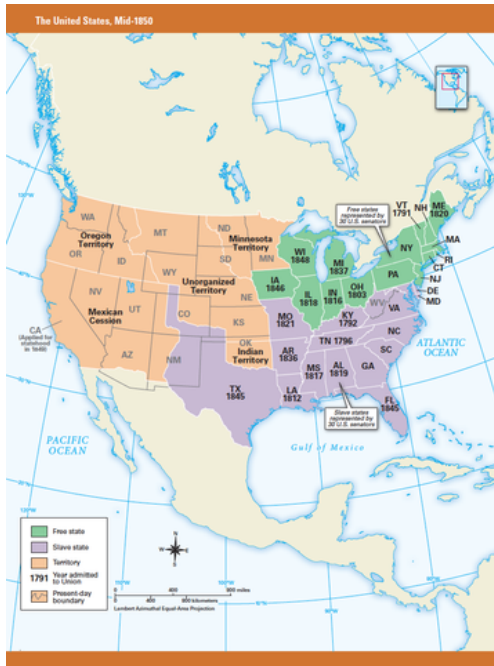


Setting the Stage - The Union Challenged



The maps on these two pages show the United States in mid-1850, the year tensions over slavery reached a breaking point. In this unit, you will learn why this crisis developed and how Congress handled it. You will also learn about events after 1850 that further divided the North and South and turned the dispute over slavery into war.

As the map on the opposite page shows, some states allowed slavery. Notice, however, that the same number of states banned it. This balance gave the slave states and the free states an equal number of votes in the U.S. Senate. However, as the map on this page shows, that equality did not exist in the House of Representatives, where each state's votes are based on its population.

The Constitution requires that the House and Senate agree on new laws. Southerners believed that as long as the Senate remained balanced, Congress could not pass laws to affect slavery. Then, in 1849, California asked to become a state. California's new constitution, however, banned slavery. Admitting California as a free state, many Southerners warned, would upset the equal balance between slave states and free states—making the slave states a minority.



The 1850s were one of the most troubled decades in U.S. history. Yet, they were mild compared to the 1860s, a time of war, bitterness, and the repair of a broken nation. As you explore the topics in this unit, picture what it must have been like to live during such difficult times. The era's events drew the American people into a deadly struggle over slavery, freedom, and the very survival of the nation.

Section 1 - Introduction



In 1860, after one of the strangest elections in the nation's history, a tall, plainspoken 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 states' rights regarding slavery and was preparing for civil war. The survival of the United States of America, and the fate of 4 million slaves, rested in Lincoln's hands.

The troubles Lincoln faced were not new. The issues 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 question. Many hoped 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. Some events during this period kept the nation together, while others pulled it apart. You will also find out how Americans finally answered the question of whether a nation founded on the idea of freedom could endure half-slave and half-free.



Section 2 - Confronting the Issue of Slavery

The United States in 1819	
Slave States	Free States
Delaware	Pennsylvania
Maryland	New Jersey
Virginia	Connecticut
North Carolina	Massachusetts
South Carolina	New Hampshire
Georgia	New York
Kentucky (1792)	Rhode Island
Tennessee (1796)	Vermont (1791)
Louisiana (1812)	Ohio (1803)
Mississippi (1817)	Indiana (1816)
Alabama (1817)	Illinois (1818)

Original 13 states
 States admitted to the Union, 1791-1819

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, settlers had formed seven new states west of the Appalachians.

In the Northwest Ordinance of 1787, Congress had established a process for forming new states. 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—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.

Questions About Missouri Some Northerners in Congress questioned whether Missouri should 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. Should this ban not also be applied west of the Mississippi?

This question led to another one. If Missouri were allowed to enter the **Union [Union: the United States as one nation united under a single government. During the Civil War, “the Union” came to mean the government and armies of the North.]** 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 proposed an amendment to the bill. The amendment said that Missouri could join the Union, but only as a free state.

Southerners in Congress protested Tallmadge’s amendment. What right, they asked, did Congress have to decide whether a new state should be slave or free? According to the theory of states’ rights favored by many Southerners, Congress had no power to impose its will on a state, old or new. Instead, the people of each state should decide whether to permit slavery.



The fight over slavery thus involved a basic question about the powers of the federal and state governments under the Constitution.

A Deadlocked Congress Southerners' protests were based on their view that if Congress were 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 antislavery bills in the Senate. If that happened, Southerners warned, it would mean disaster for the South.

In the North, the Tallmadge Amendment awakened strong feelings against slavery. Many towns sent petitions to Congress, condemning slavery as immoral and unconstitutional. 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.

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.

Section 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 Tallmadge Amendment, “the Union will be dissolved. You have kindled a fire which a sea of blood can only 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 **Missouri Compromise** [**Missouri Compromise: an agreement made by Congress in 1820 under which Missouri was admitted to the Union as a slave state and Maine was admitted as a free state**] of 1820 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 Purchase at latitude 36°30'. North of this line, slavery was to be banned forever, except in Missouri. South of the line, slaveholding was permitted.

Reactions to the Compromise The Missouri Compromise kept the Union together, but it pleased few people. 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 territories that might later become states.

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.”

Section 4 - The Missouri Compromise Unravels



As John Quincy Adams predicted, for a time the “contest” over slavery was settled. But a powerful force was building that soon pushed the issue into the open again: the Second Great Awakening. Leaders of the religious revival of the 1820s and 1830s promised that God would bless those who did the Lord’s work. For some Americans, the Lord’s work was the abolition of slavery.

The “Gag Rule” During the 1830s, abolitionists flooded Congress with antislavery 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 **confront** [**confront: to meet, especially in a challenge**] that question, Congress voted in 1836 to table—or set aside indefinitely—all antislavery petitions. Outraged abolitionists called this action the “gag rule,” because it gagged, or silenced, all congressional debate over slavery.

In 1839, the gag rule prevented consideration of an antislavery proposal by John Quincy Adams, who was now a member of Congress. Knowing that the country would not agree on abolishing slavery altogether, Adams proposed a constitutional amendment saying that no one could be born into slavery after 1845. Congress, however, refused to consider his proposal.

Southern Fears Abolitionists were far from silenced by the refusal of Congress to debate slavery. They continued to attack slavery in books, in newspapers, and at public meetings.

White Southerners deeply resented the abolitionists’ attacks as an assault on their way of life. After Nat Turner’s slave rebellion in 1831, resentment turned to fear. Southern states adopted strict new

laws to control the movement of slaves. Many states 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.

Fugitive Slaves Nat Turner’s rebellion was the last revolt. But individual slaves continued to rebel by freedom in the North. These **fugitives** [**fugitive: a tries to escape (for example, from slavery)**] often helped in their escape by sympathetic people in



large-scale slave running away to **person who flees or** from slavery were the North.

To slaveholders, these Northerners were no better. They saw a slave as a valuable piece of property. escaped, it was like seeing their land vanish into thin demanded that Congress pass a fugitive slave law to their property.

than bank robbers. Every time a slave air. Slaveholders help them recapture

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** [**Wilmot Proviso: a proposal made in 1846 to prohibit slavery in the territory added to the United States as a result of the Mexican-American War**]. (A

proviso is a condition added to an agreement.) The Wilmot Proviso stated that “neither slavery nor involuntary servitude shall ever exist” in any part of the territory that might be acquired from Mexico as a result of the Mexican-American War.

Southerners in Congress strongly opposed Wilmot’s amendment. They maintained that Congress had no right 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 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 balance between slave and free states. The result would be unequal representation of slave states and free states in Congress.

The year ended with Congress deadlocked over California’s request for statehood. Once again, Southerners spoke openly of withdrawing from the Union. And once again, angry Northerners denounced slavery as a crime against humanity.

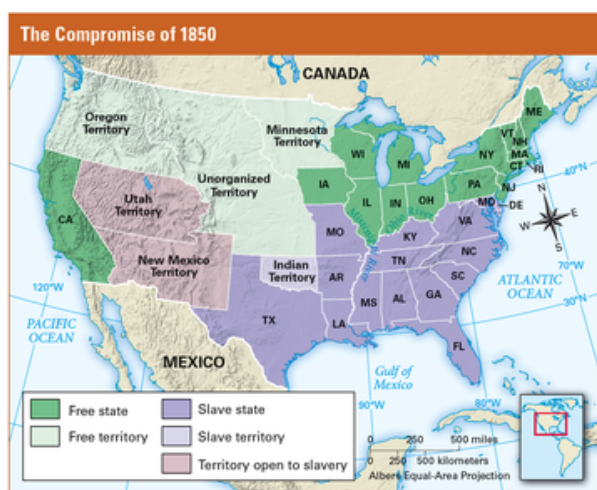
Section 5 - The Compromise of 1850

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, he 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, it allowed the New Mexico and Utah territories to decide whether to allow 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 runaway slaves.



The Compromise Is Accepted Hoping that Clay’s compromise would end the crisis, Webster agreed to help it get passed in Congress. But despite Webster’s support, Congress debated the **Compromise of 1850 [Compromise of 1850: the agreements made in order to admit California into the Union as a free state. These agreements included allowing the New Mexico and Utah territories to decide whether to allow slavery, outlawing the slave trade in Washington, D.C., and creating a stronger fugitive slave law.]** for nine frustrating months. As tempers frayed, Southerners talked of simply leaving the Union peacefully.

Webster dismissed such talk as foolish. “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 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.

Section 6 - The Compromise of 1850 Fails

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

The Fugitive Slave Act People in the North and the South were unhappy with the Fugitive Slave Act, though for different reasons. Northerners did not want to enforce the act. Southerners felt the act did not do enough to **ensure** [ensure: to make sure or certain] the return of their escaped property.

CAUTION!!
COLORED PEOPLE
OF BOSTON, ONE & ALL,
You are hereby respectfully CAUTIONED and advised, to avoid conversing with the
Watchmen and Police Officers
of Boston,
For since the recent **ORDER OF THE MAYOR & ALDERMEN**, they are empowered to act as
KIDNAPPERS
AND
Slave Catchers,
And they have already been actually employed in **KIDNAPPING, CATCHING, AND KEEPING SLAVES.** Therefore, if you value your **LIBERTY,** and the *Welfare of the Fugitives* among you, *Shun* them in every possible manner, as so many **HOUNDS** on the track of the most unfortunate of your race.
Keep a Sharp Look Out for KIDNAPPERS, and have TOP EYE open.
APRIL 24, 1851.

Under the Fugitive Slave Act, a person arrested as a runaway slave had almost no legal rights. Many runaways fled all the way to Canada rather than risk being caught and sent back to their owners. 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 live as a slave, and if force is employed to re-enslave me, I shall make preparations to meet the crisis as becomes a man.”

The Fugitive Slave Act 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 act 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.

Northerners’ refusal to support the act infuriated slaveholders. It also made enforcement of the act 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 during this time.

Uncle Tom’s Cabin Nothing brought the horrors of slavery home to Northerners more than *Uncle Tom’s Cabin*, a novel by Harriet Beecher Stowe. The novel grew out of a vision Stowe had while sitting in church on a wintry

Sunday morning in 1851. The vision began with a saintly slave, known as Uncle Tom, and his cruel master. In a furious rage, the master, Simon Legree, had the old slave whipped to death. Just before Uncle Tom’s soul slipped out of his 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!”

Racing home, Stowe scribbled down what she had imagined. Her vision of Uncle Tom’s death became part of a much longer story that was first published in installments in an abolitionist newspaper. In one issue, readers held their breath as the 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. In a later issue, Stowe’s readers wept as they read her account of how the character of Uncle Tom died at the hands of Simon Legree.

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* made millions of people even more angry about the cruelties of slavery.

The Ostend Manifesto and the Kansas- Nebraska Act Northerners who were already horrified by slavery were roused to fury by two events in 1854: the publication of the so-called Ostend Manifesto and the Kansas-Nebraska Act.

The document known as the Ostend Manifesto was a message sent to the secretary of state by three American diplomats who were meeting in Ostend, Belgium. President Franklin Pierce, who had taken office



in 1853, had been trying to purchase the island of Cuba from Spain, but Spain had refused the offer. The message from the diplomats urged the U.S. government to seize Cuba by force if Spain continued to refuse to sell the island. When the message was leaked to the public, angry Northerners charged that Pierce's administration wanted to buy Cuba in order to add another slave state to the Union.

Early that same year, Senator Stephen A. Douglas of Illinois introduced a bill in Congress that aroused an uproar. Douglas wanted to get a railroad built to California. He thought the project was more likely to happen if Congress organized the Great Plains into the Nebraska Territory and opened the region to settlers. This territory lay north of the Missouri Compromise, and Douglas's bill said nothing about slavery. But Southerners in Congress agreed to support the bill only if Douglas made a few changes—and those changes had far-reaching consequences.



Douglas's final version of the bill, known as the **Kansas-Nebraska Act** [**Kansas-Nebraska Act: an act passed in 1854 that created the Kansas and Nebraska territories and abolished the Missouri Compromise by allowing settlers to determine whether slavery would be allowed in the new territories**], created two new territories, Kansas and Nebraska. It also abolished the Missouri Compromise by leaving it up to the settlers themselves to vote on whether to permit slavery in the two territories. Douglas called this policy popular sovereignty, or rule by the people. The Kansas-Nebraska Act was passed in 1854.

The Kansas-Nebraska Act hit the North like a thunderbolt. Once again, Northerners were haunted by 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 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 in 1854, settlers poured into Kansas. Most were peaceful farmers looking for good farmland. 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 antislavery settlers. Before long, Kansas had two competing governments in the territory, one for slavery and one against it.

The struggle over slavery soon turned violent. On May 21, 1856, proslavery settlers and so-called "border ruffians" from Missouri invaded Lawrence, Kansas, the home of the antislavery government. Armed invaders burned a hotel, looted several homes, and tossed the printing 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. People raised money to replace the destroyed presses. And more "Free-Soilers," as antislavery 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, including four of Brown's sons and his son-in-law, invaded the proslavery town of Pottawatomie, Kansas. 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 called “The Crime Against Kansas.” In 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 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 metal-tipped cane until it broke in half. By the time other senators could pull Brooks away, Sumner had collapsed, bloody and unconscious.

Reactions to the attack on Sumner showed how 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.

Most Northerners viewed the beating as another example of Southern brutality. In their eyes, Brooks was no better than the proslavery bullies who had attacked the 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.”

List two key details to describe each event in the chart. Also explain how each event pulled the nation apart.

Events After the Compromise of 1850	Two Key Details	How the Event Pulled the Nation Apart
<p>Fugitive Slave Act passed</p> <p>'Uncle Tom's Cabin' published</p> <p>Kansas-Nebraska Act passed</p> <p>Raid on Lawrence, Kansas</p> <p>Beating of Senator Sumner</p>		

Section 7 - The Dred Scott Decision

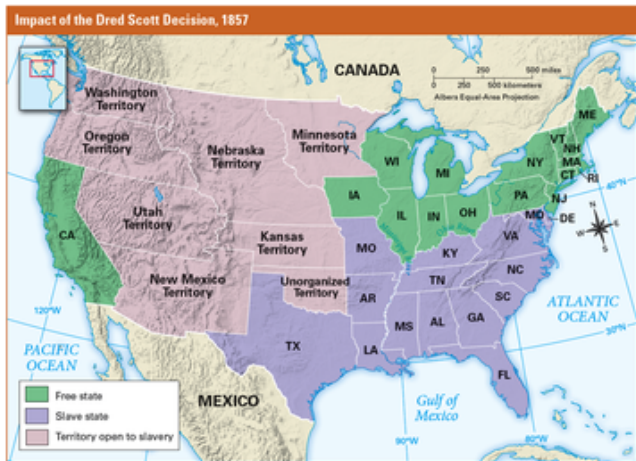
In 1857, the slavery controversy shifted from Congress to the Supreme Court. The Court was about to decide a case concerning a Missouri slave named Dred Scott. Years earlier, Scott had traveled with his owner to Wisconsin, where slavery was banned by the Missouri Compromise. When he returned to Missouri,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

Questions of the Case There were nine justices on the Supreme Court in 1857. Five, 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?



Chief Justice Taney hoped to use the Scott case to settle the slavery controversy once and for all. 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?

Nearly 80 years old, Taney 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.” 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.



Two Judicial Bombshells On March 6, 1857, Chief Justice Taney delivered the **Dred Scott decision [Dred Scott decision: a Supreme Court decision in 1857 that held that African Americans could never be citizens of the United States and that the Missouri Compromise was unconstitutional]**. 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.

Second, Taney declared that the Court had 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. Taney reasoned that banning slavery in a territory is the same as taking property from slaveholders who would like to bring their slaves into that territory. And that is unconstitutional. Rather than banning slavery, he said, 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.” *The New York Independent* expressed outrage in a bold headline:

The Decision of the Supreme Court

Is the Moral Assassination of a Race and Cannot be Obeyed!

Section 8 - From Compromise to Crisis

During the controversy over the Kansas-Nebraska Act, antislavery activists formed a new political organization, 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 acceptance speech, 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.”

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 **Lincoln-Douglas debates** [**Lincoln-Douglas debates: a series of political debates between Abraham Lincoln and Stephen Douglas, who were candidates in the Illinois race for U.S. senator, in which slavery was the main issue**], 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 . . . is the sentiment of one class [group] that looks upon the institution of slavery as a wrong, and of another class that does not look upon it as a wrong.”

Lincoln lost the election. But the debates were widely reported, and they helped make him a national figure. His argument with Douglas also brought the moral issue of slavery into sharp focus. Compromises over slavery were becoming impossible.

John Brown’s Raid While Lincoln fought to stop the spread of slavery through politics, abolitionist John Brown adopted a more extreme approach. Rather than wait for Congress to act, Brown planned to seize the federal arsenal at Harpers Ferry, Virginia. An arsenal is a place where weapons and ammunition are stored. Brown wanted to use the weapons to arm slaves for a rebellion that would end slavery.



Brown launched his raid in 1859. It was an insane scheme. All of Brown’s men were killed or captured during the raid. 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 Southern blood that would be spilled. The fact that many Northerners viewed Brown as a hero also left white Southerners uneasy.

Section 9 - The Election of 1860 and Secession



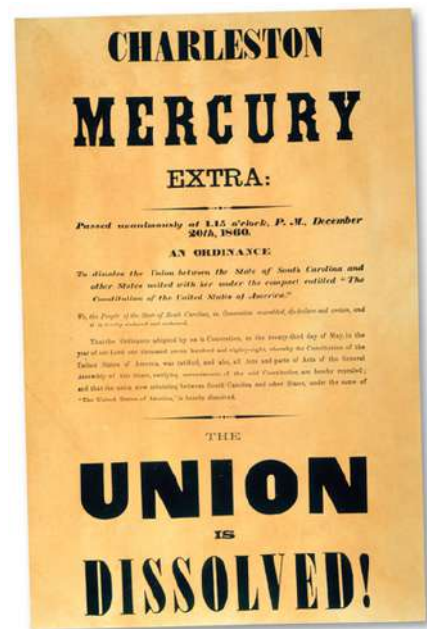
The 1860 presidential race showed just how divided the nation had become. The Republicans were united behind Lincoln. The Democrats, however, had split between Northern and Southern **factions** [**faction: a group of people within a larger group who have different ideas from the main group**]. Northern Democrats nominated Stephen Douglas for president. 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.

Abraham Lincoln Is Elected President With his opposition divided three ways, Lincoln sailed to victory. But it was an odd victory. Lincoln won the presidential election 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 of 1860 delivered an unmistakable message. The South was now in the minority. 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.”

The South Secedes from the Union 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.

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 Act. But Lincoln drew the line at letting slavery extend into the territories. On this question, he declared, "Let there be no compromise."

Meanwhile, in Charleston, South Carolina, delegates attending a state convention voted that same day—December 20, 1860—to leave the Union. The city went wild. Church bells rang. 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. In February 1861, those states joined together as the Confederate States of America.

The Civil War Begins On March 4, 1861, Lincoln became president of the not-so-united 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, Confederates in Charleston, South Carolina, forced the issue. On April 12, 1861, 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 the Confederates 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 a civil war.

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.

Confronting the Issue of Slavery The issue of granting Missouri statehood threatened to upset the balance of free and slave states. Northerners were concerned that if Missouri entered the Union as a slave state, other territories would also be admitted as slave states. Southerners worried that if Congress banned slavery in Missouri, it would try to end slavery elsewhere.

The Missouri Compromise In 1820, the Missouri Compromise resolved the issue by admitting Missouri as a slave state and Maine as a free state. It also drew a line across the Louisiana Territory. In the future, slavery would be permitted only south of that line.

The Compromise of 1850 The furor over slavery in new territories erupted again after the Mexican-American War. The Compromise of 1850 admitted California as a free state and allowed the New Mexico and Utah territories to decide whether to allow slavery. It also ended the slave trade in Washington, D.C., and included a stronger fugitive slave law. Attitudes on both sides were hardened by Harriet Beecher Stowe's novel *Uncle Tom's Cabin* and the Kansas-Nebraska Act.

The Dred Scott Decision In 1857, the Supreme Court issued a decision in the Dred Scott case: African Americans were not citizens and the Missouri Compromise was unconstitutional.

From Compromise to Crisis Antislavery activists formed a new political party: the Republican Party. The party nominated Abraham Lincoln for the Illinois Senate. Slavery was the focus of debates between Lincoln and opponent Stephen Douglas. Lincoln lost the election, but the debates brought slavery into sharp focus. A raid launched by abolitionist John Brown raised fears of a slave rebellion.

The Election of 1860 and Secession Lincoln won the presidency in 1860. Soon afterward, South Carolina and six other Southern states seceded from the Union and formed the Confederate States of America. In early 1861, Confederate troops fired on Fort Sumter in Charleston, South Carolina, marking the beginning of the Civil War.

A letter to the editor is a statement of your opinion on an issue about which you feel strongly. Choose the event that you believe pulled the nation furthest apart in the mid-1800s. Write a letter to the editor about that event. Your letter should be written from the time period of your event and should:

- 1) have an appropriate date.
- 2) include your (fictitious) name and where you live.
- 3) be one or two paragraphs long.
- 4) briefly describe the event in one or two sentences.
- 5) explain why you believe this event pulled the nation apart and eventually led to civil war.
- 6) be free of grammatical and spelling errors.

Reading Further - Slavery Divides Boston



Boston was a magnet for people who opposed slavery. The American Anti-Slavery Society was based in Boston, as was the abolitionist newspaper *The Liberator*. But the issue of slavery divided even the people of Boston. Tensions in Boston increased, as they did in other places. Boston, like the nation, was splitting apart.

On June 2, 1854, about 50,000 people lined the streets of Boston. Hundreds more gathered on rooftops. Businesses closed. People looked out of the windows and doorways of the buildings where they usually worked.

Women dangled black shawls out of second- and third-story windows. By the city's harbor, black fabric covered the Commonwealth Building. From its upper windows hung six American flags, all draped in black. Samuel May, who was born during the American Revolution, hung two U.S. flags upside down from his hardware store as a protest. At ground level, a black coffin displayed the word *Liberty*.

Then, Anthony Burns emerged from the courthouse. Surrounded by federal marshals, he was walking to the docks where he would board a ship to Virginia. Burns, an escaped slave, was being returned to his owner.

Burns had escaped from slavery in Virginia by hiding in the cargo hold of a ship. He had settled in Boston just a few months earlier, believing that people in the free state of Massachusetts would welcome him. They did.

Now, many Bostonians were outraged that Burns was being forced back into slavery. Massachusetts had outlawed the institution decades earlier. Many escaped slaves lived as free people in the state.

Burns's three-block walk to the pier was dramatic. Boston's mayor had called on the military to keep order, fearing that angry crowds would use force to free Burns. Each guard who walked with Burns held a pistol in one hand and a sword in the other.

One woman described watching the procession from an upstairs office along the route from the courthouse to the pier. She reported that she and her companions "called out, Shame and Shame . . . in our most expressive and scornful voices" at the men who escorted Burns.

What was going on in Boston? Why was Anthony Burns being sent back to slavery?



The Fugitive Slave Act

According to Massachusetts law, Anthony Burns had been a free man for the months he lived in Boston. Nonetheless, because of the federal Fugitive Slave Act, he was still a fugitive from slavery. Passed by the U.S. Congress in 1850, the Fugitive Slave Act said that slave owners could retrieve their runaway slaves. Burns's master had come to Boston to reclaim his "property." He did so with the full power of the law behind him. The outrage that greeted him in Boston was a symptom of the divisions tearing apart the country.



Burns was not the only one affected. Many slaves had fled to Northern states, where they lived in freedom. The new law meant that they were no longer safe in their Northern homes. They could be captured and returned to their owners at any time.

With the new law in place, many former slaves saw that their only chance for real safety was to get out of the country entirely. William and Ellen Craft escaped slavery in Macon, Georgia, in 1848. They went first to Philadelphia, and then farther north to Boston. Even there, they weren't safe. Under the Fugitive Slave Act, slave catchers pursued them. William locked himself in his clothing store, while abolitionist friends hid Ellen somewhere else. When the immediate danger had passed, Boston's activists arranged for the couple to go to Liverpool, England. There, they could live in freedom, unthreatened by slave catchers or their status as fugitive slaves.

The Fugitive Slave Act affected Northern abolitionists as well as escaped slaves. The law now involved Northerners in the slave system that many of them hated. No matter how much the people of Boston opposed slavery, federal law overruled them. Meant to ease tensions between North and South, the Fugitive Slave Act only heightened them.

And so crowds of sad and angry Bostonians watched helplessly as Anthony Burns left their haven in the North. Outraged by the injustice they watched unfolding before them, they vowed to keep up the fight to end slavery.

The Cradle of Liberty Meets the Evil of Slavery

Boston had long been a symbol of freedom, sometimes called "the cradle of liberty." It was in Boston, after all, that the colonists first rebelled against British rule. And Massachusetts was one of the first states to outlaw slavery. Bostonians in particular had a long commitment to abolition. How had that commitment led to the terrible day in 1854 when Anthony Burns boarded the boat to return to Virginia and become, once again, a slave?



No one could have foreseen that day back in 1829 when David Walker, an African American living in Boston, published a pamphlet called *Walker's Appeal to the Coloured Citizens of the World*. In the pamphlet, Walker urged

black Americans to resist slavery. He even suggested that violence might be necessary. Walker also warned white Americans that God would punish them for the crime of slavery.

Many others spoke out against the evils of slavery. William Lloyd Garrison was one of them. In his newspaper, *The Liberator*, he made some radical claims. He said that slaves must be freed immediately. Many abolitionists at the time said it would be best to end slavery gradually. He said that African Americans should not start colonies in Africa, as some reformers believed. Instead, they should live as free people in the United States. And perhaps most radical of all, he said that blacks should not only be free, but that they should have all the same rights as whites.

Of course, Bostonians who opposed abolition disliked Garrison and his ideas. In 1835, a mob nearly killed him.

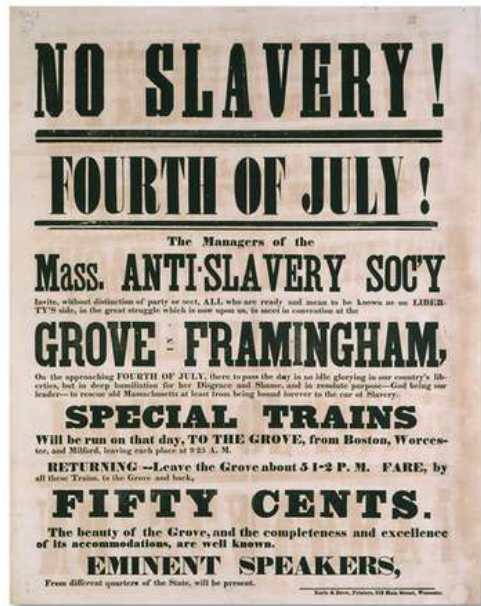
Garrison later described how a few men carried him to safety. He hated the hypocrisy of accepting slavery in the land of the free.

I was thus conducted [carried] . . . over the ground that was stained with the blood of the first martyrs in the cause of LIBERTY and INDEPENDENCE . . . What a scandalous and revolting contrast! My offence was in pleading for LIBERTY—liberty for my enslaved countrymen.

Like Garrison, others in Boston suffered for their efforts to end slavery. One of them described what she and others had gone through.

It has occasioned our brothers to be dismissed from [their jobs as ministers]—our sons to be expelled from colleges and theological seminaries—our friends from professorships—ourselves from literary and social privileges.

—Maria Weston Warren, Boston Female Anti-Slavery Society



It took courage to oppose slavery. Some sources estimate that only about 1 percent of Northerners were active abolitionists.

Their numbers may have been small, but Boston abolitionists fought on. They took strong steps to protect the free blacks who lived in the city. In 1842, a fugitive slave named George Lattimer went to jail in Boston. He had to wait there while his owner traveled to Virginia to get the papers that would prove that Lattimer was a slave. Angry abolitionists filed legal claims on Lattimer's behalf. Their efforts failed. Lattimer did not become free until black Bostonians paid his owner \$400.

Free blacks realized how shaky their freedom was. Slave catchers could return them south. So they took the lead in distributing a petition calling for a state law to protect Massachusetts citizens. Those who signed the petition did so “desiring to free this commonwealth and themselves from all connection with domestic slavery and to secure the citizens of this state from the danger of enslavement.”

As a result of their efforts, the state passed the Personal Liberty Law in 1843. The law said that state officials and facilities could not be used to capture and return fugitive slaves.

But the Fugitive Slave Act overruled the state's Personal Liberty Law. It put federal, not state, officials in charge of returning fugitive slaves.

And so, Anthony Burns had to return to Virginia as a slave. Eventually, Boston's activists bought his freedom. But the experience highlighted the fact that the North and South were bound to clash again until slavery was abolished.

Preparing to Write: Shaping Arguments

On many occasions, the Fugitive Slave Act of 1850 forced Americans to take sides on slavery. The 1854 capture of Anthony Burns and his return to slavery was one of those occasions. The people involved took very different positions about the fairness and legality of what happened.

- 1) Why did Anthony Burns go to Boston?
- 2) What do you think he expected his life to be like in Boston? Why?
- 3) What was the position of the U.S. government on Burns's right to live in Boston?
- 4) What was the position of Anthony Burns's master?
- 5) What was the position of Boston abolitionists?

Writing a Handbill

Create a handbill to protest the return of Anthony Burns to slavery. A handbill is a sheet of paper that you can hand out on the street. In your handbill, present at least two arguments for why Burns should not have been captured and sent back to Virginia. Explain each argument clearly.

Use this rubric to evaluate your handbill. Make changes in your handbill if you need to.

Score **Description**

- 3 The handbill has at least two convincing arguments. It explains its points clearly. There are no spelling or grammar errors.
- 2 The handbill has a convincing argument. It explains its point. There are some spelling or grammar errors.
- 1 The handbill does not have convincing arguments. It does not explain its points. There are some spelling or grammar errors.