

A Dividing Nation

20.1 Introduction

In 1860, after one of the strangest elections in the nation's history, a tall, plain-spoken Illinois lawyer named Abraham Lincoln was elected president. On learning of his victory, Lincoln said to the reporters covering the campaign, "Well, boys, your troubles are over. Mine have just begun."

Within a few weeks, it became clear just how heavy those troubles would be. By the time Lincoln took office, the nation had split apart over the issue of slavery and was preparing for war. The survival of the United States of America, and the fate of four million slaves, rested in Lincoln's large, strong hands.

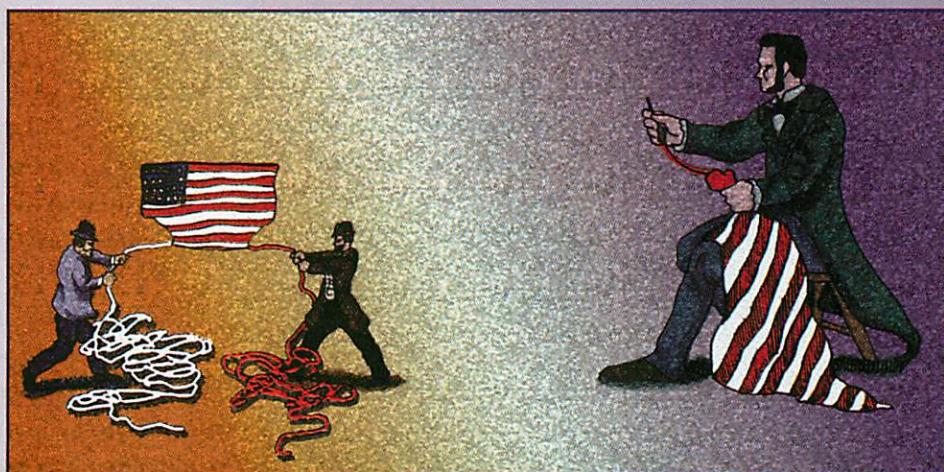
The troubles Lincoln faced were not new. The issue dividing the nation could be traced back to 1619, when the first slave ship arrived in Virginia. Since that time, slavery had ended in half of the United States. The question was, could the nation continue half-slave and half-free?

For decades, Americans tried to avoid that troubling question. Many hoped that slavery would simply die out on its own. Instead, slavery began to expand into new territories, and the question could no longer be ignored.

Between 1820 and 1860, Americans tried to fashion several compromises on the issue of slavery. Each compromise, however, created new problems and new divisions.

Lincoln understood why. Slavery was not simply a political issue to be worked out through compromise. It was a deeply moral issue. As Lincoln wrote in a letter to a friend, "If slavery is not wrong, nothing is wrong."

In this chapter, you will learn how Americans tried to keep the United States united despite their deep divisions over slavery. And you will find out how they finally answered that most troubling question: Could a nation born in freedom endure half-slave and half-free?



Graphic Organizer: Visual Metaphor

You will use a visual metaphor of an unraveling flag to understand the compromises and decisions made to preserve the Union.

the Union: The United States as one country, united under a single government. During the Civil War, “the Union” came to mean the government and armies of the North.

In 1819, the number of slave states and free states stood at 11 apiece. This balance was threatened when Missouri applied for statehood as a slave state.

20.2 Confronting the Issue of Slavery

A traveler, heading west across the Appalachians after the War of 1812, wrote, “Old America seems to be breaking up and moving westward.” It was true. By 1819, restless settlers had formed seven new states west of the Appalachians.

Congress had established a process for forming new states in the Northwest Ordinance of 1787. Besides outlining the steps leading to statehood, this law also banned slavery north of the Ohio River. As a result, the three western states that were formed north of the river—Ohio, Indiana, and Illinois—were free states. The four states that were formed south of the Ohio River—Kentucky, Tennessee, Louisiana, and Mississippi—all permitted slavery.

In 1819, Alabama and Missouri applied to Congress for statehood as slave states. No one in Congress questioned admitting Alabama as a slave state. Alabama was located far south of the Ohio River, and was surrounded by other slave states.

Congress had another reason for admitting Alabama with no debate. For years there had been an unspoken agreement in Congress to *keep the number of slave states and free states equal*. The admission of Illinois as a free state in 1818 had upset this balance. By accepting Alabama with slavery, Congress was able to restore the balance between slave and free states.

Missouri, however, was another matter.

| |
|--------------------|
| Georgia |
| South Carolina |
| North Carolina |
| Virginia |
| Maryland |
| Delaware |
| Kentucky (1792) |
| Tennessee (1796) |
| Louisiana (1812) |
| Mississippi (1817) |
| Alabama (1819) |

Slave States

| |
|-----------------|
| Pennsylvania |
| New Jersey |
| New York |
| Connecticut |
| Rhode Island |
| Massachusetts |
| New Hampshire |
| Vermont (1791) |
| Ohio (1803) |
| Indiana (1816) |
| Illinois (1818) |

Free States

- Original 13 States
- States Entering the Union, 1791–1819

Questions about Missouri Some northerners in Congress questioned whether Missouri should also be admitted as a slave state. Most of Missouri, they observed, lay north of the point where the Ohio River flows into the Mississippi. On the eastern side of the Mississippi, slavery was banned north of that point. Shouldn’t the same ban also be applied west of the Mississippi?

This question led to another one. If Missouri was allowed to enter **the Union** as a slave state, some asked, what would keep slavery from spreading across all of the Louisiana Territory? The vision of a block of new slave states stretching from the Mississippi to the Rocky Mountains was enough to give some northerners nightmares.

The Tallmadge Amendment When the bill to make Missouri a state came before Congress, Representative James Tallmadge of New York decided to keep that nightmare from coming true. Tallmadge proposed an amendment to the statehood bill. The amendment said that Missouri could join the Union, but only as a free state.

Southerners in Congress greeted Tallmadge’s amendment with a roar of protest. What right, they

asked, did Congress have to decide whether a new state should be slave or free? That decision, they said, belonged to the people of each state, not Congress.

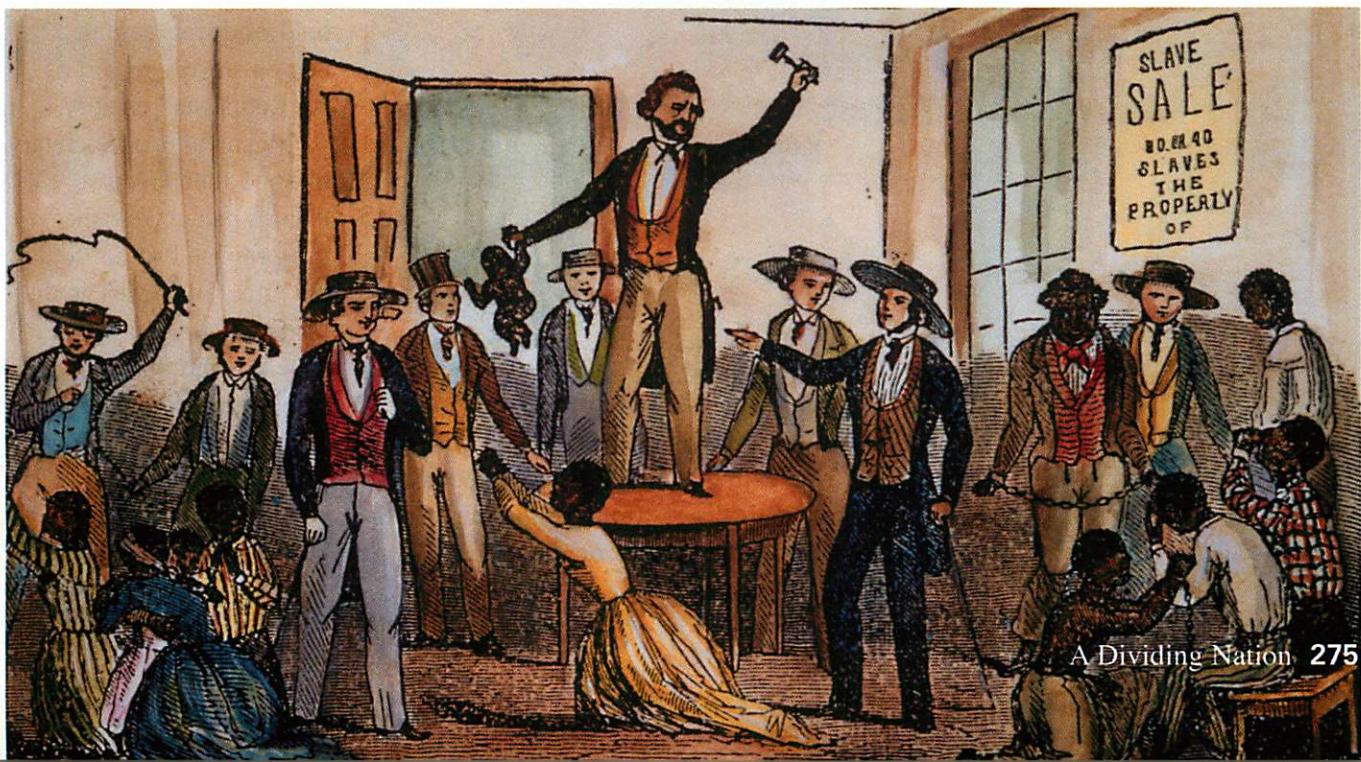
A Deadlocked Congress Southerners' protests were based on their fear that if Congress was allowed to end slavery in Missouri, it might try to end slavery elsewhere. The North already had more votes in the House of Representatives than the South. Only in the Senate did the two sections have equal voting power. As long as the number of free states and slave states remained equal, southern senators could defeat any attempt to interfere with slavery. But if Missouri entered the Union as a free state, the South would lose its power to block anti-slavery bills in the Senate. If that happened, southerners warned, it would be a disaster for the South.

In the North, the Tallmadge Amendment awakened strong feelings against slavery. Many towns sent petitions, or formal written requests, to Congress, condemning slavery as immoral and unconstitutional. The petitions called on Congress to stop the spread of this evil. Arguing in favor of the amendment, New Hampshire representative Arthur Livermore spoke for many northerners when he said:

An opportunity is now presented to prevent the growth of a sin which sits heavy on the soul of every one of us. By embracing this opportunity, we may retrieve the national character and, in some degree our own. But if we suffer [allow] it to pass...let us at least be consistent, and declare that our Constitution was made to impose slavery, and not to establish liberty.

The House voted to approve the Tallmadge Amendment. In the Senate, however, southerners were able to defeat it. The two houses were now deadlocked over the issue of slavery in Missouri. They would remain so as the 1819 session of Congress drew to a close.

An auctioneer holds a baby during a slave auction, while the child's mother begs not to be separated from her child. Scenes like this fueled the moral outrage many felt toward slavery.



secession: the act of withdrawing from an organization or alliance, such as the withdrawal of the southern states from the Union

20.3 The Missouri Compromise

When Congress returned to Washington in 1820, it took up the question of Missouri statehood once again. By then, the situation had changed, for Maine was now asking to enter the Union as a free state.

For weeks, Congress struggled to find a way out of its deadlock over Missouri. As the debate dragged on and tempers wore thin, southerners began using such dreaded words as “**secession**” and “civil war.”

“If you persist,” Thomas Cobb of Georgia warned supporters of the amendment, “the Union will be dissolved. You have kindled a fire which only a sea of blood can extinguish.”

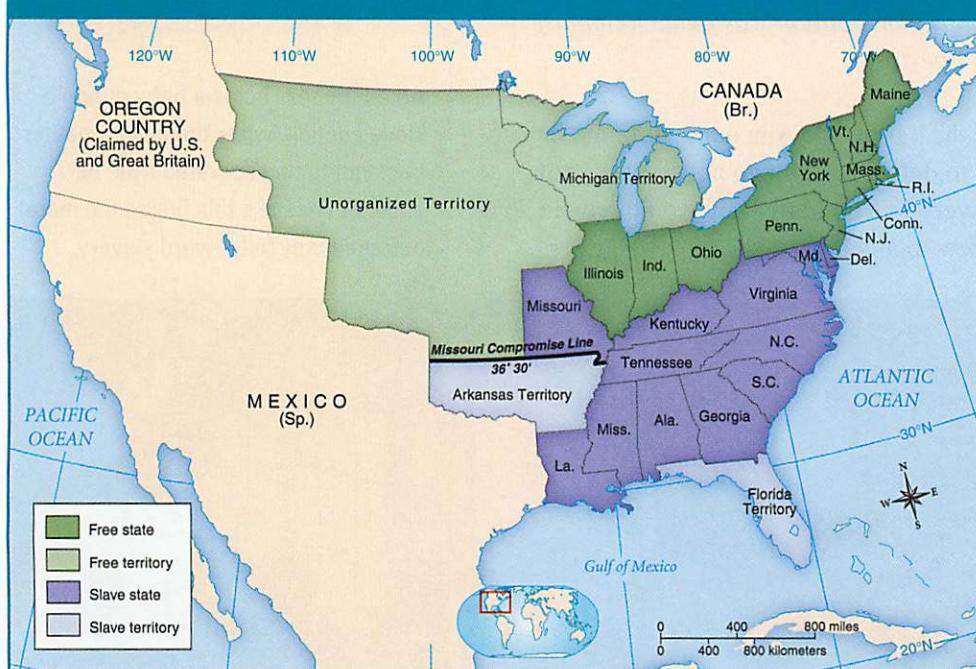
“If disunion must take place, let it be so!” thundered Tallmadge in reply. “If civil war must come, I can only say, let it come.”

A Compromise Is Reached Rather than risk the breakup of the Union, Congress finally agreed to a compromise crafted by Representative Henry Clay of Kentucky. The compromise admitted Missouri to the Union as a slave state and Maine as a free state. In this way, it maintained the balance of power between slave and free states.

At the same time, Congress drew an imaginary line across the Louisiana Territory at latitude 36°30'. North of this line, slavery was to be banned forever, except in Missouri. South of the line, slaveholding was permitted.

As a result of the Missouri Compromise, Missouri entered the Union as a slave state, while Maine entered as a free state. In addition, a line was drawn at the 36°30' parallel, below which slavery would be allowed. Above this line, slavery was prohibited.

The Missouri Compromise



Reactions to the Compromise

The Missouri Compromise kept the Union together. But it pleased no one. In the North, Congressmen who voted to accept Missouri as a slave state were called traitors. In the South, slaveholders deeply resented the ban on slavery in part of the Louisiana Territory.

Meanwhile, as Secretary of State John Quincy Adams recognized, the compromise had not settled the future of slavery in the United States as a whole. “I have favored this Missouri compromise, believing it to

be all that could be effected [accomplished] under the present Constitution, and from extreme unwillingness to put the Union at hazard [risk],” wrote Adams in his diary. “If the Union must be dissolved, slavery is precisely the question on which it ought to break. For the present, however, the contest is laid asleep.”

20.4 The Missouri Compromise Unravels

As John Quincy Adams predicted, the slavery issue was laid to rest, at least for a time. During the 1820s, most Americans paid little attention to the fate of slaves. But beneath that silence, a powerful force was building—a great revival of religious faith and fervor. This movement pushed the issue of slavery into the open again.

As you read in Chapter 18, the leaders of the Second Great Awakening promised that God would grant salvation to those who dedicated their lives to the Lord's work. And for some Americans, the Lord's work was the abolition of slavery.

Slavery in Washington, D.C. During the 1830s, abolitionists flooded the nation's capital with anti-slavery petitions. Congress, they were told, had no power to interfere with slavery in the states. Then what about the District of Columbia? asked the abolitionists. Surely Congress had the power to ban slavery in the nation's capital.

Rather than face that question, Congress voted in 1836 to table all anti-slavery petitions. To *table* means to set something aside indefinitely. This meant that Congress would neither read nor act upon the petitions. Outraged abolitionists called this action the "gag rule," because it gagged (silenced) all debate over slavery in Congress.

Abolitionists, however, were far from silenced. They continued to attack slavery in books, in newspapers, and at public meetings.

Southern Fears White southerners deeply resented the abolitionists' attacks as an assault on their way of life. The more abolitionists denounced slavery, the more fiercely slaveholders defended it.

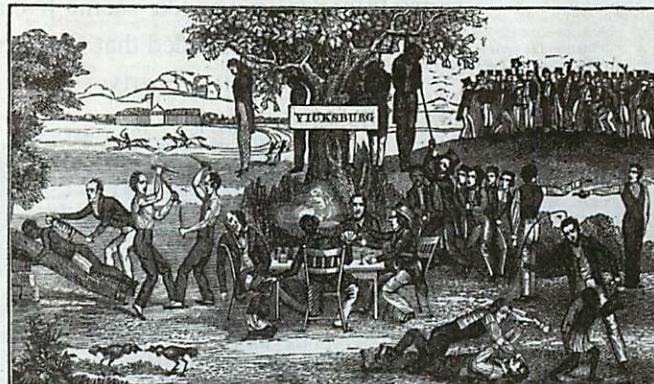
Resentment turned to fear in 1831, when Nat Turner and six fellow slaves launched a slave rebellion. Although the uprising was crushed, southern states adopted strict new laws to control the movement of slaves. Many states also tried to keep abolitionist writings from reaching slaves. Mississippi even offered a reward of \$5,000 for the arrest and conviction of any person "who shall utter, publish, or circulate" abolitionist ideas.

EMANCIPATOR—EXTRA.

NEW-YORK, SEPTEMBER 2, 1839.

American Anti-Slavery Almanac for 1840.

The seven cuts following, are selected from thirteen, which may be found in the Anti-Slavery Almanac for 1840. They represent well-authenticated facts, and illustrate in various ways, the cruelties daily inflicted upon three millions of native born Americans, by their fellow-countrymen! A brief explanation follows each cut.



The peculiar "Domestic Institutions of our Southern brethren."



Selling a Mother from her Child.



Mothers with young Children at work in the field.



A Woman chained to a Girl, and a Man in irons at work in the field.



"They can't take care of themselves"; explained in an interesting article.



Hunting Slaves with dogs and guns. A Slave drowned by the toes.



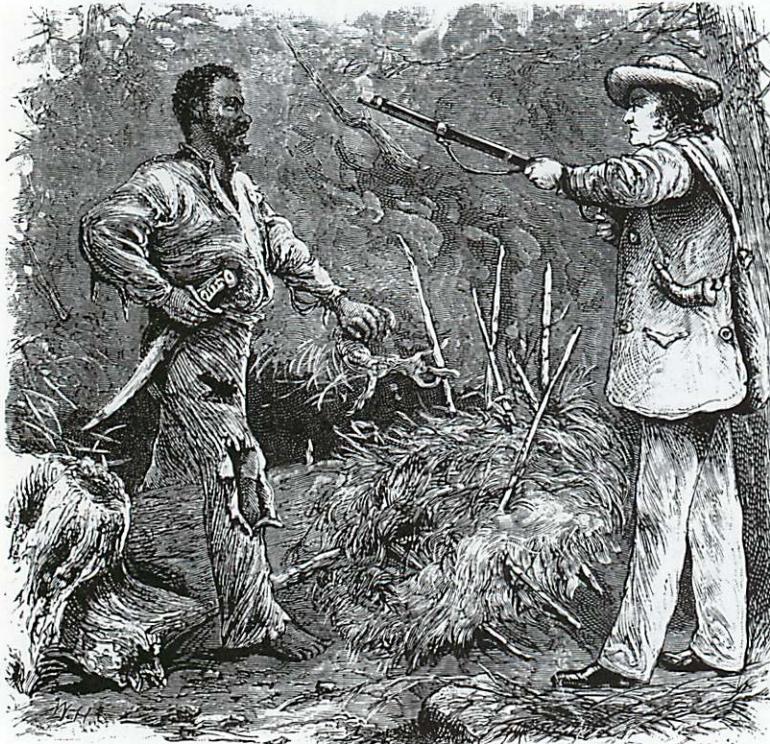
Servility of the Northern States in arresting and returning fugitive Slaves.

The horrors of slavery were detailed in many northern newspapers and periodicals such as this one.

fugitive: a person who flees or tries to escape (for example, from slavery)

Fugitive Slaves Nat Turner's rebellion was the last large-scale slave revolt. But individual slaves continued to rebel by running away to freedom in the North. These **fugitives** from slavery were often helped in their escape by sympathetic people in the North.

To slaveholders, these northerners were no better than bank robbers. A good slave was a valuable piece of property. Every time a slave escaped, it was like seeing five acres of land vanish into thin air. Slaveholders demanded that Congress pass a fugitive slave law to help them recapture their property.



Nat Turner, pictured above, led the last major slave uprising in the United States. Following the Turner revolt, southerners tightened restrictions on slaves.

about slavery in the territory gained from Mexico. Southerners wanted all of the Mexican Cession open to slavery. Northerners wanted all of it closed.

As a compromise, southerners proposed a bill that would extend the Missouri Compromise line all the way to the Pacific. Slavery would be banned north of that line and allowed south of it. Northerners in Congress rejected this proposal.

Then, late in 1849, California applied for admission to the Union as a free state. Northerners in Congress welcomed California with open arms. Southerners, however, rejected California's request. Making California a free state, they warned, would upset the equal balance between slave and free states. The result would be to make the slave states "a fixed, dreary, hopeless minority."

The year ended with Congress deadlocked over California's request for statehood. Once again, resentful southerners spoke openly of withdrawing from the Union. And once again, angry northerners denounced slavery as "a crime against humanity...a great evil."

Slavery in the Territories The gag rule kept the slavery issue out of Congress for ten years. Then, in 1846, President James Polk sent a bill to Congress asking for funds for the war with Mexico. Pennsylvania representative David Wilmot added an amendment to the bill known as the Wilmot Proviso. (A *proviso* is a condition added to an agreement.) Wilmot's proviso stated that "neither slavery nor involuntary servitude shall ever exist" in any part of the territory that might be acquired from Mexico.

Southerners in Congress strongly opposed Wilmot's amendment. Congress had no right, they maintained, to decide where slaveholders could take their property. The Wilmot Proviso passed the House, but it was rejected by the Senate.

Statehood for California For the next three years, Congress debated what to do

20.5 The Compromise of 1850

On January 21, 1850, Henry Clay, now a senator from Kentucky, trudged through a Washington snowstorm to pay an unexpected call on Senator Daniel Webster of Massachusetts. Clay, the creator of the Missouri Compromise, had come up with a plan to end the deadlock over California. But to get his plan through Congress, Clay needed Webster's support.

Something for Everyone Clay's new compromise had something to please just about everyone. It began by admitting California to the Union as a free state. That would please the North. Meanwhile, New Mexico and Utah would be organized as territories open to slavery, which would please the South.

In addition, Clay's plan ended the slave trade in Washington, D.C. Although slaveholders in Washington would be able to keep their slaves, human beings would no longer be bought and sold in the nation's capital. Clay and Webster agreed that this compromise would win support from abolitionists without threatening the rights of slaveholders.

Finally, Clay's plan called for passage of a strong fugitive slave law. Slaveholders had long wanted such a law, which would make it easier to find and reclaim their runaway slaves.

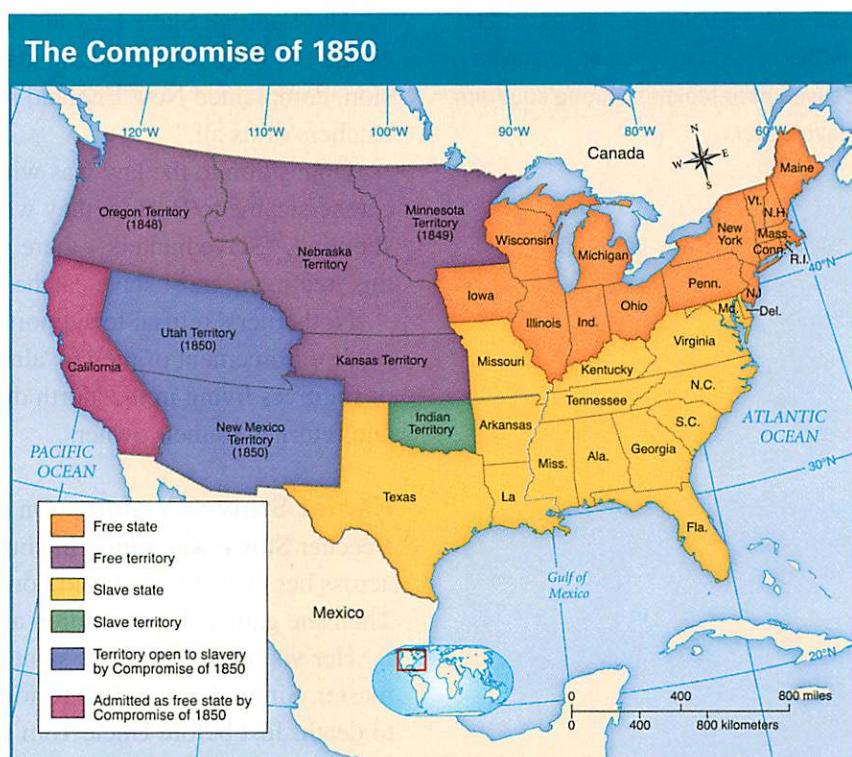
The Compromise Is Accepted Hoping that Clay's compromise would end the crisis, Webster agreed to help push it through Congress. But despite his support, Congress debated Clay's proposals for nine frustrating months. As tempers frayed, southerners talked of simply leaving the Union peacefully.

Webster dismissed such talk as foolish. "Secession! Peaceable secession!" he exclaimed. "Your eyes and mine are never destined to see that miracle.... I see it as plainly as I see the sun in heaven—I see that secession must produce such a war as I will not describe."

A war over slavery? That was something few Americans wanted to face. In September 1850, Congress finally adopted Clay's plan.

Most Americans were happy to see the crisis end. Some southerners, however, remained wary of the Compromise of 1850. A North Carolina newspaper warned the North to "let this question of Slavery alone, take it out and keep it out of Congress; and respect and enforce the Fugitive Slave Law as it stands. *If not, we leave you!*"

The Compromise of 1850 admitted California as a free state and allowed the southwestern territories to be set up with no restriction on slavery.



20.6 The Compromise Satisfies No One

Clay and Webster hoped that the Compromise of 1850 would quiet the slavery controversy for years to come. In fact, it satisfied almost no one. Instead of quieting down, the debate grew louder each year.

The Granger Collection, New York



In this painting, a group of fugitive slaves are helped as they make their escape from bondage. The assistance northerners gave to escaped slaves caused hard feelings among southern slaveholders.

live like a slave, and if force is employed to reenslave me, I shall make preparations to meet the crisis as becomes a man."

The Fugitive Slave Law also said that any person who helped a slave escape, or even refused to aid slave catchers, could be jailed. This provision, complained New England poet Ralph Waldo Emerson, made "slave catchers of us all."

Opposition to the law was widespread in the North. When slave catchers came to Boston, they were hounded by crowds of angry citizens shouting, "Slave hunters—there go the slave hunters." After a few days of this treatment, most slave catchers decided to leave.

Nothers' refusal to support the law infuriated slaveholders. It also made enforcement of the law almost impossible. Of the tens of thousands of fugitives living in the North during the 1850s, only 299 were captured and returned to their owners.

Harriet Stowe's Vision On a wintry Sunday morning in 1851, Harriet Beecher Stowe was sitting in church when a horrifying vision played across her eyes. Stowe raced home and scribbled down what she had seen. Then she gathered her children around her and read what she had written.

Her vision began with a saintly slave known as Uncle Tom and his cruel master, Simon Legree. In a furious rage, Legree had the old slave whipped to death. Just before Uncle Tom's soul slipped out of his bloodied body, he opened his eyes and whispered to Legree, "Ye poor miserable critter! There ain't no more ye can do. I forgive ye, with all my soul!"

The Fugitive Slave Law

Both sides were unhappy with the Fugitive Slave Law, though for different reasons. Northerners did not want to enforce the law. Southerners felt the law did not do enough to ensure the return of their escaped property.

Under the Fugitive Slave Law, any person arrested as a runaway slave had almost no legal rights. Many runaways fled to Canada rather than risk being caught and sent back to their masters. Others decided to stand and fight. Reverend Jarmain Loguen, a former slave living in New York, said boldly, "I don't respect this law—I don't fear it—I won't obey it...I will not

When she had finished reading, Stowe's son cried out, "Oh Mama! Slavery is the cruellest thing in the world."

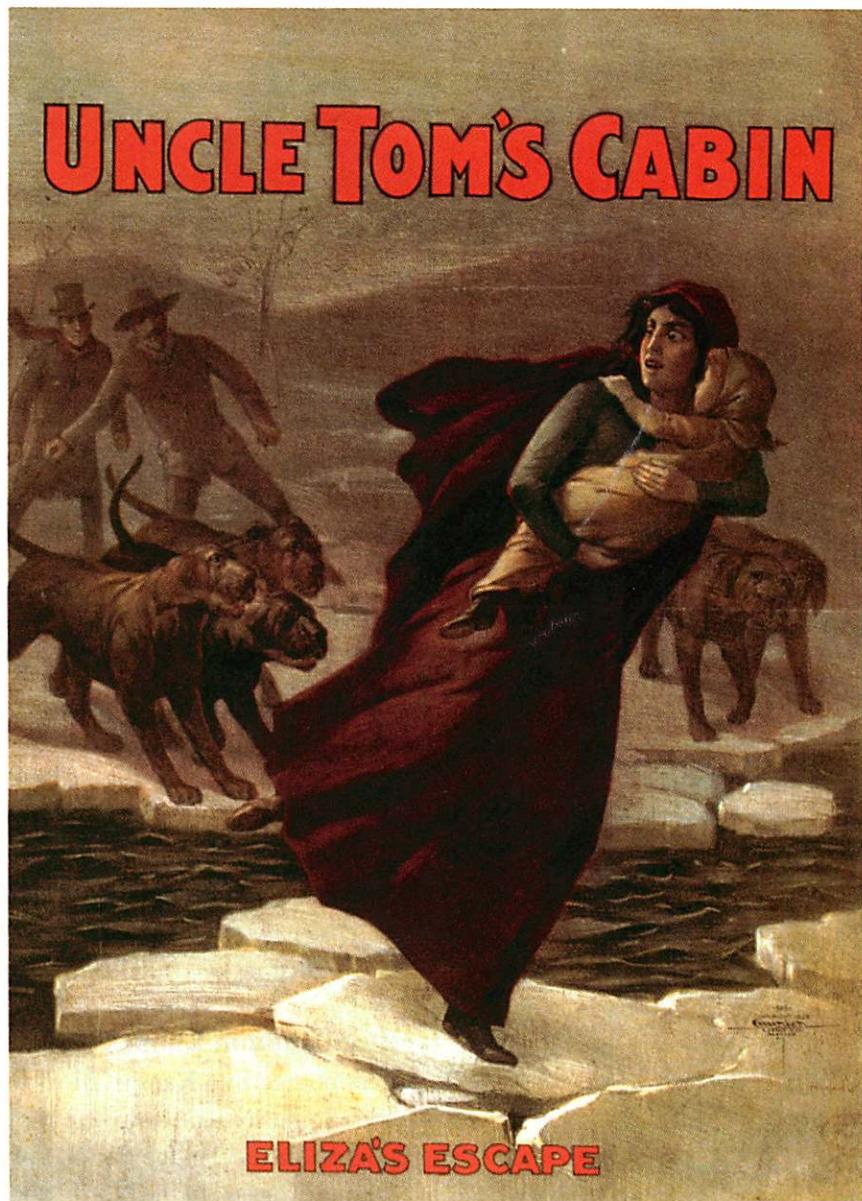
Uncle Tom's Cabin The scene of the old slave's death became part of a much longer story entitled *Uncle Tom's Cabin*. The story was first published in installments in an abolitionist newspaper. In one issue, readers shared the pain of Uncle Tom's first owner, a kind slaveholder named Colonel Shelby. Unable to pay his debts, Shelby was forced to sell Uncle Tom away from his family. The cruelty of this action drove Shelby's wife to cry out, "This is God's curse on slavery! I was a fool to think I could make anything good out of such a deadly evil."

In a later issue, terrified readers held their breath as the beautiful slave Eliza chose to risk death rather than be sold away from her young son. Chased by slave hunters and their dogs, Eliza dashed to freedom across the ice-choked Ohio River, clutching her child in her arms.

Later still, Stowe's readers found themselves weeping as Uncle Tom met his death at the hands of Simon Legree. By this time, most of them agreed with Stowe's son that slavery was the cruellest thing in the world.

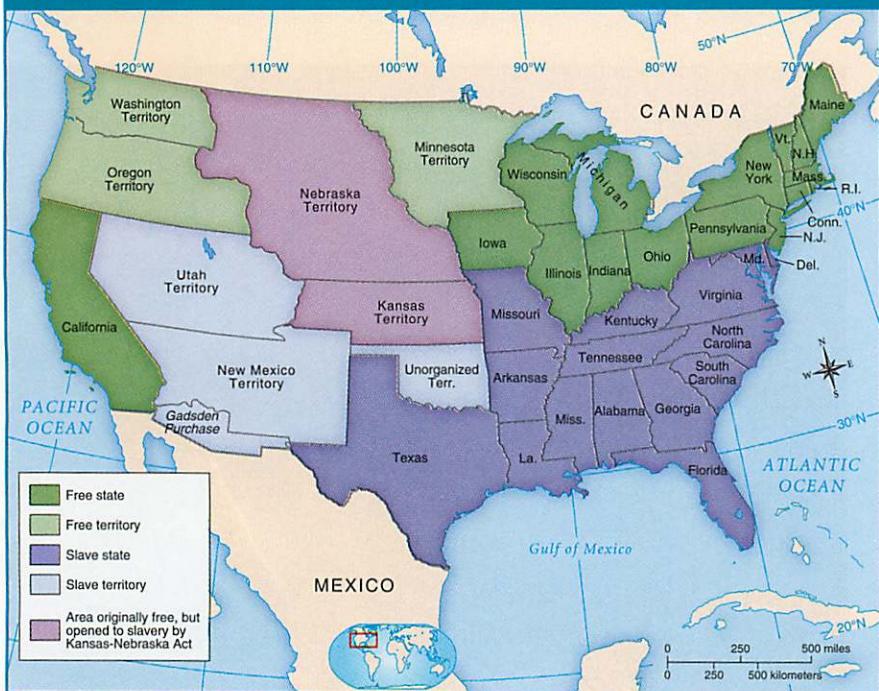
In 1852, *Uncle Tom's Cabin* was published as a novel. Plays based on the book toured the country, thrilling audiences with Eliza's dramatic escape to freedom. No other work had ever aroused such powerful emotions about slavery. In the South, the novel and its author were scorned and cursed. In the North, *Uncle Tom's Cabin* turned millions of people against slavery.

The Kansas-Nebraska Act Early in 1854, Senator Stephen A. Douglas of Illinois introduced a bill in Congress that would have far-reaching consequences. Douglas had no intention of opening up another painful debate on slavery. He simply wanted to get a railroad built to California. This was more likely to happen, he thought, if Congress organized the Great Plains into the Nebraska Territory and opened it to settlers. Because this territory lay north of the Missouri Compromise line, his bill said nothing about slavery.



Perhaps no other novel in American history has had the political impact of *Uncle Tom's Cabin*. Upon meeting author Harriet Beecher Stowe, Abraham Lincoln said, "So you're the little woman who wrote the book that made this great war."

The Kansas-Nebraska Act



The Kansas-Nebraska Act outraged northerners because it violated the Missouri Compromise.

slave labor. But when northerners studied maps, they were not so sure. Newspaper editor Horace Greeley charged in the *New York Tribune*:

The pretense of Douglas & Co. that not even Kansas is to be made a slave state by his bill is a gag [joke]. Ask any Missourian what he thinks about it. The Kansas Territory...is bounded in its entire length by Missouri, with a whole tier of slave counties leaning against it. Won't be a slave state!...Gentlemen! Don't lie any more!

Bloodshed in Kansas After the Kansas-Nebraska Act was passed, settlers poured into Kansas. Most were peaceful farmers looking for fertile soil. Some settlers, however, moved to Kansas either to support or to oppose slavery. In the South, towns took up collections to send their young men to Kansas. In the North, abolitionists raised money to send weapons to anti-slavery settlers. Before long, Kansas had two competing governments, one for slavery and one against it.

The struggle over slavery soon turned violent. On May 21, 1856, pro-slavery settlers and "border ruffians" from Missouri invaded Lawrence, Kansas, the home of the anti-slavery government. The invaders burned a hotel, looted several homes, and tossed the presses of two abolitionist newspapers into the Kaw River. As the invaders left Lawrence, one of them boasted, "Gentlemen, this is the happiest day of my life."

The raid on Lawrence provoked a wave of outrage in the North. Money was quickly raised to replace the destroyed presses. And more "free-soilers," as the anti-slavery settlers were called, prepared to move to Kansas.

Meanwhile, a fiery abolitionist named John Brown plotted his own revenge. Two days after the Lawrence raid, Brown and seven followers,

Southerners in Congress agreed to support Douglas's bill if he made a few changes. His final bill created two new territories, Kansas and Nebraska. It also scrapped the Missouri Compromise by leaving it up to the settlers themselves to decide what to do about slavery in the two territories. In other words, the bill opened the territories to slavery, provided voters approved. Douglas called this policy "popular sovereignty," or rule by the people.

Douglas's Kansas-Nebraska Act hit the North like a thunderbolt. Once again, northerners were haunted by nightmare visions of slavery marching across the plains. Douglas tried to calm their fears by saying that the climates of Kansas and Nebraska were not suited to

including four of Brown's sons and his son-in-law, invaded the pro-slavery town of Pottawatomie. There they dragged five men they suspected of supporting slavery from their homes and hacked them to death with swords.

Violence in Congress The violence in Kansas greatly disturbed Senator Charles Sumner of Massachusetts. To Sumner, it was proof of what he had long suspected—that Senator Stephen Douglas had plotted with southerners to make Kansas a slave state.

In 1856, Sumner voiced his suspicions in a passionate speech entitled “The Crime against Kansas.” Using harsh, shocking language, Sumner described the “crime against Kansas” as a violent assault on an innocent territory, “compelling it to the hateful embrace of slavery.” He dismissed Douglas as “a noisome [offensive], squat, and nameless animal.” Sumner also heaped abuse on many southerners, including the distinguished Senator Andrew P. Butler of South Carolina.

Just what Sumner hoped to accomplish was not clear. However, copies of his speech were quickly printed up for distribution in the North. After reading it, New England poet Henry Wadsworth Longfellow congratulated Sumner on the “brave and noble speech you made, never to die out in the memories of men.”

Certainly it was not about to die out in the memories of enraged southerners. Two days after the speech, Senator Butler’s nephew, South Carolina representative Preston Brooks, attacked Sumner in the Senate, beating him with his cane until it broke in half. By the time other senators could pull Brooks away, Sumner had collapsed, unconscious and bloody.

Reactions to the attack on Sumner showed how badly divided the country had become. Many southerners applauded Brooks for defending the honor of his family and the South. From across the South, supporters sent Brooks new canes to replace the one he had broken on Sumner’s head.

Pro-slavery men from Missouri on their way to Lawrence, the “Free Soil” capital of Kansas. These “border ruffians” used violence and threats to frighten anti-slavery citizens.



Most northerners viewed the beating as another example of southern brutality. In their eyes, Brooks was no better than the pro-slavery bullies who had attacked the good people of Lawrence. One Connecticut student was so upset that she wrote to Sumner about going to war. "I don't think it is of very much use to stay any longer in the high school," she wrote. "The boys would be better learning to hold muskets, and the girls to make bullets."

The Dred Scott Case In 1857, the slavery controversy shifted from the bloodied floor of Congress to the Supreme Court. The Court was about to decide a case concerning a Missouri slave named Dred Scott. Years earlier, Scott had traveled with his owner to Wisconsin, where slavery was banned by the Missouri Compromise. Upon his return to Missouri, Scott went to court to win his freedom. He argued that his stay in Wisconsin had made him a free man.

There were nine justices on the Supreme Court in 1857. Five of them, including Chief Justice Roger Taney, were from the South. Four were from the North. The justices had two key questions to decide. First, as a slave, was Dred Scott a citizen who had the right to bring a case before a federal court? Second, did his time in Wisconsin make him a free man?

Taney, however, hoped to use the *Scott* case to settle the slavery controversy once and for all. And so he asked the Court to consider two more questions: Did Congress have the power to make any laws at all concerning slavery in the territories? And, if so, was the Missouri Compromise a constitutional use of that power?

Preston Brooks savagely beats Charles Sumner on the U.S. Senate floor. It took Sumner three and a half years to recover from the beating.



The Granger Collection, New York

20.7 The Dred Scott Decision

On March 6, 1857, Chief Justice Roger Taney prepared to deliver the most important decision of his career. Nearly 80 years old, the chief justice had long been opposed to slavery. As a young Maryland lawyer, he had publicly declared that “slavery is a blot upon our national character and every lover of freedom confidently hopes that it will be...wiped away.”

True to his words, Taney had gone on to free his own slaves. Many observers wondered whether he and his fellow justices would now free Dred Scott as well.



—THOMAS HENRY

Two Judicial Bombshells The chief justice began by reviewing the facts of Dred Scott’s case. Then he dropped the first of two judicial bombshells. By a vote of five to four, the Court had decided that Scott could not sue for his freedom in a federal court because he was not a citizen. Nor, said Taney, could Scott become a citizen. No African American, whether slave or free, was an American citizen—or could ever become one.

Next, Taney dropped bombshell number two. The Court had also rejected Scott’s argument that his stay in Wisconsin had made him a free man. The reason was simple. The Missouri Compromise was unconstitutional.

Taney’s argument went something like this. Slaves are property. The Fifth Amendment to the Constitution says that property cannot be taken from people without due process of law—that is, a proper court hearing. Banning slavery in a territory, Taney reasoned, is the same as taking property away from slaveholders who would like to bring their slaves into that territory. And that is unconstitutional. Rather than banning slavery, Congress has a constitutional responsibility to protect the property rights of slaveholders in a territory.

The *Dred Scott* decision delighted slaveholders. They hoped that, at long last, the issue of slavery in the territories had been settled—and in their favor.

Many northerners, however, were stunned and enraged by the Court’s ruling. The *New York Tribune* called the decision a “wicked and false judgment.” Another New York newspaper expressed outrage in its bold headlines:

Dred Scott’s struggle for freedom hastened the beginning of the Civil War and, in the end, led to freedom for all slaves.



As a result of the *Dred Scott* decision, slavery was allowed in all territories.

The Decision of the Supreme Court

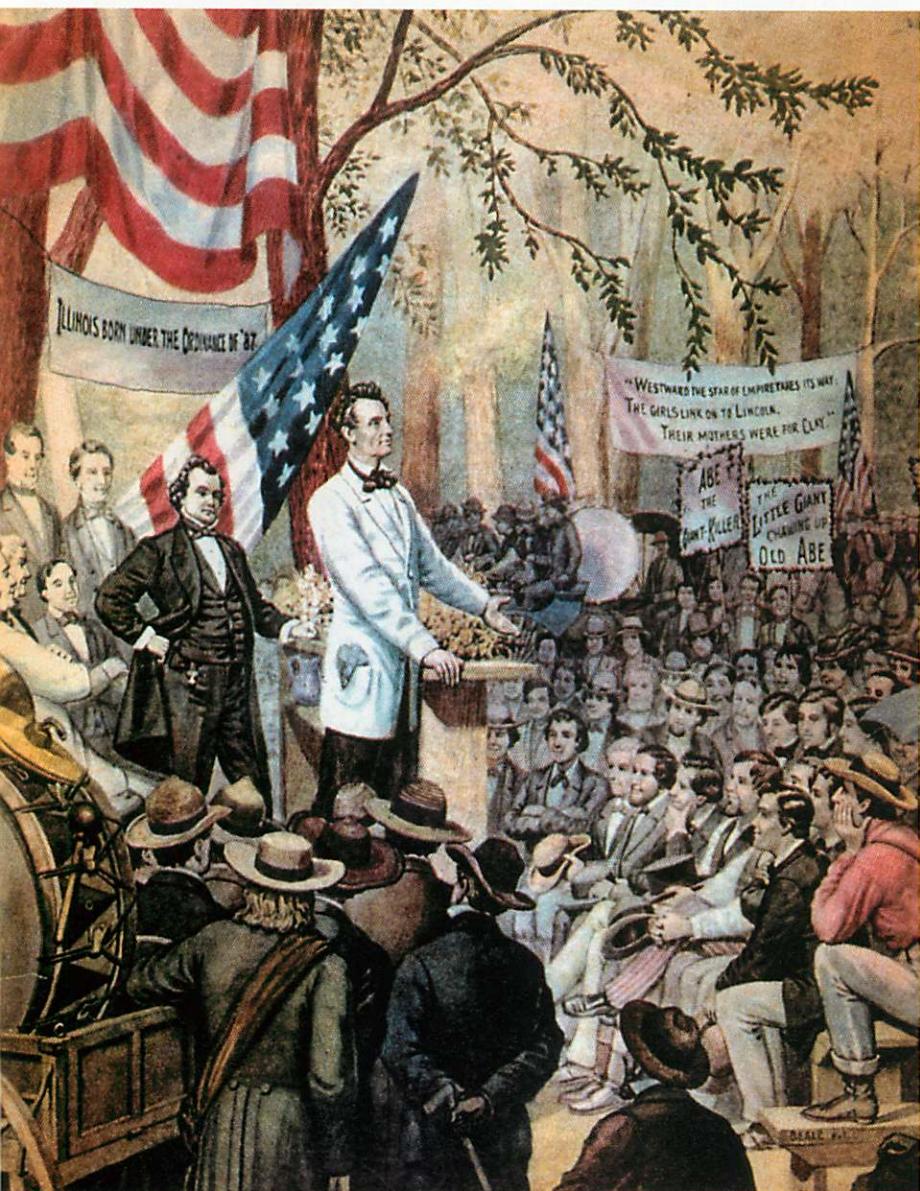
**Is the Moral Assassination of a Race
and Cannot Be Obeyed!**

20.8 From Compromise to Crisis

During the controversy over the Kansas-Nebraska Act, anti-slavery activists formed a new political organization called the Republican Party. The Republicans were united by their beliefs that “no man can own another man...that slavery must be prohibited in the territories...that all new states must be free states...that the rights of our colored citizen...must be protected.”

In 1858, Republicans in Illinois nominated Abraham Lincoln to run for the Senate. In his speech accepting this honor, Lincoln pointed out that all attempts to reach compromise on the slavery issue had failed. Quoting from the Bible, he warned, “A house divided against itself cannot stand.” Lincoln went on: “I believe this government cannot endure, permanently half-slave and half-free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other.”

Abraham Lincoln addresses an audience during one of the famous Lincoln-Douglas debates. Stephen Douglas is directly behind Lincoln on the platform.



The Granger Collection, New York

The Lincoln-Douglas Debates

Lincoln’s opponent in the Senate race was Senator Stephen Douglas. The Illinois senator saw no reason why the nation could not go on half-slave and half-free. When Lincoln challenged him to debate the slavery issue, Douglas agreed.

During the debates, Douglas argued that the *Dred Scott* decision had put the slavery issue to rest. Lincoln disagreed. In his eyes, slavery was a moral, not a legal, issue. He declared, “The real issue in this controversy—the one pressing on every mind—is the sentiment of one class [group] that looks upon the institution of slavery as a wrong, and of the other class that does not look upon it as a wrong.”

Lincoln lost the election. But he was not discouraged. In a letter to a friend, he wrote, “The fight must go on. The cause of civil liberty must not be surrendered at the end of one or even one hundred defeats.”

John Brown’s Raid While Lincoln fought to stop the spread of slavery through politics, John Brown adopted a more extreme approach. Rather than wait for Congress to act, Brown planned to seize the federal arsenal (a place

where weapons and ammunition are stored) at Harpers Ferry, Virginia. He wanted to use the weapons to arm slaves for a rebellion that would destroy slavery forever.

It was an insane scheme. All of Brown's men were killed or captured during the raid on the arsenal. Brown himself was convicted of treason and sentenced to die. On the day of his hanging, he left a note that read, "I John Brown am now quite certain that the crimes of this guilty land will never be purged away but with blood."

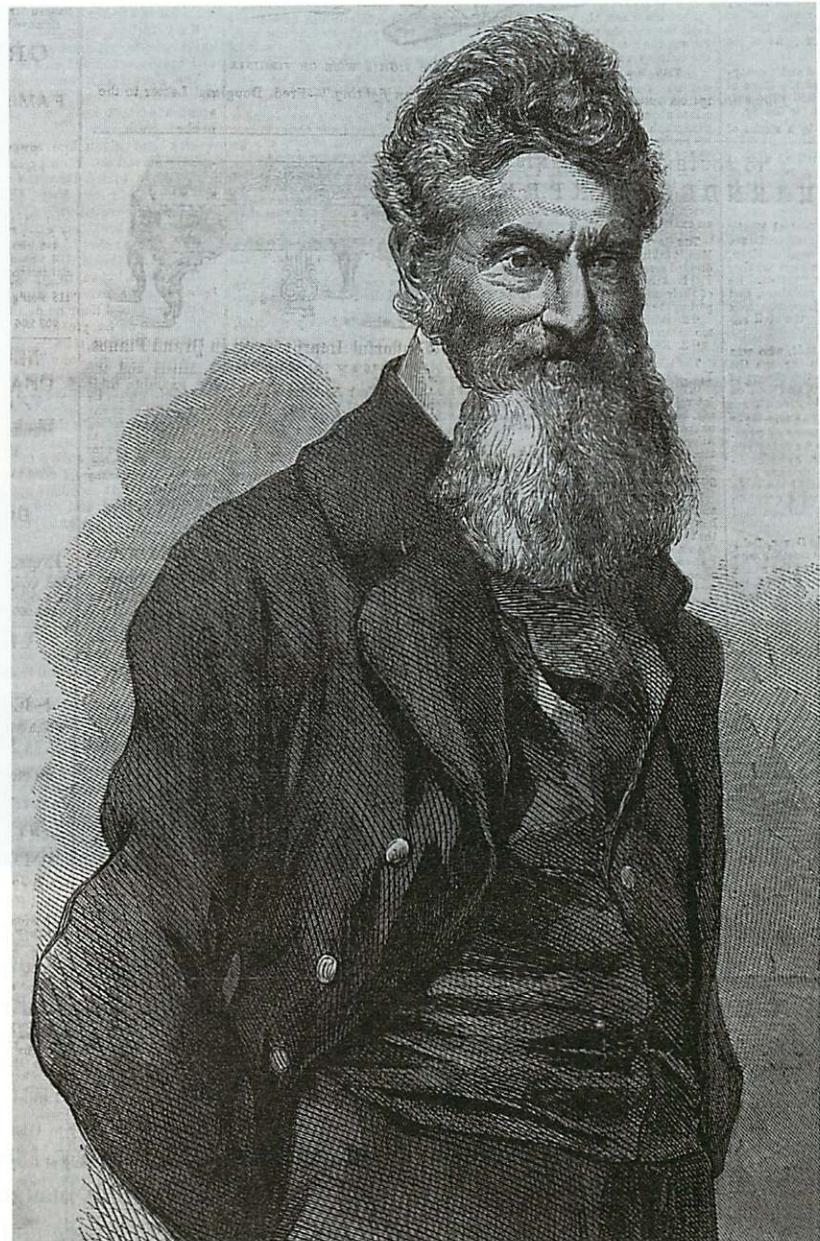
Such words filled white southerners with fear. If a slave rebellion did begin, it was their blood that would be spilled. The fact that many northerners viewed Brown as a hero, rather than a lunatic, also left white southerners uneasy.

The Election of 1860 The 1860 presidential race showed just how divided the nation had become. While the Republicans were united behind Lincoln, the Democrats had split between northern and southern factions. Northern Democrats nominated Stephen Douglas. Southern Democrats supported John C. Breckinridge of Kentucky. The election became even more confusing when a group called the Constitutional Union Party nominated John Bell of Tennessee.

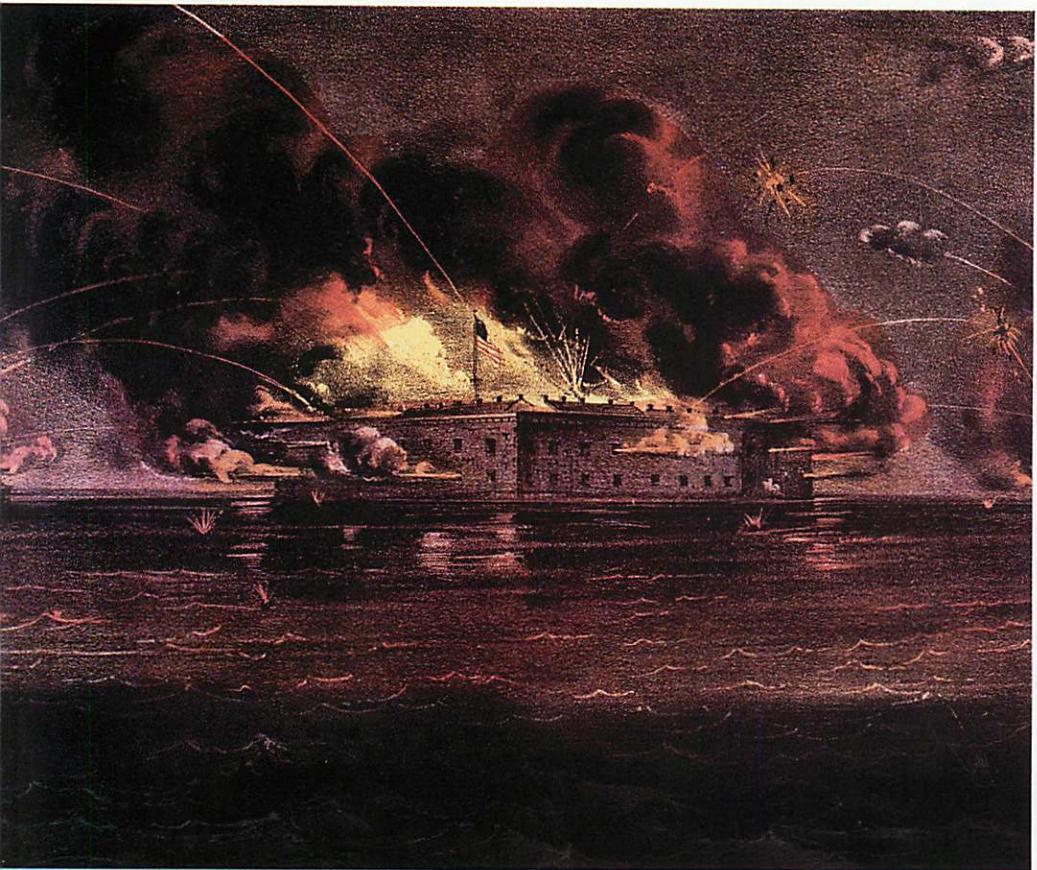
With his opposition divided three ways, Lincoln sailed to victory. But it was a strange sort of victory. Lincoln won with just 40 percent of the votes, all of them cast in the North. In ten southern states, he was not even on the ballot.

For white southerners, the election had an unmistakable message. The South was now a minority section. It no longer had the power to shape national events or policies. Sooner or later, southerners feared, Congress would try to abolish slavery. And that, wrote a South Carolina newspaper, would mean "the loss of liberty, property, home, country—everything that makes life worth living."

In the weeks following the election, talk of secession filled the air. Alarmed senators formed a committee to search for yet another compromise that might hold the nation together. They knew that finding one would not be easy. Still, they had to do something to stop the rush toward disunion and disaster.



John Brown was a hero to anti-slavery northerners and a villain to the slaveholding South.



The opening shots of the Civil War were fired at Fort Sumter on April 12, 1861. No one was killed in the 33-hour bombardment. It was a bloodless opening to the bloodiest war in American history.

20.9 Secession

The Senate committee held its first meeting on December 20, 1860. Just as the senators began their work, events in two distant cities dashed their hopes for a settlement.

In Springfield, Illinois, a reporter called on president-elect Abraham Lincoln. When asked whether he could support a compromise on slavery, Lincoln's answer was clear. He would not interfere with slavery in the South. And he would support enforcement of the Fugitive Slave Law. But Lincoln drew the line at letting slavery extend into the territories. On this question, he declared, "Let there be no compromise."

In Charleston, South

Carolina, delegates attending a state convention voted that same day to leave the Union. The city went wild. Church bells rang. Huge crowds filled the streets, roaring their approval. A South Carolina newspaper boldly proclaimed, "THE UNION IS DISSOLVED!" Six more states soon followed South Carolina's lead.

Civil War On March 4, 1861, Lincoln became president of the not-so-United States. In his inaugural address, Lincoln stated his belief that secession was both wrong and unconstitutional. He then appealed to the rebellious states to return in peace. "In your hands, my dissatisfied fellow countrymen, and not in mine," he said, "is the momentous issue of civil war."

A month later, hotheads in Charleston, South Carolina, forced the issue. On April 12, they opened fire on Fort Sumter, a federal fort in Charleston Harbor. After 33 hours of heavy shelling, the defenders of the fort hauled down the Stars and Stripes and replaced it with the white flag of surrender.

The news that rebels had fired on the American flag unleashed a wave of patriotic fury in the North. All the doubts that people had about using force to save the Union vanished. A New York newspaper reported excitedly, "There is no more thought of bribing or coaxing the traitors who have dared to aim their cannon balls at the flag of the Union.... Fort Sumter is temporarily lost, but the country is saved."

The time for compromise was over. The issues that had divided the nation for so many years would now be decided by war.

20.10 Chapter Summary

In this chapter, you learned how a series of compromises failed to keep the United States from splitting in two over the issue of slavery. You used the metaphor of an unraveling flag that was later mended to understand the compromises and decisions that were made to preserve the Union. In 1820, the Missouri Compromise resolved the first great crisis over slavery by admitting Missouri to the Union as a slave state and Maine as a free state. The compromise also drew a line across the Louisiana Territory. In the future, slavery would be permitted only south of that line.

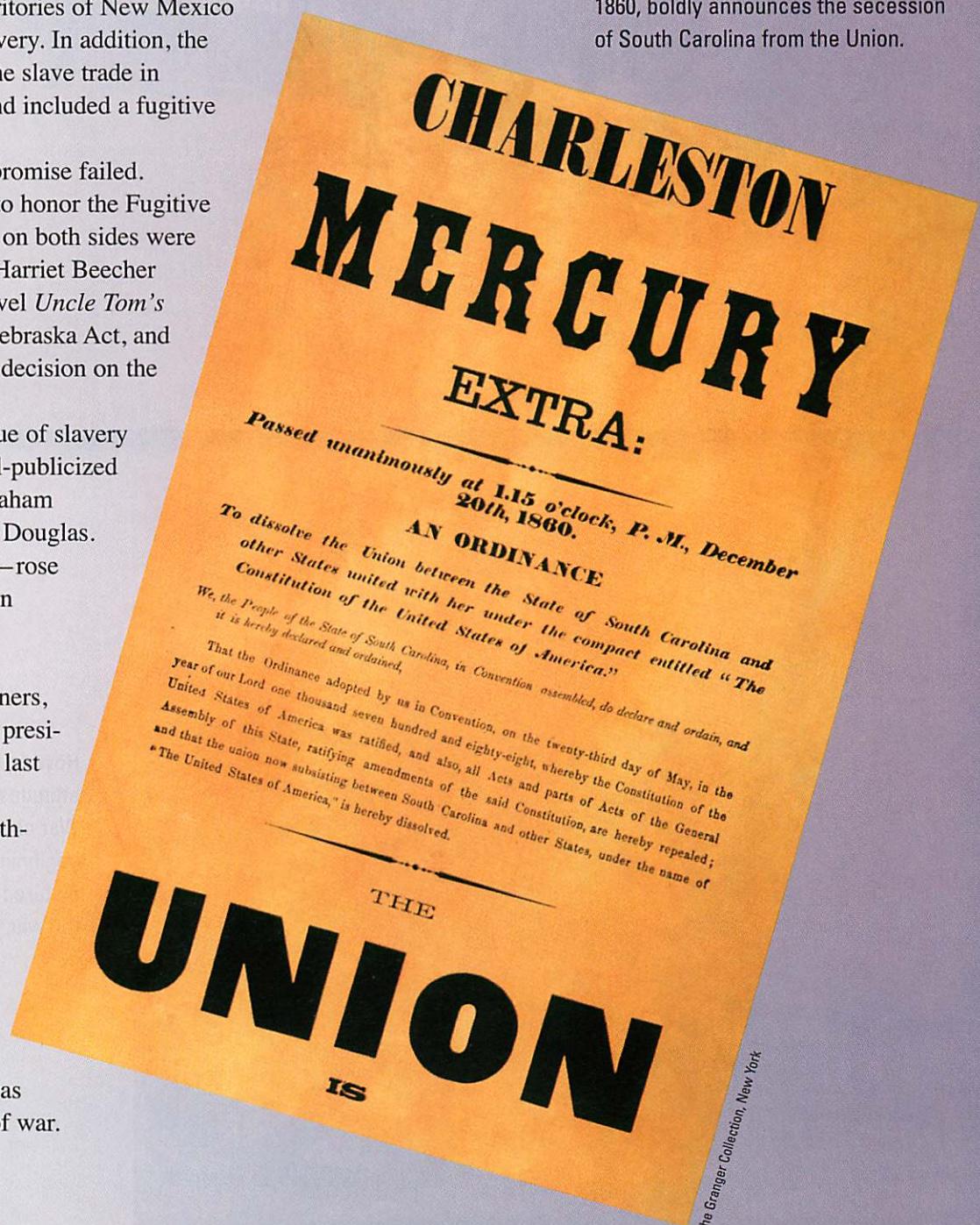
The furor over slavery in new territories erupted again after the war with Mexico. The Compromise of 1850 admitted California as a free state while leaving the territories of New Mexico and Utah open to slavery. In addition, the compromise ended the slave trade in Washington, D.C., and included a fugitive slave law.

Once again, compromise failed. Northerners refused to honor the Fugitive Slave Law. Attitudes on both sides were hardened further by Harriet Beecher Stowe's powerful novel *Uncle Tom's Cabin*, the Kansas-Nebraska Act, and the Supreme Court's decision on the *Dred Scott* case.

In Illinois, the issue of slavery was the focus of well-publicized debates between Abraham Lincoln and Stephen Douglas. Tempers—and fears—rose even higher after John Brown's raid on Harper's Ferry.

For many southerners, Lincoln's election as president in 1860 was the last straw. Led by South Carolina, several southern states left the Union. When southerners fired on Fort Sumter, in Charleston Harbor, the time for compromise had passed. The nation was poised on the brink of war.

This broadside, printed in December 1860, boldly announces the secession of South Carolina from the Union.





How do you think people's attitudes toward the Civil War changed from the beginning of the war, pictured above, to later in the war, shown at the left?