucky are very strongly excited, and it seems necessary, and no more than Christian and kind, that something should be done by our state to quiet the excitement.”

“And what is the law? It don’t forbid us to shelter these poor creatures a night, does it, and to give ’em something comfortable to eat, and a few old clothes, and send them quietly about their business?”

“Why, yes, my dear; that would be aiding and abetting, you know.”

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Mrs. Bird was a timid, blushing little woman, of about four feet in height, and with mild blue eyes, and a peach-blow complexion, and the gentlest, sweetest voice in the world; —as for courage, a moderate-sized cock-turkey had been known to put her to rout at the very first gobble... There was only one thing that was capable of arousing her, and that

5 provocation came in on the side of her unusually gentle and sympathetic nature;—anything in the shape of cruelty would throw her into a passion, which was more alarming and inexplicable in proportion to the general softness of her nature...

On the present occasion, Mrs. Bird rose quickly, with very red cheeks, which quite improved her general appearance, and walked up to her husband, with quite a resolute air,

10 and said, in a determined tone,

“Now, John, I want to know if you think such a law as that is right and Christian?”

“You won’t shoot me, now, Mary, if I say I do!”

“I never could have thought it of you, John; you didn’t vote for it?”

“Even so, my fair politician.”

15 “You ought to be ashamed, John! Poor, homeless, houseless creatures! It’s a shameful, wicked, abominable law, and I’ll break it, for one, the first time I get a chance; and I hope I shall have a chance, I do! Things have got to a pretty pass, if a woman can’t give a warm supper and a bed to poor, starving creatures, just because they are slaves, and have been abused and oppressed all their lives, poor things!”

20 “But, Mary, just listen to me. Your feelings are all quite right, dear, and interesting, and I love you for them; but, then, dear, we musn’t suffer our feelings to run away with our judgment; you must consider it’s not a matter of private feeling,—there are great public interests involved,—there is such a state of public agitation rising, that we must put aside our private feelings.”

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“Now, John, I don’t know anything about politics, but I can read my Bible; and there I see that I must feed the hungry, clothe the naked, and comfort the desolate; and that Bible I mean to follow.”

“But in cases where your doing so would involve a great public evil—”

5 “Obeying God never brings on public evils. I know it can’t. It’s always safest, all round, to do as He bids us.”

“Now, listen to me, Mary, and I can state to you a very clear argument, to show—”

10 “O, nonsense, John! you can talk all night, but you wouldn’t do it. I put it to you, John,—would you now turn away a poor, shivering, hungry creature from your door, because he was a runaway? Would you, now?”

Now if the truth must be told, our senator had the misfortune to be a man who had a particularly humane and accessible nature, and turning away anybody that was in trouble never had been his forte; and what was worse for him in this particular pinch of the argu-
15 ment was, that his wife knew it, and, of course, was making an assault on rather an indefensible point...

“Of course, it would be a very painful duty,” began Mr. Bird, in a moderate tone.

20 “Duty, John! don’t use that word! You know it isn’t a duty—it can’t be a duty! If folks want to keep their slaves from running away, let ’em treat ’em well,—that’s my doctrine. If I had slaves (as I hope I never shall have), I’d risk their wanting to run away from me, or you either, John. I tell you folks don’t run away when they’re happy; and when they do run, poor creatures! they suffer enough with cold and hunger and fear, without everybody’s turning against them; and, law or no law, I never will, so help me God!”

“Mary! Mary! My dear, let me reason with you.”

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“I hate reasoning, John,—especially reasoning on such subjects. There’s a way you political folks have of coming round and round a plain right thing; and you don’t believe in it yourselves, when it comes to practice. I know you well enough, John. You don’t believe it’s right any more than I do; and you wouldn’t do it any sooner than I.”

5 At this critical juncture, old Cudjoe, the black man-of-all-work, put his head in at the door, and wished “Missis would come into the kitchen;”...

A young, slender woman, with garments torn and frozen, with one shoe gone, and the stocking torn away from the cut and bleeding foot, was laid back in a deadly swoon upon two chairs. There was the impress of the despised race on her face, yet none could
10 help feeling its mournful and pathetic beauty, while its stony sharpness, its cold, fixed, deathly aspect, struck a solemn chill over him. ...

“O ma’am!” said she, wildly, to Mrs. Bird, “do protect us! don’t let them get him!”

“Nobody shall hurt you here, poor woman,” said Mrs. Bird, encouragingly. “You are safe; don’t be afraid.”

15 “God bless you!” said the woman, covering her face and sobbing; while the little boy, seeing her crying, tried to get into her lap. ...

“Were you a slave?” said Mr. Bird.

“Yes, sir; I belonged to a man in Kentucky.”

“Was he unkind to you?”

20 “No, sir; he was a good master.”

“And was your mistress unkind to you?”

“No, sir—no! my mistress was always good to me.”

“What could induce you to leave a good home, then, and run away, and go through such dangers?”

The woman looked up at Mrs. Bird, with a keen, scrutinizing glance, and it did not escape her that she was dressed in deep mourning.

5 “Ma’am,” she said, suddenly, “have you ever lost a child?”...

Chapter 18: Miss Ophelia's experiences and opinions

...Our friend Tom, who had been in the kitchen during the conversation with the old rusk-woman, had followed her out into the street. He saw her go on, giving every once in a while a suppressed groan. At last she set her basket down on a doorstep, and began
10 arranging the old, faded shawl which covered her shoulders.

“I’ll carry your basket a piece,” said Tom, compassionately.

“Why should ye?” said the woman. “I don’t want no help.”

“You seem to be sick, or in trouble, or something;,” said Tom.

“I an’t sick,” said the woman, shortly.

15 “I wish,” said Tom, looking at her earnestly,—“I wish I could persuade you to leave off drinking. Don’t you know it will be the ruin of ye, body and soul?”

“I know’s I’m gwine to torment,” said the woman, sullenly. “Ye don’t need to tell me that ar. I’s ugly,—I’s wicked,—I’d gwine straight to torment. O, Lord! I wish I’s thar!”

Tom shuddered at these frightful words, spoken with a sullen, impassioned earnestness.
20

“O, Lord have mercy on ye! poor critter. Han’t ye never heard of Jesus Christ?”

“Jesus Christ,—who’s he?”

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“Why, he’s the Lord,” said Tom.

“I think I’ve heard tell o’ the Lord, and the judgment and torment. I’ve heard o’ that.”

5 “But didn’t anybody every tell you of the Lord Jesus, that loved us poor sinners, and died for us?”

“Don’t know nothin’ ’bout that,” said the woman; “nobody han’t never loved me, since my old man died.”

“Where was you raised?” said Tom.

10 “Up in Kentuck. A man kept me to breed chil’en for market, and sold ’em as fast as they got big enough; last of all, he sold me to a speculator, and my Mas’r got me o’ him.”

“What set you into this bad way of drinkin’?”

15 “To get shet o’ my misery. I had one child after I come here; and I thought then I’d have one to raise, cause Mas’r wasn’t a speculator. It was de peartest little thing! And Missus she seemed to think a heap on’t, at first; it never cried,—it was likely and fat. But Missis tuck sick, and I tended her; and I tuck the fever, and my milk all left me, and the child it pined to skin and bone, and Missis wouldn’t buy milk for it. She wouldn’t hear to me, when I telled her I hadn’t milk. She said she know I could feed it on what other folks eat; and the child kinder pined, and cried, and cried, and cried, day and night, and got all gone to skin and bones, and Missis got sot agin it, and she said ’twant nothin’ but crossness. She wished 20 it was dead, she said; and she wouldn’t let me have it o’ nights, cause, she said, it kept me awake, and made me good for nothing. She made me sleep in her room; and I had to put it away off in a little kind o’ garret, and thar it cried itself to death, one night. It did; and I tuck to drinin;, to keep its crying out of my ears! I did,—and I will drink! I will, if I do go to torment for it! Mas’r says I shall go to torment, and I tell him I’ve got thar now!”

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“O, ye poor critter!” said Tom, “han’t nobody ever telled ye how the Lord Jesus loved ye, and died for ye? Han’t they telled ye that he’ll help ye, and ye can go to heaven, and have rest, at last?”

5 “I looks like gwine to heaven,” said the woman; “an’t thar where white folks is gwine? S’pose they’d have me thar? I’d rather go to torment, and get away from Mas’r and Missis. I had so,” she said, as, with her usual goan, she got her basket on her head, and walked sullenly away.

Tom turned, and walked sorrowfully back to the house.

Chapter 40: The martyr

10 ...We have walked with our humble friend thus far in the valley of slavery; first through flowery fields of ease and indulgence, then through heart-breaking separations from all that man holds dear. Again, we have waited with him in a sunny island, where generous hands concealed his chains with flowers; and, lastly, we have followed him when the last ray of earthly hope went out in night, and seen how, in the blackness of earthly
15 darkness, the firmament of the unseen has blazed with stars of new and significant lustre.

The morning star now stands over the tops of the mountains, and gales and breezes, not of earth, show that the fates of day are unclosing.

The escape of Cassy and Emmeline irritate the before surly temper of Legree to the last degree; and his fury, as was to be expected, fell upon the defenceless head of Tom. When
20 he hurriedly announced the tidings among his hands, there was a sudden light in Tom’s eye, a sudden upraising of his hands, that did not escape him. He saw that he did not join the muster of the pursuers. He thought of forcing him to do it; but, having had, of old, experience of his inflexibility when commanded to take part in any deed of inhumanity, he would not, in his hurry, stop to enter into any conflict with him.

25 Tom, therefore, remained behind, with a few who had learned of him to pray, and offered up prayers for the escape of the fugitives.

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When Legree returned, baffled and disappointed, all the long-working hatred of his soul towards his slave began to gather in a deadly and desperate form. Had not this man braved him,—steadily, powerfully, resistlessly,—ever since he bought him? Was there not a spirit in him which, silent as it was, burned on him like the fires of perdition?

5 “I hate him!” said Legree, that night, as he sat up in his bed; “I hate him! And isn’t he MINE? Can’t I do what I like with him? Who’s to hinder, I wonder?” And Legree clenched his fist, and shook it, as if he had something in his hands that he could rend to pieces.

10 But, then, Tom was a faithful, valuable servant; and, although Legree hated him the more for that, yet the consideration was still somewhat of a restraint to him.

15 The next morning, he determined to say nothing, as yet; to assemble a party, from some neighboring plantations, with dogs and guns; to surround the swamp, and go about the hunt systematically. If it succeeded, well and good; if not, he would summon Tom before him, and—his teeth clenched and his blood boiled—then he would break that fellow down, or—there was a dire inward whisper, to which his soul assented.

Ye say that the interest of the master is a sufficient safeguard for the slave. In the fury of man’s mad will, he will wittingly, and with open eye, sell his own soul to the devil to the devil to gain his ends; and will he be more careful of his neighbor’s body?

20 ...The men are, two of them, overseers of plantations in the vicinity; and others were some of Legree’s associates at the tavern-bar of a neighboring city, who had come for the interest of the sport. A more hard-favored set, perhaps, could not be imagined. Legree was serving brandy, profusely, round among them, as also among the negroes, who had been detailed from the various plantations for this service; for it was an object to make every service of this kind, among the negroes, as much of a holiday as possible.

25 Cassy placed her ear to the knot-hole; and, as the morning air blew directly towards the house, she could overhear a good deal of the conversation...

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Cassy drew back; and, clasping her hands, looked upward, and said, "O, great Almighty God! We are all sinners; but what have we done, more than all the rest of the world, that we should be treated so?"

There was a terrible earnestness in her face and voice, as she spoke.

5 "If it wasn't for you, child," she said, looking at Emmeline, "I'd go out to them; and I'd thank any one of them that would shoot me down; for what use will freedom be to me? Can it give me back my children, or make me what I sued to be?"

10 ... "O, Em!" said Cassy, "I've hungered for my children, and thirsted for them, and my eyes fail with longing for them! Here! here!" she said, striking her breast, "it's all desolate, all empty! If God would give me back my children, then I could pray."

"You must trust him, Cassy," said Emmeline; "he is our Father!"

"His wrath is upon us," said Cassy; "he has turned away in anger."

"No, Cassy! He will be good to us! Let us hope in Him," said Emmeline,—"I always have had hope."

15 ***

The hunt was long, animated, and thorough, but unsuccessful; and, with grave, ironic exultation, Cassy looked down on Legree, as, weary and dispirited, he alighted from his horse.

20 "Now, Quimbo," said Legree, as he stretched himself down in the sitting-room. "you jest go and walk that Tom up here, right away! The old cuss is at the bottom of this yer whole matter; and I'll have it out of his old black hide, or I'll know the reason why!"

Sambo and Quimbo, both, though hating each other, were joined in one mind by a no less cordial hatred of Tom. Legree had told them, at first, that he had bought him for a general overseer, in his absence; and this had begun an ill will, on their part, which had

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increased, in their debased and servile natures, as they saw hi becoming obnoxious to their master's displeasure. Quimbo, therefore, departed, with a will, to execute his orders.

Tom heard the message with a forewarning heart; for he knew all the plan of the fugitives' escape, and the place of their present concealment;—he knew the deadly character of the man he had to deal with, and his despotic power. But he felt strong in God to meet death, rather than betray the helpless.

He sat his basket down by the row, and, looking up, said, "Into thy hands I commend my spirit! Thou hast redeemed me, oh Lord God of truth!" and then quietly yielded himself to the rough, brutal grasp with which Quimbo seized him.

10 "Ay, ay!" said the giant, as he dragged him along; "ye'll cotch it, now! I'll boun' Mas'r's back's up high! No sneaking out, now! Tell ye, ye'll get it, and no mistake! See how ye'll look, now, helpin' Mas'r's n—s to run away! See what ye'll get!"

The savage words none of them reached that ear!—a higher voice there was saying, "Fear not them that kill the body, and, after that, have no more that they can do." Nerve and bone of that poor man's body vibrated to those words, as if touched by the finger of God; and he felt the strength of a thousand souls in one. As he passed along, the trees and bushes, the huts of his servitude, the whole scene of his degradation, seemed to whirl by him as the landscape by the rushing car.

His soul throbbed,—his home was in sight,—and the hour of release seemed at hand.

20 "Well, Tom!" said Legree, walking up, and seizing him grimly by the collar of his coat, and speaking through his teeth, in a paroxysm of determined rage, "do you know I've made up my mind to KILL you?"

"It's very likely, Mas'r," said Tom, calmly.

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"I have," said Legree, with grim, terrible calmness, "done—just—that—thing, Tom, unless you'll tell me what you kno about these yer gals!"

Tom stood silent.

"D'ye hear!" said Legree, stamping, with a roar like that of an incensed lion.
5 "Speak!"

"I han't got nothing to tell, Mas'r," said Tom, with a slow, firm, deliberate utterance.

"Do you date to tell me, ye old black Christian, de don't know?" said Legree.

Tom was silent.

10 "Speak!" thundered Legree, striking him furiously. "Do you know anything?"

"I know, Mas'r; but I can't tell anything. I can die!"

Legree drew in a long breath; and, suppressing his rage, took Tom by the arm, and, approaching his face almost to his, said, in a terrible voice, "Hark'e, Tom!—ye think, 'cause I've let you off before, I don't mean what I say; but, this time, I've made up my mind, and
15 counted the cost. You've always stood it out agin' me: now, I'll conquer ye, or kill ye!—one or t'other. I'll count every drop of blood there is in you, and take 'em, one by one, till ye give up!"

Tom looked up to his master, and answered, "Mas'r, if you was sick, or in trouble, or dying, and I could save ye, I'd give ye my heart's blood; and if, taking every drop of blood
20 in this poor old body would save your precious soul, I'd give 'em freely, as the Lord gave his for me. O, Mas'r! don't bring this great sin on your soul! It will hurt you more than 'twill me! Do the worst you can, my troubles'll be over soon; but, if ye don't repent, yours won't never end!"

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Like a strange snatch of heavenly music, heard in the lull of a tempest, this burst of feeling made a moment's blank pause. Legree stood aghast, and looked at Tom; and there was such a silence, that the tick of the old clock could be heard, measuring, with silent touch, the last moments of mercy and probation to that hardened heart.

5 It was but a moment. There was one hesitating pause,—one irresolute, relenting thrill,—and the spirit of evil came back, with seven-fold vehemence; and Legree, foaming with rage, smote his victim to the ground.

10 Scenes of blood and cruelty are showing to our ear and heart. What man has nerve to do, man has not nerve to hear. What brother-man and brother-Christian must suffer, cannot be told us, even in our secret chamber, it so harrows up the soul! And yet, oh my country; these things are done under the shadow of thy laws! O, Christ! thy church sees them, almost in silence!

15 But, of old, there was One whose suffering changed an instrument of torture, degradation and shame, into a symbol of glory, honor, and immortal life; and, where His spirit is, neither degrading stripes, nor blood, nor insults, can make the Christian's last struggle less than glorious.

Was he alone, that long night, whose brave, loving spirit was bearing up, in that old shed, against buffeting and brutal stripes?

20 Nay! There stood by him ONE,—seen by him alone,—“like unto the Son of God.”

...“Pay away, till he give up! Give it to him!—give it to him!” shouted Legree. “I'll take every drop of blood he has, unless he confesses!”

25 Tom opened his eyes, and looked upon his master. “Ye poor miserable critter!” he said, “there an't no more ye can do! I forgive ye, with all my soul!” and he fainted entirely away.

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"I b'lieve, my soul, he's done for, finally," said Legree, stepping forward, to look at him. "Yes, he is! Well, his mouth's shut up, at last,—that's one comfort!"

Yes, Legree; but who shall shut up that voice in thy soul? that soul, past repentance, past prayer, past hope, in whom the fire that never shall be quenched is already burning!

5 Yet Tom was not quite gone. His wondrous words and pious prayers had struck upon the hearts of the imbruted blacks, who had been the instruments of cruelty upon him; and, the instant Legree withdrew, they took him down, and, in their ignorance, sought to call him back to life,—as if that were any favor to him.

10 "Sartin, we's been doin' a drefful wicked thing!" said Sambo; hopes Mas'r 'll have to 'count for it, and not we."

They washed his wounds,—they provided a rude bed, of some refuse cotton, for him to lie down on; and one of them, stealing up to the house, begged a drink of brandy of Legree, pretending that he was tired, and wanted it for himself. He brought it back, and poured it down Tom's throat.

15 "O, Tom!" said Quimbo, "we's been awful wicked to ye!"

"I forgive ye, with all my heart!" said Tom, faintly.

"O, Tom! do tell us who is Jesus, anyhow?" said Sambo;—"Jesus, that's been a standin' by you so, all this night!—Who is he?"

20 The word roused the failing, fainting spirit. He poured forth a few energetic sentences of that wondrous One,—his life, his death, his everlasting presence, and power to save.

They wept,—both the two savage men.

"Why didn't I never hear this before?" said Sambo; "but I do believe!—I can't help it! Lord Jesus, have mercy on us!"

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“Poor critters!” said Tom, “I’d be willing to b’ar all I have, it it’ll only bring ye to Christ! O, Lord! give me these two more souls, I pray!”

That prayer was answered!

Chapter 43: Results

5 George’s feelings and views, as an educated man, may be best expressed in a letter to one of his friends.

“I feel somewhat at a loss, as to my future course. True, as you have said to me, I might mingle in the circles of the whites, in this country, my shade of color is so slight and that of my wife and family scarcely perceptible. Well, perhaps, on sufferance, I might. But,
10 to tell you the truth, I have no wish to.

“My sympathies are not for my father’s race, but for my mother’s. To him I was no more than a fine dog or horse: to my poor heart-broken mother I was a child; and, though I never saw her, after the cruel sale that separated us, till she died, yet I know she always loved me dearly. I know it by my own heart. When I think of all she suffered, of my own
15 early sufferings, of the distresses and struggles of my heroic wife, or my sister, sold in the New Orleans slave-market,—though I hope to have no unchristian sentiments, yet I may be excused for saying, I have no wish to pass for an American, or to identify myself with them.

“It is with the oppressed, enslaved African race that I cast in my lot; and, if I wished
20 anything, I would wish myself two shades darker, rather than one lighter.

“The desire and yearning of my soul is for African nationality. I want a people that shall have a tangible, separate existence of its own; and where am I to look for it? Not in Hayti; for in Hayti they had nothing to start with. A stream cannot rise above its fountain. The race that formed the character of the Haytiens was a worn-out, effeminate one; and, of
25 course, the subject race will be centuries in rising to anything.

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“Where, then, shall I look? On the shores of Africa I see a republic,—a republic formed of picked men, who, by energy and self-educating force, have, in many cases, individually, raised themselves above a condition of slavery. Having gone through a preparatory stage of feebleness, this republic has, at last, become an acknowledged nation on the face of the earth,—acknowledged by both France and England. There it is my wish to go, and find myself a people.

“...Our nation shall roll the tide of civilization and Christianity along its shores, and plant there mighty republics, that, growing with the rapidity of tropical vegetation, shall be for all coming ages.

“Do you say that I am deserting my enslaved brethren? I think not. If I forget them one hour, one moment of my life, so may God forget me! But, what can I do for them, here? Can I break their chains? No, not as an individual; but, let me go and form part of a nation, which shall have a voice in the councils of nations, and then we can speak. A nation has a right to argue, remonstrate, implore, and present the cause of its race,—which an individual has not.

“If Europe ever becomes a grand council of free nation,—as I trust in God it will,—if, there, serfdom, and all unjust and oppressive social inequalities, are done away; and if they, as France and England have done, acknowledge our positions,—then, in the great congress of nations, we will make our appeal, and present the cause of our enslaved and suffering race; and it cannot be that free, enlightened America will not then desire to wipe from her escutcheon that bar sinister which disgraces her among nations, and is as truly a curse to her as to the enslaved.

“But, you will tell me, our race have equal rights to mingle in the American republic as the Irishman, the German, and the Swede. Granted, they have. We ought to be free to meet and mingle,—to rise by our individual worth, without any consideration of caste or color; and they who deny us this right are false to their own professed principles of human equality. We ought, in particular, to be allowed here. We have more than the rights of common men;—we have the claim of an injured race for reparation. But, then, I do not want it;

I want a country, a nation, of my own. I think that the African race has peculiarities, yet to be unfolded in the light of civilization and Christianity, which, if not the same with those of the Anglo-Saxon, may prove to be, morally, of even a higher type." ...

Chapter 45: Concluding remarks

5 The writer has often been inquired of, by correspondents from different parts of the country, whether this narrative is a true one; and to these inquiries she will give one general answer.

10 The separate incidents that compose the narrative are, to a very great extent, authentic, occurring, many of them, either under her own observation, or that of her personal friends. She or her friends have observed characters the counterpart of almost all that are here introduced; and many of the sayings are word for word as heard herself, or reported to her.

15 ...That the tragical fate of Tom, also, has too many times had its parallel, there are living witnesses, all over our land, to testify...It is said, "Very likely such cases may now and then occur, but they are no sample of general practice." If the laws of New England were so arranged that a master could now and then torture an apprentice to death, without a possibility of being brought to justice, would it be received with equal composure? Would it be said, "These cases are rare, and no samples of general practice"? This injustice is an inherent one in the slave system,—it cannot exist without it.

20 ...For many years of her life, the author avoided all reading upon or allusion to the subject of slavery, considering it as too painful to be inquired into, and one which advancing light and civilization would certainly live down. But, since the legislative act of 1850, when she heard, with perfect surprise and consternation, Christian and humane people actually recommending the remanding escaped fugitives into slavery, as a duty binding on good citizens...she could only think, These men and Christians cannot know what slavery is; if they did, such a question could never be open for discussion. And from this arose a

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desire to exhibit it in a living dramatic reality. She has endeavored to show it fairly, in its best and its worst phases.

...And now, men and women of America, is this a thing to be trifled with, apologized for, and passed over in silence?

5 ...A day of grace is yet held out to us. Both North and South have been guilty before God and the Christian church has a heavy account to answer. Not by combining together, to protect injustice and cruelty, and making a common capital of sin, is this Union to be saved,—but by repentance, justice and mercy; for not surer is the eternal law by which the millstone sinks in the ocean, than that stronger law, by which injustice and cruelty shall
10 bring on nations the wrath of Almighty God!

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 (1856).

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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.

It will be observed, that the plea applies to that class of persons only whose ancestors were negroes of the African race, and imported into this country, and sold and held as slaves.

The only matter in issue before the court, therefore, is, whether the descendants of such slaves, when they shall be emancipated, or who are born of parents who had become free before their birth, are citizens of a state, in the sense in which the word "citizen" is used in the Constitution of the United States. And this being the only matter in dispute on the pleadings, the court must be understood as speaking in this opinion of that class only; that is, of those persons who are the descendants of Africans who were imported into this country and sold as slaves....

We proceed to examine the case as presented by the pleadings.

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

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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.

5 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.

10 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
15 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
20 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
25 citizen in the other States. The rights which he would acquire would be restricted to the State which gave them. The Constitution has conferred on Congress the right to establish an uniform rule of naturalization, and this right is evidently exclusive, and has always been held by this court to be so. Consequently, no State, since the adoption of the Constitution, can, by naturalizing an alien, invest him with the rights and privileges secured to a citizen

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of a State under the federal government, although, so far as the State alone was concerned, he would undoubtedly be entitled to the rights of a citizen, and clothed with all the rights and immunities which the Constitution and laws of the State attached to that character.

5 It is very clear, therefore, that no State can, by any Act or law of its own, passed since the adoption of the Constitution, introduce a new member into the political community created by the Constitution of the United States. It cannot make him a member of this community by making him a member of its own. And for the same reason it cannot introduce any person, or description of persons, who were not intended to be embraced in this new political family, which the Constitution brought into existence, but were intended
10 to be excluded from it.

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
15 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?

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

25 It is true, every person, and every class and description of persons, who were at the time of the adoption of the Constitution recognized as citizens in the several States, became also citizens of this new political body; but none other; it was formed by them, and for them and their posterity, but for no one else. And the personal rights and privileges guaranteed to citizens of this new sovereignty were intended to embrace those only who were then

members of the several state communities, or who should afterwards, by birthright or otherwise, become members, according to the provisions of the Constitution and the principles on which it was founded. It was the union of those who were at that time members of distinct and separate political communities into one political family, whose power, for certain specified purposes, was to extend over the whole territory of the United States. And it gave to each citizen rights and privileges outside of his State which he did not before possess, and placed him in every other State upon a perfect equality with its own citizens as to rights of person and rights of property; it made him a citizen of the United States.

10 It becomes necessary, therefore, to determine who were citizens of the several States when the Constitution was adopted. And in order to do this, we must recur to the governments and institutions of the thirteen Colonies, when they separated from Great Britain and formed new sovereignties, and took their places in the family of independent nations. We must inquire who, at that time, were recognized as the people or citizens of a State, whose rights and liberties had been outraged by the English Government; and who declared their independence, and assumed the powers of government to defend their rights by force of arms.

20 In the opinion of the court, the legislation and histories of the times, and the language used in the Declaration of Independence, show, that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, nor intended to be included in the general words used in that memorable instrument.

25 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. But the public history of every European nation displays it, in a manner too plain to be mistaken.

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They had for more than a century before been regarded as beings of an inferior order; and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. This opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing, or supposed to be open to dispute; and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as well as in matters of public concern, without doubting for a moment the correctness of this opinion.

And in no nation was this opinion more firmly fixed or more uniformly acted upon than by the English government and English people. They not only seized them on the coast of Africa, and sold them or held them in slavery for their own use; but they took them as ordinary articles of merchandise to every country where they could make a profit on them, and were far more extensively engaged in this commerce than any other nation in the world.

The opinion thus entertained and acted upon in England was naturally impressed upon the colonies they founded on this side of the Atlantic. And, accordingly, a negro of the African race was regarded by them as an article of property, and held, and bought and sold as such, in every one of the thirteen Colonies which united in the Declaration of Independence, and afterwards formed the Constitution of the United States. The slaves were more or less numerous in the different Colonies, as slave labor was found more or less profitable. But no one seems to have doubted the correctness of the prevailing opinion of the time.

The legislation of the different Colonies furnishes positive and indisputable proof of this fact....

The language of the Declaration of Independence is equally conclusive.

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It begins by declaring that, "when in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect for the opinions of mankind requires
5 that they should declare the causes which impel them to the separation."

It then proceeds to say: "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 them is life, liberty, and pursuit of happiness; that to secure these rights, governments are instituted, deriving their just powers from the consent of the governed."

10 The general words above quoted would seem to embrace the whole human family, and if they were used in a similar instrument at this day, would be so understood. But it 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
15 framed the Declaration of Independence would have been utterly and flagrantly inconsistent with the principles they asserted; and instead of the sympathy of mankind, to which they so confidently appealed, they would have deserved and received universal rebuke and reprobation.

Yet the men who framed this Declaration were great men—high in literary acquirements—
20 high in their sense of honor, and incapable of asserting principles inconsistent with those on which they were acting. They perfectly understood the meaning of the language they used, and how it would be understood by others; and they knew that it would not, in any part of the civilized world, be supposed to embrace the negro race, which, by common consent, had been excluded from civilized governments and the family of nations, and
25 doomed to slavery. They spoke and acted according to the then established doctrines and principles, and in the ordinary language of the day, and no one misunderstood them. The unhappy black race were separated from the white by indelible marks, and laws long before

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established, and were never thought of or spoken of except as property, and when the claims of the owner or the profit of the trader were supposed to need protection.

This state of public opinion had undergone no change when the Constitution was adopted, as is equally evident from its provisions and language.

5 The brief preamble sets forth by whom it was formed, for what purposes, and for whose benefit and protection. It declares that it is formed by the people of the United States; that is to say, by those who were members of the different political communities in the several States; and its great object is declared to be to secure the blessings of liberty to themselves and their posterity. It speaks in general terms of the people of the United States, and of
10 citizens of the several States, when it is providing for the exercise of the powers granted or the privileges secured to the citizen. It does not define what description of persons are intended to be included under these terms, or who shall be regarded as a citizen and one of the people. It uses them as terms so well understood that no further description or definition was necessary.

15 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 the year 1808, if it thinks proper. And the importation which it thus sanctions was
20 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 their respective territories. By the first above-mentioned clause, therefore, the right to
25 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,

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....

- 5 In considering this part of the controversy, two questions arise: 1st. Was he, together with his family, free in Missouri by reason of the stay in the territory of the United States hereinbefore mentioned? And 2nd. If they were not, is Scott himself free by reason of his removal to Rock Island, in the State of Illinois, as stated in the above admissions?

We proceed to examine the first question.

- 10 The Act of Congress, upon which the plaintiff relies, 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 meets us at the threshold of this part of the inquiry is, whether Congress
15 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.

- The counsel for the plaintiff has laid much stress upon that article in the Constitution which
20 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 territory which at that time belonged to, or was claimed by, the United States, and was
25 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....

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Whether, therefore, we take the particular clause in question, by itself, or in connection with the other provisions of the Constitution, we think it clear, that it applies only to the particular territory of which we have spoken, and cannot, by any just rule of interpretation, be extended to a territory which the new government might afterwards obtain from a foreign nation. Consequently, the power which Congress may have lawfully exercised in this territory, while it remained under a territorial government, and which may have been sanctioned by judicial decision, can furnish no justification and no argument to support a similar exercise of power over territory afterwards acquired by the Federal Government. We put aside, therefore, any argument, drawn from precedents, showing the extent of the power which the general government exercised over slavery in this territory, as altogether inapplicable to the case before us....

All we mean to say on this point is, that, as there is no express regulation in the Constitution defining the power which the general government may exercise over the person or property of a citizen in a territory thus acquired, the court must necessarily look to the provisions and principles of the Constitution, and its distribution of powers, for the rules and principles by which its decision must be governed....

At the time when the Territory in question was obtained by cession from France, it contained no population fit to be associated together and admitted as a State; and it therefore was absolutely necessary to hold possession of it as a Territory belonging to the United States until it was settled and inhabited by a civilized community capable of self-government, and in a condition to be admitted on equal terms with the other States as a member of the Union. But, as we have before said, it was acquired by the general government as the representative and trustee of the people of the United States, and it must, therefore, be held in that character for their common and equal benefit; for it was the people of the several States, acting through the agent and representative, the Federal Government, who in fact acquired the territory in question, and the government holds it for their common use until it shall be associated with the other States as a member of the Union. ...

But the power of Congress over the person or property of a citizen can never be a mere discretionary power under our Constitution and form of government. The powers of the government and the rights and privileges of the citizen are regulated and plainly defined by the Constitution itself. And when the territory becomes a part of the United States, the Federal Government enters into possession in the character impressed upon it by those
5 who created it. It enters upon it with its powers over the citizen strictly defined, and limited by the Constitution, from which it derives its own existence, and by virtue of which alone it continues to exist and act as a government and sovereignty. It has no power of any kind beyond it; and it cannot, when it enters a territory of the United States, put off its character,
10 and assume discretionary or despotic powers which the Constitution has denied to it. It cannot create for itself a new character separated from the citizens of the United States, and the duties it owes them under the provisions of the Constitution. The territory being a part of the United States, the government and the citizen both enter it under the authority of the Constitution, with their respective rights defined and marked out; and the Federal
15 Government can exercise no power over his person or property, beyond what that instrument confers, nor lawfully deny any right which it has reserved. ...

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
20 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.

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
25 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

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property and other property owned by a citizen, no tribunal, acting under the authority of 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. ...

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, 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....

But there is another point in the case which depends on state power and state law. And it is contended, on the part of the plaintiff, that he is made free by being taken to Rock Island, in the State of Illinois, independently of his residence in the territory of the United States; and being so made free, he was not again reduced to a state of slavery by being brought back to Missouri.

Our notice of this part of the case will be very brief; for the principle on which it depends was decided in this court, upon much consideration, in the case of *Strader et al. v. Graham*, reported in 10th Howard, 82. In that case, the slaves had been taken from Kentucky to Ohio, with the consent of the owner, and afterwards brought back to Kentucky. And this court held that their *status* or condition, as free or slave, depended upon the laws of Kentucky, when they were brought back into that State, and not of Ohio; and that this court had no jurisdiction to revise the judgment of a state court upon its own laws. This was the point directly before the court, and the decision that this court had not jurisdiction, turned upon it, as will be seen by the report of the case.

So in this case: as Scott was a slave when taken into the State of Illinois by his owner, and was there held as such, and brought back in that character, his *status*, as free or slave, depended on the laws of Missouri, and not of Illinois....

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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 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.

- 5 *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.

At length a squabble springs up between the President and the author of the Nebraska bill,
5 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:

First, that no negro slave, imported as such from Africa, and no descendant of such slave
25 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....

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 Feejee 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 thousand
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

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.

His first criticism upon me is the expression of his hope that the war of the administration
10 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....

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.

PRESIDENT-ELECT ABRAHAM LINCOLN (R-IL)**On the Constitution and Union**

UNPUBLISHED WRITING FRAGMENT

January 1861

BACKGROUND

Abraham Lincoln scrawled these words on the relationship between the Constitution and the Declaration of Independence, potentially as part of his drafts for his First Inaugural Address, though they were not used in the final speech nor in any other public comments.

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All this is not the result of accident. It has a philosophical cause. Without the Constitution and the Union, we could not have attained the result; but even these, are not the primary cause of our great prosperity. There is something back of these, entwining itself more closely about the human heart. That something, is the principle of "Liberty to all"—the principle that clears the path for all—gives hope to all—and, by consequence, enterprise, and industry to all.

The expression of that principle, in our Declaration of Independence, was most happy, and fortunate. Without this, as well as with it, we could have declared our independence of Great Britain; but without it, we could not, I think, have secured our free government, and consequent prosperity. No oppressed, people will fight, and endure, as our fathers did, without the promise of something better, than a mere change of masters.

The assertion of that principle, at that time, was the word, "fitly spoken" which has proved an "apple of gold" to us. The Union, and the Constitution, are the picture of silver, subsequently framed around it. The picture was made, not to conceal, or destroy the apple; but

Abraham Lincoln, "Fragment on the Constitution and the Union," January 1861, in *The Collected Works of Abraham Lincoln*, Vol. 4, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 168-69.

On the Constitution and Union
Abraham Lincoln

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to adorn, and preserve it. The picture was made for the apple—not the apple for the picture.

So let us act, that neither picture, or apple shall ever be blurred, or bruised or broken.

That we may so act, we must study, and understand the points of danger.

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.

15

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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-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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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
Abraham Lincoln

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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.

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.

ANNOTATIONS**NOTES & QUESTIONS**

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 en-

10 joyed 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, or imprisonment not exceeding one year, or both

5
 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 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. . . .

10
 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 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 has cognizance of the offence. . . .

15
 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 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

NOTES & QUESTIONS

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.

ANNOTATIONS

NOTES & QUESTIONS

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.

E.D. ESTILLETTE, PRESIDENT OF THE BOARD OF POLICE

To the Police of Recently Emancipated Negroes

ORDINANCE

July 3, 1865
Opelousas, Louisiana

BACKGROUND

As slavery was outlawed and African Americans were freed in southern states, many communities created new laws and regulations to infringe upon the newfound freedom of former slaves. This is one example of such a “black code” from a town in Louisiana in the first months after the Civil War.

ANNOTATIONS

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[RELATIV]E TO THE POLICE OF RECENTLY [EM]ANCIPATED NEGROES OR FREED[M]EN, WITHIN THE CORPORATE LIMITS OF THE TOWN OF OPELOUSAS.

Whereas the relations formerly subsis[ti]ng between master and slave have b[e]come changed by the action of the controlling authorities; and whereas it i[s] necessary to provide
5 for the proper police and government of the recently emancipated negroes or freedmen, in their new relations to the municipal authorities;

Sect. 1. Be it therefore ordained by [t]he Board of Police of the Town of Ope[l]ousas: That no negro or freedman shall be allowed to come within the limits of the Town of Opelousas, without special permission from his employer, specifying the object of his visit, and the
10 time necessary for the accomplishment of the same. Whoever shall violate this provision, shall suffer imprisonment and two days work on the public streets, or shall pay a fine of two dollars and fifty cents.

Sect. 2. Be it further ordained that every negro or freedman who shall be found on the streets of Opelousas, after 10 o'clock at night, without a written pass or permit from his

Steven Hahn ed., *Freedom: A Documentary History of Emancipation, 1861-1867*, Ser. 3, Vol. 1: Land and Labor, 1865 (Chapel Hill, NC: University of North Carolina Press, 2008), 237-39.

employer, shall be imprisoned and compelled to work five days on the public streets, or pay a fine of five dollars.

Sect. 3. No negro or freedman shall be permitted to rent or keep a house within the limits of the town under any circumstances, and any one thus offending, shall be ejected and
5 compelled to find an employer, or leave the town within twenty-four hours. The lessor or furnisher of the house leased or kept as above, shall pay a fine of ten dollars for each offense.

Sect. 4. No negro or freedman shall reside within the limits of the Town of Opelousas, who is not in the regular service of some white person or former owner, who shall be held responsible for the conduct of said freedman. But said employer or former owner may permit
10 said freedman to hire his time, by special permission in writing, which permission shall not extend over twenty-four hours at any one time. Any one violating the provisions of this section, shall be imprisoned and forced to work for two days on the public streets.

Sect. 5. No public meetings or congregations of negroes or freedmen, shall be allowed within the limits of the Town of Opelousas, under any circumstances or for any purpose,
15 without the permission of the Mayor or President of the Board. This prohibition is not intended, however, to prevent freedmen from attending the usual Church services conducted by established ministers of religion. Every freedman violating this law shall be imprisoned and made to work five days on the public streets.

Sect. 6. No negro or freedman shall be permitted to preach, exhort or otherwise declaim,
20 to congregations of colored people, without a special permission from the Mayor or President of the Board of Police, under the penalty of a fine of ten dollars or twenty days work on the public streets.

Sect. 7. No freedman, who is not in the military service, shall be allowed to carry fire-arms or any kind of weapons, within the limits of the Town of Opelousas, without the special
25 permission of his employer in writing, and approved by the Mayor or President of the Board of Police. Any one thus offending shall forfeit his weapons and shall be imprisoned and made to work five days on the public streets, or pay a fine of five dollars in lieu of said work.

ANNOTATIONS

NOTES & QUESTIONS

Sect. 8. No freedman shall sell, barter or exchange any articles of merchandise or traffic, within the limits of Opelousas, without permission in writing from his employer or the Mayor or President of the Board, under the penalty of the forfeiture of said articles, and imprisonment and one day's labor, or a fine of one dollar in lieu of said work.

- 5 Sect. 9. Any freedman found drunk within the limits of the town shall be imprisoned and made to labor five days on the public streets, or pay five dollars in lieu of said labor.

Sect. 10. Any freedman not residing in Opelousas, who shall be found within its corporate limits after the hour of 3 o'clock P.M. on Sunday, without a special written permission from his employer or the Mayor, shall be arrested and imprisoned and made to work two days
10 on the public streets, or pay two dollars in lieu of said work.

Sect. 11. All the foregoing provisions apply to freed men and freed women, or both sexes.

Sect. 12. It shall be the special duty of the Mayor or President of the Board, to see that all the provisions of this ordinance are faithfully executed.

Sect. 13. Be it further ordained, Th[at] this ordinance to take effect from [and] after its first
15 publication.

Ordained the 3d day of July, 186[5.],

E. D. ESTILLET[E]

President of the Board of Po[lice.]

JOS. D. RICHARD, Clerk.

