

# Sectionalism

## *Backwards Planning Curriculum Units*

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# How To Use This Unit

Backwards planning offers an innovative yet simple approach to meeting curriculum goals; it also provides a way to keep students engaged and focused throughout the learning process. Many teachers approach history instruction in the following manner: they identify a topic required by state and/or national standards, they find materials on that topic, they use those materials with their students, and then they administer some sort of standard test at the end of the unit. Backwards planning, rather than just starting with a required instructional topic, goes a step further by identifying exactly what students need to know by the end of the unit—the so-called “enduring understandings.” The next step involves assessment: devising ways to determine whether students have learned what they need to know. The final step involves planning the teaching/learning process so that students can acquire the knowledge needed.

This product uses backwards planning to combine a PowerPoint presentation, activities that involve authentic assessment, and traditional tests (multiple-choice and essay) into a complete curriculum unit. Although the materials have enough built-in flexibility that you can use them in a number of ways, we suggest the following procedure:

1. Start with the “essential questions” listed on slide 2 of the PowerPoint presentation (these also appear in the teacher support materials). Briefly go over them with students before getting into the topic material. These questions will help students focus their learning and note taking during the course of the unit. You can also choose to use the essential questions as essay questions at the end of the unit; one way to do this is to let students know at the outset that one of the essential questions will be on the test—they just won’t know which one.
2. Next, discuss the activities students will complete during the unit. This will also help focus their learning and note taking, and it will lead them to view the PowerPoint presentation in a different light, considering it a source of ideas for authentic-assessment projects.
3. Present the PowerPoint to the class. Most slides have an image and bullet points summarizing the slide’s topic. The Notes page for each slide contains a paragraph or two of information that you can use as a presentation script, or just as background information for your own reference. You don’t need to present the entire PowerPoint at once: it’s broken up into several sections, each of which concludes with some discussion questions that echo parts of the essential questions and also help students to get closer to the “enduring understandings.” Spend some time with the class going over and debating these questions—this will not only help students think critically about the material, but it will also allow you to incorporate different modes of instruction during a single class period, offering a better chance to engage students.
4. Have students complete one or more of the authentic-assessment activities. These activities are flexible: most can be completed either individually or in groups, and either as homework or as in-class assignments. Each activity includes a rubric; many also have graphic organizers. You can choose to have students complete the activities after you have shown them the entire PowerPoint presentation, or you can show them one section of the PowerPoint, go over the discussion questions, and then have students complete an activity.

**5.** End the unit with traditional assessment. The support materials include a 30-question multiple-choice quiz; you can combine this with an essay question (you can use one of the essential questions or come up with one of your own) to create a full-period test.

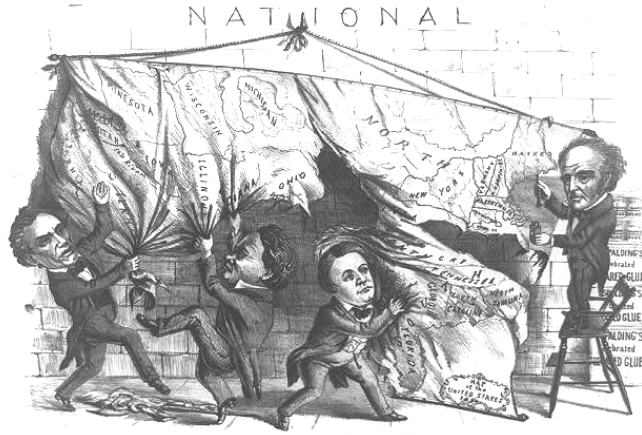
**6.** If desired, debrief with students by going over the essential questions with them again and remind them what the enduring understandings are.

We are dedicated to continually improving our products and working with teachers to develop exciting and effective tools for the classroom. We can offer advice on how to maximize the use of the product and share others' experiences. We would also be happy to work with you on ideas for customizing the presentation.

We value your feedback, so please let us know more about the ways in which you use this product to supplement your lessons; we're also eager to hear any recommendations you might have for ways in which we can expand the functionality of this product in future editions. You can e-mail us at [access@socialstudies.com](mailto:access@socialstudies.com). We look forward to hearing from you.

Dr. Aaron Willis  
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# Sectionalism



The presidential candidates of 1860 tear apart a map of the United States in this period cartoon, symbolizing the forces which threatened to tear the country apart and ultimately led to the Civil War

Although the ratification of the Constitution theoretically brought the former colonies into a “more perfect union,” severe regional tensions threatened to tear the nation apart during the first half of the 19th century. As an illustration of sectionalism—an intense loyalty to the interests of a specific region, rather than to the nation as a whole—this clash of interests between Northern and Southern states led eventually to the Civil War, by far the bloodiest in U.S. history.

Legislators managed over decades to cobble together a system of compromises that would alleviate tensions between North and South, two regions of the country that had diverged since colonial times. The North had a strong industrial base, tended to support a strong central government and internal improvements paid for by tariffs, and had less and less use for the “peculiar institution” of slavery to the point of abandoning it altogether. The South, on the other hand, had an agriculturally based economy and a much smaller population than the North, which resulted in a reliance on slave labor; tariffs only shrank the markets for Southern crops, and internal improvements didn’t matter much to its economy. The South also stood by the doctrine of “states’ rights” that placed state authority above that of the federal government in cases where the two came into conflict.

As the U.S. gained more territory, the great debate over the expansion of slavery into these new areas arose and became perhaps the defining issue of the 19th century. The North, with its larger population, controlled the House of Representatives. However, with each state allowed two senators, the South fought fiercely for a balance between free and slave states in order to advance its interests and preserve its traditional way of life. Political parties on both sides of the issue coalesced and disintegrated with new developments. The contention erupted into violence at times—in states, in the territories, and even on the Senate floor. As Americans took sides, the mounting tension literally split the nation in two when the Southern states came to see secession as their only remaining option.

## **Essential Questions**

- How did sectionalism help shape the development of the United States Constitution?
- What compromises did Congress pass in order to lessen sectional conflicts in the early 19th century?
- What roles did John C. Calhoun, Henry Clay, and Daniel Webster play in early 19th-century sectional disputes?
- Why couldn't politicians formulate a long-term solution to sectional issues?
- How did the issue of sectionalism affect the development of political parties and political theory in the 19th century?
- Why did North and South each have such strong misconceptions about the beliefs of the other?
- Why did the election of 1860 signal the end of any possible reconciliation between North and South?

## Sectionalism and the Constitution

- Northern delegates: count slaves for taxation, but not representation
- Southern delegates: count slaves for representation, not taxation
- Resulted in “three-fifths compromise”
- Congress agreed not to interfere with slave trade until 1808



The Articles of Confederation instituted after the Revolutionary War had a number of shortcomings that left the government it created weak and ineffective. In 1787, delegates from the states met in Philadelphia to revise the document. However, it soon became apparent that the confederacy functioned so badly that the country required a whole new system.

The new federal system of government devised by the Constitutional Convention included a two-house legislature. While the Senate provided each state with equal representation, the House called for representation based on population. Delegates from Northern states, which tended to have larger populations, sought to count the number of Southern slaves for purposes of taxation, but not representation. Southern delegates, whose states relied heavily on slave labor to fuel their agricultural economy, wanted to count slaves for representation in the House, but not taxation.

To break the deadlock, the delegates reached a compromise. Three-fifths of the number of slaves would be counted for both representation and taxation. In addition, to satisfy the Southern contingent, the delegates agreed to add a clause to the Constitution forbidding Congress from abolishing the slave trade until 1808. The “three-fifths compromise” proved to be but the first in a long line of slavery-related agreements in the years prior to the Civil War.



# Slavery and the Northwest Ordinance of 1787



The Northwest Ordinance

- Ordinance created five new states from Northwest Territory
- Slavery and involuntary servitude prohibited
- Did not affect slaves already in Northwest
- Some still brought slaves to territories
- Pressure to continue slavery in Northwest

The Revolutionary War had not only given the United States independence, it also provided the new nation with a significant amount of territory ceded by the British west of the 13 states. Debates raged in the new Congress as to the future of the Northwest Territory. Many of the 13 states had laid claim to the territory by simply extending their boundaries westward. Others expected that the territories would form a new confederation of states separate from the 13 original states under the Articles of Confederation. The Northwest Ordinance of 1787 answered this question by creating three to five new states out of the territory, to be added to the original 13.

The ordinance also tackled the issue of slavery. Article 6 specifically stated that “neither Slavery nor involuntary Servitude [is permitted] in the said territory otherwise than in the punishment of crimes.” However, the ordinance did allow for the return of runaway slaves from the original 13 states captured in the Northwest Territory. Its prohibition of slavery notwithstanding significant debate about its scope continued. Many settlers had introduced slaves into the territories prior to 1787, and the Northwest Ordinance did not require them to free their slaves. Also, some settlers continued to import slaves after the passage of the ordinance. Indiana and Illinois, two states created as a result of the Northwest Ordinance, continued to push for the introduction of slavery after 1787. Indiana’s legislature officially petitioned Congress to allow slavery, and passed a law allowing for indentured servitude in 1802. Proslavery elements in Illinois continued to lobby to allow slavery in that state as late as 1823.

## North and South: Differences

### The North:

- Primarily industrial
- Mostly urban and small farms
- Supported tariffs and internal improvements
- For strong central government
- Relied on free labor
- Wanted to limit spread of slavery in West

### The South:

- Primarily agricultural
- Mostly small farms and plantations
- Generally opposed tariffs and internal improvements
- For “states’ rights”
- Relied on slavery due to smaller population
- Supported extending slavery in West

As the nation developed, significant differences between the North and South became apparent. The North became predominantly industrialized, primarily because of the climate, but also because of a relatively limited amount of farmland. The South remained dependent on agriculture. As towns and cities grew in the North, the South became an area of small farms or larger plantations.

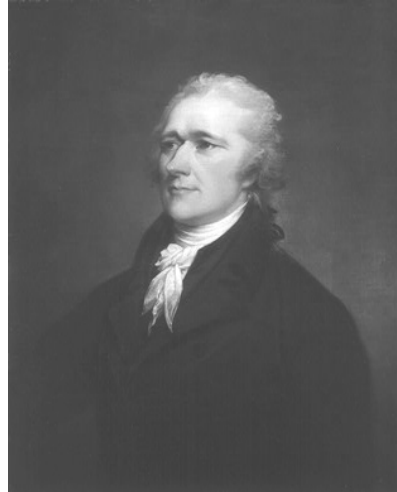
In addition, the North saw tariffs as essential for protecting domestic industry from foreign competition. Most Northerners also saw great value in providing “internal improvements” (roads, turnpikes, and canals) in order to get raw materials to factories for processing, and to get finished goods to market. As the South’s economic reliance on industry diminished, internal improvements seemed more of an economic imposition on the region. Most Southerners also saw protective tariffs as unfairly raising the price of goods they needed to import, as well as possibly causing England to buy less Southern cotton.

Politically, the North tended to support a strong central government with broad powers. The South supported “states’ rights,” in which state authority trumped the federal government’s, and, if necessary, a state could “nullify” federal law.

Northern industrialization created less demand for slave labor, and more demand for skilled, free workers. The South had a smaller population than the North and therefore relied heavily on slave labor to farm the plantation system. Concerned that free states would vote in Congress to limit or abolish slavery, Southerners supported the extension of slavery into western territories acquired by the United States. Northerners, seeing an opportunity to expand economically as well as geographically, opposed slavery in new territories in order to provide further employment opportunities for free labor.

## Early Sectional Disputes

- Hamilton wanted government to pay off states' war debts; North owed 80 percent of the debts
- Compromise with Jefferson and Madison located U.S. capital in South
- Controversy over creation of National Bank



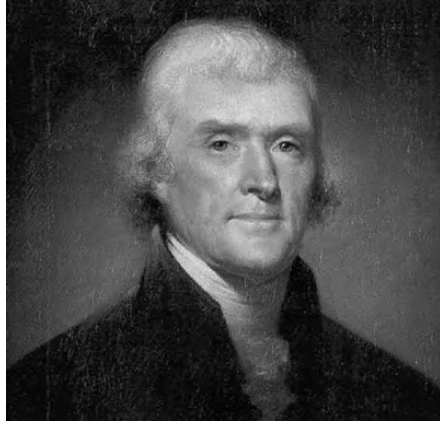
Alexander Hamilton

While the Constitutional Convention reached a compromise in order to assure ratification, still other sectional issues arose soon after the new government was seated. Many of these dealt with the financial policy of the new nation.

Treasury Secretary Alexander Hamilton proposed a comprehensive plan for paying much of the nation's war debt (as well as states' debts) and for providing a needed stimulus to develop the U.S. economy. Hamilton's plan for the national government to pay off state war debts proved especially controversial because the Northern states alone owed approximately 80 percent of the debts. To assure passage of his bill to retire state debts, Hamilton promised Secretary of State Thomas Jefferson and Congressman James Madison of Virginia that he would back a Southern plan to locate the national capital on the banks of the Potomac River in Virginia, in exchange for Jefferson and Madison's help in getting the needed Southern support.

In another controversial move, Hamilton also proposed the creation of a national bank. Many felt it would favor the wealthy, merchant class over the poor and farmers, which included Southern plantation owners. In addition, the Constitution did not specifically give the government the power to create a national bank. While Hamilton believed the creation of the bank to be legal according to the Constitution's "necessary and proper clause," as well as its concept of implied powers, Jefferson held that the bank was not "necessary" and therefore not "proper." President George Washington, however, sided with Hamilton and signed the bank bill into law.

## Early Sectional Disputes (cont.)



Thomas Jefferson

- Anger over Alien and Sedition Acts led to Kentucky and Virginia Resolutions
- Issue of “interposition” of state authority over federal law would continue into the 19th century

During John Adams’s administration, the possibility of war between the U.S. and either France or Britain became very real. In an effort to limit the political power of the Jeffersonian Republicans, Adams’s Federalist Party passed the Alien and Sedition Acts. In response, Jefferson and Madison drew up resolutions considered by the state legislatures of Kentucky and Virginia. These asserted that since the Constitution was an agreement of the several states in convention, individual states had a right to declare whether a federal law violated the Constitution, and therefore had no requirement to enforce that law, a concept known as “interposition.” The threat of war eventually ended, and Adams suffered defeat in the election of 1800. Although the furor over the Alien and Sedition Acts and the Kentucky and Virginia Resolutions died with the election of Thomas Jefferson, the issue of whether a state could “nullify” a federal law, or possibly secede from the Union, would continue into the 19th century.

## The Hartford Convention

- Held in 1814–1815 by Federalists opposed to War of 1812
- Protested war; called for constitutional revisions; raised concerns about secession
- Contended that states could “interpose” their authority to protect against unfair federal laws
- Treaty ending the war ended the convention’s concerns



“Leap No Leap,” A cartoon satirizing the Hartford Convention

Still another sectional issue concerning the new nation occurred during the War of 1812 with the convening of the Hartford Convention. Called in late 1814 and early 1815 by New England Federalists opposed to the war, the convention challenged federal authority and called for several Constitutional revisions. These Federalists, as the opposition party, actively sought to make it more difficult for the Republican-run federal government to conduct the war by refusing to send militias to fight and by hampering the government’s ability to secure loans in order to pay war debts. Concern mounted as extremists began to discuss seceding from the Union.

When the convention was called in late 1814, many feared that a “New England Confederation” would emerge. However, the convention did not take that step. Instead, similar to the sentiments of the Kentucky and Virginia Resolution, the Hartford Convention approved a plank providing for a state’s right to interpose its authority in instances where federal law overstepped the spirit of the Constitution.

The news of the signing of the Treaty of Ghent in late 1814 silenced the Federalists. With the lack of an overall British victory in the war, the Federalists and the Hartford Convention lost their focus and faded from the spotlight.

## Discussion Questions

1. What sorts of compromises regarding sectionalism did delegates to the Constitutional Convention reach?
2. What references were made in the Northwest Ordinance regarding slavery? If some could still bring slaves into the Northwest Territory, how effective do you think this provision was?
3. What aspect of the Hartford Convention raised concerns about secession, and by which region?

1. During the Constitutional Convention, Northern and Southern states had significant differences over the counting of slaves to determine popular representation in Congress, as well as for purposes of taxation. The fighting over this threatened to derail the new constitution. In order to break the deadlock, Roger Sherman suggested what became known as the “Three-Fifths Compromise”: states had to count three-fifths of the number of “other persons” (African American slaves) for both representation and taxation purposes. In addition, the factions agreed to a provision that forbade Congress from regulating the slave trade until 1808.
2. The Northwest Ordinance of 1787 prohibited slavery in the states created out of the Northwest Territory. However, the ordinance did not affect slaves already there, nor did it totally stop settlers who wished to bring slaves to the new states. Most students will probably see the provision against slavery as weak at best, given these two points. Other students may feel that while the Northwest Ordinance wasn’t perfect in eliminating slavery, it did probably slow the influx of slavery into the Northwest Territory; slavery did not take hold there as it did in other nearby states, such as Missouri.
3. The Federalists who convened the Hartford Convention held that a state government had the authority to override a federal law that it felt to be unfair or detrimental, a concept called “interposition.” Taken to its furthest conclusion, a state could reject any or all federal laws, including membership in the Union. Some had concerns that a “New England Confederation” might emerge, since the Federalists drew most of their support from the region.

## Slavery in the Louisiana Territory

- Louisiana Territory bought from France in 1803
- States admitted along similar rules as the Northwest Ordinance
- Missouri applied for statehood in 1817
- Most residents were Southerners and slaveholders
- Admission of Missouri as a slave state would upset balance between number of slave and free states



The purchase of the Louisiana Territory from France in 1803 effectively doubled the size of the United States. However, the rush of settlers into the new lands caused new sectional tensions as well. Congress continued to follow the same rules for admitting new states that the Northwest Ordinance had set in 1787. Typically, Congress admitted states in a manner that would keep the number of free and slave states equal in order to maintain the balance of power between the two interests in the U.S. Senate; to accept Missouri's petition for admission as a slave state would have upset that balance. In addition, under the Three-Fifths Compromise enacted by the Constitutional Convention, the admission of Missouri would also increase the number of proslavery members of the House of Representatives.

# The Tallmadge Amendment



James Tallmadge

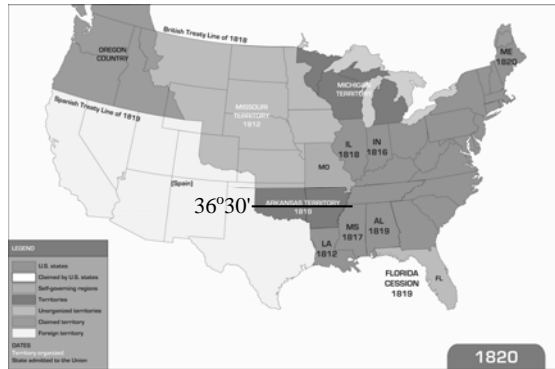
- Introduced during congressional debate on MO statehood
- Would continue precedent of determining slave and free territories set by Northwest Ordinance
- Would ban further introduction of slavery in MO
- All slaves born in MO after statehood would be freed at age 25
- Defeated in Senate along sectional lines

As Congress continued to debate whether to admit Missouri as a slave state, New York Congressman James Tallmadge introduced an amendment to the Missouri Enabling Act. While the Tallmadge Amendment simply sought to continue the same process of admitting states established by the 1787 Northwest Ordinance, it caused a great deal of furor over the admission of Missouri. The amendment proposed banning the further introduction of slavery into Missouri. Slaveholders who already owned slaves would be allowed to keep them, but no new slaves could be imported into the state. In addition, the amendment would provide for gradual emancipation of slaves, with those born in Missouri after the territory became a state freed at age 25.

The principle of continuing to follow the precedent of the Northwest Ordinance seemed reasonable. However, while the Northwest Territory included relatively few slaves, a large number of people living in Missouri were slaveholders. The Tallmadge Amendment passed the House following sectional lines. However, the Senate, balanced between slave and free states, overwhelmingly voted against it. Congress adjourned without passing the Missouri Enabling Act.



# The Missouri Compromise



- Admission of Missouri as a slave state would upset balance
- Maine admitted as a free state, Missouri as slave state
- 36°30' line divided rest of Louisiana Purchase into slave and free territories

In 1820, Congress finally broke the deadlock over the Missouri statehood question by enacting what became known as the Missouri Compromise. Introduced by Illinois Senator Jesse B. Thomas, the compromise not only solved the issue of Missouri statehood, but also determined the slavery status of the rest of the Louisiana Territory.

In order to keep the number of slave and free states equal, the government admitted Maine as a free state at approximately the same time as the slave state of Missouri. The rest of the Louisiana Purchase split into slave and free territories along the 36°30' latitude line, which also served as the southern boundary of most of Missouri. All territory above the line would then be considered free, with territory below the line permitting slavery. Missouri constituted the only exception, since most of the state lay north of the 36°30' line. Most Southerners accepted the compromise, and Missouri was admitted as a state.

## Jefferson's Letter to Holmes

In an 1821 letter to Massachusetts Congressman John Holmes, the former president relayed his misgivings about the Missouri Compromise:

*"...but this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. [I]t is hushed indeed for the moment. [B]ut this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper."*

### Discussion question:

Allow students time to read the quote from Jefferson's letter. (The complete letter can be found at <http://www.loc.gov/exhibits/jefferson/159.html>.)

After students read the excerpt, have the class speculate as to Jefferson's concern, especially his remarks about a "reprieve" and the "angry passions of men." What was Jefferson implying with these statements?

Some students may feel that Jefferson suggests that the slavery issue was so controversial and divisive that it would determine the fate of the Union, and that it was possible that the only way that the issue would be decided would be by armed conflict ("the angry passions of men") between North and South. He calls the Missouri Compromise a "reprieve" because it only forestalls the conflict, not solves it.

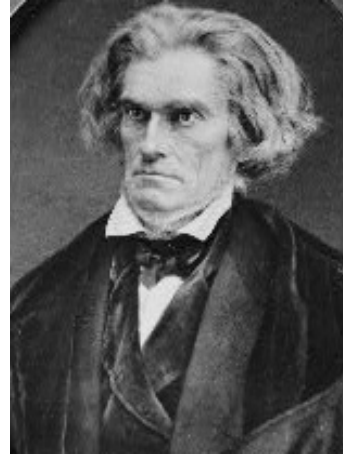
## **Discussion Questions**

1. Why did the admission of Missouri as a state cause concern for many? How might the Tallmadge Amendment have solved this problem?
2. How did the Missouri Compromise seek to solve the conflict over slavery in the Louisiana Purchase? Why might Southerners have accepted the compromise?

1. As more states were added to the Union, Congress attempted to keep a balance between slave and free states by admitting a slave state and a free state at roughly the same time. The admission of Missouri as a slave state would have upset the balance and caused the South to gain a political advantage in the Senate. The Tallmadge Amendment would have allowed for the admission of Missouri as a slave state, but would have provided for the gradual abolition of slavery in that state, with its slaves freed at age 25. Since it would have taken many years for Missouri to become completely free, presumably Congress could have formulated some other solution to the slavery issue prior to that time.
2. Upon the Missouri Compromise's ratification in 1820, the Louisiana Purchase comprised the extent of United States territory, so the solution of maintaining the balance between slave and free states with a geographic line as the boundary (36°30'N) seemed logical and more or less fair. The admission of Maine as a free state at the same time as the slave state of Missouri also maintained the balance between slave and free states. Southerners likely accepted the compromise because it allowed for another slave state and also temporarily settled any question about the legality of slavery in the Arkansas and Louisiana Territories.

## The Nullification Crisis

- 1828 “Tariff of Abominations”
- South Carolina hurt by declines in cotton prices and shipping due to tariff
- Calhoun and other SC politicians suggested “nullification” doctrine
- Led to conflict between Jackson and the South



John C. Calhoun

While a possible sectional conflict was averted during the Washington and Adams administrations, economic concerns opened the door to further sectional tensions during the term of President Andrew Jackson. This time, tariff rates raised the nullification issue again and threatened to tear the Union apart.

In 1828, Congress passed a high tariff called the “Tariff of Abominations” by many in the South. The tariff placed high rates on various raw materials, although some of the tariff rates affected Northern interests more adversely than the South. However, the tariff especially hurt South Carolina because of already sinking cotton prices as well as a decline in shipping.

Several South Carolina politicians led by John C. Calhoun proposed a doctrine called “nullification.” According to this concept, the Union actually comprised a confederation, with the individual states giving some—but not all—power to the national government. In Calhoun’s view, the federal government had overstepped its bounds by passing the Tariff of Abominations. A tariff, he insisted, could be used to raise revenue, but not to benefit certain industries, as he claimed the Tariff of Abominations had done.

In 1829, Andrew Jackson became president, with Calhoun as vice president. Jackson’s tariff policy and his feelings on nullification frustrated Calhoun, who became the first vice president to resign his office. The South Carolina state legislature appointed Calhoun to a seat in the U.S. Senate.

## The Crisis Intensifies



Andrew Jackson

- South Carolina declared tariff “null and void”
- Jackson sent warships to Charleston
- Clay negotiated compromise tariff
- South Carolina withdrew nullification
- Stage set for possible secession over slavery

In February 1833, South Carolina took the dramatic step of declaring federal tariffs null and void in the state. Furious, Jackson sent warships to Charleston Harbor and threatened to invade if the legislature did not rescind its proclamation. In addition, Jackson moved closer to using military force against South Carolina if necessary. Jackson got Congress to pass the Force Act, which defined South Carolina’s action as treason and allowed Jackson the power to use the military to collect tariff revenues.

However, Senator Henry Clay defused the tensions between the federal government and South Carolina by gaining support for a bill that would reduce tariff rates to their 1816 levels. This action satisfied Calhoun and South Carolina, and the state withdrew its nullification; the immediate crisis had been averted.

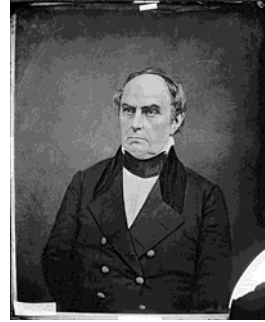
Even so, a larger question remained unanswered: In regard to nullification theory, did a state which felt that the federal government was ignoring its interests have the right to secede or separate from the Union? Calhoun and many South Carolinians believed that if the federal government further attempted to enforce its economic will on the state by restricting or abolishing slavery, South Carolina had the right to leave the Union.

## The Webster-Hayne Debate



Robert Y. Hayne

- Began as a Senate debate over federal land policy
- Hayne restated states' rights doctrine
- Webster insisted that Constitution was not an agreement of states, but a "compact" by the people
- Therefore, the Union could not be dissolved



Daniel Webster

Yet another sectionalist confrontation occurred in 1830 as the Senate debated a plan to restrict the surveying of government-owned land until all public land up for sale had been sold. The government had so much land already available for sale that this plan would have effectively restricted the sale of any new public land.

During the debate on this proposal, South Carolina Senator Robert Y. Hayne, a spokesman for John C. Calhoun (who as vice president could not speak on Senate business), used the Senate floor to again put forward the states' rights doctrine. After Hayne spoke, Massachusetts Senator Daniel Webster took the floor and spoke for two days against the states' rights theory and in favor of nationalism.

In Webster's view, the Constitution was not simply an agreement between the states; rather, it was a "compact" of rule made by the American people. Therefore, the union that it created could not be dissolved. Webster's "Second Reply to Hayne" made him a household name, as well as a leading contender in the next presidential race.

## Webster's "Second Reply to Hayne"

*"...When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood!*

*Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, not a single star obscured, bearing for its motto, no such miserable interrogatory as "What is all this worth?" nor those other words of delusion and folly, "Liberty first and Union afterwards"; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty and Union, now and for ever, one and inseparable!"*

### Discussion questions:

How does this segment of Webster's "Second Reply" effectively refute the states' rights argument? Do you think the speech did anything to convince pro-states' rights senators to see the nationalist point of view?

Some students may see it as the key to Webster's argument regarding the "miserable interrogatory" about "what is this all worth?", and arguing against "Liberty first and Union afterwards." In his closing statement, he notes that liberty and union are the same; that is, without union, there can be no liberty. It is difficult to specifically say whether this speech changed the minds of individual senators about states' rights. The proposal up for debate failed, but Webster gained enough popularity that he became a leading candidate for president in the months prior to the 1832 election.

## Discussion Questions

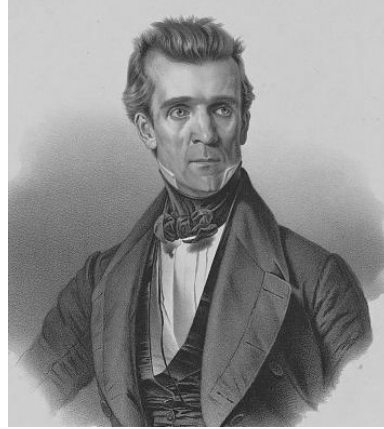
1. What issue besides slavery caused the most sectional tension from 1828 to 1832? Why was this issue so significant to the South? What role did John C. Calhoun play in this conflict?
2. What did Henry Clay propose to defuse the nullification crisis? What question did he leave unresolved?
3. What was Daniel Webster's view about the Union as he described it in his debate with Hayne? How did this answer Hayne's "states' rights" argument?

1. Protective tariffs proved the most divisive issue from 1828 to 1832, specifically the "Tariff of Abominations" of 1828. The South opposed such tariffs because it had too little industry to benefit from a protective tariff, and because the tariff put high tax rates on raw materials (cotton, most significantly) that further hurt the Southern economy by decreasing sales and driving down prices. In response to the tariff, Calhoun suggested a doctrine called "nullification": the Union was actually a confederation (a loose agreement between the states), and therefore when the federal government overstepped its bounds, a state had the right to override or ignore federal law. Calhoun's proposition put him in direct opposition to Andrew Jackson, who prepared to use force against South Carolina to maintain federal authority to institute and collect tariff revenues.
2. Henry Clay proposed a compromise plan that he hoped would defuse the issue: simply roll back tariff rates to their 1816 levels. Though this satisfied South Carolina and averted the immediate crisis, the question remained as to whether a state had the right to secede from the Union if it felt the federal government threatened or ignored its interests.
3. Webster described the Union as a perpetual and dissoluble compact made by the American people—not the states, as states' rights advocates asserted. Hayne argued that according to the doctrine of states' rights, liberty took precedence over union (i.e., that union was impossible without a state first having the freedom to pursue its economic or social interests); Webster contended that one could not exist without the other because liberty and union were one and the same.



## Slavery and the Mexican War

- Many Whigs opposed the Mexican War
- Feared that war would lead to expansion of slavery
- Some, including Lincoln, believed the U.S. had actually been the aggressor
- Democrats tended to support the war and Polk's expansionism



President James K. Polk

In the 1844 election campaign, Texas became the Democrats' issue after John C. Calhoun worked to include it in the Democratic platform that year. James K. Polk received the nomination as a "dark horse" candidate and then squeaked by with a 38-thousand-vote margin to win the presidency. Two years later, American forces soundly defeated the Mexican army and gained a large amount of territory called the "Mexican Cession."

Early on, many Northerners believed that the Mexican War would lead to the expansion of slavery in the territories acquired from Mexico. Texas already permitted slavery. Still other Whigs believed that Polk had lied to Congress and that the United States had actually been the aggressor in the conflict. Abraham Lincoln, a freshman congressman from Illinois, contended that Texas only had a claim to territory where it had clearly established jurisdiction, and that its claims to the Rio Grande River were not valid.

However, members of Polk's Democratic Party tended to support the war as well as the expansionist aims of the Polk Administration. Generally, New Englanders opposed the Mexican Conflict, while those in the middle states and South supported it.

## The Mexican Cession



All or part of seven states later emerged from the Mexican Cession

- Ceded to U.S. at end of Mexican War (1848)
- North and South soon clashed over whether territory should be slave or free
- Debate intensified as California and Texas sought statehood

The 1848 Treaty of Guadalupe Hidalgo ended the Mexican War and provided another huge grant of territory to the United States at a relatively low cost. The Mexican Cession, as it was called, gave the U.S. land that would eventually become all or part of California, Nevada, Arizona, Utah, Wyoming, Colorado, and New Mexico, and also set the Texas boundary at the Rio Grande River.

However, as with the Louisiana Purchase, North and South soon squabbled over whether the Mexican Cession should allow or prohibit slavery. While the new territory did not lend itself to slavery as well as the South's plantation system, the issue of whether the territory should be slave or free soon became a political issue. Southern officeholders who proposed the expansion of slavery into the new territories, regardless of whether it would flourish there, soon became more popular.

The number of settlers flooding into California because of the gold rush, as well as the continuing question of Texas's statehood, only intensified the slavery debate between North and South.

## The Wilmot Proviso

- Suggested in 1846 by Rep. Wilmot during debate on a Mexican War funding bill
- Amendment prohibited slavery in any territory acquired from Mexico
- Passed the House, but defeated in the Senate



Rep. David Wilmot

One event connected to the Mexican Cession that further inflamed sectional tensions involved Pennsylvania Congressman David Wilmot's introduction of an amendment to an 1846 Mexican War funding bill. His proviso required "as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted."

Although many Southerners angrily balked at the terms of the proviso, it passed the House due to the larger number of Northern Congressmen. However, in the Senate, with the number of free and slave states equally represented, the proviso failed.

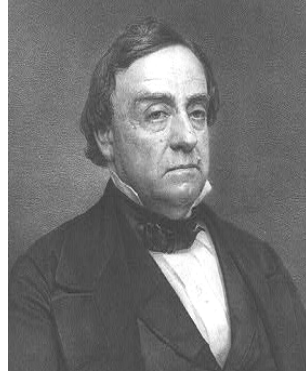
## **The Wilmot Proviso: Calhoun's Response**

- Congress had no authority to bar slavery in territories
- Since the territories belonged to all states, slaveholders there should have the same rights as non-owners
- Congress should protect slaveholders' rights and establish national slave codes

Angered by the Wilmot Proviso, South Carolina Senator John C. Calhoun countered by introducing several resolutions in the U.S. Senate. With these he aimed to protect the rights of slave owners as well as ensure the expansion of slavery into new territories. First, Calhoun asserted that Congress had no legal authority to block slavery in the territories. Next, he contended that the Mexican Cession, as well as other land acquired by the United States, was the property of all the U.S., whether slave or free. Therefore, all should have equal rights in those territories, including the right to own slaves. Calhoun concluded that since slaveholders had the right to own slaves in the territories, Congress had an obligation to protect the rights of slaveholders and to establish laws to protect slavery and regulate it through slave codes.

## **Other Approaches to Slavery in the Mexican Cession**

- Polk believed that the 36°30' line should be extended to the Pacific Ocean
- Northerners rejected Polk's suggestion
- Cass suggested that territories be formed without regard to slavery; their citizens could then vote
- Cass's idea known as "popular sovereignty"



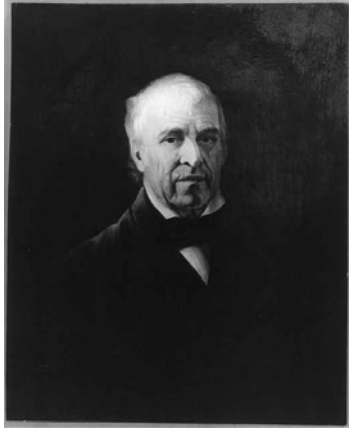
Lewis Cass

Calhoun's proposals and the Wilmot Proviso both proved generally unacceptable. In order to provide a middle ground, other politicians offered two more proposals:

President Polk proposed extending the 36°30' line to the Pacific Ocean, with all territory above the line considered free and territory below it, slave. While most Southerners seemed willing to accept this view, Northerners by this point did not want slavery in any form in the Mexican Cession.

Michigan Senator Lewis Cass put forward a plan to organize new territories without any specific reference to slavery. Each territory's legislature would determine whether to permit slavery. Cass's view, known as "popular sovereignty," interested some members of Congress because it allowed them to make legislation regarding acquiring new territories without having to declare themselves in favor of or against the expansion of slavery.

## The Election of 1848



President Zachary Taylor

- Many hoped election would effectively allow voters to decide on territorial slavery
- Whigs nominated Taylor; Democrats ran Cass
- Major candidates avoided taking a definite position
- “Barnburners” broke from the Democrats, formed Free-Soil Party, nominated Van Buren
- Taylor won narrow victory

Many Americans looked to the 1848 presidential election with hopes that a new chief executive would be able to break the sectional deadlock and find a quick and equitable way to admit territories in the Mexican Cession as states. However, the various campaigns made this an impossibility.

The Whigs nominated General Zachary Taylor as their presidential candidate. Similar to their selection of William Henry Harrison in 1840, the Whigs picked Taylor because he was an “ordinary” person with significant military experience. The Whigs did not see Taylor’s lack of political experience as a handicap, mainly because they did not want to make specific statements about the slavery issue.

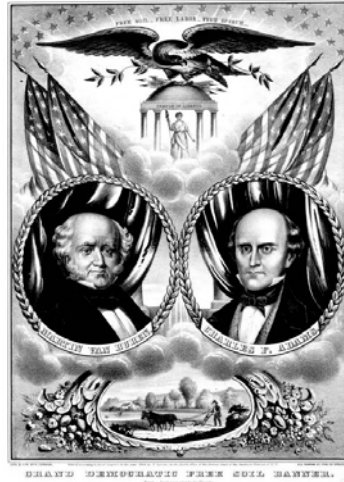
The Democrats nominated Michigan Senator Lewis Cass, who had championed the idea of admitting territories with no reference to slavery, but allowing citizens of the territory to determine the slavery issue on the basis of popular sovereignty.

Derisively called “Barnburners” for their willingness to “burn down their own barn to get rid of the rats”—i.e., split the party in order to prevent slavery from spreading to the territories—one faction of the Democrats joined with the abolitionist Liberty Party to form the Free-Soil Party. The new party nominated former president Martin Van Buren.

In the final tally, Taylor narrowly defeated Cass and Van Buren, carrying eight of 15 slave states and seven of 15 free states.

# The Free-Soil Party

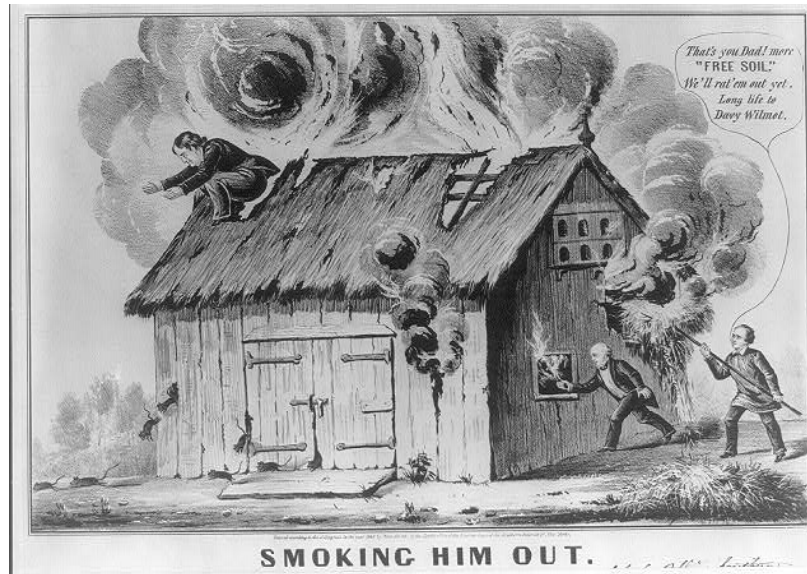
- Formed in 1848
- Answered Sumner's call for a "grand Northern party of Freedom"
- Anti-slavery party
- Nominated Van Buren and Adams
- Didn't carry a single state



A Free-Soil election poster

Whigs who opposed slavery sought a political party that more effectively mirrored their views. When Massachusetts Senator Charles Sumner spoke out for “one grand Northern party of Freedom,” many antislavery Whigs and Democrats joined forces to create the Free-Soil Party. Holding their convention in Buffalo, NY, the Free Soilers nominated Democratic former president Martin Van Buren and a Whig—Charles Francis Adams, son of President John Adams and brother of President John Quincy Adams—for vice president. The Free Soilers took as their slogan, “Free soil, free speech, free labor, and free men.” The Free Soilers did not fare well in the 1848 presidential election; they did not carry a single state.

## The “Barnburners” in the Media



### Discussion questions:

Give students one to two minutes to view the cartoon. Ask them what various parts of the image symbolize. Why would the Free Soilers also be known as the “Barnburners”? What do the rats symbolize? Who is the man on the roof of the barn? What do the two men at right seem to be doing? Why might the artist portray them that way?

Most students would probably note that the Barnburners decided on somewhat radical measures to stop the spread of slavery, including possibly destroying the Democratic Party (or even the Union). The burning barn refers to accusations that the Free Soilers were “burning down the barn to get rid of the rats.” Students may equate the rats in the cartoon with those who supported slavery, or those who supported Cass’s doctrine of popular sovereignty regarding slavery in the territories. The man on the roof is Cass; it appears from the cartoon that he is preparing to jump from the roof to escape, similar to what the rats are doing. The two Van Burens (Martin and his son John) appear to either be setting the fire or at least fueling it by throwing more hay into the window.



## Discussion Questions

1. How did the acquisition of the Mexican Cession cause conflict between the North and South over slavery?
2. What did the Wilmot Proviso allow for? Why did the proviso pass the House of Representatives, only to fail in the Senate?
3. How did the election of 1848 demonstrate the difficulty in solving the question of slavery in the Mexican Cession?

1. The Mexican Cession provided the U.S. with a large amount of new territory. However, its location made any simple determination of its slavery status difficult. For example, the 36°30' line established by the Missouri Compromise would have cut California in two. Also vast expanses of land lay below the 36°30' line and could have given the South a significant advantage in the number of slave states over free states.
2. The Wilmot Proviso, an amendment to an 1846 Mexican War funding bill, would have forbidden slavery in any territory acquired by the United States from Mexico as a result of the war. In the House of Representatives, where the number of delegates given to each state was based on population, the proviso passed easily because the North had a much larger population than the South. However, in the Senate, where slave and free states held an equal number of seats, the proviso could command no majority.
3. Some had thought that the election would provide voters with a way to decide definitively whether the Mexican Cession should allow slavery. However, none of the major candidates took a strong stand on the issue. The Whigs nominated Taylor, who with limited political experience, did not make any statements regarding the issue. The Democrats nominated Cass, who promoted popular sovereignty as a way to resolve the issue. Antislavery Democrats ("Barnburners") upset over Cass's nomination broke from the party and formed the Free-Soil Party along with the abolitionist Liberty Party. That Taylor won such a narrow victory demonstrated that no one view could command a clear majority.

# The Gold Rush

- California's population exploded after the discovery of gold at Sutter's Mill
- Social instability led to demands for territorial government
- Taylor proposed popular sovereignty to solve slavery issue
- California residents backed Taylor; many Southerners disagreed with proposal



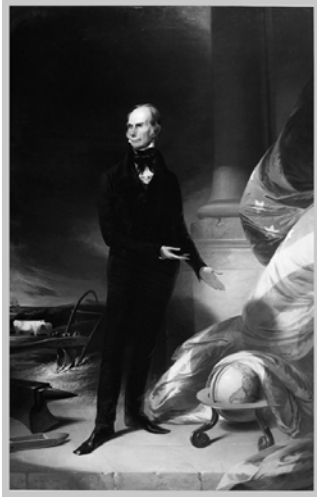
James Marshall at Sutter's Mill

On January 24, 1848, James Marshall discovered gold at Sutter's Mill in California. Almost immediately, thousands of persons looking to make a quick fortune migrated west to California. In all, nearly 300,000 came to the area before the rush ended in the early 1860s. The influx of settlers to California had an impact on several groups: White settlers tended to mistreat free blacks in California and Mexican Americans. Native American populations fell by nearly 125,000 between the discovery of gold and the start of the Civil War.

The massive increase of settlers in such a short time made law enforcement by area residents nearly impossible. It became obvious to many that the federal government needed to establish some sort of local government to maintain order. President Taylor had a simple answer: allow California to bypass territorial status and be directly admitted as a state. Regarding slavery, California could decide whether to be slave or free on the basis of popular sovereignty.

Many in California opposed slavery, mainly because they thought that permitting it would give some white prospectors an unfair advantage in seeking gold if they had a large number of slaves digging for them. However, many Southerners, including John C. Calhoun, believed that allowing California to decide the slavery question based on popular sovereignty to be a mistake. Another free state in the Union would upset the balance between slave and free territories, and if western territories from the Mexican Cession became uniformly free, unsympathetic free states would surround the Southern slave states. Some in the South saw secession as the only way to settle the issue.

## Clay Seeks a Compromise



Henry Clay

- Felt California should be a free state
- Sought to address all slavery-related controversies
- Saw need for concessions to the South
- Consulted with Webster for support

Henry Clay, already known as the “Great Compromiser” for his talents at brokering agreements between his colleagues in the House and Senate, took steps to solve the California statehood issue. He believed that California should be admitted as a free state because many of its residents opposed slavery. However, he also recognized that the South deserved some concessions for abandoning the California statehood issue. Clay set to develop a compromise bill that would hopefully satisfy both the North and South, as well as all slavery-related controversies currently affecting the nation. Clay drew up a set of proposals, then secured the support of Massachusetts Senator Daniel Webster before submitting it.

## **The Compromise of 1850: Provisions**

- **For the North:**
  - California admitted as a free state
  - Slave trade abolished in Washington D.C.
- **For the South:**
  - New Mexico and Utah Territories organized under popular sovereignty
  - Federal government assumed Texas's debt; Texas gave up western land claims
  - More effective Fugitive Slave Law

Clay worked to put together a package of compromises, attempting to satisfy both Northern and Southern factions.

For the North, Clay proposed that:

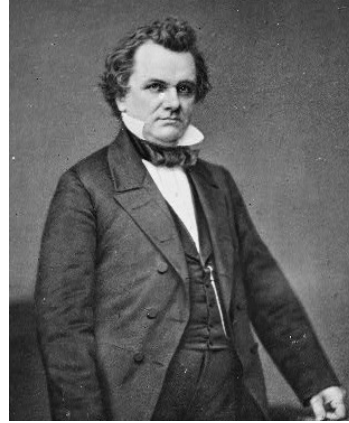
- California be admitted as a free state
- Congress vote to abolish the slave trade—but not slavery itself—in the District of Columbia

For the South, that:

- New Mexico and Utah Territories be organized under Lewis Cass's principle of popular sovereignty (putting the slavery question in the hands of territorial residents, not Congress, which conveniently relieved it of the burden of further territorial slavery debates)
- The federal government assume the state debt of Texas (estimated at \$10 million), with Texas agreeing to give up its western land claims
- The 1793 Fugitive Slave Law be revised to better facilitate the return of runaway slaves who had reached Northern territory to the South

## **The Compromise of 1850: Issues Affecting Approval**

- Calhoun too weak to speak; written statement defiant and “secessionist”
- Webster’s speech in favor of the compromise
- President Taylor died; Fillmore much more supportive of Clay’s plan
- Maneuvering by Senator Douglas



Stephen A. Douglas

Several factors affected the acceptance of the Compromise of 1850:

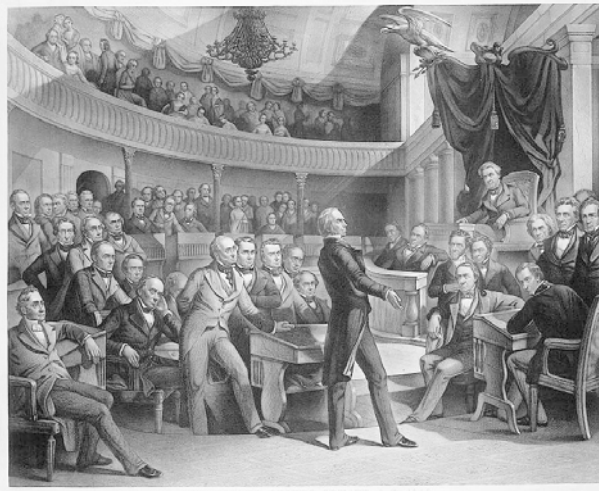
- Ailing and too weak to speak, Calhoun submitted his remarks to Virginia Senator James Mason, who read them to the Senate. Calhoun conceded nothing, practically threatening secession and demanding that the North abandon each point.

- A few days later, Webster spoke in favor of the compromise, noting that geography and economics essentially settled the slavery question in the territories, rather than political maneuvering such as the Wilmot Proviso. In Webster’s view, even though the Compromise seemed to benefit the South more, Northern senators should vote in favor of Clay’s proposals.

- President Zachary Taylor died suddenly in July 1850. Taylor had been unwavering on his own plan to admit California and New Mexico into the Union, but the new president, Millard Fillmore, proved much more willing to compromise on this issue. As a result, the White House now supported Clay’s plan.

- The fight over the compromise ruined Clay’s health as well, so much of the necessary maneuvering fell to Illinois Senator Stephen A. Douglas. Douglas skillfully guided the proposals through Congress, where they passed individually, although in some instances several congressmen and senators simply sat out the votes of individual proposals they disagreed with.

## The Compromise of 1850



In Robert Whitechurch's 1855 painting, Henry Clay describes his plan to admit California as a free state. Daniel Webster (with head in hand) sits to Clay's left, while John C. Calhoun stands third from right.

Allow one or two minutes for students to view the picture. (It might be helpful to specifically point out the “Great Triumvirate” of Clay, Webster, and Calhoun.) Once students have had adequate time to analyze the painting, ask them to speculate on the emotions and concerns of the three men in the painting. Many students may say that Clay looks confident as he describes his proposal, while Webster looks tired and Calhoun, off to the side and barely visible, appears somewhat disgusted and suspicious of the other senators.

You may ask students to note the general attitude and body language of the other senators in the painting. Do they look fearful, apprehensive, angry, or something else? Ask the class why so many people might be in the gallery (the balcony above the Senate floor). Some students may mention the physical closeness of the group of senators as Clay speaks, suggesting that it indicates their rapt attention. In actuality, they may have been close together because by 1850, Clay was over 70, and could not speak loudly; had they been farther away, they might not have heard him. Several of the senators seem to be sitting quietly as Clay speaks, although one senator directly behind Clay is standing with his hand on the table (perhaps waiting for Clay to finish so he may speak). However, the body language of several of the senators seems to imply that they are deeply engaged in Clay's speech.

The gallery includes many men and women appearing to listen to Clay's speech, although some look as if they are leaving. Whitechurch may have added these figures simply to make the painting more closely resemble what might happen in a regular Senate session, or he may have added a full gallery for dramatic effect to reinforce the importance of the issue to the public.

## Fugitive Slave Law Controversy

- Appointed federal commissioners
- Could issue warrants, form posses, forcibly enlist citizens to help
- Commissioners got paid for capturing slaves as well as free blacks
- Accused not allowed a jury or to testify in their defense
- “Personal liberty laws”



An illustration condemning the Fugitive Slave Law

Possibly the most controversial plank of the Compromise of 1850 dealt with the passage of a more effective Fugitive Slave Law. The law actually built upon the Fugitive Slave Act of 1793, but included several provisions making it easier for slaveholders to reclaim their slaves.

The new law provided for the appointment of federal commissioners with the authority to issue warrants for returning slaves. They could also form posses to search for escaped slaves and could force Northern citizens to assist them in capturing runaways. Citizens who refused faced fines or imprisonment. Slaveholders merely had to submit an affidavit—no evidence necessary—to start the process rolling.

In addition, the commissioners received a substantial fee for each “certified” slave they caught. However, they still earned half of the fee even without having to certify the person as a slave. As a result, a number of free blacks were kidnapped and turned over to slave catchers. Alleged slaves were given a juryless trial in which they had very few rights and could not testify in their own defense.

The legislatures of many Northern states, outraged by being forced to capture and return runaway slaves as well as the latitude given slave catchers, passed what they called “personal liberty laws,” which forbade law-enforcement officials from aiding federal commissioners and gave slaves the right to jury trial before removal.

## Discussion Questions

1. What event occurred in California that made the slavery question so pressing? What differing views were there regarding slavery in California?
2. What did Henry Clay offer as provisions of what became the Compromise of 1850, and which section of the country did each one benefit?
3. What made the Fugitive Slave Law so controversial? How did some Northern states try to bypass the law?

1. The discovery of gold in California in 1849 caused an explosion in the territory's population. The increase in settlers resulted in a rash of lawlessness in the area, making obvious the need for some sort of territorial government. As such, the status of slavery in the territory became a major concern. Some (including President Taylor) proposed settling the issue by popular sovereignty. Others opposed this, not because they necessarily opposed slavery, but because they thought that white prospectors bringing slaves into California would have an unfair advantage. Many Southerners opposed popular sovereignty simply because it could upset the balance between slave and free states.
2. Clay proposed that (1) California be admitted as a free state (pro-North), (2) the slave trade (but not slavery itself) end in Washington D.C. (pro-North), (3) the Utah and New Mexico territories be organized without regard to slavery, with popular sovereignty to address the issue later (pro-South), (4) Texas surrender its western land claims, with the federal government assuming its \$10 million debt (pro-South), and (5) a stronger fugitive-slave law be instituted (pro-South).
3. The Fugitive Slave Law proved extremely controversial because it not only required Northern officials to return runaway slaves but forced citizens to help as well. In addition, black persons "on trial" as runaways had very few legal rights: they could not testify in their behalf, and could be sent south simply by the "owner" producing an affidavit to that effect. Many Northern states, incensed at the law, passed "personal liberty laws," which forbade Northern law enforcement officials from returning runaways and/or gave the accused the right to a jury trial.



## The Abolitionist Movement

- Many leaders involved in religious causes
- Saw abolition as a moral or religious issue rather than political or economic
- Moderates vs. radicals
- *Uncle Tom's Cabin* inflamed tensions
- Underground Railroad also concerned Southerners



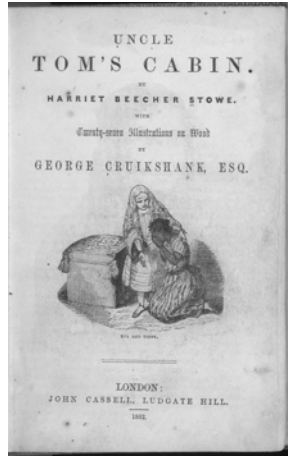
Abolitionist leader  
William Lloyd Garrison

The abolitionist movement sought to slavery completely, rather than simply opposing its expansion. Many religious groups (especially the Quakers) became deeply involved in the abolitionist movement. These tended to see slavery as morally unacceptable, and several noted ministers such as Charles Grandison Finney and Theodore Weld made the opposition to slavery a religious issue.

Within the movement, many abolitionists took a moderate stance, supporting the view that slavery could be abolished gradually. For instance, children born into slavery might only remain slaves until a certain age, at which time the law would grant them their freedom. However, other abolition leaders were deemed “radicals” for calling for an immediate end to slavery. Leaders such as William Lloyd Garrison commanded wide audiences with abolitionist newspapers such as *The Liberator*. Many Southerners regarded the rise in popularity of radical abolitionists a direct threat to their way of life, making compromise impossible.

Other events caused sectional tensions to rise as well. *Uncle Tom's Cabin* caused many in the South to believe that Northerners had an unfair impression of their way of life and the institution of slavery. Condemnation of the book was widespread. In addition, the Underground Railroad—the network of safe houses maintained by abolitionists helping slaves escape to free states or even to Canada—angered many Southerners who feared that all Northerners might actively work to undermine the slave system.

## ***Uncle Tom's Cabin: The Novel***



A copy of the book printed in London

- Written by Harriet Beecher Stowe in 1852
- Stowe had little personal knowledge of slavery
- An immediate bestseller in U.S. and overseas
- Helped to heighten sectional tensions

While senators debated sectional issues such as the admission of California, others were bringing the debate to mainstream America. Harriet Beecher Stowe helped inflame sectional tensions with the publication of her 1852 book *Uncle Tom's Cabin*. Stowe, who hailed from a family of abolitionists, had very little personal involvement in the antislavery movement. However, the debate over the Compromise of 1850, as well as contact with other antislavery writers, spurred her to write what became a major indictment of the Southern slave system. The book became immensely popular, selling thousands of copies in its first week of publication, and nearly 300,000 copies in its first year. As its fame spread, several playwrights adapted the book for the stage, allowing thousands upon thousands to see the story in theaters. Many who read the book or saw the theatrical productions bonded with the characters and tended to develop strong conclusions about the South and slavery. This aspect of Stowe's work especially worried many slaveholders concerned that more Northerners might call for an end to slavery.

## ***Uncle Tom's Cabin: Reactions***

- Stowe also condemned North for the slave trade
- Most Southerners saw the book as unfair
- Most Northerners dismissed Southern criticisms
- Spurred Northern involvement in abolitionism



Harriet Beecher Stowe

Stowe's book not only condemned Southern slaveholders, but also offered an indictment of the Northern slave trade. Most conspicuously, the book's villain Simon Legree hails not from the South, but from Connecticut.

While many Northerners reacted to the story's horrors with sadness and pity, many Southerners resented the book as an unfair portrayal of South's slave system. One 1853 critique of the book accused Stowe of trying to "awaken rancorous hatred and malignant jealousies." Other critics were less kind, such as one who labeled Stowe a "coarse, ugly, long-tongued woman."

Northerners, most not being exposed to slavery or the plantation system firsthand, looked at Southern criticisms of Stowe and the book as biased, and concluded that all slaveholders mistreated their slaves in the manner of Simon Legree. As a result, more Northerners became closer to the abolitionist movement, either becoming vocal opponents of slavery or simply beginning to question the morality of the institution.

## **“Popular Sovereignty”**

- Based on Enlightenment theory that government draws its power from the people
- First proposed by Lewis Cass; later championed by Stephen Douglas
- Residents of a territory would vote for or against slavery
- Relieved Congress of having to make the decision

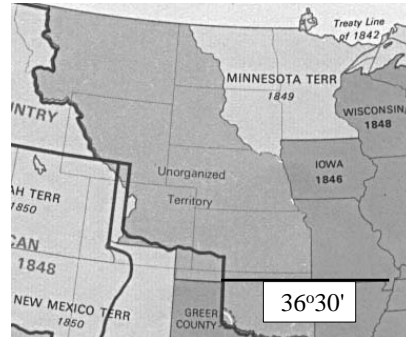
While the general concept of popular sovereignty is most frequently considered as an idea regarding the slavery issue, it had roots in the Enlightenment, during which thinkers determined that government exists according to the will or consent of the people. Popular sovereignty as a tool for determining whether a territory should be slave or free, however, did not appear until the debate over the Compromise of 1850.

Known frequently as “squatter sovereignty,” popular sovereignty was first proposed by Michigan Senator Lewis Cass, and later proposed in the Kansas-Nebraska Act by Illinois Senator Stephen Douglas. On its face, popular sovereignty appeared democratic. Congress would organize territories without reference to slavery, allowing the residents of that territory to determine whether they wished to be slave or free via a referendum.

However, for many members of Congress, popular sovereignty had an even more attractive feature. Weary of having to make decisions on the slavery issue, popular sovereignty allowed representatives and senators to “get off the hook” regarding deciding the slavery question themselves, as the territory’s residents would make the determination whether they were to be slave or free.

## The Kansas-Nebraska Act: Origins

- Introduced by Stephen Douglas
- Proposed Nebraska territory to provide northern route for transcontinental railroad
- Territory lay north of Missouri Compromise line prohibiting slavery
- Douglas needed Southern support
- Bill allowed for popular sovereignty in territories



One of the largest sectional controversies of the late 1850s stemmed from Senator Stephen Douglas's desire for a transcontinental railroad route through Illinois, terminating in Chicago. In order to secure the land for the right-of-way, Douglas proposed organizing an Indian reserve in the northern Louisiana Purchase into a new territory to be called "Nebraska." He proposed removing the Indians from this area, and then once it gained territorial status, the process of developing a railroad line could begin.

Nebraska lay above the 36°30' line that separated free from slave territories according to the Missouri Compromise of 1820. To create a large free territory north of the line might anger Southerners opposed to changing the balance between slave and free states. However, Douglas needed the aid of Southern legislators to ensure approval of his northern railroad route. To this end, Douglas's Nebraska bill allowed for settlers of the territory to decide according to popular sovereignty whether to permit slavery. To do so required the specific repeal of the Missouri Compromise.

## Kansas-Nebraska: Passage



- Firestorm of controversy
- Angered Free-Soilers
- Douglas able to guide bill through Congress
- 90 percent of Southern Congress members and half of Northern Democrats voted for bill
- Nebraska divided into Kansas and Nebraska

After Douglas introduced his Nebraska bill for consideration in Congress, heated debate about the impact of the bill swept through the North. Free-Soilers reacted most strongly, with some calling the bill as a “crime against freedom and a pact with infamy,” and a “gross violation of a sacred pledge,” as well as an “atrocious plot [to transform the Nebraska Territory] into a dreary region of despotism, inhabited by masters and slaves.”

However, Douglas used his considerable legislative ability to guide the bill through Congress. Ultimately, 90 percent of Southern members of Congress and half of Northern Democrats voted in favor of the bill. In its final form, the Kansas-Nebraska Act divided Nebraska into two separate territories: Nebraska in the north abutting Iowa, and Kansas in the south adjacent to Missouri. The federal government removed the Native Americans inhabiting the territory, which cleared the way for white settlement as well as railroad building.

## **Kansas-Nebraska: Political Aftermath**

- Major realignment of party loyalties
- Collapse of Whig Party
- Democrats became strong in South, weak in North
- Republican Party became dominant in the North



Winfield Scott, the last presidential nominee of the Whig Party

The Kansas-Nebraska Act signaled a major realignment in party loyalty. Previously, the Whig and Democratic Parties had maintained strong Northern and Southern wings, which helped to cancel out a certain amount of sectional tension. With the passage of the act, the South became the main area of support for the Democratic Party, while the Whig Party collapsed. Former members eventually allied with Free-Soilers to form the Republican Party, which demonstrated significant strength in the 1856 election. Republican candidate John C. Fremont managed to receive a significant percentage of the electoral and popular votes without carrying a single Southern state, proving that the Republican Party could be a significant force in national elections.

## Discussion Questions

1. What impact did the publication of *Uncle Tom's Cabin* have on sectional tensions? Why did so many Southerners dislike the book?
2. How did the abolitionist movement inflame sectional tensions?
3. Why did Senator Stephen Douglas propose the Kansas-Nebraska Act? What impact did it have on political parties and other groups?

1. *Uncle Tom's Cabin* caused significant concern in both the South and North. Critical of both the slave system in the South and the role the North played in supporting slavery, the book became an instant bestseller and a successful stage play (several, actually). Northerners touched by its sympathetic portrayal of the plight of slaves either turned against the institution of slavery, or had their disgust for it confirmed; some were compelled to join abolitionist societies or publically oppose slavery. Many Southerners saw the book as portraying the slave system harshly and unfairly, and condemned the book for inciting controversy.
2. Since many abolitionist leaders were also involved in religious organizations, they could more easily portray slavery as morally unacceptable, making opposition to it a religious issue as well as a political and economic one. In addition, while many leaders supported a gradual end to slavery, some took the "radical" stance of immediate and total abolition. Editors such as William Lloyd Garrison commanded wide audiences with such radical antislavery publications such as *The Liberator*. The wildly popular novel *Uncle Tom's Cabin* also caused many in the South to believe that Northerners had an unfair perception of them and the slave system. Finally, the Underground Railroad tended to anger Southerners, some of whom surmised that all Northerners might actively work to encourage slaves to escape.
3. Douglas's main goal in proposing the Kansas-Nebraska Act was the eventual building of a northern transcontinental railroad route linking Chicago with the west coast. Organizing Nebraska and Kansas as territories would facilitate the removal of their Native American populations and hasten construction of the railroad. The political impact proved enormous: the South became a Democratic stronghold, the Whig Party disintegrated, and ex-Whigs joined with Free-Soilers to form the Republican Party (which managed a strong showing in the election of 1856 without carrying a single Southern state).



# The Republican Party

- Composed of several antislavery groups
- Not specifically abolitionists, but opposed the expansion of slavery
- Held that slavery lowered the dignity of labor and prevented social advancement
- Gained abolitionist support



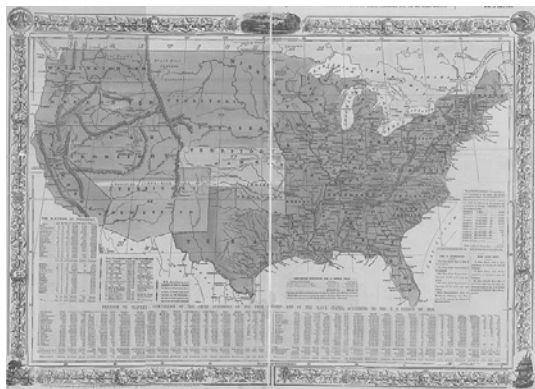
An 1856 cartoon showing Fremont (right) and people representing the many different groups who supported the Republicans

The new Republican Party gained support from several antislavery groups originally loyal to the Whig Party, as well as other political groups. Persons who found themselves without a political party that supported their goals, including Whigs, Free-Soilers, some Democrats, and a few others, turned to the Republicans.

The Republicans had no explicit abolitionist stance. Instead, they opposed the expansion of slavery into any U.S. territory. In their view, slavery lowered the dignity of labor, and also made it more difficult for free white labor to flourish in the territories. The party's position on the expansion of slavery came more from economic than philosophical views. To the Republicans, free labor gave whites the dignity of work and provided the possibility of advancement in society. The idea of liberty, dignity, and opportunity strongly attracted Northern support.

Groups that did not oppose slavery outright, but only its expansion into the territories, could comfortably support the Republicans. Many abolitionists as well aligned more closely with the party and frequently voted for Republican candidates.

## **“Bleeding Kansas”: Prelude**



A period map showing free states (red), slave states (gray), territories (green), and Kansas Territory (white, in the center)

- Pro- and antislavery settlers streamed into Kansas for slavery vote
- “Emigrant aid societies” sprung up to support settlement
- Pro- and antislavery voters elected separate legislatures
- Kansas faced civil war

While some had hopes that popular sovereignty—allowing an area’s residents to vote directly on an issue—would cleanly settle the fight over slavery in Kansas Territory, reality proved far more complex, volatile, and then violent. Hostilities between pro- and antislavery settlers erupted across Kansas in 1856 as part of a small-scale civil war, earning the territory the grim nickname “Bleeding Kansas.”

Almost immediately after the passage of the Kansas-Nebraska Act, pro- and antislavery forces began streaming into the Kansas Territory in order to sway the popular sovereignty vote in their favor. “Emigrant aid societies” formed in both the North and South to encourage settlement in Kansas for this purpose. The slave state of Missouri, already bordered by the free states of Iowa and Illinois, sent thousands of settlers into Kansas to ensure that the territory voted for a proslavery government.

When the election was held in 1854, proslavery forces won a sweeping victory. However, antislavery forces believed that the election had been fraudulent and elected their own legislature. The new legislature banned free blacks as well as slaves. With both sides heavily armed and committed to the righteousness of their cause, the territory neared civil war.

## **“Bleeding Kansas”: Violence Erupts**

- “Sack of Lawrence”  
by proslavery forces
- John Brown  
retaliated with a raid  
on Pottawatomie  
Creek
- Both sides fearful of  
attacks
- Guerrilla warfare  
broke out across  
territory



The ruins of a hotel after the “Sack of Lawrence”

Violence broke out on May 21, 1856, when proslavery forces raided the town of Lawrence, the center of free-state settlement. While only one person died in the “sack of Lawrence,” many in the North saw the attack as a brutal assault on an innocent community. John Brown, an ardent opponent of slavery, decided to retaliate against proslavery settlers in revenge for the violence at Lawrence. He and his followers raided a proslavery settlement at Pottawatomie Creek, where they hacked five settlers to death. Both sides now realized that any settler could be subject to a violent attack by the other side, and small-scale guerrilla warfare broke out across the state.

## **“Bleeding Kansas”: Effects**



Missouri raiders shooting down free-soil settlers in Kansas

- Brown’s attack spurred widespread violence
- Republicans trumped up situation to meet their interests; Democrats heavily promoted settlement
- Pierce supported proslavery forces; did nothing to quell violence

Although authorities never captured or tried Brown or his followers for the murders at Pottawatomie Creek, Brown went into hiding and left Kansas in late 1856. However, his actions against proslavery settlers caused violence there to increase, and by the end of 1856, more than 200 settlers on both sides of the slavery question had been killed.

Both the Democratic and Republican Parties received blame for the eruption of violence as the territory struggled to make a decision about slavery. Democrats encouraged settlers in neighboring states to stream into the Kansas Territory simply to vote in favor of retaining slavery. Republicans used the clashes between the groups to support their own causes and worked to trump up the “Bleeding Kansas” issue. President Franklin Pierce allowed the situation to worsen, as his administration did little to ensure law and order as settlers debated and then voted on the slavery issue, while his active support of proslavery forces only increased tensions and violence in Kansas.

## **The Lecompton Constitution**

- Territorial governor supported popular sovereignty
- Proslavery Kansans held constitutional convention in Lecompton
- Series of stacked votes on constitution
- Buchanan supported constitution to keep Southern support; clashed with Douglas
- Struggles over ratification of constitution

Conflict still was rampant in Kansas. Rival legislatures—one for slavery and one against—wrestled with creating a constitution beneficial to their own cause. President Buchanan appointed a territorial governor supportive of popular sovereignty, Robert J. Walker, who figured that in fair elections free-soil settlers would send a majority of antislavery delegates to the constitutional convention. However, most expected a fraudulent election and didn't vote, allowing for proslavery delegates to run the convention. These delegates met in the town of Lecompton to draft a constitution to use in applying for statehood. Again assuming fraud, free-soilers abstained from voting on the constitution when it was put to Kansans for approval.

Buchanan changed his position on popular sovereignty in the territory in hopes of placating his Southern supporters and sent the constitution to Congress for ratification. Meanwhile, Kansas's antislavery legislature arranged for yet another vote—this one boycotted by proslavery settlers—in which Kansans overwhelmingly rejected the constitution. Wholly aware of Kansas's free-soil majority, Buchanan nevertheless pushed for ratification.

During the bitter debate in Congress, Democratic Senator Stephen Douglas broke with his party and opposed the constitution, disgusted by the twisted version of popular sovereignty in the territory he had essentially created with the Kansas-Nebraska Act. Despite increasing pressure from Buchanan, Douglas supported the Republican position against the Kansas statehood bill. Antislavery Congressmen managed to amend the bill to force another vote in Kansas, this one to be closely supervised. Residents voted against Lecompton by about 10:1, leaving the territory safely in the hands of its antislavery legislature.

## Brooks Attacks Sumner



A political cartoon depicts the attack

- Sumner made Senate speech against Butler, Brooks's uncle
- Brooks caned Sumner into unconsciousness on Senate floor
- Brooks resigned his seat, but was quickly reelected

As sectional tensions continued to build during the 1850s, they also spilled over into both houses of Congress. Members of Congress frequently came to sessions armed and frequently delivered speeches that personally attacked colleagues on the other side of the slavery issue. In 1856, Massachusetts Senator Charles Sumner delivered a speech on the Senate floor titled, "The Crime Against Kansas." In his speech, Sumner ridiculed South Carolina Senator Andrew P. Butler, who was not present, for his proslavery views (as well as his speech impediment). Sumner called Butler a "Don Quixote, who had taken the 'harlot,' slavery, as his mistress." Following the speech, Illinois Senator Stephen Douglas supposedly remarked, "That damn fool will get himself killed by some other damn fool."

Butler's nephew, Congressman Preston Brooks, felt obligated to defend Butler a few days later. Brooks entered the Senate chamber after the day's adjournment and attacked Sumner, beating him with his cane until it broke and the senator lost consciousness. The attack so scarred Sumner physically and psychologically that he could not return to his Senate seat until 1859.

Both sides in the sectional dispute used this incident to publicize their concerns. Brooks resigned his office after the House censured him but the people of South Carolina reelected him by a large margin. Some sent him new canes to replace the one he shattered during his attack on Sumner. Northerners saw the incident as further proof that Southerners would resort to violence and brutality in order to protect the institution of slavery.

## Discussion Questions

1. What was the Republican Party's philosophy regarding slavery? What aspect of the slavery issue did the party most object to?
2. What was "Bleeding Kansas"? How did the passage of the Kansas-Nebraska Act contribute to this?
3. How did John Brown's actions in Kansas add to sectional tensions in the territory?

1. The Republican Party objected to slavery, saying that slavery took away the dignity of labor from both blacks and whites. Slavery, the party held, also made it more difficult for white workers to find employment, especially in new territories. While the Republicans did not necessarily object to slavery as an absolute moral wrong, they vehemently opposed to the expansion of slavery into the territories.
2. "Bleeding Kansas" referred to the hostilities that developed in Kansas as both pro- and antislavery forces attempted to pack the territory with settlers committed to voting their side to victory via popular sovereignty. Violence erupted in several locations as part of a small-scale civil war, and residents on both sides took casualties, including deaths. The Kansas-Nebraska Act brought on the conflict because it stipulated that popular sovereignty would determine the territory's slavery status.
3. John Brown's slaying of proslavery settlers at Pottawatomie Creek, while in apparent retaliation for proslavery settlers' "Sack of Lawrence," contributed to an upturn in violence in the Kansas Territory. Kansans on either side of the slavery issue felt as if they were under the constant threat of attack by the other. Moreover, the fact that authorities never tried (or even arrested) Brown for Pottawatomie only strengthened the "us vs. them" mentality of Kansan settlers.

## The Election of 1856



John C. Fremont, the first  
Republican presidential  
candidate

- Republicans ran Fremont
- Democrats chose Buchanan, a “doughface”
- Buchanan won, but Republicans showed strength

By 1856, the new Republican Party had developed enough support to directly challenge Democratic control of the White House. The Republicans made the extension of slavery in the territories their central campaign issue.

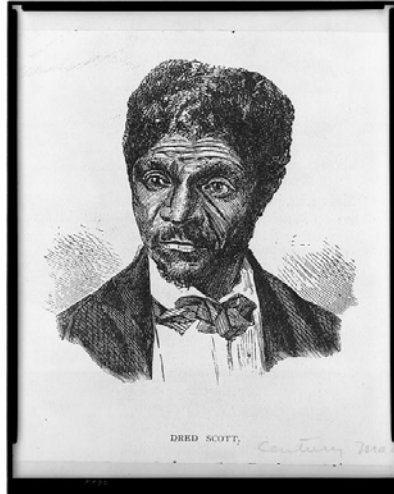
The Republicans nominated the “Pathfinder,” explorer John C. Fremont, as their presidential candidate. From the start, the Republicans realized that they would not carry the South, but believed they would have enough Northern and Western support to win. The Democrats nominated James Buchanan of Pennsylvania. Opponents of Buchanan called him a “doughface,” a Northerner with Southern sympathies. Buchanan and the Democrats promoted popular sovereignty as the best way to solve the extension of slavery issue, believing that the Republican opposition to extending slavery into the territories under any circumstances would force the South into secession.

While the Democrats won the election with 174 electoral votes, Fremont made it close by taking 114. Carrying no states below the Mason-Dixon Line, the Republicans’ showing suggested that a candidate could win the presidency without the support of the South. In turn, the slaveholding Southern states had greater concern about the Republicans, now a political force to be reckoned with.



## The Dred Scott Case: Origins

- Slave whose master had moved him to free territory for several years
- Sued for his freedom under the Northwest Ordinance and Missouri Compromise
- Case appealed to U.S. Supreme Court in 1857



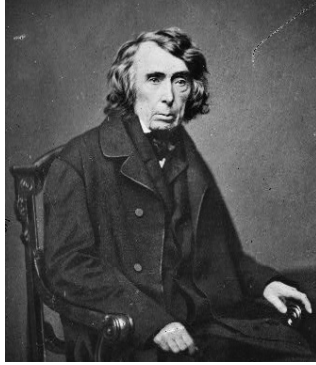
Dred Scott

What seemed a simple case regarding one slave's freedom blossomed into a sectional issue of enormous significance. The Supreme Court handed down its decision in *Dred Scott v. Sandford* only a few days after Buchanan's inauguration, but the repercussions lasted for decades.

Dred Scott was a slave who lived in Missouri. When his first master died, an army surgeon named Dr. John Emerson took Scott first to Illinois, and later to the Wisconsin Territory. The Northwest Ordinance of 1787 forbade slavery in both locales.

After Scott was returned to Missouri, he and his wife sued for their freedom with the assistance of a sympathetic lawyer. Scott contended that he had become a free man once Emerson had transported him to Illinois; moreover, when taken to Wisconsin, he was freed under the terms of the Northwest Ordinance as well as the Missouri Compromise. In a lower court, Scott lost his case on a technicality. However, he refiled the lawsuit and won. The Missouri Supreme Court subsequently overturned the verdict. Scott filed his suit in federal court, but the Missouri Supreme Court decision was upheld. Finally, Scott and his lawyers appealed to the United States Supreme Court.

## Dred Scott: The Decision



Chief Justice Roger B.  
Taney

- Chief Justice Roger B. Taney
- Taney ruled against Scott:
  - Slaves, as non-citizens, had no constitutional rights
  - State laws determined a slave's freedom, not federal
  - Congress's power to create territorial rules did not include prohibiting slavery
- Missouri Compromise unconstitutional

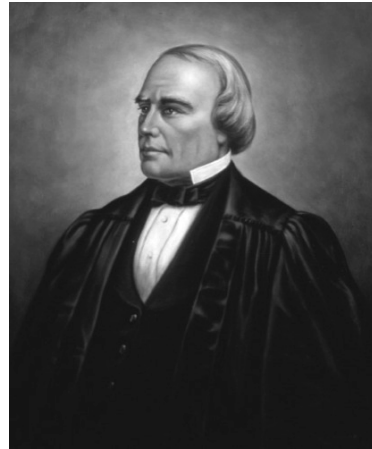
Dred Scott had the misfortune, perhaps, of having his case reach the Supreme Court while under the stewardship of Chief Justice Roger B. Taney, whom Andrew Jackson had appointed in 1836. Hailing from the slave state of Maryland, Taney demonstrated in the Dred Scott decision that even the Supreme Court could fall prey to sectional prejudices: his ruling includes a description of blacks as “so far inferior, that they had no rights which the white man was bound to respect.”

In the 7–2 decision, Taney delivered the majority opinion:

- As a slave, Dred Scott did not have U.S. citizenship. Since he was not a citizen, Scott had no right to sue in U.S. courts; therefore, his lawsuit was invalid.
- Taney also asserted that Scott's home state of Missouri—a slave state—determined his status as a slave or free man, not whether he had lived in free states.
- Finally, he added that under no circumstances could Congress prohibit slavery in a territory because to do so would violate the Fifth Amendment's property clause. Therefore, all congressional attempts to limit slavery—including the Missouri Compromise—were unconstitutional.

## **Dred Scott: Curtis's Dissent**

- Believed that Scott was a citizen
- Asserted that Scott's residence in free territory changed his status as a slave
- Missouri Compromise constitutional: Congress had the right to make territorial laws

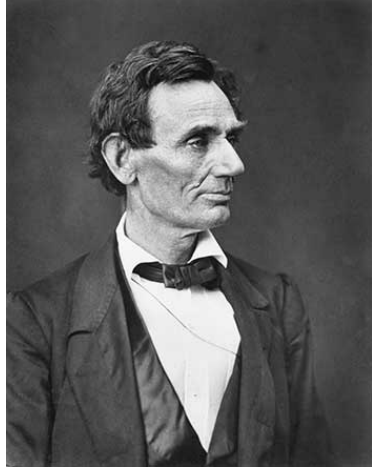


Justice Benjamin R. Curtis

While Taney's opinion advanced the Southern view of slavery and its constraints (or lack thereof), the dissent of Justice Benjamin R. Curtis represented the views of most Northern Republicans. To Curtis, Scott deserved his freedom for several reasons:

- First, the Constitution did not imply that African Americans could not be citizens. He noted that at the time the Constitution was written, several states allowed suffrage for free blacks, and they participated in the ratification process.
- When Scott's master transported him from Missouri to Wisconsin and Illinois (two areas that prohibited slavery), the condition of involuntary servitude ceased to exist.
- Curtis also believed the Missouri Compromise to be constitutional because the Framers had meant for Congress to have the power to make all necessary rules for governing the territories.

## Abraham Lincoln



- Gained prominence in 1850s
- Modest beginnings
- Strong political ambitions
- Opposed to the extension of slavery
- Nominated for Illinois Senate

As sectional struggles continued, many Republican politicians became prominent, but none more than Abraham Lincoln of Illinois. Born in 1809 in a Kentucky log cabin, he had grown up on the Indiana frontier before moving to Illinois and establishing a law practice in Springfield. While Lincoln appeared folksy and homespun, he had a deep interest in a career in politics. William Herndon, Lincoln's law partner, once remarked that Lincoln's "ambition was a little engine that knew no rest."

However, Lincoln's political career appeared to have stalled. He'd sat in the Illinois State Legislature as a Whig, and served one term as a member of the House of Representatives, but had not held public office since 1849. Yet, Lincoln spoke publicly about his views against the extension of slavery into the territories. He opposed Douglas's Kansas-Nebraska Act but accepted slavery in areas where it already existed. In his view, blacks did have natural rights, but giving them full citizenship and equality wasn't possible. Regardless, he believed that the nation could not "endure permanently, half slave and half free." Lincoln's ideals so impressed Illinois Republicans that in 1858, they nominated him as the Republican candidate for U.S. Senate against Stephen Douglas.

## Lincoln-Douglas Debates

- Lincoln challenged Douglas to a series of debates
- Douglas saw Lincoln as a tough opponent
- Thousands viewed the pair as they spoke
- Both candidates used different styles to explain their views



Lincoln and Douglas spoke in seven different Illinois communities

Soon after his nomination, Lincoln challenged incumbent Senator Douglas to a series of debates across Illinois. Douglas accepted the challenge, but recognized Lincoln as a formidable challenger. “He is the strong man of the party,” Douglas stated, “full of wit, facts, dates, and the best stump speaker, with his droll ways and dry jokes, in the West. He is as honest as he is shrewd, and if I beat him my victory will be hardly won.”

Seven different cities hosted their debates in August and September of 1858. Not only did thousands of Illinois voters turn out to see the two candidates, but the national media also followed the two as they continued their speaking tour. The debaters seemed as different in appearance as in their views: Douglas, the impeccably groomed “Little Giant,” spoke powerfully, gesticulating wildly and paced up and down the stage as he spoke. Lincoln took pains to portray himself as a “common man.” His suits didn’t seem to fit him, and he had a generally rumpled appearance; he made no grand entrance, tending simply to walk from the rail station to the debate site. Frequently speaking slowly and in a high pitched voice, Lincoln made his points in a deliberate manner.

## **The “Freeport Doctrine”**

- Lincoln asked Douglas how, in light of *Dred Scott*, the people of a territory could exclude slavery
- Douglas said that slavery could only flourish when supported by local laws; no laws, no slavery
- Douglas’s response probably helped him win the election, but killed any future presidential bid

When the two candidates met at Freeport, in north central Illinois, he hoped to trap Douglas with a loaded question. The question, and Douglas’s response, became known as the “Freeport Doctrine.”

In the debate, Lincoln pressed Douglas as to how, in light of the Dred Scott decision, a territory could stop the extension of slavery before becoming a state. This put Douglas in a corner: If he stated support for the Dred Scott decision, he would likely lose the election. He instead answered that slavery could not exist unless supported by local law, and if the territory enacted no laws in support of it, slavery would not take hold there.

While the Freeport Doctrine probably kept Douglas from defeat in the Senate race, it probably ended any chances for winning the presidency in 1860. Southern slaveholders distrusted someone who suggested the Dred Scott decision could be bypassed to prohibit slavery in a territory. While Lincoln would go down to defeat in the 1858 Senate race, he became a national figure as a result of the publicity the debates generated nationwide. Many began talking of Lincoln as a strong candidate for the 1860 election.

## Discussion Questions

1. What was significant about Fremont's candidacy in the 1856 election? What did the results demonstrate about the Republican Party?
2. What was the ruling in the Dred Scott case, and what made it so controversial? On what grounds did Justice Curtis dissent?
3. What was the Freeport Doctrine? Why might it have helped Douglas defeat Lincoln in 1858, but hurt him in the 1860 presidential election?

1. Fremont ran as the first Republican candidate in a national election. Knowing that their opposition to the expansion of slavery into the territories would cost them dearly in the South, the Republicans concentrated on states in the North and West. While Fremont lost the election, his better-than-expected showing proved the viability of the party, which demonstrated that it could likely win an election without Southern support.
2. First, Taney stated that since slaves did not and could not be citizens, they had no right to sue for their freedom. Rather than stop there, Taney also asserted that state laws—not federal—determined one's status as a slave. Finally, the Fifth Amendment, which prohibits the government from taking one's property without due process, allowed slave owners to take their slaves (i.e., their property) anywhere without penalty. With this last point, Taney declared the Missouri Compromise unconstitutional, even though the Kansas-Nebraska Act had already repealed it. The decision destroyed the fragile system of compromises that had held the country together until then by striking down prohibitions against it. Justice Curtis's dissent held that (1) the Constitution didn't say or imply that slaves couldn't be citizens, (2) Scott had gained his freedom when he entered free territory, and (3) the federal government had the right to make laws in the territories (against slavery or otherwise).
3. In a debate with Douglas in Freeport, IL, Lincoln pressed him on how a territory might stop the expansion of slavery prior to becoming a state, especially in light of the Dred Scott decision. Douglas replied with the "Freeport Doctrine": since slavery couldn't exist (or at least flourish) in an area without the support of local laws, a territory could effectively bar slavery by not passing such laws. Douglas's answer apparently satisfied the voters of Illinois, who on the whole opposed slavery in the territories; however, in a national election, his position on this issue—effectively circumventing the Dred Scott ruling—cost him the Southern support he needed as a Democratic presidential candidate.

## John Brown



John Brown

- Raised in an antislavery family
- Never financially successful
- Involved in abolitionist activities, including the Underground Railroad
- Pottawatomie Massacre

John Brown, one of the most well-known figures of the abolitionist movement, seemed far from destined to be a historical figure. Born in 1800 into a religious, antislavery family in Connecticut, Brown had great difficulty attaining financial success. He and his family (20 children total, though many died young) resided in a string of states throughout New England and the Midwest, where he tried his hand at a variety of trades, most of which left him with huge debts.

Brown contributed substantially to parts of the antislavery movement of the first half of the 19th century. He financially supported the publication of the abolitionist pamphlet *Walker's Appeal*, and also helped runaway slaves on the Underground Railroad. Upon meeting abolitionist leader Frederick Douglass, Brown outlined his plan to start a war designed to end slavery.

Brown became a national figure in May 1856, after he and five of his sons led the Pottawatomie Massacre in supposed retaliation for the sack of Lawrence. Eluding capture by federal authorities, Brown continued his violent campaign in Kansas and Missouri for nearly a year.



# Harpers Ferry

- October 1859
- Brown and followers planned to seize arsenal and arm slaves
- Slaves failed to join in rebellion
- Some of Brown's men killed; he was captured



Federal troops prepare to storm the arsenal at Harpers Ferry

By the fall of 1859, John Brown had decided on his next step for ending slavery through violent revolt. He planned to lead 18 of his followers in a raid on the federal arsenal at Harpers Ferry, Virginia (now West Virginia). Once he had taken the arsenal, Brown thought, he would distribute the cache of weapons to local slaves in an attempt to start a rebellion. If successful, these newly freed slaves could gather others and establish a base of operations in Virginia for inspiring and organizing support for further insurrections.

Brown and his followers seized the arsenal as well as took several hostages. However, slaves did not rally to Brown's cause, probably because they were largely unaware of the raid; federal troops led by Colonel Robert E. Lee stormed the arsenal two days later and captured Brown. The incident left 14 dead, including two of Brown's sons.

# The Execution of John Brown



Brown kisses a slave child on  
the way to his execution

- Brown convicted of treason against Virginia
- Hanged in December 1859
- Considered a hero to many Northerners
- Southerners feared that some might follow his example

After his capture, John Brown was quickly tried and sentenced to death for treason against Virginia, becoming the only American ever convicted of committing treason against a state. Although Brown appeared mentally unstable (several family members, including his mother and two sons, were declared legally insane), he found no mercy in the jury's verdict.

As he awaited execution, Brown demonstrated his commitment to racial equality: in several instances, he ate at the same table with blacks and allowed them to sit with his family at religious services. Authorities hanged Brown on December 2, 1859. While most Northerners condemned the raid at Harpers Ferry (as well as his exploits in Kansas Territory), the steadfastness he displayed between his capture and execution bought him a sort of grudging respect. Some well-known Northerners, such as the writers Emerson and Thoreau, vocally supported Brown and his actions. To some, Brown achieved a near-saintly status. Many in the North marked Brown's execution with prayer vigils.

Many Southerners became fearful of the celebrity status that Brown achieved, thinking that perhaps others who opposed to slavery would follow his example. Many openly considered Brown no more than a murderer and robber. Still others, convinced that the Republicans had actively supported Brown, threatened never to allow the government to fall into Republican hands.

## **Brown's Speech Before the Virginia Court**

Upon receiving the death sentence for his involvement in the raid on Harpers Ferry, John Brown made the following remarks to the jury which convicted him:

*“Now if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice and mingle my blood further with the blood of my children and 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.”*

### **Discussion questions:**

Have students read the above quote and ask them why Brown would have made such a statement. Who might Brown have been referring to when he mentioned “the blood of my children”? Ask students if they believe that Brown was predicting a civil war with the phrase, “with the blood of millions in this slave country.” What rationale can they give for their view?

Responses will vary. Students may note that his statement signified Brown's eloquence and his total commitment to his cause. Others may feel that by making such a statement, Brown might have been trying to gain sympathy from the jury which convicted him. Regarding “the blood of my children,” Brown might have been referring to the two sons he lost at Harpers Ferry; some may feel that Brown might have been referring to the slaves, whom he in a sense saw as “children” he had to fight for and protect. Whether Brown was specifically predicting civil war is difficult to determine; his statement might have been a warning that other antislavery activists would be willing to pick up where he left off with another attempt to foment a rebellion, should slavery not end.

## **Discussion Questions**

1. Why did John Brown decide to raid the federal arsenal at Harpers Ferry? Why didn't his plan succeed?
2. Why did Brown appeal to many Northerners? How did Southerners react to his actions?

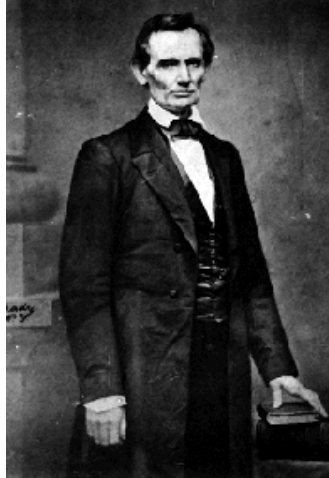
1. Brown believed that a successful raid on the arsenal would provide him with enough weapons to start a slave rebellion; armed slaves could then free other slaves, and so on, hopefully establishing a base of operations in Virginia for a large-scale uprising. His plan failed because slaves (likely unaware of Brown's plans) did not rally to his cause; federal troops took back the arsenal in two days.
2. While some thought Brown to be mentally unbalanced, many Northerners who opposed slavery respected him for his total commitment to his cause, as well as the bravery he demonstrated at his trial and in the period prior to his execution. Many Southerners became quite alarmed by Brown's actions, fearing that more might follow his example and incite slave insurrections across the South. Some thought that most (if not all) opponents of slavery were capable of such actions, further deepening the divide between North and South.

## **Southern Extremism Grows**

- Southerners fearful of Northern dominance
- Worried that new free states would be able to abolish slavery
- State legislatures restricted civil liberties; made freeing slaves illegal
- Concept of secession became popular

By 1859, more and more Southerners felt threatened by the North's increasing power and influence. The North was growing in size and population, and Southerners became increasingly fearful that a large number of new Northern free states would have the votes to amend the Constitution to abolish slavery. In response, several Southern state legislatures took steps to maintain the status quo: they limited freedom of expression on the slavery issue, prohibited free blacks from living in their states, and denied slaveholders the power to free their own slaves. Convinced of no other way to stop the abolitionist movement swelling in the North, Southerners increasingly began to consider secession as a viable option for keeping their slaves and maintaining their way of life.

## Lincoln's "Cooper Union" Speech



Famed photographer Mathew Brady took this picture prior to the speech

- February 1860, in New York City
- Considered by many to be one of Lincoln's best
- Intended to validate Republican view of slavery issue
- Propelled him to Republican nomination

In late 1859, presidential hopeful Abraham Lincoln accepted an invitation by New York abolitionist and minister Henry Ward Beecher to speak at Beecher's Brooklyn church. New York had special significance as the home state of William Seward, another contender for the Republican nomination. When the New York Young Men's Republican Union took sponsorship of the speech, it moved to a much larger site, the student union of the Cooper Institute.

Nearly 1500 crowded the union to hear Lincoln in February 1860. Many historians call the speech one of his best. Lincoln sought to explain that the Republican opposition to the extension of slavery was not a radical idea, as more than half of the Framers of the U.S. Constitution opposed allowing slaves into the territories at the time of its drafting. He also reminded the audience that the Northwest Ordinance of 1787 had explicitly prohibited slavery in the Northwest Territory.

Lincoln's speech met with wide praise, and was later published as campaign literature. The favorable response catapulted him to the 1860 Republican nomination, as well as helped him gain needed Northern support in that election.

## From Lincoln's Speech

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

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

### Discussion questions:

Give students sufficient time to read the excerpt. Ask students to point out specific evidence where the speech demonstrates the Republican view regarding the expansion of slavery into the territories. Ask them to interpret what Lincoln meant with his closing remarks, "Let us have the faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it." Why might the speech have been popular enough to make Lincoln the frontrunner for the Republican nomination?

Students will probably point to the phrase, "but can we, while our votes will prevent it, allow [slavery] to spread into the National Territories, and to overrun us here in these Free States?" as a reference to the Republican Party platform. Some may interpret Lincoln's closing remarks to mean that he was willing to risk armed conflict between the North and South to prevent the expansion of slavery; other students may see his remarks as simply inspiring his audience to oppose slavery's expansion out of a moral obligation to what is "right."

The Cooper Union speech propelled Lincoln to national prominence. While some may see his speech as an impassioned plea to oppose slavery in the territories, Lincoln was speaking to an audience that would have likely supported his view anyway. Perhaps his speaking style stuck in the minds of those who heard the speech firsthand; adding this to the strength and eloquence of his message may have made him seem an inspirational figure to many who agreed with his positions.

## **Discussion Questions**

1. How did Southern states try to further bolster slavery in the months leading up to the 1860 election?
2. In his Cooper Union speech, how did Lincoln make the case against slavery in the territories? What effect did the speech have on his political career?

1. Southerners became increasingly disturbed by the North's dominance in population and in territory, fearful that the region might gain enough representation to pass a constitutional amendment outlawing slavery. Several states took steps to maintain the status quo within their own borders by limiting freedom of expression on the slavery question, prohibiting free blacks from living there, and forbidding slave owners from even voluntarily freeing their slaves.
2. Lincoln explained that the Republican position against the expansion of slavery into the territories was not a radical idea, noting that more than half of the Constitution's Framers had publicly opposed slavery there, and also that provisions of the Northwest Ordinance had demonstrated this in 1787. His eloquence and forceful message (such as the famous "right makes might" remark) made his speech widely and warmly received, so much so that he became a leading contender for the Republican presidential nomination in 1860.



## The Election of 1860: Candidates

- Democrats split over slavery issue
- Northern Democrats nominated Douglas; Southern Democrats ran Breckinridge
- Republicans proposed diverse platform; nominated Lincoln
- Constitutional Union Party formed from elements of American and Whig Parties; nominated Bell



John C. Breckinridge



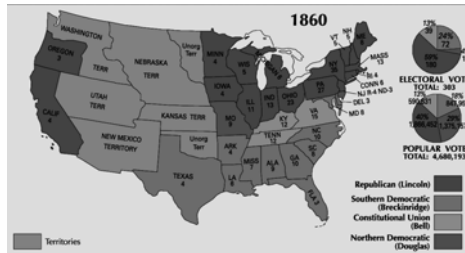
John Bell

The election of 1860 mirrored the sectional fissures of the nation as much as reactions to John Brown's raid or the Dred Scott decision. When the Democrats held their convention in Charleston, SC, Southerners refused to support the nominee unless he promised to promote territorial slavery. They also demanded that Northerners accept the legitimacy of slavery. Northern delegates refused to do so; the Southern delegates walked out of the convention. The Democrats adjourned without nominating a candidate. Trying a second time, the Democrats met in Baltimore. The two wings of the party split, with the Northern wing of the party selecting Illinois Senator Stephen Douglas, and the Southern wing selecting Vice President John C. Breckinridge.

The Republicans sought to satisfy various factions with their own platform, which in addition to opposing the expansion of slavery, also proposed a high tariff and free western land for settlers, as well as support for a transcontinental railroad. New York Senator William Seward led after the first ballot for the nomination. Many delegates, realizing that Lincoln came from one of the states needed to win the election, switched their alliance to Lincoln, who won on the third ballot.

Yet another party emerged at approximately the same time Lincoln won the Republican nomination. What remained of the Whig and American Parties formed a proslavery party—the Constitutional Union Party—and nominated John Bell of Tennessee for president.

## The Election of 1860: Results



- Northern states had majority of the votes, and would go either for Lincoln or Douglas
- Lincoln avoided public campaigning
- Douglas took MO and NJ
- Breckinridge and Bell carried slave states
- Lincoln handily won electoral vote

With four national candidates in competition, no single candidate would likely win a majority of the popular vote. However, since the Northern states held the greater population, it seemed inevitable that either Douglas or Lincoln would win. The Republicans promised to halt the expansion of slavery and had also gained a large deal of national support with their economic platform, all but assuring a Republican victory.

While Douglas probably realized he couldn't win, he did speak strongly in favor of the Union, urging Southerners to remain loyal to the Union regardless of who was elected. None of the other candidates took a similar stand. Lincoln made no public statements and avoided campaigning.

On election day, Lincoln received more than 1.8 million votes (40 percent of the total), with nearly three million for Douglas, Bell, and Breckinridge combined. Douglas carried only Missouri and New Jersey. Breckinridge carried most of the South, and Bell carried Virginia, Tennessee, and Kentucky. However, Lincoln captured 180 electoral votes, easily winning the presidency.

## Secession Begins

- Lincoln's victory seen as last straw
- South Carolina seceded on December 20, 1860
- Six states followed by February 1861
- Representatives set up a provisional Confederate government in Montgomery
- President Buchanan did nothing



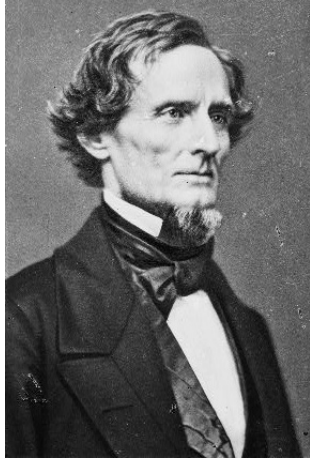
Cartoon satirizing the secession movement

A few weeks after Lincoln's election, South Carolina became the first state to secede from the Union. By February 1861, six other states had joined South Carolina, and a provisional Confederate government was established in Montgomery, Alabama.

Several reasons can explain the South's move toward secession. Southerners, already resentful of staunch Republican opposition to slavery in the territories, reacted with shock that Lincoln had won the election without carrying a single Southern state. The South, they thought, had lost its ability to promote its interests within the Union. Southerners took "membership" in the Union to be voluntary, which therefore made secession a proper and legal conclusion. They believed that Lincoln would not force war in order to maintain the Union, and even if he did, Southern soldiers could easily defeat the Northerners. Moreover, some erroneously believed that all Northerners strongly opposed slavery, and that secession would "liberate" the South to develop its own cultural and economic system based on slavery. However, many Southerners did not favor secession; future Confederate general Robert E. Lee, for example, refused his support until Virginia finally left the Union.

In the North, many persons believed that the majority of Southerners did not actually support slavery, but were carried along by a vocal minority. Lame-duck President James Buchanan refused to do anything to stop the secession crisis, deciding to leave the problem to the next occupant of the Oval Office.

## The Confederacy Forms



Jefferson Davis

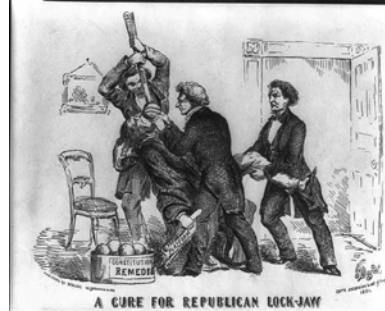
- Delegates met in Montgomery in February 1861
- Davis named president, with Stephens as vice president
- Confederate constitution very similar to U.S. Constitution, but guaranteed states' rights and slavery
- Upper South did not secede until after Ft. Sumter

Meeting in Montgomery, Alabama, in February 1861, delegates from seven states—South Carolina, Mississippi, Florida, Georgia, Alabama, Louisiana, and Texas—created the Confederate States of America. As its first order of business, it elected former Secretary of War and Mississippi Senator Jefferson Davis as the first president of the Confederacy, along with Alexander Stephens as vice president. Delegates installed other government officials on a provisional basis, until proper elections could be held. The Confederates also wrote a constitution that nearly mirrored the U.S. Constitution. The Confederate Constitution protected states' rights and the institution of slavery, although it banned the importation of slaves from outside the U.S. and its territories.

While many in the lower South had few qualms with secession from the Union, the Upper South did not generally support immediate secession, since it had less of a stake in preserving slavery. Those states did not see the need to quit the Union until after the April 1861 firing on Fort Sumter.

## The Crittenden Compromise

- Proposed December 1860
- A Constitutional amendment would:
  - Recognize as slavery as “existing” in any territory below the Missouri Compromise line
  - Keep future amendments from tampering with slavery
- Lincoln refused to consider it



A cartoon in which Congressmen try to force a pill labeled “Crittenden Compromise” down the throat of a man holding a document titled “Republican Platform No Compromise”

As part of a last-ditch effort to avoid secession by the South, Kentucky Senator John J. Crittenden proposed a constitutional amendment to solve the crisis. He suggested recognizing slavery as “existing” in any area south of the 36°30' line established by the Missouri Compromise, and added that no future constitutional amendments would tamper with the institution of slavery. Crittenden had personal reasons to push for a compromise to avoid war: his sons were both army generals, one in the North and one in the South. Lincoln, however, refused to consider any proposal that would allow any new territory to be open to slavery. The Crittenden Compromise was tabled, and the nation lurched toward civil war.

## Discussion Questions

1. Why did the Democratic Party fragment during the 1860 election season? Who did the Democrats nominate for president?
2. What issues besides slavery did the Republican platform address? Why did the party decide to stress these as well?
3. Why did Lincoln's election signal to some Southerners that secession was the only option left for preserving slavery?

1. The Democratic Convention in Charleston failed to produce a nominee owing to a rift between Northern and Southern Democrats over the issue of territorial slavery: Northerners would not budge in their opposition to it, and the Southerners walked out, refusing to support a national candidate hostile to their views. Meeting again in Baltimore, the two wings of the party split, resulting in two Democratic nominees. Stephen Douglas ran as the Northern Democratic candidate, with John C. Breckinridge as the Southerners' choice.
2. In addition to opposing the spread of slavery, the Republicans also ran on economic issues, such as a high tariff for protecting American industry, laws that distributed free land to western settlers, and support for a transcontinental railroad. The Republicans knew that their position on slavery would destroy their chances in the South, so they needed to appeal to other interests in order to shore up Northern and Western support. They hoped to build upon Fremont's showing in the 1856 election, which demonstrated the possibility of winning without carrying a single Southern state.
3. Lincoln's election proved that a candidate could win without carrying any Southern states. Some Southerners believed that they had lost their ability to protect their interests as members of the Union. If membership was voluntary, as they thought, then states had the right at any point to leave. They also assumed that Lincoln would not risk war to maintain the Union, and that if he did, Southern soldiers would easily be able to defeat Northern troops.

## Sectionalism



The presidential candidates of 1860 tear apart a map of the United States in this period cartoon, symbolizing the forces which threatened to tear the country apart and ultimately led to the Civil War

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## Essential Questions

- How did sectionalism help shape the development of the United States Constitution?
- What compromises did Congress pass in order to lessen sectional conflicts in the early 19th century?
- What roles did John C. Calhoun, Henry Clay, and Daniel Webster play in early 19th-century sectional disputes?
- Why couldn't politicians formulate a long-term solution to sectional issues?
- How did the issue of sectionalism affect the development of political parties and political theory in the 19th century?
- Why did North and South each have such strong misconceptions about the beliefs of the other?
- Why did the election of 1860 signal the end of any possible reconciliation between North and South?

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## Sectionalism and the Constitution

- Northern delegates: count slaves for taxation, but not representation
- Southern delegates: count slaves for representation, not taxation
- Resulted in "three-fifths compromise"
- Congress agreed not to interfere with slave trade until 1808



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## Slavery and the Northwest Ordinance of 1787



The Northwest Ordinance

- Ordinance created five new states from Northwest Territory
- Slavery and involuntary servitude prohibited
- Did not affect slaves already in Northwest
- Some still brought slaves to territories
- Pressure to continue slavery in Northwest

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## North and South: Differences

### The North:

- Primarily industrial
- Mostly urban and small farms
- Supported tariffs and internal improvements
- For strong central government
- Relied on free labor
- Wanted to limit spread of slavery in West

### The South:

- Primarily agricultural
- Mostly small farms and plantations
- Generally opposed tariffs and internal improvements
- For "states' rights"
- Relied on slavery due to smaller population
- Supported extending slavery in West

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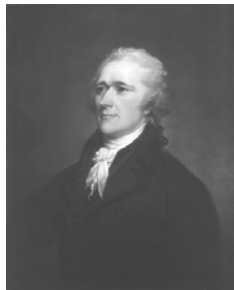
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## Early Sectional Disputes

- Hamilton wanted government to pay off states' war debts; North owed 80 percent of the debts
- Compromise with Jefferson and Madison located U.S. capital in South
- Controversy over creation of National Bank



Alexander Hamilton

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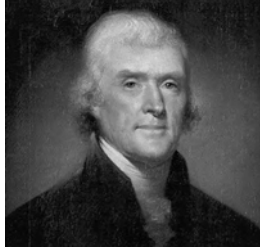
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## Early Sectional Disputes (cont.)



Thomas Jefferson

- Anger over Alien and Sedition Acts led to Kentucky and Virginia Resolutions
- Issue of “interposition” of state authority over federal law would continue into the 19th century

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## The Hartford Convention

- Held in 1814–1815 by Federalists opposed to War of 1812
- Protested war; called for constitutional revisions; raised concerns about secession
- Contended that states could “interpose” their authority to protect against unfair federal laws
- Treaty ending the war ended the convention’s concerns



“Leap No Leap.” A cartoon satirizing the Hartford Convention

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## Discussion Questions

1. What sorts of compromises regarding sectionalism did delegates to the Constitutional Convention reach?
2. What references were made in the Northwest Ordinance regarding slavery? If some could still bring slaves into the Northwest Territory, how effective do you think this provision was?
3. What aspect of the Hartford Convention raised concerns about secession, and by which region?

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## Slavery in the Louisiana Territory

- Louisiana Territory bought from France in 1803
- States admitted along similar rules as the Northwest Ordinance
- Missouri applied for statehood in 1817
- Most residents were Southerners and slaveholders
- Admission of Missouri as a slave state would upset balance between number of slave and free states




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## The Tallmadge Amendment



James Tallmadge

- Introduced during congressional debate on MO statehood
- Would continue precedent of determining slave and free territories set by Northwest Ordinance
- Would ban further introduction of slavery in MO
- All slaves born in MO after statehood would be freed at age 25
- Defeated in Senate along sectional lines

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## The Missouri Compromise



- Admission of Missouri as a slave state would upset balance
- Maine admitted as a free state, Missouri as slave state
- 36°30' line divided rest of Louisiana Purchase into slave and free territories

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## Jefferson's Letter to Holmes

In an 1821 letter to Massachusetts Congressman John Holmes, the former president relayed his misgivings about the Missouri Compromise:

*"...but this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. [I]t is hushed indeed for the moment. [B]ut this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper."*

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## Discussion Questions

1. Why did the admission of Missouri as a state cause concern for many? How might the Tallmadge Amendment have solved this problem?
2. How did the Missouri Compromise seek to solve the conflict over slavery in the Louisiana Purchase? Why might Southerners have accepted the compromise?

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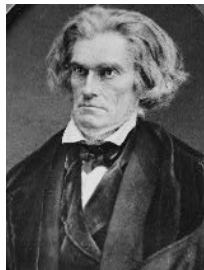
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## The Nullification Crisis

- 1828 "Tariff of Abominations"
- South Carolina hurt by declines in cotton prices and shipping due to tariff
- Calhoun and other SC politicians suggested "nullification" doctrine
- Led to conflict between Jackson and the South



John C. Calhoun

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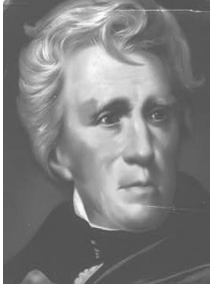
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## The Crisis Intensifies



Andrew Jackson

- South Carolina declared tariff “null and void”
- Jackson sent warships to Charleston
- Clay negotiated compromise tariff
- South Carolina withdrew nullification
- Stage set for possible secession over slavery

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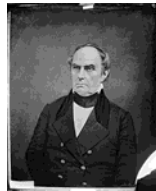
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## The Webster-Hayne Debate



Robert Y. Hayne

- Began as a Senate debate over federal land policy
- Hayne restated states’ rights doctrine
- Webster insisted that Constitution was not an agreement of states, but a “compact” by the people
- Therefore, the Union could not be dissolved



Daniel Webster

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## Webster’s “Second Reply to Hayne”

*“...When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood!”*

*Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, not a single star obscured, bearing for its motto, no such miserable interrogatory as “What is all this worth?” nor those other words of delusion and folly, “Liberty first and Union afterwards”; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty and Union, now and for ever, one and inseparable!”*

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## Discussion Questions

1. What issue besides slavery caused the most sectional tension from 1828 to 1832? Why was this issue so significant to the South? What role did John C. Calhoun play in this conflict?
2. What did Henry Clay propose to defuse the nullification crisis? What question did he leave unresolved?
3. What was Daniel Webster's view about the Union as he described it in his debate with Hayne? How did this answer Hayne's "states' rights" argument?

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## Slavery and the Mexican War

- Many Whigs opposed the Mexican War
- Feared that war would lead to expansion of slavery
- Some, including Lincoln, believed the U.S. had actually been the aggressor
- Democrats tended to support the war and Polk's expansionism



President James K. Polk

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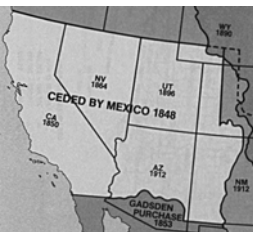
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## The Mexican Cession



All or part of seven states later emerged from the Mexican Cession

- Ceded to U.S. at end of Mexican War (1848)
- North and South soon clashed over whether territory should be slave or free
- Debate intensified as California and Texas sought statehood

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## The Wilmot Proviso

- Suggested in 1846 by Rep. Wilmot during debate on a Mexican War funding bill
- Amendment prohibited slavery in any territory acquired from Mexico
- Passed the House, but defeated in the Senate



Rep. David Wilmot

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## The Wilmot Proviso: Calhoun's Response

- Congress had no authority to bar slavery in territories
- Since the territories belonged to all states, slaveholders there should have the same rights as non-owners
- Congress should protect slaveholders' rights and establish national slave codes

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## Other Approaches to Slavery in the Mexican Cession

- Polk believed that the 36°30' line should be extended to the Pacific Ocean
- Northerners rejected Polk's suggestion
- Cass suggested that territories be formed without regard to slavery; their citizens could then vote
- Cass's idea known as "popular sovereignty"



Lewis Cass

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## The Election of 1848



President Zachary Taylor

- Many hoped election would effectively allow voters to decide on territorial slavery
- Whigs nominated Taylor; Democrats ran Cass
- Major candidates avoided taking a definite position
- “Barnburners” broke from the Democrats, formed Free-Soil Party, nominated Van Buren
- Taylor won narrow victory

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## The Free-Soil Party

- Formed in 1848
- Answered Sumner’s call for a “grand Northern party of Freedom”
- Anti-slavery party
- Nominated Van Buren and Adams
- Didn’t carry a single state



A Free-Soil election poster

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## The “Barnburners” in the Media




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## Discussion Questions

1. How did the acquisition of the Mexican Cession cause conflict between the North and South over slavery?
2. What did the Wilmot Proviso allow for? Why did the proviso pass the House of Representatives, only to fail in the Senate?
3. How did the election of 1848 demonstrate the difficulty in solving the question of slavery in the Mexican Cession?

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## The Gold Rush

- California's population exploded after the discovery of gold at Sutter's Mill
- Social instability led to demands for territorial government
- Taylor proposed popular sovereignty to solve slavery issue
- California residents backed Taylor; many Southerners disagreed with proposal



James Marshall at Sutter's Mill

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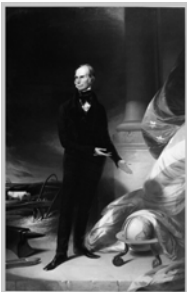
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## Clay Seeks a Compromise



Henry Clay

- Felt California should be a free state
- Sought to address all slavery-related controversies
- Saw need for concessions to the South
- Consulted with Webster for support

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## The Compromise of 1850: Provisions

- **For the North:**
  - California admitted as a free state
  - Slave trade abolished in Washington D.C.
- **For the South:**
  - New Mexico and Utah Territories organized under popular sovereignty
  - Federal government assumed Texas's debt; Texas gave up western land claims
  - More effective Fugitive Slave Law

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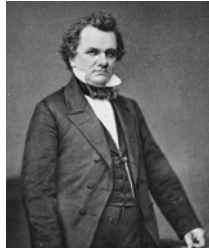
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## The Compromise of 1850: Issues Affecting Approval

- Calhoun too weak to speak; written statement defiant and "secessionist"
- Webster's speech in favor of the compromise
- President Taylor died; Fillmore much more supportive of Clay's plan
- Maneuvering by Senator Douglas



Stephen A. Douglas

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## The Compromise of 1850



In Robert Whitechurch's 1855 painting, Henry Clay describes his plan to admit California as a free state. Daniel Webster (with head in hand) sits to Clay's left, while John C. Calhoun stands third from right.

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## Fugitive Slave Law Controversy

- Appointed federal commissioners
- Could issue warrants, form posses, forcibly enlist citizens to help
- Commissioners got paid for capturing slaves as well as free blacks
- Accused not allowed a jury or to testify in their defense
- “Personal liberty laws”



An illustration condemning the Fugitive Slave Law

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## Discussion Questions

1. What event occurred in California that made the slavery question so pressing? What differing views were there regarding slavery in California?
2. What did Henry Clay offer as provisions of what became the Compromise of 1850, and which section of the country did each one benefit?
3. What made the Fugitive Slave Law so controversial? How did some Northern states try to bypass the law?

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## The Abolitionist Movement

- Many leaders involved in religious causes
- Saw abolition as a moral or religious issue rather than political or economic
- Moderates vs. radicals
- *Uncle Tom's Cabin* inflamed tensions
- Underground Railroad also concerned Southerners



Abolitionist leader  
William Lloyd Garrison

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## ***Uncle Tom's Cabin: The Novel***



A copy of the book printed in London

- Written by Harriet Beecher Stowe in 1852
- Stowe had little personal knowledge of slavery
- An immediate bestseller in U.S. and overseas
- Helped to heighten sectional tensions

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## ***Uncle Tom's Cabin: Reactions***

- Stowe also condemned North for the slave trade
- Most Southerners saw the book as unfair
- Most Northerners dismissed Southern criticisms
- Spurred Northern involvement in abolitionism



Harriet Beecher Stowe

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## ***“Popular Sovereignty”***

- Based on Enlightenment theory that government draws its power from the people
- First proposed by Lewis Cass; later championed by Stephen Douglas
- Residents of a territory would vote for or against slavery
- Relieved Congress of having to make the decision

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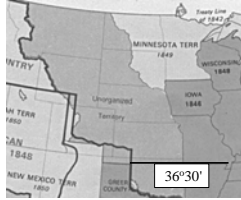
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## The Kansas-Nebraska Act: Origins

- Introduced by Stephen Douglas
- Proposed Nebraska territory to provide northern route for transcontinental railroad
- Territory lay north of Missouri Compromise line prohibiting slavery
- Douglas needed Southern support
- Bill allowed for popular sovereignty in territories



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## Kansas-Nebraska: Passage



- Firestorm of controversy
- Angered Free-Soilers
- Douglas able to guide bill through Congress
- 90 percent of Southern Congress members and half of Northern Democrats voted for bill
- Nebraska divided into Kansas and Nebraska

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## Kansas-Nebraska: Political Aftermath

- Major realignment of party loyalties
- Collapse of Whig Party
- Democrats became strong in South, weak in North
- Republican Party became dominant in the North



Winfield Scott, the last presidential nominee of the Whig Party

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## Discussion Questions

1. What impact did the publication of *Uncle Tom's Cabin* have on sectional tensions? Why did so many Southerners dislike the book?
2. How did the abolitionist movement inflame sectional tensions?
3. Why did Senator Stephen Douglas propose the Kansas-Nebraska Act? What impact did it have on political parties and other groups?

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## The Republican Party

- Composed of several antislavery groups
- Not specifically abolitionists, but opposed the expansion of slavery
- Held that slavery lowered the dignity of labor and prevented social advancement
- Gained abolitionist support



An 1856 cartoon showing Fremont (right) and people representing the many different groups who supported the Republicans

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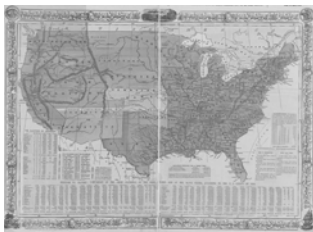
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## “Bleeding Kansas”: Prelude



A period map showing free states (red), slave states (gray), territories (green), and Kansas Territory (white, in the center)

- Pro- and antislavery settlers streamed into Kansas for slavery vote
- “Emigrant aid societies” sprung up to support settlement
- Pro- and antislavery voters elected separate legislatures
- Kansas faced civil war

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### **“Bleeding Kansas”: Violence Erupts**

- “Sack of Lawrence” by proslavery forces
- John Brown retaliated with a raid on Pottawatomie Creek
- Both sides fearful of attacks
- Guerrilla warfare broke out across territory



The ruins of a hotel after the “Sack of Lawrence”

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### **“Bleeding Kansas”: Effects**



Missouri raiders shooting down free-soil settlers in Kansas

- Brown’s attack spurred widespread violence
- Republicans trumped up situation to meet their interests; Democrats heavily promoted settlement
- Pierce supported proslavery forces; did nothing to quell violence

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### **The Lecompton Constitution**

- Territorial governor supported popular sovereignty
- Proslavery Kansans held constitutional convention in Lecompton
- Series of stacked votes on constitution
- Buchanan supported constitution to keep Southern support; clashed with Douglas
- Struggles over ratification of constitution

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## Brooks Attacks Sumner



A political cartoon depicts the attack

- Sumner made Senate speech against Butler, Brooks's uncle
- Brooks caned Sumner into unconsciousness on Senate floor
- Brooks resigned his seat, but was quickly reelected

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## Discussion Questions

1. What was the Republican Party's philosophy regarding slavery? What aspect of the slavery issue did the party most object to?
2. What was "Bleeding Kansas"? How did the passage of the Kansas-Nebraska Act contribute to this?
3. How did John Brown's actions in Kansas add to sectional tensions in the territory?

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## The Election of 1856



John C. Fremont, the first Republican presidential candidate

- Republicans ran Fremont
- Democrats chose Buchanan, a "doughface"
- Buchanan won, but Republicans showed strength

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## The Dred Scott Case: Origins

- Slave whose master had moved him to free territory for several years
- Sued for his freedom under the Northwest Ordinance and Missouri Compromise
- Case appealed to U.S. Supreme Court in 1857



Dred Scott

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## Dred Scott: The Decision



Chief Justice Roger B. Taney

- Chief Justice Roger B. Taney
- Taney ruled against Scott:
  - Slaves, as non-citizens, had no constitutional rights
  - State laws determined a slave's freedom, not federal
  - Congress's power to create territorial rules did not include prohibiting slavery
- Missouri Compromise unconstitutional

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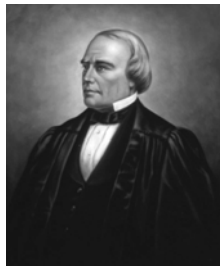
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## Dred Scott: Curtis's Dissent

- Believed that Scott was a citizen
- Asserted that Scott's residence in free territory changed his status as a slave
- Missouri Compromise constitutional: Congress had the right to make territorial laws



Justice Benjamin R. Curtis

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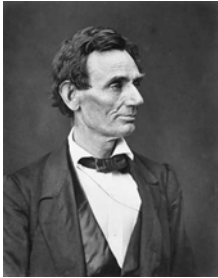
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## Abraham Lincoln



- Gained prominence in 1850s
- Modest beginnings
- Strong political ambitions
- Opposed to the extension of slavery
- Nominated for Illinois Senate

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## Lincoln-Douglas Debates

- Lincoln challenged Douglas to a series of debates
- Douglas saw Lincoln as a tough opponent
- Thousands viewed the pair as they spoke
- Both candidates used different styles to explain their views



Lincoln and Douglas spoke in seven different Illinois communities

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## The “Freeport Doctrine”

- Lincoln asked Douglas how, in light of *Dred Scott*, the people of a territory could exclude slavery
- Douglas said that slavery could only flourish when supported by local laws; no laws, no slavery
- Douglas’s response probably helped him win the election, but killed any future presidential bid

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## Discussion Questions

1. What was significant about Fremont's candidacy in the 1856 election? What did the results demonstrate about the Republican Party?
2. What was the ruling in the Dred Scott case, and what made it so controversial? On what grounds did Justice Curtis dissent?
3. What was the Freeport Doctrine? Why might it have helped Douglas defeat Lincoln in 1858, but hurt him in the 1860 presidential election?

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## John Brown



John Brown

- Raised in an antislavery family
- Never financially successful
- Involved in abolitionist activities, including the Underground Railroad
- Pottawatomie Massacre

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## Harpers Ferry

- October 1859
- Brown and followers planned to seize arsenal and arm slaves
- Slaves failed to join in rebellion
- Some of Brown's men killed; he was captured



Federal troops prepare to storm the arsenal at Harpers Ferry

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## The Execution of John Brown



Brown kisses a slave child on the way to his execution

- Brown convicted of treason against Virginia
- Hanged in December 1859
- Considered a hero to many Northerners
- Southerners feared that some might follow his example

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## Brown's Speech Before the Virginia Court

Upon receiving the death sentence for his involvement in the raid on Harpers Ferry, John Brown made the following remarks to the jury which convicted him:

*"Now if it is deemed necessary that I should forfeit my life for the furtherance of the ends of justice and mingle my blood further with the blood of my children and 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."*

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## Discussion Questions

1. Why did John Brown decide to raid the federal arsenal at Harpers Ferry? Why didn't his plan succeed?
2. Why did Brown appeal to many Northerners? How did Southerners react to his actions?

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## Southern Extremism Grows

- Southerners fearful of Northern dominance
- Worried that new free states would be able to abolish slavery
- State legislatures restricted civil liberties; made freeing slaves illegal
- Concept of secession became popular

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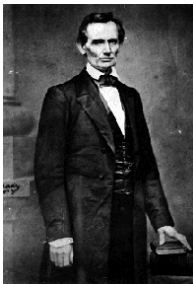
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## Lincoln's "Cooper Union" Speech



Famed photographer Mathew Brady took this picture prior to the speech

- February 1860, in New York City
- Considered by many to be one of Lincoln's best
- Intended to validate Republican view of slavery issue
- Propelled him to Republican nomination

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## From Lincoln's Speech

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

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

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## Discussion Questions

1. How did Southern states try to further bolster slavery in the months leading up to the 1860 election?
2. In his Cooper Union speech, how did Lincoln make the case against slavery in the territories? What effect did the speech have on his political career?

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## The Election of 1860: Candidates

- Democrats split over slavery issue
- Northern Democrats nominated Douglas; Southern Democrats ran Breckinridge
- Republicans proposed diverse platform; nominated Lincoln
- Constitutional Union Party formed from elements of American and Whig Parties; nominated Bell



John C. Breckinridge



John Bell

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## The Election of 1860: Results



- Northern states had majority of the votes, and would go either for Lincoln or Douglas
- Lincoln avoided public campaigning
- Douglas took MO and NJ
- Breckinridge and Bell carried slave states
- Lincoln handily won electoral vote

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## Secession Begins

- Lincoln's victory seen as last straw
- South Carolina seceded on December 20, 1860
- Six states followed by February 1861
- Representatives set up a provisional Confederate government in Montgomery
- President Buchanan did nothing



Cartoon satirizing the secession movement

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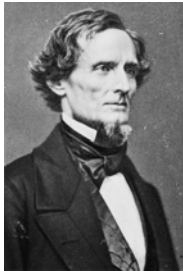
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## The Confederacy Forms



Jefferson Davis

- Delegates met in Montgomery in February 1861
- Davis named president, with Stephens as vice president
- Confederate constitution very similar to U.S. Constitution, but guaranteed states' rights and slavery
- Upper South did not secede until after Ft. Sumter

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## The Crittenden Compromise

- Proposed December 1860
- A Constitutional amendment would:
  - Recognize as slavery as "existing" in any territory below the Missouri Compromise line
  - Keep future amendments from tampering with slavery
- Lincoln refused to consider it



A cartoon in which Congressmen try to force a pill labeled "Crittenden Compromise" down the throat of a man holding a document titled "Republican Platform No Compromise"

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### **Discussion Questions**

1. Why did the Democratic Party fragment during the 1860 election season? Who did the Democrats nominate for president?
2. What issues besides slavery did the Republican platform address? Why did the party decide to stress these as well?
3. Why did Lincoln's election signal to some Southerners that secession was the only option left for preserving slavery?

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# **Sectionalism: Backwards Planning Activities**

## **Enduring understandings:**

- Certain issues divided the nation into regionally-based political, social, and economic camps during the 18th and 19th centuries
- Various compromises sought to defuse sectional tensions as the nation acquired new territory
- Several politicians emerged as leaders in struggles over sectional issues
- Sectional disputes sometimes turned violent as each side sought to gain an advantage
- Sectional disputes sometimes arose over issues other than slavery
- During the 1850s, sectional conflict became extremely intense, setting the stage for civil war

## **Essential questions:**

- How did sectionalism help shape the development of the United States Constitution?
- What compromises did Congress pass in order to lessen sectional conflicts in the early 19th century?
- What roles did John C. Calhoun, Henry Clay, and Daniel Webster play in early 19th-century sectional disputes?
- Why couldn't politicians formulate a long-term solution to sectional issues?
- How did the issue of sectionalism affect the development of political parties and political theory in the 19th century?
- Why did North and South each have such strong misconceptions about the beliefs of the other?
- Why did the election of 1860 signal the end of any possible reconciliation between North and South?



# Learning Experiences and Instruction

Students will need to know...	Students will need to be able to...
<ol style="list-style-type: none"> <li>1. Factors that led to sectional tensions</li> <li>2. Key political and cultural figures of the era</li> <li>3. Basic philosophical differences between the North and South</li> <li>4. Major compromises achieved during the period</li> <li>5. The impact of the Mexican War in regards to acquiring new territories and further sectional conflicts</li> <li>6. The impact of the Dred Scott decision on sectional tensions</li> <li>7. How sectional issues eventually led to the Civil War</li> </ol>	<ol style="list-style-type: none"> <li>1. Read and interpret primary source documents from the era</li> <li>2. Make conclusions about various events and policies enacted to solve sectional crises</li> <li>3. Identify key political or cultural figures associated with sectionalism</li> <li>4. Recognize how sectionalism affected American life and culture</li> <li>5. Recognize how sectionalism affected the development of political parties in the first half of the 19th century</li> <li>6. Understand how sectionalism further split the nation and led to the start of the Civil War.</li> </ol>

## Teaching and learning activities that will equip students to demonstrate targeted understandings:

- Overview of essential questions and basic understandings
- Class discussion of subject matter questions in the PowerPoint presentation
- Teacher introduction of common terms and ideas in the essential questions and related projects
- Provide students with primary source materials from which they will complete the related projects in the unit
- Students conduct research in groups to be used later in individual and group projects
- Informal observation and coaching of students as they work in groups
- Evaluation and delivered feedback on projects and research reports
- Students create and present their unit projects
- Posttest made of multiple-choice questions covering the presentation, with one or more essential questions as essay questions

# Project 1: The Making of the President, 1860

## Overview:

In this lesson, students collect information about the candidates and issues in the critical election of 1860 and develop an “election strategy” with campaign posters, commercials, and slogans.

## Objectives:

As a result of completing the lesson, students will:

- Understand the various candidates in the election, as well as their positions on sectional issues
- Collect information about the candidates and make conclusions about how to best help a particular candidate gain votes and win the election
- Speculate as to how the election’s outcome led to the start of the Civil War

## Time required:

Four to five class periods

## Materials:

Computers with Internet access, word-processing software (if desired), printer, publishing software (if desired)

## Methodology:

Prior to starting the project, you may wish to discuss the various aspects of the 1860 election campaign, including the candidates and prominent issues. (You may wish students to view slides 68–69 of the *Sectionalism* PowerPoint presentation.) Inform the students that the 1860 election proved to be a “critical” election, in that it resulted in dramatic social and political change. (Other examples of “critical” elections might include the 1932 election of Franklin D. Roosevelt and the 1960 election of John F. Kennedy.)

Ask students to reflect on how modern-day candidates get their message across to the electorate. As students come up with responses, write them on the chalkboard or on an overhead. Most students will say something related to the medium of television, but some may also mention Internet access or social-networking sites that have allowed candidates in more recent elections to reach a wider cross-section of prospective voters.

Next, ask students to consider what sorts of methods candidates in 1860 might have used to convey their message to the public. Some students may note that candidates often traveled to

various locations in order to give “stump speeches” (generic speeches delivered to many different audiences) and would have also designed posters to provide information about their positions. In addition, each candidate would have adopted a platform explaining where they stood on the issues, so that voters would know which candidate held views that most closely mirrored their own.

Once class discussion has ended, begin to prepare students for the project. Divide the class into four equal groups (if possible), one for each of the major presidential candidates in the 1860 election. These candidates included Republican Abraham Lincoln, Northern Democrat Stephen Douglas, Southern Democrat John C. Breckinridge, and Constitutional Union candidate John Bell. Once you’ve established student groups, explain to them that they will act as campaign managers for their respective candidates, with the job of “packaging” them to appeal to the greatest number of voters.

Inform students that each group will work to package its candidate by developing each of the following resources:

- A campaign poster displaying the candidate’s name, his picture, and other pertinent information about them
- An accurate written presentation of the candidate’s platform to be distributed to voters
- A persuasive speech representative of the candidate’s platform
- A campaign song or poem highlighting the candidate’s life and career

When students are ready to begin research on their candidates, provide each group with an “Election of 1860 Candidate Characteristic Chart.” Have them complete the chart as they conduct their research.

Once students have completed the activity’s research phase, they should construct their candidate “package,” either using computer software or by printing pictures and other resources they find online and attaching them to poster board.

Note: While candidates in the 1860 election obviously had no access to electronic methods of communication (e.g., the Internet, television, and radio), you may elect to adapt the activity to mirror 21st-century campaigns, including asking students to create a blog, a social-networking page, television commercials, or other modern avenues for promoting their candidates.

<b>Evaluation:</b>
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Once projects are completed, evaluate student work using a suitable rubric that mirrors the objectives of the lesson. You may wish to construct your own rubric or use one supplied by the school or school district. An adaptable sample rubric is included with this lesson.

## Suggested Web Resources:

Note: The following list is a sampling of possible resources. It is suggested that you and your students also conduct Web searches to locate further resources. In addition, you should also encourage students to look for “traditional” resources, including books as well as primary source materials.

America in Caricature 1765–1865: “The Election of 1860 and 1864”  
(<http://www.indiana.edu/~liblilly/cartoon/election.html>)

Biographical Directory of the U.S. Congress: “John Bell”  
(<http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000340>)

Biographical Directory of the U.S. Congress: “John C. Breckinridge”  
(<http://bioguide.congress.gov/scripts/biodisplay.pl?index=b000789>)

Biographical Directory of the U.S. Congress: “Stephen A. Douglas”  
(<http://bioguide.congress.gov/scripts/biodisplay.pl?index=D000457>)

Eagleton Digital Archive of American Politics: “Election of 1860”  
(<http://www.eagleton.rutgers.edu/e-gov/e-politicalarchive-1860election.htm>)

*Harper’s Weekly*: “Elections Homepage” (<http://elections.harpweek.com/>)

Lincoln Archives: “Presidential Election of 1860”  
(<http://www.lincolnarchives.us/index.php?act=election1860&sub=election1860>)

The Lincoln Legacy: “Election of 1860” (<http://www.thelincolnlegacy.org/timeline/election.htm>)

Miller Center of Public Affairs American President resource: “John C. Breckinridge”  
(<http://millercenter.org/academic/americanpresident/buchanan/essays/vicepresident/1857>)

Spartacus Educational: “John Bell” (<http://www.spartacus.schoolnet.co.uk/USAbellJ.htm>)

Stephen A. Douglas Association: “Douglas Biography”  
(<http://www.stephenadouglas.org/douglas-biography.html>)

West Virginia Archives and History: “Election of 1860”  
(<http://www.wvculture.org/hiStory/statehood/statehood02.html>)

The White House: “Biography of Abraham Lincoln”  
(<http://www.whitehouse.gov/history/presidents/al16.html>)

# Election of 1860 Candidate Characteristic Chart

Our group's candidate: \_\_\_\_\_

Group members: \_\_\_\_\_

Fact or information about our candidate:	Which part of "packaging" does this evidence apply to?	Significance of this evidence (why do we want to use it?):	Source of information:

## ***The Making of the President, 1860 Rubric***

<b>Criteria:</b>	<b>Excellent (15–10):</b>	<b>Good (9–5):</b>	<b>Fair (4–2):</b>	<b>Poor (1–0):</b>	<b>Student score:</b>
<b>Research</b>	Exemplary work in regards to finding information; characteristic chart complete	Information generally on topic and relevance; chart complete	Some gaps in information; chart mostly completed	Major gaps in information; chart incomplete or missing	
<b>Historical accuracy (platform and speech)</b>	Resources give an accurate portrait of the candidate; selection is exemplary	Resources generally give an accurate portrait of the candidate	Resources show little accuracy as to the platform or beliefs of the candidate	Critical gaps in accuracy; little to gauge accuracy of resources used	
<b>Creativity</b>	Poster and song show exemplary level of creativity	Poster and song show adequate level of creativity	Poster and song generally show fair level of creativity	Poster and song not completed or show little creativity	
<b>Overall effectiveness and persuasiveness</b>	“Package” highly effective and persuasive in promoting candidate	“Package” generally effective and persuasive	“Package” somewhat effective; lacking persuasiveness	“Package” ineffective or incomplete; not persuasive	
<b>Overall score</b>	_____	_____	_____	_____	

# Project #2: The Dred Scott Decision—an “Op-Ed” Response

## Overview:

In this lesson, students research the controversial 1857 *Dred Scott v. Sandford* decision and write “op-ed” articles suitable for publication about the case.

## Objectives:

As a result of completing this lesson, students will:

- Investigate and analyze the Dred Scott case
- Make conclusions reflecting the views of those who agreed with the decision and those who opposed it
- Synthesize information and develop conclusions regarding the case, including writing persuasive “op-ed” pieces

## Time required:

Two to three class periods, depending on time needed to conduct research

## Materials:

Computers with Internet access; word processing software (if desired)

## Methodology:

Prior to beginning the lesson, have the class review the facts and decision of the Dred Scott case in the *Sectionalism* PowerPoint (slides 52–54), or in their textbook. Once students have demonstrated a grasp of the concepts, introduce the lesson.

In this lesson, students will be writing “op-ed” articles either expressing support for or opposition to the Supreme Court’s decision. You may wish to open the lesson with a discussion of what op-ed (published **o**pposite the **e**ditorial page) pieces are, and possibly show students examples of op-ed pieces in local or national newspapers. Op-ed stories generally include the opinion of the author and generally aren’t objective, but subjective.

Explain to the students that they will be acting as op-ed writers writing opinion pieces regarding the Dred Scott case. If desired, you may wish to allow students to select whether they will write in favor of the decision or in opposition to it, or you may elect to assign students their position.

Still another alternate assignment would have students write articles that would be included in Northern or Southern newspapers of the time.

Once students know which side they are to support, have them begin research into the case, looking for information that supports their point of view. While viewing resources, they should develop an outline and supporting evidence for their op-ed piece by completing a three-column chart similar to the one provided.

Once students have had sufficient time to research the case, as well as the various views and opinions regarding the case, direct the students to begin writing using the information they collected in the “Evidence Outline Chart” as a framework for their op-ed piece.

### **Evaluation:**

After students have completed the writing assignment, evaluate student work using a suitable rubric. You may elect to use a school- or district-created rubric, develop your own, or use or adapt the rubric provided.

### **Suggested Web Resources:**

Note: You should encourage students to also conduct traditional forms of research (including books) as part of their investigation. In addition, many online resources on the Dred Scott case are available; you may wish to have students do a Web search for resources not listed here.

Digital History: “The Dred Scott Decision”

([http://www.digitalhistory.uh.edu/database/article\\_display.cfm?HHID=334](http://www.digitalhistory.uh.edu/database/article_display.cfm?HHID=334))

Frederick Douglass’s “Speech on the Dred Scott Decision”

(<http://www.teachingamericanhistory.org/library/index.asp?document=772>)

Freeman Institute: “Abraham Lincoln’s Speech on the Dred Scott Decision”

(<http://www.freemaninstitute.com/lincoln.htm>)

The History Place: “The Dred Scott Decision” (<http://www.historyplace.com/lincoln/dred.htm>)

Justice Curtis’s dissent in the case (<http://www.tourolaw.edu/patch/scott/Curtis.asp>)

Justice McLean’s dissent (<http://www.tourolaw.edu/patch/Scott/McLean.asp>)

Landmark Cases: *Dred Scott v. Sandford* (<http://www.landmarkcases.org/dredscott/home.html>)

Oyez U.S. Supreme Court Media: *Dred Scott v. Sandford* ([http://www.oyez.org/cases/1851-1900/1856/1856\\_0/](http://www.oyez.org/cases/1851-1900/1856/1856_0/))

PBS’s Africans in America: “Dred Scott’s fight for freedom”

(<http://www.pbs.org/wgbh/aia/part4/4p2932.html>)



Secession Era Editorials Project: “The Dred Scott Case (1857)”  
(<http://history.furman.edu/benson/docs/dsmenu.htm>)

Text of the Dred Scott Decision, as well as concurring and dissenting opinions  
(<http://www.tourolaw.edu/patch/scott/>)

Washington University in St. Louis: Dred Scott Case Collection  
(<http://library.wustl.edu/vlib/dredscott/>)

## Dred Scott Decision Evidence Outline Chart

Information/evidence:	Sources:	How this information supports my opinion:

## Dred Scott Op-Ed Article Rubric

<p><b>Structure—introduction:</b> Op-ed piece has introduction; introduces main points</p>	<p><b>Level 1 (0–5):</b> Limited opening statement; limited identification of main points</p> <p><b>Level 2 (6–10):</b> Thesis stated but unclear; main points unclear</p> <p><b>Level 3 (11–15):</b> Thesis stated but somewhat unclear; main points introduced with moderate clarity</p> <p><b>Level 4 (16–20):</b> Thesis precisely stated; main points clearly introduced</p>	<p style="text-align: center;"><b>Score:</b></p>
<p><b>Structure—conclusion:</b> Summarizes thesis/main idea; summarizes main points</p>	<p><b>Level 1 (0–5):</b> Abrupt ending; limited summarization of main points</p> <p><b>Level 2 (6–10):</b> Thesis summarized but unclear; main points summarized but unclear</p> <p><b>Level 3 (11–15):</b> Thesis summarized but somewhat unclear; main points summarized but unclear</p> <p><b>Level 4 (16–20)</b> Thesis precisely summarized; main points clearly summarized</p>	<p style="text-align: center;"><b>Score:</b></p>

<b>Supporting evidence or arguments:</b>	<b>Level 1 (0–5):</b> Arguments unrelated <b>Level 2 (6–10):</b> Arguments unclear and not logically related to main idea <b>Level 3 (11–15):</b> Arguments usually clear and logically related to main idea <b>Level 4 (16–20):</b> Arguments very clear and logically related to main idea	<b>Score:</b>
<b>Additional criteria as set by the teacher:</b>		<b>Score:</b>
		<b>Total score:</b>

# Project #3: Letter-Writing Activity

## Overview:

In this lesson, students act as “cousins” from either the North or South, writing letters to each other about various events from the viewpoint of a typical Northerner or Southerner.

## Objectives:

As a result of completing the lesson, students will:

- Collect information about various pivotal events which occurred during the period
- Develop conclusions regarding how these events affected the general population in the 19th century
- Appreciate viewpoints of Northerners and Southerners during the decades preceding the Civil War

## Time required:

Two to three class periods

## Materials:

Computers with Internet access; printer (if desired); paper and writing utensils

## Methodology:

You may wish to introduce the lesson by reminding students that while sectional issues divided North and South, it also divided families and friends who might have disagreed on those issues. Explain that family located in different sections of the country would frequently write their relatives regarding important national events that occurred as the nation lurched toward civil war. It is recommended that students either review the *Sectionalism* presentation or gain some background into the period via their textbook.

Tell students they will be Northerners or Southerners writing letters to “cousins” from the other section about a specific event (or events) that occurred during the sectionalism era relating to slavery. You should either divide the class into Northern and Southern groups, or allow students to choose which region they will represent.

You may wish to use a script similar to this one to introduce the rest of the lesson:

**In the era prior to the Civil War, relatives located in various parts of the country would write letters to other family members discussing the issues of the day, as well as their**

**personal beliefs and opinions on them. Your assignment is to take on the role of either a Northerner or Southerner, and write a letter about one of the events in the *Sectionalism* presentation to a “cousin” located in the other section of the nation.**

**The information included in the presentation is a good starting point for a particular event, but don’t limit your investigation to just that. You’ll also want to do some online research, as well as using your textbook and other available resources.**

**As you research information, write important points and ideas on the “Sectionalism Letter Chart” that I’ll distribute. You’ll use that information to help write your letter. Remember, you are writing through the eyes of a Northerner or Southerner, so you will want to make sure that your particular frame of reference comes through in the letter. Be sure as well to use proper spelling and grammar.**

**You should include the following information in your letter:**

- **What is the event?**
- **When did the event occur?**
- **Who was involved?**
- **What is important about this event? (Why did I think this event was significant enough that I would include it in a letter?)**
- **What are the significant points I want to stress about the event?**
- **What conclusions can I make about this event?**
- **How will this event affect me personally as well as my region of the country?**
- **How do I want my “cousin” to feel about my take on the event?**
- **What other events (family occurrences, business news, etc.) do I want to include in my letter?**

You could also assign specific events for students to focus on in their letters. While you may wish to pick other events from the presentation, the following is a suggested list of possible topics:

- The Missouri Compromise of 1820
- The Compromise of 1850 and the Mexican Cession
- The election of 1848 and the Free-Soilers
- The publication of *Uncle Tom’s Cabin*
- Popular sovereignty and the Kansas-Nebraska Act
- Emigration to Kansas and “Bleeding Kansas”
- The Dred Scott decision
- The Lincoln-Douglas debates
- John Brown’s raid on Harpers Ferry
- The election of 1860 and the secession of South Carolina

Once topics are assigned (or students have selected the topics they wish to write about), distribute copies of the “‘Sectionalism Letter’ Chart” to each student and direct them to begin

research. Allow sufficient time for student research, as well as time for the class to write their letters.

### **Evaluation:**

Once students have completed their letters, you may evaluate them using the rubric included with this lesson, or one you've personally created.

### **Suggested Web Resources:**

Note: Since there are many events that will fit this lesson, students are advised to conduct their own research for suitable Web-based resources. Example sites for significant events and persons included in the lesson are included here:

Associated Content: "Election of 1848"

([http://www.associatedcontent.com/article/25201/election\\_of\\_1848\\_old\\_rough\\_and\\_ready.html?cat=37](http://www.associatedcontent.com/article/25201/election_of_1848_old_rough_and_ready.html?cat=37))

Eagleton Digital Archive of American Politics: "1860 Election of Abraham Lincoln as President" (<http://www.eagleton.rutgers.edu/e-gov/e-politicalarchive-1860election.htm>)

Immigration to Kansas and "Bleeding Kansas"

(<http://www.pbs.org/wgbh/aia/part4/4p2952.html>)

Library of Congress's Primary Documents in American History: "Kansas-Nebraska Act"

(<http://www.loc.gov/rr/program/bib/ourdocs/kansas.html>)

Library of Congress's Primary Documents in American History: "Missouri Compromise"

(<http://www.loc.gov/rr/program/bib/ourdocs/Missouri.html>)

National Park Service's Lincoln Home: "The Lincoln-Douglas Debates of 1858"

(<http://www.nps.gov/archive/liho/debates.htm>)

PBS's Africans in America: "The Compromise of 1850 and the Fugitive Slave Act"

(<http://www.pbs.org/wgbh/aia/part4/4p2951.html>)

Secession Era Editorial Project: "John Brown's Raid on Harper's Ferry"

(<http://alpha.furman.edu/~benson/docs/jbmenu.htm>)

University of Virginia's "*Uncle Tom's Cabin* & American Culture" Multimedia Archive

(<http://www.iath.virginia.edu/utc/>)

Washington University in St. Louis: Dred Scott Case Collection

(<http://library.wustl.edu/vlib/dredscott/>)

## **“Sectionalism Letter” Chart**

Event I want to include in my letter:

Individual(s) involved in the event:

Date(s) of the event:

Why I selected this event:

Significant information about the event that I wish to include:

Significant conclusions I can draw about the event:



## “Sectionalism Letter” Rubric

<p><b>Research and historical accuracy:</b> relevant use of supporting evidence</p>	<p><b>Level 1 (0–2):</b> Limited support of points in letter; evidence mostly irrelevant</p> <p><b>Level 2 (3–5):</b> Some points supported, some facts irrelevant; insufficient or missing facts</p> <p><b>Level 3 (6–8):</b> Most points supported with relevant evidence</p> <p><b>Level 4 (9–10):</b> Each point supported by relevant evidence; substantial facts used</p>	<p><b>Score:</b></p>
<p><b>Supporting reasons or arguments:</b> supporting details relate to the main idea or topic</p>	<p><b>Level 1 (0–2):</b> Supporting details unrelated</p> <p><b>Level 2 (3–5):</b> Supporting details unclear or not logically related to main idea</p> <p><b>Level 3 (6–8):</b> Supporting details usually clear and logically related to main idea</p> <p><b>Level 4 (9–10):</b> Supportive details very clear and logically related to main idea</p>	<p><b>Score:</b></p>
<p><b>Writing mechanics:</b> correct grammar and spelling used</p>	<p><b>Level 1 (0–2):</b> Grammar and spelling used with limited accuracy and effectiveness</p> <p><b>Level 2 (3–5):</b> Grammar and spelling used with some accuracy and effectiveness</p> <p><b>Level 3 (6–8):</b> Grammar and spelling used with considerable</p>	<p><b>Score:</b></p>

	<p>accuracy and effectiveness</p> <p><b>Level 4 (9–10):</b> Correct grammar and spelling used with accuracy and effectiveness almost always</p>	
<p><b>Structure—introduction:</b> states main points and sets stage for narrative</p>	<p><b>Level 1 (0–2):</b> Simple opening statement; limited identification of topic</p> <p><b>Level 2 (3–5):</b> Introduction stated but unclear; main points unclear</p> <p><b>Level 3 (6–8):</b> Introduction stated but somewhat unclear; main points introduced with moderate clarity</p> <p><b>Level 4 (9–10):</b> Introduction precisely stated; main points clearly introduced</p>	<p><b>Score:</b></p>
<p><b>Structure—conclusion:</b> summarizes main ideas and main points</p>	<p><b>Level 1 (0–2):</b> Abrupt ending; limited summarizing of main points</p> <p><b>Level 2 (3–5):</b> Main points summarized but unclear</p> <p><b>Level 3 (6–8):</b> Main points summarized, but somewhat unclear</p> <p><b>Level 4 (9–10):</b> Main points clearly summarized</p>	<p><b>Score:</b></p>
<p><b>Additional criteria as set by the teacher:</b></p>		<p><b>Score:</b></p>
		<p><b>Total score:</b></p>



# **Sectionalism: Multiple-Choice Quiz**

1. The Constitutional Convention compromised and counted this fraction of “other persons” as citizens for both taxation and representation:
  - a. One-fourth
  - b. Two-thirds
  - c. Three-fifths
  - d. Three-fourths
2. Which law specifically forbade slavery in certain territories acquired by the United States at the end of the Revolutionary War?
  - a. The Northwest Ordinance of 1787
  - b. The Kansas-Nebraska Act
  - c. The Fugitive Slave Law
  - d. The Personal Liberty Law of 1825
3. Which of the following was not a typical characteristic of the North during the early sectionalism period?
  - a. Primarily industrial
  - b. Mostly urban or small farms
  - c. Supported tariffs and internal improvements
  - d. Believed in a decentralized government and states’ rights
4. Which of the following was not a typical characteristic of the South during the early Sectionalism period?
  - a. Primarily agricultural
  - b. Generally opposed extension of slavery in the West in order to guarantee slavery in the Southeast
  - c. Mainly small farms and plantations
  - d. Relied on slavery because of smaller population
5. Why did Thomas Jefferson oppose Alexander Hamilton’s plan to create a national bank?
  - a. Power to create the bank wasn’t specifically written in the Constitution
  - b. The bank would favor wealthy merchants
  - c. The bank would hurt Southern plantation owners
  - d. All of the above

6. The idea of “interposition” of state law over federal law was first established by:
- The Kansas-Nebraska Act
  - The Fugitive Slave Law
  - The Kentucky and Virginia Resolutions
  - The Missouri Compromise
7. This proposed that all slaves born in Missouri after it was admitted as a state would be freed at age 25:
- The Missouri Compromise
  - The Tallmadge Amendment
  - The Compromise of 1850
  - The Kansas-Nebraska Act.
8. Under the terms of the Missouri Compromise, this state was admitted at approximately the same time as Missouri, but as a free state:
- Maine
  - Massachusetts
  - Indiana
  - Illinois
9. This latitude was set as the dividing line between slave and free territory, according to the Missouri Compromise:
- 54°40'
  - 17th parallel
  - 36°30'
  - 33rd parallel
10. Writing about the Missouri Compromise, who said that “this momentous question, like a fire bell in the night, awakened me and filled me with terror”?
- George Washington
  - Thomas Jefferson
  - Andrew Jackson
  - Abraham Lincoln
11. The Nullification Crisis between President Andrew Jackson and Southern leaders—especially Senator John C. Calhoun of South Carolina—dealt with which issue?
- Slavery
  - Tariffs
  - Internal improvements
  - All of the above

- 12.** In his reply to Senator Hayne, Senator Daniel Webster put forth which view of the Constitution and the Union?
- a. It was an agreement between states, and a state could secede if it wanted
  - b. It was a compact of rule made by the American people and was perpetual
  - c. States could interpose their authority over federal law, but could not leave the Union
  - d. States could not interpose their authority over federal law, but could secede
- 13.** Regarding the Mexican War, most members of the Whig Party believed:
- a. The war was wrong
  - b. The war would lead to an expansion of slavery
  - c. The U.S. may have actually been the aggressor in the war
  - d. All of the above
- 14.** What was the purpose of the Wilmot Proviso?
- a. To ban slavery in any territory in the Mexican Cession
  - b. To allow slavery only on the basis of popular sovereignty
  - c. To allow slavery in any territory in the Mexican Cession
  - d. To allow for gradual emancipation in the Mexican Cession
- 15.** Who first proposed popular sovereignty as a means of determining a territory's slavery status?
- a. James Knox Polk
  - b. John C. Calhoun
  - c. Lewis Cass
  - d. Andrew Jackson
- 16.** Which party did the "Barnburners" split from to form the Free-Soil Party?
- a. Republicans
  - b. Whigs
  - c. Know-Nothings
  - d. Democrats
- 17.** Which of the following did Henry Clay not propose as part of the Compromise of 1850?
- a. Admitting California as a free state
  - b. Admitting Missouri as a slave state
  - c. Organizing Utah and New Mexico Territories under popular sovereignty
  - d. A more effective fugitive slave law

**18.** Who wrote *Uncle Tom's Cabin*?

- a. Walt Whitman
- b. Edgar Allen Poe
- c. Frederick Douglass
- d. Harriet Beecher Stowe

**19.** Which of the following best describes why Senator Stephen Douglas proposed the Kansas-Nebraska Act?

- a. He opposed slavery on moral grounds
- b. He wanted to win the 1856 presidential election
- c. He wanted to ensure that a transcontinental railroad passed through Illinois to Chicago
- d. He wanted a better way to get to Washington for Senate sessions

**20.** Which of the following was an effect of the Kansas-Nebraska Act on the nation's political parties?

- a. The Republican Party became dominant in the South
- b. The Democratic Party became dominant in the North
- c. The Republican Party became dominant in the North
- d. The Republican Party collapsed

**21.** Which political party chiefly opposed immigration and foreign-born influences in American government?

- a. The Whigs
- b. The Free-Soilers
- c. The Republicans
- d. The Know-Nothings

**22.** Which of the following best describes the philosophy of the Republican Party regarding slavery?

- a. It accepted slavery where it already existed, but opposed its expansion into new territories
- b. It opposed slavery anywhere and were ready to fight to abolish it
- c. It allowed party members to develop their own views, so there was no official position
- d. All the above

**23.** What was the Lecompton Constitution?

- a. A constitution for the Kansas territory written by Congress
- b. A constitution for the Kansas territory written by proslavery forces
- c. A constitution for the Kansas territory written by antislavery forces
- d. A compromise constitution written by pro- and antislavery forces in order to lessen tensions

**24.** Why did Congressman Preston Brooks attack Senator Charles Sumner on the floor of the U.S. Senate?

- a. Sumner had given a harsh speech against states' rights
- b. Sumner had insulted Brooks's wife
- c. Sumner had insulted Brooks's uncle
- d. Sumner had ridiculed Brooks's speech impediment

**25.** Which statement about the Dred Scott decision is correct?

- a. The Supreme Court ruled that Dred Scott's master should be compensated for the loss of his slave
- b. The Supreme Court ruled the Northwest Ordinance of 1787 unconstitutional
- c. The Supreme Court ruled that Dred Scott was not a citizen
- d. The Supreme Court threw the case out because enforcement of slavery laws was a state issue, not federal

**26.** Justice Curtis's dissent in the Dred Scott case asserted that:

- a. The Framers of the Constitution did not intend that an African American could not be a citizen
- b. That the Constitution did not give federal courts the right to determine a person's slavery status
- c. The Missouri Compromise was unconstitutional
- d. The Compromise of 1850 was unconstitutional

**27.** In the Lincoln-Douglas Debates, Stephen Douglas's statement that a territory could effectively prohibit slavery by not passing local laws to support it, is known as:

- a. "The Lecompton Constitution"
- b. "The Freeport Doctrine"
- c. "The Douglas Decision"
- d. "The Illinois Evasion"



**28.** Which of the following best describes how John Brown gained sympathy in the North?

- a. Many in the North supported Brown's attempt to foment a slave revolt
- b. Many in the North knew that Brown's successes would anger the South
- c. Many in the North were impressed by the dignified way Brown approached equality for blacks as well as his own impending death
- d. Many in the North saw Brown as a radical, but as the last best hope for abolishing Southern slavery

**29.** Why did the Democrats run two candidates in the election of 1860?

- a. They wanted to double their chances of winning the election
- b. The party split into Northern and Southern factions, each of whom nominated its own candidate
- c. They decided that the winner of the nomination vote would run for president, with the second-place nominee running for vice president
- d. They nominated two candidates when the nomination vote came to an unbreakable tie

**30.** Who served as the first president of the Confederate States of America?

- a. Alexander Stephens
- b. William Judah
- c. Jefferson Davis
- d. John C. Calhoun

## **Sectionalism: Multiple-Choice Quiz Answer Key**

1. C
2. A
3. D
4. B
5. D
6. C
7. B
8. A
9. C
10. B
11. B
12. B
13. D
14. A
15. C
16. D
17. B
18. D
19. C
20. C
21. D
22. A
23. B
24. C
25. C
26. A
27. B
28. C
29. B
30. C