

COMING OF THE CIVIL WAR

By John A. Braithwaite

DIRECTIONS:

Using the accompanying documents, your knowledge of the time period and topic, and any other resources you have or care to consult, respond to the following question fully, accurately, and from a variety of viewpoints.

QUESTION:

Discuss the elements of causation for the American Civil War from 1820-1861?

PROMPT:

1. Discuss and analyze at least three basic issues causing the Civil War.
2. Discuss the impact of events, ideas, and conflicts as agents of the coming of the Civil War.
3. Was the war avoidable or inevitable given the events and personalities of the times?
4. What impact did compromise succeed and fail in dealing with coming of the Civil War?

DOCUMENT A

Compromise of 1820 by Henry Clay.

The Territory of Missouri was part of the Louisiana Purchase; by the terms of this purchase the inhabitants of the Territory were guaranteed in their liberty, property, and religion. When in 1818 Missouri petitioned

for admission to the Union as a State, the question arose whether this covered property in slaves of whom there were some two or three thousand in the territory...Representative Tallmadge offered an amendment excluding slavery from the State. That summer and fall the Missouri question was the chief political issue before the country....

Section 8. That in all that territory ceded by France to the United States, under the terms of Louisiana, which lies north of thirty-six degrees, and thirty minutes north latitude, not included within the limits of the state, contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby, forever prohibited.

The application of Maine for admission as State offered Congress a way out of this difficult.

A conference committee reported bills to admit Maine to Statehood, and Missouri to Statehood with the Thomas Amendment. [solved the slavery issue of balance in the US Senate]

DOCUMENT B

Nullification of the Force Bill, March 18, 1833

An Ordinance

To nullify an Act of the Congress of the United States, entitled "An Act further to provide for the collection of duties on Imports." Commonly called the force bill

We, the People of the State of South Carolina in Convention assembled, do *Declare and Ordain*, that the Act of the Congress of the United States, entitled "An Act further to provide for the collection of duties on imports approved the second day of March, 1833 is unauthorized by the Constitution of the United States, subversive of that Constitution, and destructive of political liberty; and that the same is, and shall be deemed, null and void within the limits of this State...

DOCUMENT C:

Andrew Jackson's Proclamation to the people of South Carolina. Dec. 10, 1832, Richardson, ed. *Messages & Papers*. Vol. II, p640.

The Ordinance of Nullification is not based on the right to resist acts, which are unconstitutional and oppressive, but rather on the strange position that any one state may declare an act of Congress void and prohibit the act from being carried out. If this Ordinance had been put into effect when our nation was young, the Union would have been dissolved in its infancy.

I consider that the power of one state to annul a law of the United States is not consistent with the survival of the Union. Nullification is forbidden by the Constitution; it violates the spirit of the Constitution...it is destructive of the great object for which the Constitution was written.

To preserve this bond of our political existence from destruction, to maintain inviolate this state of national honor and prosperity...I, Andrew Jackson, President of the United States, though proper to issue this my proclamation, stating my views of the Constitution and laws applicable to the measures adopted by the convention of South Carolina....

The ordinance is founded, not on the indefeasible right of resisting acts which are plainly unconstitutional and too oppressive to be endured, but on the strange position that any one State may not only declare an act of Congress void, but prohibit its execution; that they may do this consistently with the Constitution; that the true construction of that instrument permits a State to retain its place in the Union and yet be bound by no other of its laws than those it may choose to consider as constitutional.

This right to secede is deduced from the nature of the Constitution, which, they say, is a compact between sovereign States who have preserved their whole sovereignty and therefore are subject to superior....

DOCUMENT D:

John L. O'Sullivan, "On Manifest Destiny" Adapted from "Annexation" *Democratic Review*, July-August, 1845.

It is now time for opposition to the annexation of Texas to end. It is time for the common duty of patriotism to the country to take over. If this duty is not recognized, it at least time for common sense to give in to what is inevitable.

Texas is no longer to us a mere geographical place—a certain combination of coast, plain, mountain, valley, forest and stream. Patriotism, which is at once a sentiment and virtue, already begins to thrill for it is within the national heart.

If we needed a reason for taking Texas into the Union, it surely is to be found in the manner in which other nations have interfered in the matter. Their object is to oppose our policy and to check the fulfillment of our *manifest destiny* to spread over the continent. This we have seen done by England.

And these people will have a right to independence—to self-government, to possession of home conquered from the wilderness by their own labors and dangers, sufferings, and sacrifices. They will have a better and a truer right there than Mexico, a thousand miles away.

DOCUMENT E:

Compromise of 1850, by Daniel Webster, March 7, 1850. Congressional Globe, 31 Cong., 1st Session. Pp480-483.

Mr. President,—I wish to speak to-day, not as a Massachusetts man, nor as a northern man, but as an American, and a member of Senate of the United States.

There is no such thing as peaceable secession. Peaceable secession is an utter impossibility. Is the great Constitution under which we live—covering this whole country—it is to be thawed and melted away by secession.

...let us enjoy the fresh air of liberty and union; let us cherish those hopes which belong to us; let us devote ourselves to those great object that are fit for our consideration and our action... Never did there devolve on any generation of men, higher trusts than now devolve upon us for the preservation of this Constitution and the harmony and peace of all who are destined to live under it. Let us make our generation one of the strongest and brightest links in the golden chain which is destined, I fully believe, to grapple the people of all the States to this Constitution, for ages to come.

DOCUMENT F:

The Fugitive Slave Act, 1850, a provision of the Compromise of 1850.

Section 6: ...That when a person held to service o labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to who such service or labor may be due...may pursue and reclaim such fugitive person...In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence...

Section 7: ...That any person who shall knowingly and willingly obstruct hinder, or prevent such claimant...from arresting such a fugutive from service or labor...or shall rescue, or attempt to rescue, such fugutive from service or labor, from the custody of such claimant...or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, or shall harbor or conceal such fugitive, so as the prevent the discovery and arrest of such person...shall, for either of said offenses, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months...and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars, for each fugitive so lost.

DOCUMENT G:

Ostend Manifesto. Aix la Chapelle, Oct 28, 1854.

We arrived at the conclusion, and are thoroughly convinced, that an immediate and earnest effort ought to be made buy the government of the United States to purchase Cuba from Spain at any price for which it can be obtained...

Yours, very respectfully,

James Buchanan
J.Y. Mason
Pierre Soule

To: Hon. William L. Marcy, Secretary of State.

DOCUMENT H:

Dred Scott vs Sanford, 1857. 19 Howard, 393.

Now . . . the right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it, like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every State that might desire it, for twenty years. And the Government in express terms is pledged to protect it in all future time, if the slave escapes from his owner...

Neither Dred Scott himself, nor any of his family were made free by being carried into such territory: even if they had been carried there by their owner with the intention of becoming permanent residents.

DOCUMENT I:

John Brown's Last Words [1859]

I John Brown am now quite *certain* that the crimes of this guilty, land: will never be purged away; but by Blood. I had *as I now think: vainly* flattered myself that without very[sic] much bloodshed; it might be done.

DOCUMENT J:

Don Ramon Alcaraz, *The Other Side*. New York: John Wiley, 1850. P.32

From the acts referred to , it has been demonstrated to the very senses, that the real and effective cause of this war that afflicted us was the spirit of aggrandizement of the United State...availing itself of its power to conquer us. Impartial history will some illustrate forever the conduct observed by this Republic against all laws, divine and human, in a age that is called one of light, and which is notwithstanding, the same as the former—one of force and violence.

DOCUMENT K:

Lincoln-Douglas Debates, 1858

...I now proceed to propound to the Judge the interrogatories... The first one is:

Question 1—If the people of Kansas shall, by means entirely unobjectionable in all other respects, adopt a State Constitution and ask admission into the Union under it, *before* they have the requisite number of inhabitants.'

Question 2—Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State constitution?

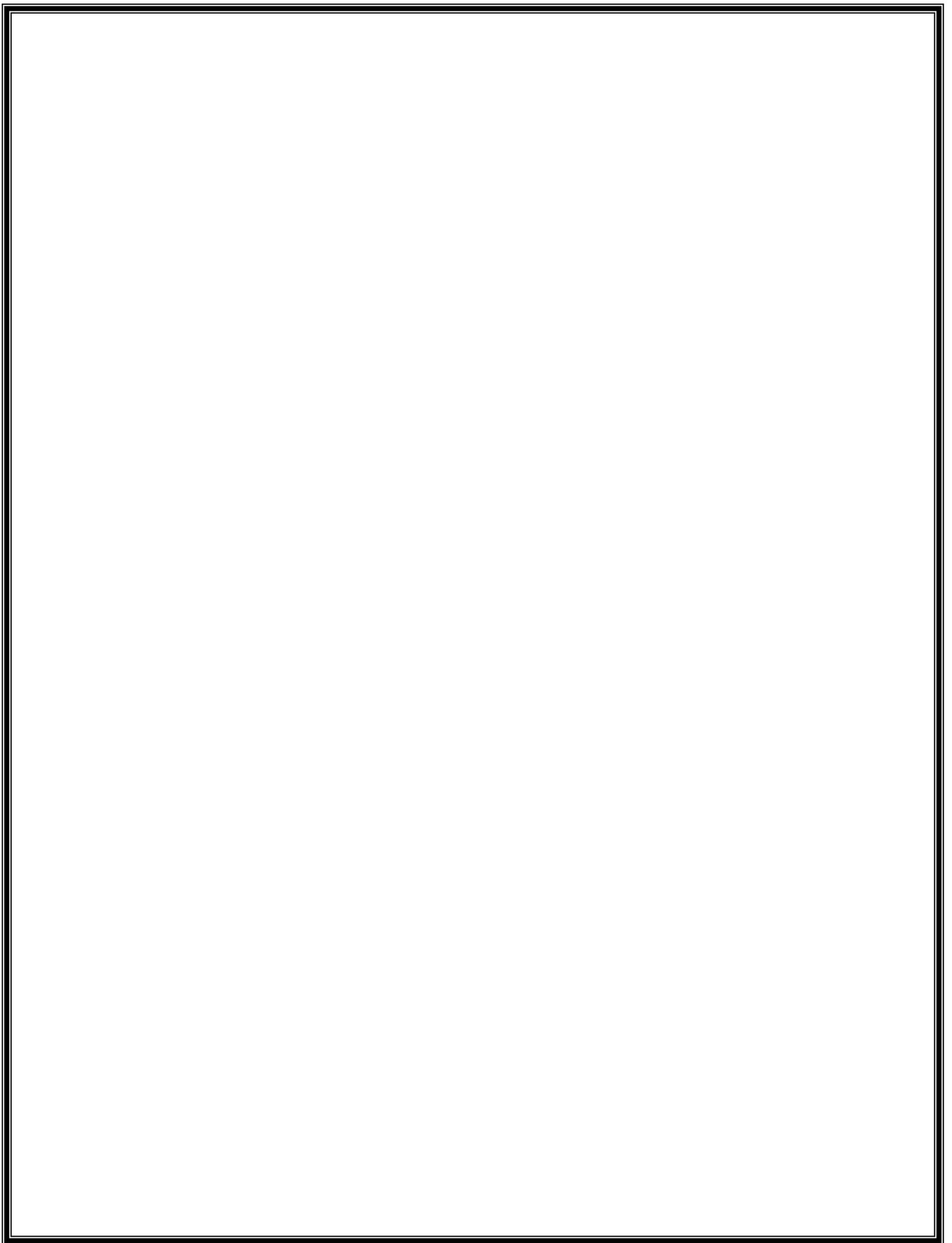
Question 3—If the Supreme Court of the United States shall decide that States cannot exclude slavery from their limits, are you in favor of acquiescing in, adopting, and following such decision as a rule of political action.

Senator Douglas's Reply

I will answer this question. In reference to Kansas, it is my opinion that as the population enough to constitute a slave State, she has people enough a free State. I will not make Kansas an exceptional case to the other States of the Union.

I answer emphatically, ...that in my opinion the people of a Territory can by lawful means exclude slavery from their limits prior to the formation of a State Constitution.

The third question...He [Mr. Lincoln] casts an imputation on the Supreme Court, by supposing that they would violate the Constitution of the United States, I tell him that such a thing is impossible. It would be an act of moral treason...



DOCUMENT L:

Chriddenden Compromise on Slavery, 1860

In all territory of the United States now held, or hereafter acquired, situate North of Latitude 36 degrees 30' ...be admitted into the Union, on an equal footing with the original states, with or without slavery, as the constitution of such new State may provide.

Congress shall have no power to abolish slavery within the District of Columbia so long as it exists in the adjoining states of Virginia and Maryland

Congress shall have no power to prohibit or hinder the transportation of slaves from one State to another, or to a Territory in which slaves are by law permitted.

That the laws for the suppression of the African slave trade, and especially those prohibiting the importation of slaves in the United States, ought to be made effectual, and ought to be thoroughly executed: and all further enactment's necessary to those ends ought to be promptly made.

DOCUMENT M:

President Buchanan On Secession. Richardson, ed. *Messages & Papers*. Vol. V, 626.

...The long-continued and intemperate interference of the Northern people with the question of slavery in the Southern States has at length produced its natural effects. The different sections of the Union are now arrayed against each other, and the time has arrived, so much dreaded by the Father of his country, when hostile geographical parties have been formed...

In order to justify secession as a constitutional remedy, it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States.

RECOMMENDATIONS FOR STUDENTS

1. Read *American History* Alan Brinkley, *The Impending Crisis* Ch.13 p.338-365.
2. Review *The Coming of the Civil War*, Notes From the Lectures of Dr. John Niven.
3. Fill out a spoke diagram on the causes of the Civil War:
4. Discuss the basic causes of warfare:
 - A. Nationalism
 - B. Militarism
 - C. Fanaticism
 - D. Propaganda.