

Chapter 15

A Divided Nation

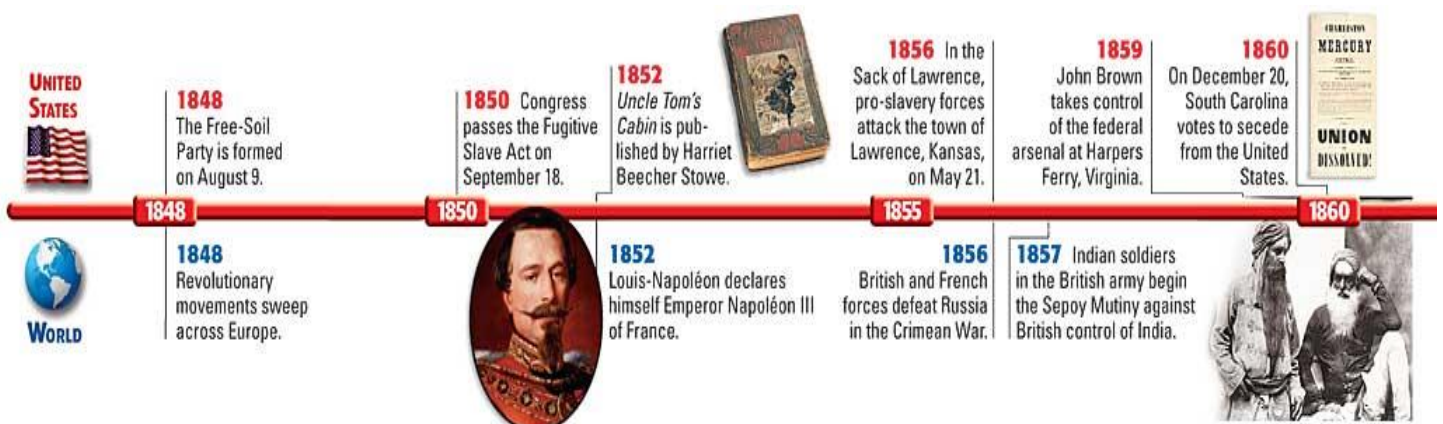
1848–1860



What you will learn...

Two women look at a display called “Survival of Spirit ” at the Museum of African American History in Detroit, Michigan. The display shows a history of resistance to slavery. In this chapter you will learn about how the debate over slavery increasingly divided Americans during the mid-1800s.

Chapter Time Line



Section 1

The Debate over Slavery

If you were there...

You live in a crowded neighborhood in New York City in 1854. Your apartment building is home to a variety of people—long-time residents, Irish immigrants, free African Americans. One day federal marshals knock on your door. They claim that one of your neighbors is a fugitive slave. The marshals say you must help them find her. If you don't, you will be fined or even sent to jail.

What would you tell the federal marshals?

BUILDING BACKGROUND Some reform movements of the 1800s drew stubborn and often violent opposition. This was especially true of the abolitionist movement. Pro-slavery supporters fought for laws to protect slavery and extend the slave system. These laws were a threat to African Americans in the North.

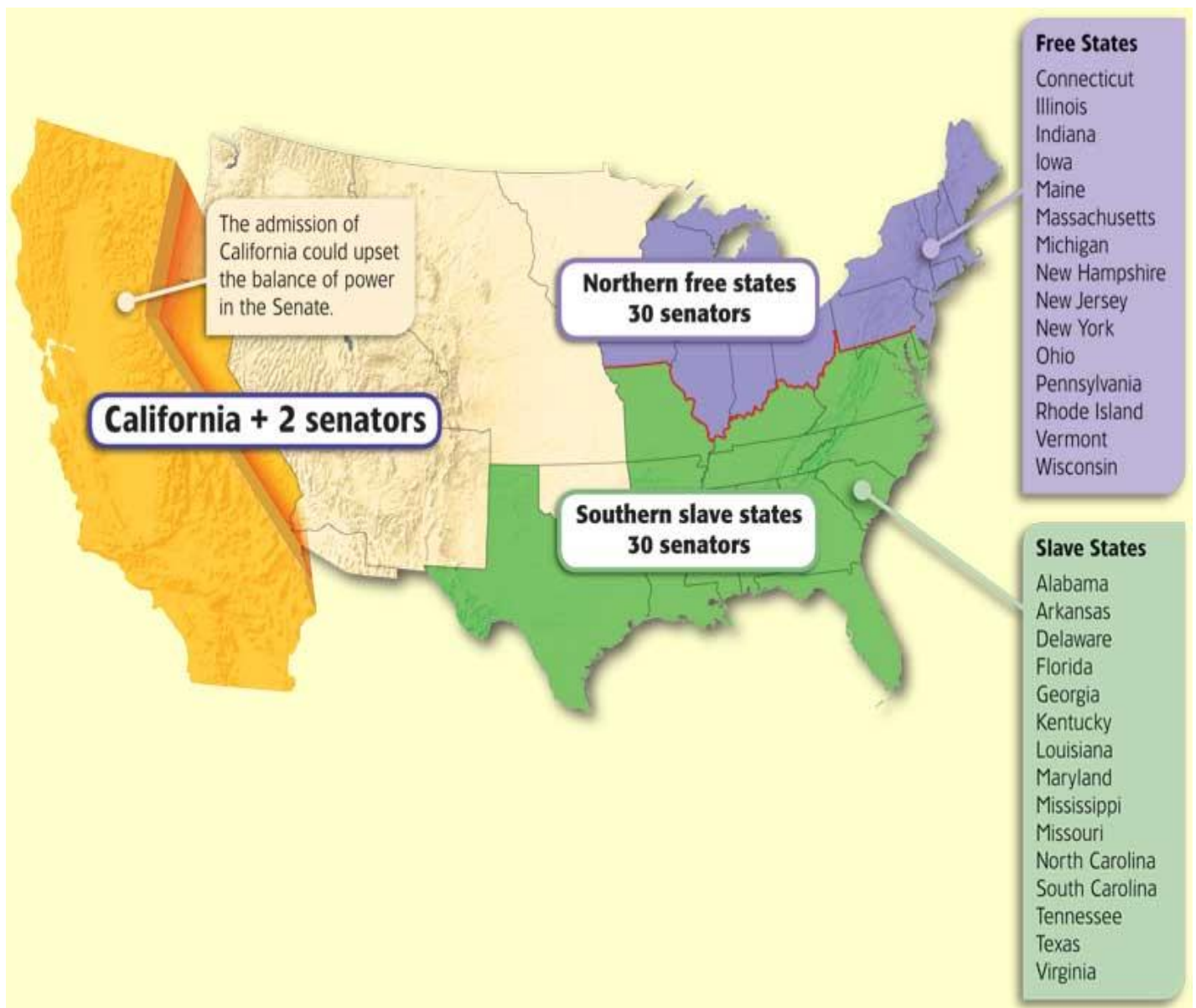
New Land Renews Slavery Disputes

The United States added more than 500,000 square miles of land as a result of winning the Mexican-American War in 1848. The additional land caused bitter debate about slavery. The Missouri Compromise of 1820 had divided the Louisiana Purchase into either free or slave regions. It prohibited slavery north of latitude 36°30' but let Missouri become a slave state. In the 1840s President James K. Polk wanted to extend the 36°30' line to the West coast, dividing the Mexican Cession into two parts—one free and one enslaved. Some leaders, including Senator Lewis Cass of Michigan, encouraged **popular sovereignty**, the idea that political power belongs to the people, who should decide on banning or allowing slavery.

Regional Differences about Slavery

Some northerners wanted to outlaw slavery in all parts of the Mexican Cession. During the war, Representative David Wilmot offered the **Wilmot Proviso**, a document stating that “neither slavery nor involuntary servitude shall ever exist in any part of [the] territory.”

Upsetting the Balance



The northern-controlled House passed the document, but in the Senate, the South had more power. The Wilmot Proviso did not pass. Before this time, politicians had usually supported the ideas of their political parties. However, the Wilmot Proviso spurred a debate that showed growing **sectionalism**, or favoring the interests of one section or region over the interests of the entire country.

To attract voters, the Democrats and the Whigs did not take a clear position on slavery in the presidential campaign of 1848. In response, **antislavery northerners formed a new party, the Free-Soil Party, which supported the Wilmot Proviso.** They worried that slave labor would mean fewer jobs for white workers. Party members chose former president Martin Van Buren as their candidate. The new party won 10 percent of the popular vote, drawing away votes from Democrat Lewis Cass. **The Impact Today** Whig candidate Zachary Taylor won a narrow victory.

The California Question

The California gold rush caused such rapid population growth that California applied to join the Union as a state instead of as a territory. But would California enter the Union as a free state or a slave state?

Most Californians opposed slavery, which had been illegal when the state was part of Mexico. Also, many forty-niners had come from free states. But if California became a free state, the balance between free and slave states would change, favoring the free states.

In the South, an imbalance was unacceptable. “We are about permanently to destroy the balance of power between the sections,” said Senator Jefferson Davis of Mississippi. He and many other southerners did not want California to enter the Union as a free state.

Compromise of 1850

Senator Henry Clay of Kentucky had helped to settle the Missouri crisis of 1819–20 and the ification crisis of 1832–33 by proposing compromises. He now had another plan to help the nation maintain peace. His ideas were designed to give both sides things that they wanted:

1. California would enter the Union as a free state.
2. The rest of the Mexican Cession would be federal land. In this territory, popular sovereignty would decide on slavery.
3. Texas would give up land east of the upper Rio Grande. In return, the government would pay Texas’s debts from when it was an independent republic.
4. The slave trade—but not slavery—would end in the nation’s capital.
5. A more effective fugitive slave law would be passed.

Clay’s plan drew attack, especially regarding California. Senator William Seward of New York defended antislavery views and wanted California admitted “directly, without conditions, without qualifications, and without compromise.” However, Senator John C. Calhoun of South Carolina argued that letting California enter as a free state would destroy the nation’s balance. He warned people of issues that would later start the Civil War. Calhoun asked that the slave states be allowed **secede**—**formally withdraw—from the Union**.

Primary Source

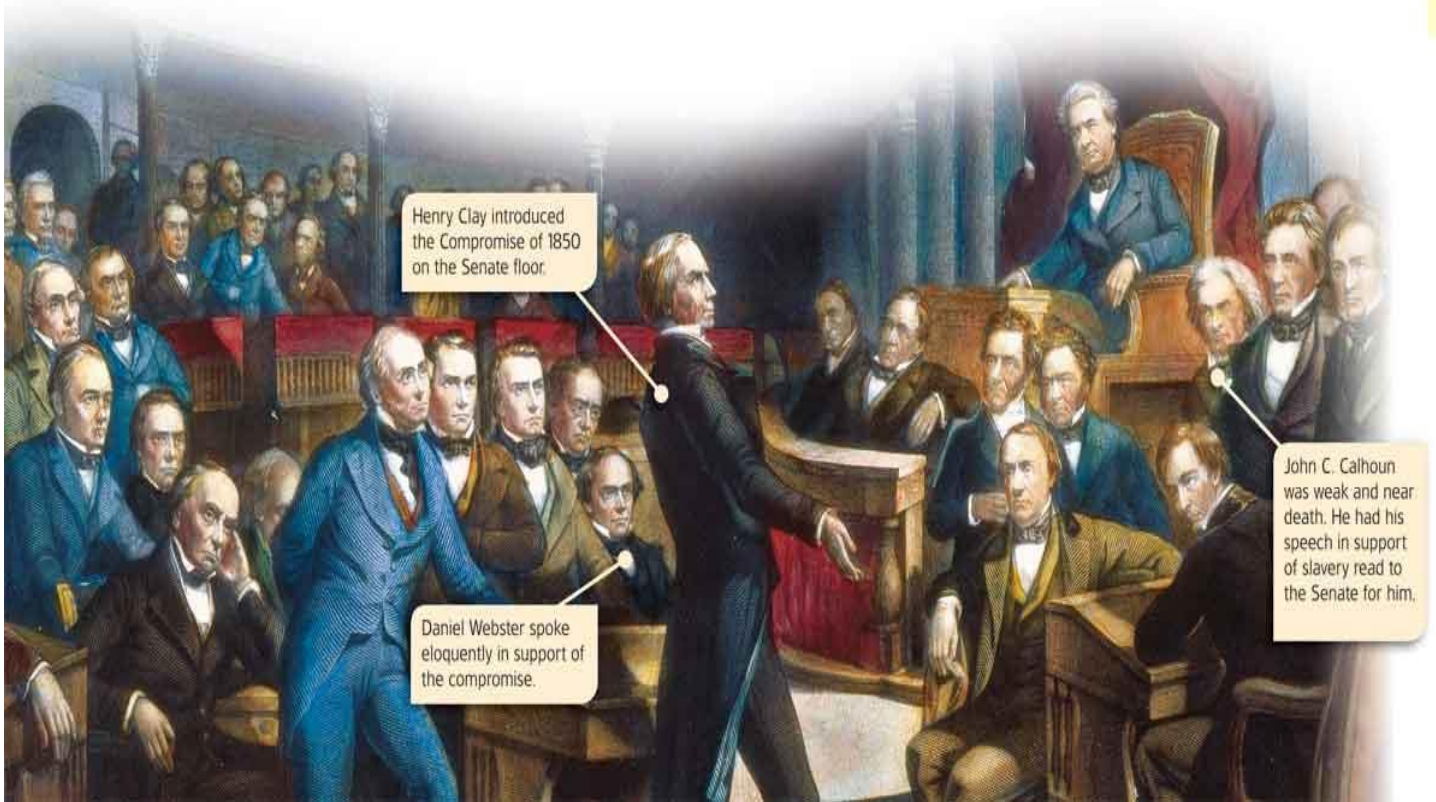
SPEECH

The Seventh of March Speech

On March 7, 1850, Daniel Webster spoke on the floor of the Senate in favor of the Compromise of 1850.

I hear with distress and anguish the word “secession.” 🗣️ Secession! Peaceable secession! Sir, your eyes and mine are never destined to see the miracle. The dismemberment [taking apart] of this vast country without convulsion! The breaking up of the fountains of the great deep without ruffing the surface! 🗣️ Who is so foolish, I beg every body’s pardon, as to expect to see any such thing? ... There can be no such thing as peaceable secession.

—quoted in *Daniel Webster: The Completest Man*,
edited by Kenneth Shewmaker



In contrast, Senator Daniel Webster of Massachusetts favored Clay’s plan:

“I wish to speak today, not as a Massachusetts man, nor as a Northern man, but as an American... I speak today for the preservation of the Union. Hear me for my cause.”

—Daniel Webster, quoted in *Battle Cry of Freedom*
by James M. McPherson

Webster criticized northern abolitionists and southerners who talked of secession.

A compromise was enacted that year and seemed to settle most disputes between free and slave states. It achieved the majority of Clay’s proposals. **With the Compromise of 1850, California was able to enter the Union, as a free state. The rest of the Mexican Cession was divided into two territories—Utah and New Mexico—where the question of whether to allow slavery would be decided by popular sovereignty.**

Texas agreed to give up its land claims in New Mexico in exchange for financial aid from the federal government. The compromise outlawed the slave trade in the District of Columbia and established a new fugitive slave law.

Fugitive Slave Act

The newly passed Fugitive Slave Act made it a crime to help runaway slaves and allowed officials to arrest those slaves in free areas. Slaveholders were permitted to take suspected fugitives to U.S. commissioners, who decided their fate.

Details of the Fugitive Slave Act

Slaveholders could use testimony from white witnesses, but enslaved African Americans accused of being fugitives could not testify. Nor could people who hid or helped a runaway slave—they faced six months in jail and a \$1,000 fine. Commissioners who rejected a slaveholder’s claim earned \$5 while those who returned

suspected fugitives to slaveholders earned \$10. Clearly, the commissioners benefited from helping slaveholders.

Reactions to the Fugitive Slave Act

Enforcement of the Fugitive Slave Act began immediately. In September 1850—the same month the law was passed—federal marshals arrested African American James Hamlet. They returned him to a slaveholder in Maryland, although he had lived in New York City for three years.

Primary Source

SPEECH

Southern View of the Compromise of 1850

John C. Calhoun from South Carolina wrote a speech saying that the proposed compromise did not go far enough to satisfy the South.

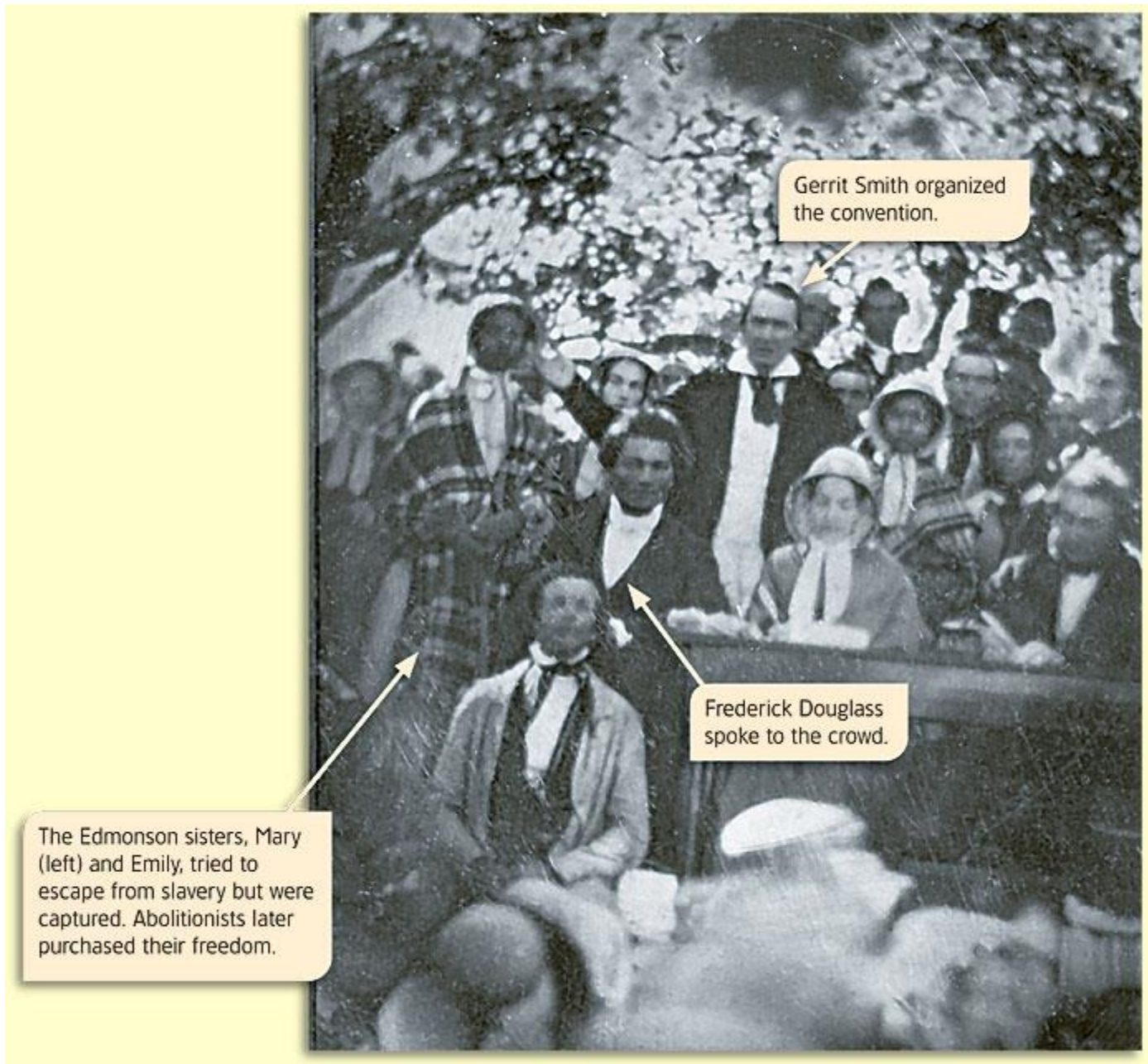
“I have, senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion... The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer but the Constitution, and no concession or surrender to make.”

Primary Source

PHOTOGRAPH

A Fugitive Slave Convention

The Fugitive Slave Act enraged abolitionists. To protest the new law, they held many meetings to publicly denounce it. One such meeting was held in 1850 in the small town of Cazenovia in central New York, a center for abolitionist activity. About 2,000 people—including many former slaves—attended the convention. They listened to speeches, made plans, and raised their voices for freedom. This photo was a point of pride for the delegates, but it also was used by opponents of the movement as a symbol of the poor morals of abolitionists: Not only were whites allowed to mix with African Americans, women and men were allowed to mix as well. This angered many people.



Gerrit Smith organized the convention.

Frederick Douglass spoke to the crowd.

The Edmonson sisters, Mary (left) and Emily, tried to escape from slavery but were captured. Abolitionists later purchased their freedom.

Thousands of northern African Americans fled to Canada in fear. In the 10 years after Congress passed the Fugitive Slave Act, some 343 fugitive slave cases were reviewed. The accused fugitives were declared free in only 11 cases.

The Fugitive Slave Act upset northerners, who were uncomfortable with the commissioners' power. Northerners disliked the idea of a trial without a jury. They also disapproved of commissioners' higher fees for returning slaves. Most were horrified that some free African Americans had been captured and sent to the South.

Most northerners opposed to the Act peacefully resisted, but violence did erupt. In 1854 [Anthony Burns](#), a fugitive slave from Virginia, was arrested in Boston. Abolitionists used force while trying to rescue him from jail, killing a deputy marshal. A federal ship was ordered to return Burns to Virginia after his trial. Many people in the North, particularly in Massachusetts, were outraged. The event persuaded many to join the abolitionist cause.

Antislavery Literature

Abolitionists in the North used the stories of fugitive slaves like James Hamlet and Anthony Burns to gain sympathy for their cause. Slave narratives also educated people about their hardships.

Fiction also informed people about the evils of slavery. *Uncle Tom's Cabin*, the antislavery novel written by [Harriet Beecher Stowe](#), spoke out powerfully against slavery. Stowe, the daughter of Connecticut minister Lyman Beecher, moved to Ohio when she was 21. There she met fugitive slaves and learned about the cruelties of slavery. The Fugitive Slave Act greatly angered Stowe. She decided to write a book that would educate northerners about the realities of slavery.

Uncle Tom's Cabin was published in 1852. The main character, a kindly enslaved African American named Tom, is taken from his wife and sold “down the river” in Louisiana. Tom becomes the slave of cruel Simon Legree. In a rage, Legree has Tom beaten to death.

The novel electrified the nation and sparked outrage in the South. Louisa McCord, a famous southern writer, questioned the “foul imagination which could invent such scenes.”

Within a decade, more than 2 million copies of *Uncle Tom's Cabin* had been sold in the United States. The book's popularity caused one northerner to remark that Stowe and her book had created “two millions of abolitionists.” Stowe later wrote *A Key to Uncle Tom's Cabin* to answer those who had criticized her book.

The impact of Stowe's book is suggested by her reported meeting with Abraham Lincoln in 1862, a year after the start of the Civil War. Lincoln supposedly said to Stowe that she was “the little lady who made this big war.” Her book is still widely read today as a source of information about the harsh realities of slavery.

SUMMARY AND PREVIEW The United States experienced increasing disagreement over the issue of slavery. The Compromise of 1850 and the Fugitive Slave Act tried to address these disagreements with legislation. In the next section you will read about another disputed law concerning slavery, the Kansas-Nebraska Act, and the violence it sparked.

Literature in History

Antislavery Literature

from *Uncle Tom's Cabin*

by *Harriet Beecher Stowe (1811–1896)*

About the Reading *Published nine years before the outbreak of the Civil War, Uncle Tom's Cabin focused the nation's attention on the cruelties of slavery. In the following section, Stowe describes how a slave named Eliza is trying to escape to save her son from being sold.*

As You Read Look for details that appeal to your feelings.

It is impossible to conceive of a human creature more wholly desolate and forlorn than Eliza when she turned her footsteps from Uncle Tom's cabin...

The boundaries of the farm, the grove, the wood lot passed by her dizzily as she walked on; and still she went, leaving one familiar object after another, slacking not, pausing not, till reddening daylight found her many a long mile from all traces of any familiar objects upon the open highway.

She had often been, with her mistress, to visit some connections in the little town of T—, not far from the Ohio River, and knew the road well. To go thither, to escape across the Ohio River, were the first hurried outlines of her plan of escape; beyond that she could only hope in God...

Section 2

Trouble in Kansas

If YOU were there...

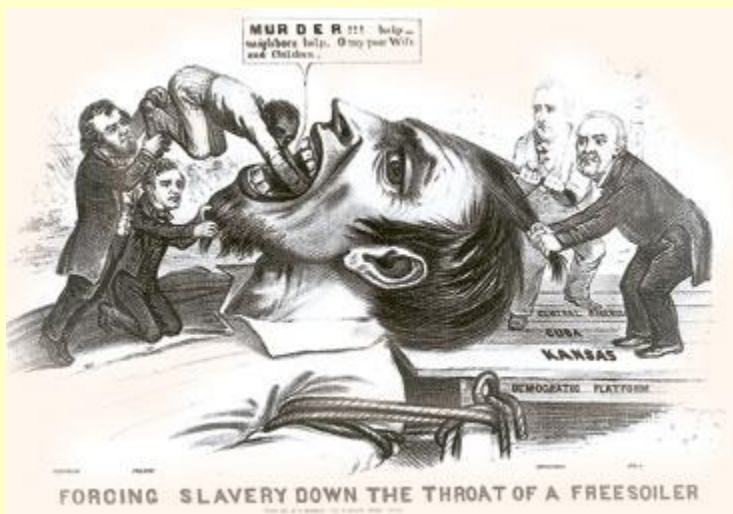
You live on a New England farm in 1855. You often think about moving West. But the last few harvests have been bad, and you can't afford it. Now the Emigrant Aid Society offers to help you get to Kansas. To bring in antislavery voters like you, they'll give you a wagon, livestock, and farm machines. Still, you know that Kansas might be dangerous.

Would you decide to risk settling in Kansas?

BUILDING BACKGROUND The argument over the extension of slavery grew stronger and more bitter. It dominated American politics in the mid-1800s. Laws that tried to find compromises ended by causing more violence. The bloodiest battleground of this period was in Kansas.

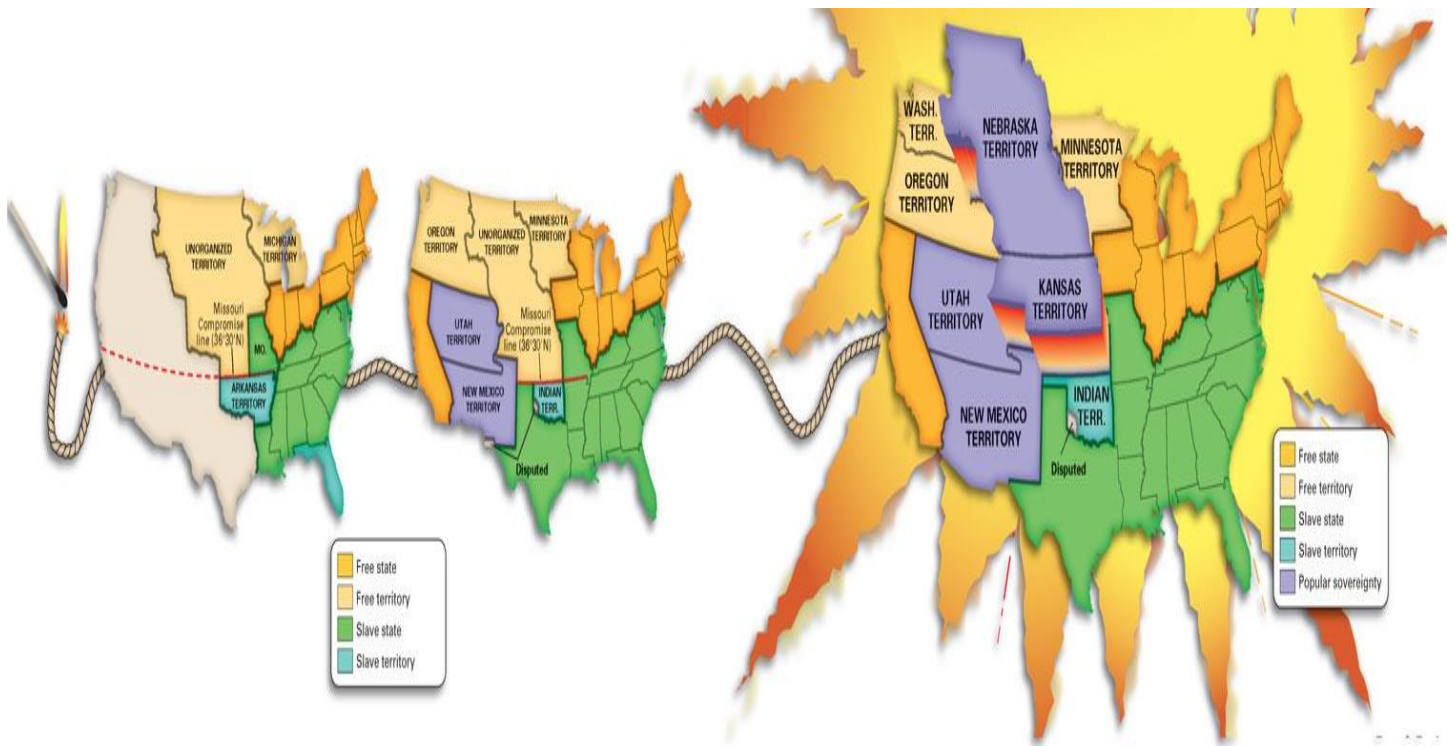
Election of 1852

Four leading candidates for the Democratic presidential nomination emerged in 1852. It became clear that none of them would win a majority of votes. Frustrated delegates at the Democratic National Convention turned to [Franklin Pierce](#), a little-known politician from New Hampshire. Pierce promised to honor the Compromise of 1850 and the Fugitive Slave Act. Therefore, southerners trusted Pierce on the issue of slavery.



This political cartoon shows pro-slavery politicians forcing slavery on a settler in Kansas who is a member of the antislavery Free-Soil political party.

From Compromise to Conflict



The Missouri Compromise, 1820

Under the Missouri Compromise of 1820, there are an equal number of free states (orange) and slave states (green).

The Compromise of 1850

The Compromise of 1850 allowed for one more free state than slave state, but also passed a strict fugitive slave law.

The Kansas-Nebraska Act

As a result of the Kansas-Nebraska Act, the question of slavery is to be decided by popular sovereignty—by the people who vote in the elections there—in the newly organized territories of Kansas and Nebraska. The act sparked violent conflict between pro-slavery and antislavery groups.

The opposing Whigs also held their convention in 1852. In other presidential elections, they had nominated well-known former generals such as William Henry Harrison and Zachary Taylor. This had been a good strategy, as both men had won. The Whigs decided to choose another war hero. They passed over the current president, Millard Fillmore, because they believed that his strict enforcement of the Fugitive Slave Act would cost votes. Instead, they chose Winfield Scott, a Mexican War hero. Southerners did not trust Scott, however, because he had not fully supported the Compromise of 1850.

Pierce won the election of 1852 by a large margin. Many Whigs viewed the election as a painful defeat, not just for their candidate, but for their party.

The Kansas-Nebraska Act

In his inaugural address, President Pierce expressed his hope that the slavery issue had been put to rest “and that no sectional... excitement may again threaten the durability [stability] of our institutions.” Less than a year later, however, a proposal to build a railroad to the West coast helped revive the slavery controversy and opened a new period of sectional conflict.

Douglas and the Railroad

Ever since entering Congress in the mid-1840s, [Stephen Douglas](#) had supported the idea of building a railroad to the Pacific Ocean. Douglas favored a line running from Chicago. The first step toward building such a railroad would be organizing what remained of the Louisiana Purchase into a federal territory. The Missouri Compromise required that this land be free territory and eventually free states.

Southerners in Congress did not support Douglas's plan, recommending a southern route for the railroad. Their preferred line ran from New Orleans, across Texas and New Mexico Territory, to southern California. Determined to have the railroad start in Chicago, Douglas asked a few key southern senators to support his plan. They agreed to do so if the new territory west of Missouri was opened to slavery.

Two New Territories

In January 1854, Douglas introduced what became the [Kansas-Nebraska Act](#), a plan that would divide the remainder of the Louisiana Purchase into two territories—Kansas and Nebraska—and allow the people in each territory to decide on the question of slavery. The act would eliminate the Missouri Compromise's restriction on slavery north of the 36° 30' line.

Antislavery northerners were outraged by the [implications](#). Some believed the proposal was part of a terrible plot to turn free territory into a “dreary region... inhabited by masters and slaves.” All across the North, citizens attended protest meetings and sent anti-Nebraska petitions to Congress.

Even so, with strong southern support—and with Douglas and President Pierce pressuring their fellow Democrats to vote for it—the measure passed both houses of Congress and was signed into law on May 30, 1854. Lost amid all the controversy over the territorial bill was Douglas's proposed railroad to the Pacific Ocean. Congress would not approve the construction of such a railroad until 1862.

Kansas Divided

Antislavery and pro-slavery groups rushed their supporters to Kansas. One of the people who spoke out strongly against slavery in Kansas was Senator Seward.

“Gentlemen of the Slave States... I accept [your challenge] in...the cause of freedom. We will engage in competition for...Kansas, and God give the victory to the side which is stronger in numbers as it is in right.”

—William Henry Seward, quoted in *The Impending Crisis, 1848–1861* by David M. Potter

Elections for the Kansas territorial legislature were held in March 1855. Almost 5,000 pro-slavery voters crossed the border from Missouri, voted in Kansas, and then returned home. As a result, the new legislature had a huge pro-slavery majority. The members of the legislature passed strict laws that made it a crime to question slaveholders' rights and said that those who helped fugitive slaves could be put to death. In protest, antislavery Kansans formed their own legislature 25 miles away in Topeka. President Pierce, however, only recognized the pro-slavery legislature.

Bleeding Kansas

By early 1856 Kansas had two opposing governments, and the population was angry. Settlers had moved to Kansas to homestead in peace, but the controversy over slavery began to affect everyone.

In April 1856, a congressional committee arrived in Kansas to decide which government was legitimate. Although committee members declared the election of the proslavery legislature to be unfair, the federal government did not agree.

“Bleeding Kansas”



Abolitionists and pro-slavery forces clashed in Kansas, killing many people. Shown here is a group of abolitionists who took the law into their own hands to free one of their group from prison.

Attack on Lawrence

The new pro-slavery settlers owned guns, and antislavery settlers received weapons shipments from friends in the East. Then, violence broke out. In May 1856 a proslavery grand jury in Kansas charged leaders of the antislavery government with treason. About 800 men rode to the city of Lawrence to arrest the antislavery leaders, but they had fled. The posse took its anger out on Lawrence by setting fires, looting buildings, and destroying presses used to print antislavery newspapers. One man was killed in the pro-slavery attack that became known as the Sack of Lawrence.

John Brown's Response

Abolitionist John Brown was from New England, but he and some of his sons had moved to Kansas in 1855. The Sack of Lawrence made him determined to “fight fire with fire” and to “strike terror in the hearts of the pro-slavery people.” On the night of May 24, 1856, along Pottawatomie Creek, **Brown and his men killed five pro-slavery men in Kansas in what became known as the [Pottwatomie Massacre](#)** .

Brown and his men dragged the pro-slavery men out of their cabins and killed them with swords. The abolitionist band managed to escape capture. Brown declared that his actions had been ordered by God.

Kansas collapsed into civil war, and about 200 people were killed. The events in “Bleeding Kansas” became national front-page stories. In September 1856, a new territorial governor arrived and began to restore order.

Brooks Attacks Sumner

Congress also reacted to the violence of the Sack of Lawrence. Senator **Charles Sumner** of Massachusetts criticized pro-slavery people in Kansas and personally insulted Andrew Pickens Butler, a pro-slavery senator from South Carolina. Representative [Preston Brooks](#), a relative of Butler's, responded strongly.

On May 22, 1856, Brooks used a walking cane to beat Sumner unconscious in the Senate chambers. Dozens of southerners sent Brooks new canes, but northerners were outraged and called the attacker “Bully Brooks”. Brooks only had to pay a \$300 fine to the federal court. It took Sumner three years before he was well enough to return to the Senate.



The cartoon above shows Preston Brooks beating Charles Sumner with his cane. Sumner's only protection is a quill pen symbolically representing the law

SUMMARY AND PREVIEW The Kansas-Nebraska Act produced a national uproar. In the next section you will read about divisions in political parties

Section 3

Political Divisions

If you were there...

You are traveling through Michigan in July 1854. As you pass through the town of Jackson, you see a crowd of several hundred people gathered under the trees. You join them and find that it is a political rally. Antislavery supporters from different parties are meeting to form a new political party. Speakers promise to fight slavery “until the contest be terminated.”

How do you think this new party will affect American politics?

BUILDING BACKGROUND The slavery question continued to divide the country and lead to violence. The issue not only dominated American politics in the mid-1800s but also brought changes in the makeup of American political parties.

Political Parties Undergo Change

Democrat Stephen Douglas had predicted that the Kansas-Nebraska Act would “raise a...storm.” He was right. The Kansas-Nebraska Act brought the slavery issue back into the national spotlight. Some Whigs, Democrats, Free-Soilers, and abolitionists joined in 1854 to form the **Republican Party**, a political party united against the spread of slavery in the West.

Democrats were in trouble. Those who supported the Kansas-Nebraska Act were not re-elected. The Whig Party also split apart when northern and southern Whigs refused to work together. A senator from Connecticut complained, “The Whig Party has been killed off...by that miserable Nebraska business.” Some Whigs and Democrats joined the American Party, also known as the Know-Nothing Party. At the party’s convention, delegates argued over slavery, then chose former president Millard Fillmore as their candidate for the election of 1856.

The Democrats knew they could not choose a strong supporter of the Kansas-Nebraska Act, such as President Pierce or Senator Douglas. They nominated **James Buchanan** of Pennsylvania. Buchanan had a great deal of political experience as Polk’s secretary of state. Most importantly, he had been in Great Britain as ambassador during the Kansas-Nebraska Act dispute and had not been involved in the debate.

At their first nominating convention, the Republicans chose explorer **John C. Frémont** as their candidate. He had little political experience, but he stood against the spread of slavery. The public saw Republicans as a single-issue party. They had almost no supporters outside of the free states.

On election day, Buchanan won 14 of the 15 slave states and became the new president. Frémont won 11 of the 16 free states. Fillmore won only one state—Maryland. Buchanan had won the election.

Dred Scott Decision

Just two days after Buchanan became president, the Supreme Court issued a historic ruling about slavery. News of the decision threw the country back into crisis. The Court reviewed and decided the **complex** case involving an enslaved man named **Dred Scott**.

Dred Scott Sues for Freedom

Dred Scott was the slave of Dr. John Emerson, an army surgeon who lived in St. Louis, Missouri. In the 1830s, Emerson had taken Scott on tours of duty in Illinois and the Wisconsin Territory. After they returned to

Missouri, the doctor died, and Scott became the slave of Emerson's widow. In 1846 Scott sued for his freedom in the Missouri state courts, arguing that he had become free when he lived in free territory. Though a lower court ruled in his favor, the Missouri Supreme Court overturned this ruling.

SUPREME COURT DECISIONS

***Dred Scott v. Sandford* (1857)**

Background of the Case

Born a slave in Virginia, Dred Scott moved with his slaveholder to the free state of Illinois and then to the Wisconsin Territory. After returning to the South, Scott sued for his freedom. He claimed that because he had lived in a state that banned slavery, he was no longer a slave.

The Court's Ruling

The Court ruled that African Americans, whether free or slave, were not considered citizens of the United States, and therefore had no right to sue in federal court. It also decided that the Missouri Compromise was unconstitutional.

The Court's Reasoning

Chief Justice Roger B. Taney wrote in the majority opinion that the Court did not believe that African Americans were included in the Constitution's definition of citizens and that they "had no rights which the white man was bound to respect." Addressing a side issue in the case, the opinion also stated that Congress could not outlaw slavery in the territories. This struck down the Missouri Compromise, which had made slavery illegal in territories north of the 36°30' dividing line.

Why It Matters

The *Dred Scott* case was seen as a setback to abolitionist ideas against slavery. It reduced the status of free African Americans and upheld the view of slaves as property without rights or protection under the Constitution. It also took from Congress the power to ban slavery in its territories, which would aid the spread of slavery in new states. Because of its pro-slavery decision, the reputation of the Court suffered greatly in parts of the North.



A Growing Conflict

Causes of Conflict

- Failure of Missouri Compromise
- Failure of Compromise of 1850
- Kansas-Nebraska Act
- *Dred Scott* decision

Short-Term Effects

- Political battles
- Sectional differences
- "Bleeding Kansas"
- Lincoln-Douglas debates

Long-Term Effect

- Civil War

Scott's case reached the U.S. Supreme Court 11 years later, in 1857. The justices—a majority of whom were from the South—had three key issues before them. First, the Court had to rule on whether Scott was a citizen. Only citizens could sue in federal court. Second, the Court had to decide if his time living on free soil made him free. Third, the Court had to determine the constitutionality of prohibiting slavery in parts of the Louisiana Purchase.

The Supreme Court's Ruling

Chief Justice [Roger B. Taney](#) (TAW-nee), himself from a slaveholding family in Maryland, wrote the majority opinion in the *Dred Scott* decision in March 1857. First, he addressed the issue of Dred Scott's citizenship. Taney said the nation's founders believed that African Americans "had no rights which a white man was bound

to respect.” He therefore concluded that all African Americans, whether slave or free, were not citizens under the U.S. Constitution. Thus, Dred Scott did not have the right to file suit in federal court.

Taney also ruled on the other issues before the Court. As to whether Scott’s residence on free soil made him free, Taney flatly said it did not. Because Scott had returned to the slave state of Missouri, the chief justice said, “his *status*, as free or slave, depended on the laws of Missouri.”

Finally, Taney declared the Missouri Compromise restriction on slavery north of 36°30' to be unconstitutional. He pointed out that the Fifth Amendment said no one could “be deprived of life, liberty, or property without due process of law.” Because slaves were considered property, Congress could not prohibit someone from taking slaves into a federal territory. Under this ruling, Congress had no right to ban slavery in any federal territory.

Most white southerners cheered this decision. It “covers every question regarding slavery and settles it in favor of the South,” reported a Georgia newspaper. Another newspaper, the New Orleans *Picayune*, assured its readers that the ruling put “the whole basis of the... Republican organization under the ban of law.”

The ruling stunned many northerners. The Republicans were particularly upset because their platform in 1856 had argued that Congress held the right to ban slavery in the federal territories. Now the nation’s highest court had ruled that Congress did not have this right.

Indeed, some northerners feared that the spread of slavery would not stop with the federal territories. Illinois lawyer [Abraham Lincoln](#) warned that a future Court ruling, or what he called “the next *Dred Scott* decision,” would prohibit states from banning slavery.

Primary Source

SPEECH

A House Divided

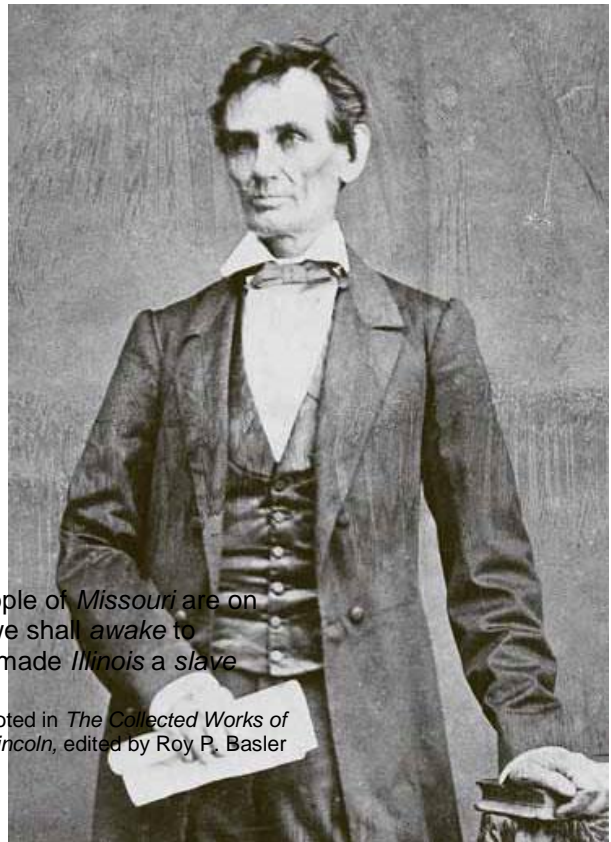
In 1858 Abraham Lincoln gave a passionate speech to Illinois Republicans about the dangers of the disagreement over slavery. Some considered it a call for war.

“In my opinion, it [disagreement over slavery] will not cease [stop], until a crisis shall have been reached and passed. “A house divided against itself cannot stand.” I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided.”

—Abraham Lincoln,
quoted in *Abraham Lincoln: Speeches and Writings 1832–1858*
edited by Don E. Fehrenbacher

“We shall *lie down* pleasantly dreaming that the people of *Missouri* are on the verge of [close to] making their state *free*; and we shall *awake* to the *reality*, instead, that the 90 Supreme Court has made *Illinois* a *slave state*.”

—Abraham Lincoln, quoted in *The Collected Works of Abraham Lincoln*, edited by Roy P. Basler



Lincoln-Douglas Debates

In 1858 Illinois Republicans nominated Abraham Lincoln for the U.S. Senate. His opponent was Democrat Stephen Douglas, who had represented Illinois in the Senate since 1847. **Lincoln challenged Douglas in what became the historic [Lincoln-Douglas debates](#).**

In each debate, Lincoln stressed that the central issue of the campaign was the spread of slavery in the West. He said that the Democrats were trying to spread slavery across the nation.

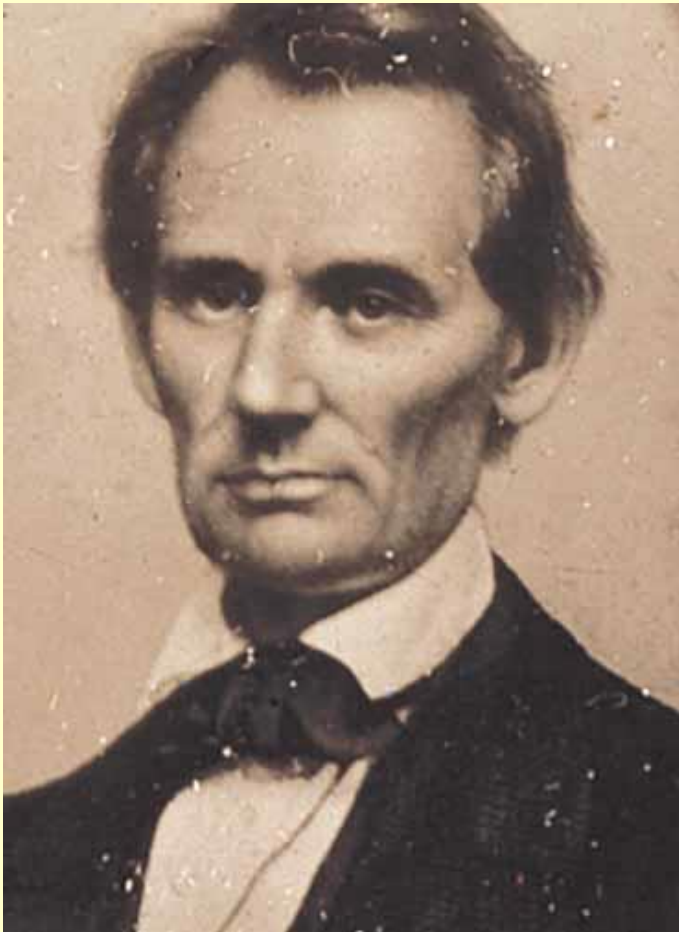
Lincoln talked about the *Dred Scott* decision. He said that African Americans were “entitled to all the natural rights” listed in the Declaration of Independence, specifically mentioning “the right to life, liberty, and the pursuit of happiness.” However, Lincoln believed that African Americans were not necessarily the social or political equals of whites. Hoping to cost Lincoln votes, Douglas charged that Lincoln “thinks that the Negro is his brother...”

Douglas also criticized Lincoln for saying that the nation could not remain “half slave and half free.” Douglas said that the statement revealed a Republican desire to make every state a free state. This, he warned, would only lead to “a dissolution [destruction] of the Union” and “warfare between the North and the South.”

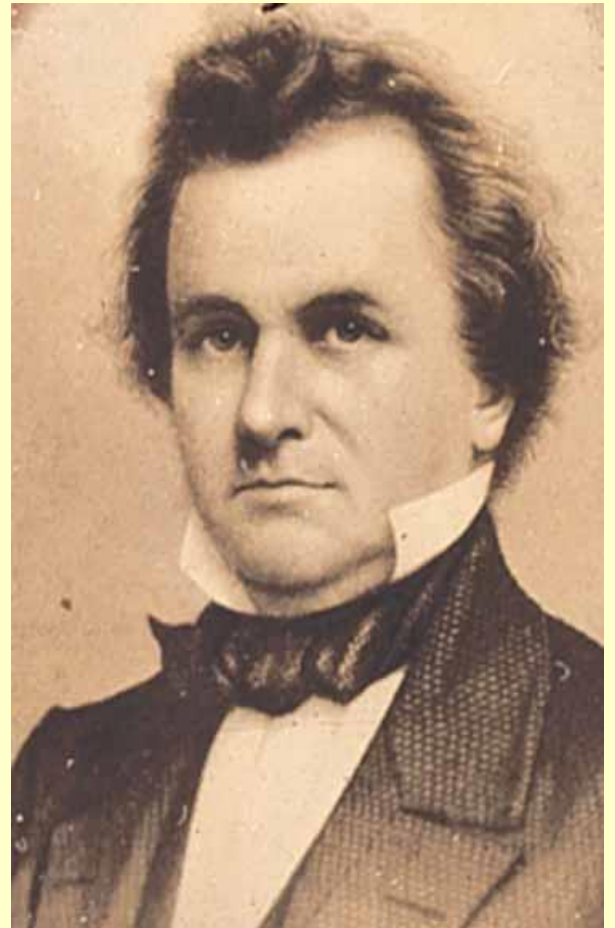
At the second debate, in the northern Illinois town of Freeport, Illinois, Lincoln pressed Douglas on the apparent contradiction between the Democrats’ belief in popular sovereignty and the *Dred Scott* decision.

Lincoln-Douglas Debates

Lincoln ran for the U.S. Senate in Illinois against Douglas in 1858. The two men debated seven times at various locations around the state. Lincoln lost the election but gained national recognition.



Abraham Lincoln



Stephen Douglas

Lincoln asked Douglas to explain how, if Congress could not ban slavery from a federal territory, Congress could allow the citizens of that territory to ban it.

Douglas responded that it did not matter what the Supreme Court decided about slavery. He argued that “the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regulations.”

This notion that the police would enforce the voters’ decision if it contradicted the Supreme Court’s decision in the Dred Scott case became known as the [Freeport Doctrine](#).

The Freeport Doctrine put the slavery question back in the hands of American citizens. It helped Douglas win the Senate seat. Lincoln, while not victorious, made a strong important leader of the Republican Party.

SUMMARY AND PREVIEW The *Dred Scott* decision and the Lincoln-Douglas debates dealt with the conflict over slavery in the western territories. In the next section you will read about how the conflict broke apart the Union.

Section 4

The Nation Divides

If YOU were there...

You work for the weekly newspaper in Harpers Ferry, Virginia. You strongly oppose slavery, but you think the question ought to be resolved by laws, not bloodshed. Now your paper has sent you to interview the famous abolitionist John Brown in prison. His raids in “Bleeding Kansas” killed several people. Now he is in jail for attacking a federal arsenal and taking weapons.

What questions would you ask John Brown?

BUILDING BACKGROUND Unpopular compromises and court decisions deepened the divisions between pro-slavery and antislavery advocates. The Lincoln-Douglas debates attracted more attention to the issue. As the disagreements grew, violence increased, though many Americans hoped to avoid it. But it was too late to keep the nation unified.

Raid on Harpers Ferry

In 1858 John Brown tried to start an uprising. He wanted to attack the federal arsenal in Virginia and seize weapons there. He planned to arm local slaves. Brown expected to kill or take hostage white southerners who stood in his way. He urged abolitionists to give him money so that he could support a small army. But after nearly two years, Brown’s army had only about 20 men.

On the night of October 16, 1859, **John Brown’s raid** began when he and his men took over the arsenal in Harpers Ferry, Virginia, in hopes of starting a slave rebellion. He sent several of his men into the countryside to get slaves to join him. However, enslaved African Americans did not come to Harpers Ferry, fearing punishment if they took part. Instead, local white southerners attacked Brown. Eight of his men and three local men were killed. Brown and some followers retreated to a firehouse.

Federal troops arrived in Harpers Ferry the following night. The next morning, Colonel Robert E. Lee ordered a squad of marines to storm the firehouse. In a matter of seconds, the marines killed two more of Brown’s men and captured the rest—including Brown.

Primary Source

SPEECH

John Brown’s Last Speech

At his trial, after being pronounced guilty, John Brown spoke in his own defense about his plan to free slaves.

“I intended certainly to have made a clean thing of that matter [freeing slaves]... I never did intend murder or treason, or the destruction of property, or to excite or incite the slaves to rebellion, or to make insurrection [revolt]... Had I interfered in the manner which I admit... in behalf of the rich, the powerful, the intelligent, the so-called great... it would have been all right, and every man in this Court would have deemed it an act worthy of reward rather than punishment... I believe that to have interfered as I have done... in behalf of His despised poor, is no wrong, but right.”

—John Brown,
quoted in *The Life, Trial and Execution
of Captain John Brown*



Brown was quickly convicted of treason, murder, and conspiracy. Some of his men received death sentences. John A. Copeland, a fugitive slave, defended his actions. “If I am dying for freedom, I could not die for a better cause.” Convinced that he also would be sentenced to death, Brown delivered a memorable speech.

“ Now, if it is deemed [thought] necessary that I should forfeit [give up] my life for the furtherance of the ends of justice, and mingle [mix] my blood...with the blood of millions in this slave country whose rights are disregarded by wicked, cruel, and unjust enactments, I say, let it be done.”

—John Brown, quoted in *John Brown, 1800–1859*
by Oswald Garrison Villard

As expected, the judge ordered Brown to be hanged. The sentence was carried out one month later on December 2, 1859.

Many northerners mourned John Brown’s death, but some abolitionists criticized his extreme actions. Abraham Lincoln said Brown “agreed with us in thinking slavery wrong.” However, Lincoln continued, “That cannot excuse violence, bloodshed, and treason.”

Most southern whites—both slaveholders and non-slaveholders—felt threatened by the actions of John Brown. They worried that a “John Brown the Second” might attack. One South Carolina newspaper voiced these fears: “We are convinced the safety of the South lies only outside the present Union.” Another newspaper stated that “the sooner we get out of the Union, the better.”

Election of 1860

In this climate of distrust, Americans prepared for another presidential election in 1860. The northern and southern Democrats could not agree on a candidate. Northern Democrats chose Senator Stephen Douglas. Southern Democrats backed the current vice president, **John C. Breckinridge** of Kentucky, who supported slavery in the territories.

Meanwhile, a new political party emerged. The **Constitutional Union Party** recognized “no political principles other than the Constitution of the country, the Union of the states, and the enforcement of the laws.” Members of this new party met in Baltimore, Maryland, and selected **John Bell** of Tennessee as their candidate. Bell was a slaveholder, but he had opposed the Kansas-Nebraska Act in 1854.

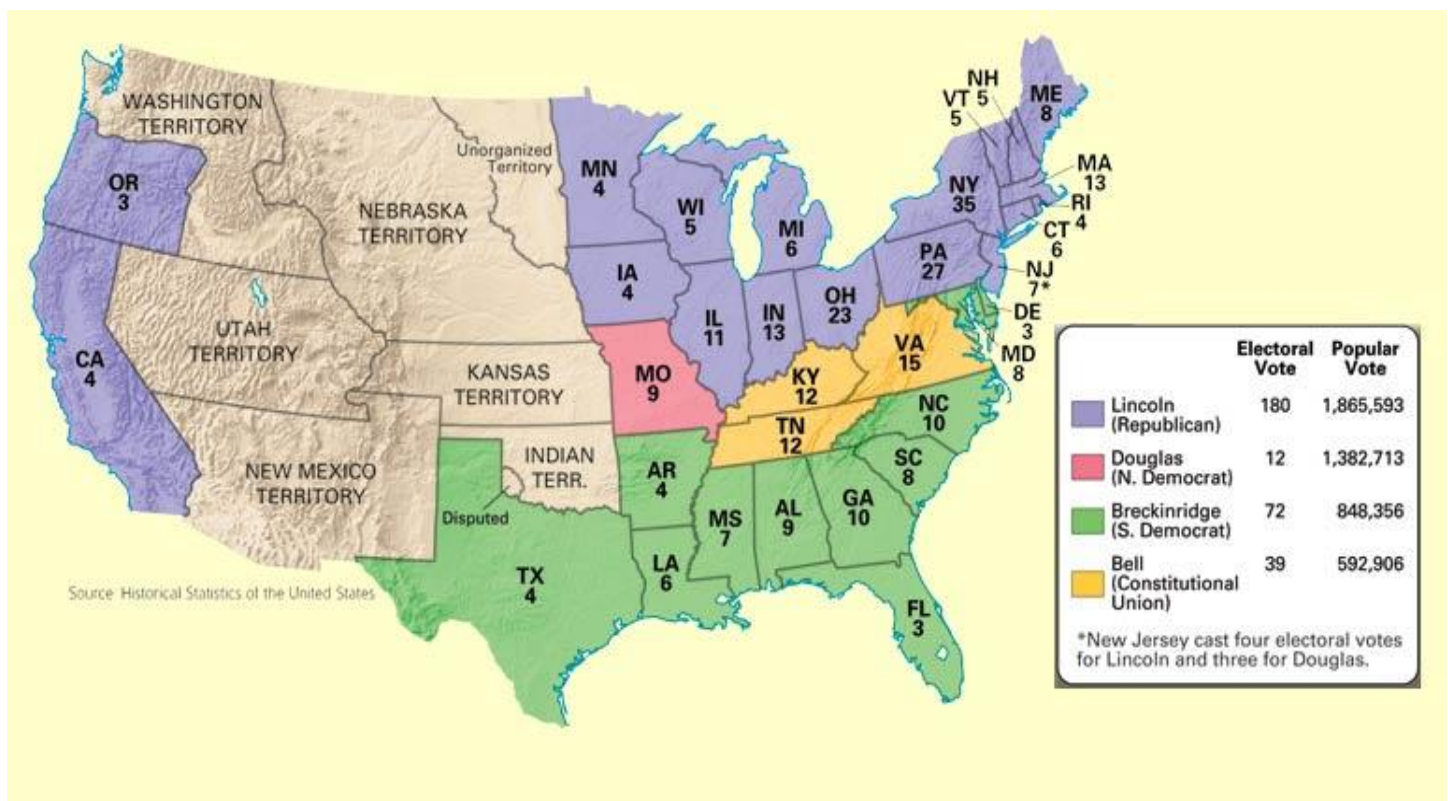
Senator William Seward of New York was the Republican's leading candidate at the start of their convention. But it turned out that Lincoln appealed to more party members. A moderate who was against the spread of slavery, Lincoln promised not to abolish slavery where it already existed.

Douglas, Breckinridge, and Bell each knew he might not win the election. They hoped to win enough electoral votes to prevent Lincoln from winning in the electoral college. But with a unified Republican Party behind him, Lincoln won. Although he received the highest number of votes, he won only about 40 percent of the overall popular vote.

Lincoln won 180 of 183 electoral votes in free states. Douglas had the second-highest number of popular votes, but he won only one state. He earned just 12 electoral votes. Breckinridge and Bell split electoral votes in other slave states.

The election results angered southerners. Lincoln did not campaign in their region and did not carry any southern states, but he became the next president. The election signaled that the South was losing its national political power.

Election of 1860



The South Secedes

Lincoln insisted that he would not change slavery in the South. However, he said that slavery could not expand and thus would eventually die out completely. That idea angered many southerners.

Southerners' Reactions

People in the South believed their economy and way of life would be destroyed without slave labor. They reacted immediately. Within a week of Lincoln's election, South Carolina's legislature called for a special convention. The delegates considered secession. Southern secessionists believed that they had a right to leave the Union. They pointed out that each of the original states had voluntarily joined the Union by holding a special convention that had ratified the Constitution. Surely, they reasoned, states could leave the Union by the same process.

Critics of secession thought this argument was ridiculous. President Buchanan said the Union was not “a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties.” President-elect Abraham Lincoln agreed, saying, “No State, upon its own mere motion, can lawfully get out of the Union.” Lincoln added, “They can only do so against [the] law, and by revolution.”

While the South Carolina representatives were meeting in Charleston to discuss secession, Congress examined a plan to save the Union. Senator [John J. Crittenden](#) of Kentucky proposed a series of constitutional amendments that he believed would satisfy the South by protecting slavery. Crittenden hoped the country could avoid secession and a civil war.

Lincoln disagreed with Crittenden’s plan. He believed there could be no compromise about the extension of slavery. Lincoln wrote, “The tug has to come and better now than later.” A Senate committee voted on Crittenden’s plan, and every Republican rejected it, as Lincoln had requested.

Rebel Government



This photograph is of inauguration of Jefferson Davis as the president of the Confederate States of America. A former U.S. secretary of war, Davis was elected president of the confederacy in 1861.

The Confederate States of America

South Carolina elected to dissolve “the union now subsisting [existing] between South Carolina and other States ” on December 20, 1860. **Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas also seceded to form the [Confederate States of America](#), also called the Confederacy.** Its new constitution guaranteed citizens the right to own slaves.

Delegates from seceded states elected [Jefferson Davis](#) of Mississippi as president of the Confederacy. Davis had hoped to be the commanding general of Mississippi’s troops. He responded to the news of his election with reluctance.

When the southern states seceded, the question of who owned federal property in the South arose. For instance, the forts in the harbor of Charleston, South Carolina, were federal property. However, Confederate president Davis and the Confederacy were ready to prevent the federal army from controlling the property.

Lincoln Takes Office

President Lincoln was inaugurated on March 4, 1861. In writing his inaugural address, Lincoln looked to many of the nation's founding documents. Referring to the idea that governments receive "their just powers from the consent of the governed," a line from the Declaration of Independence, Lincoln stated, "This country, with its institutions, belongs to the people who inhabit it. Whenever they grow weary of the existing Government, they can exercise their *constitutional* right of amending it or their *revolutionary* right to dismember [take apart] or overthrow it. I can not be ignorant of the fact that many worthy and patriotic citizens are desirous [wanting] of having the National Constitution amended..."

While he believed that U.S. citizens had the power to change their government through majority consent, he opposed the idea that southern states could leave the Union because they were unhappy with the government's position on slavery.

He announced in his inaugural address that he would keep all government property in the seceding states. However, he also tried to convince southerners that his government would not provoke a war. He hoped that, given time, southern states would return to the Union.

SUMMARY AND PREVIEW The secession of the southern states hinted at the violence to come. In the next chapter you will read about the Civil War.