

The Road to the Civil War

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Each event of the 1850's, which further separated the N & S, had slavery as a major role. However, the major issue at this time was not about Abolishment! The main issue was whether or not to allow slavery to spread outside of the South. Abolishment had nothing to do with it.

Another issue – white southerners said that northerners recognize the benefits of slavery and stop condemning it.

During the 1850's, Southern defenders of slaves implied that

1. If North does not allow slavery into Western Territories, and
2. If North does not stop demanding abolishment, the South may have to leave the Union in order to protect slavery.

Analogy – Imagine two trains heading towards each other on the same track. Will there be a collision? Yes – it's called the Civil War.

Some major events that pushed the trains closer together (that drove the N & S further apart).

1. 1846 – Wilmot Proviso (Proviso = stipulation or condition)

This will set the tone for the 1850's.

In 1846, U.S. goes to war with Mexico, will last until 1848. U.S. wins. At the start of the War, Rep. David Wilmot introduces a bill in Congress. "Should we acquire new lands – slavery would be forbidden" Mexico didn't allow slavery; let's keep the land free. It was a no-brainer; the U.S. knew they would win. The proviso was a rider attached to another bill in Congress.

Wilmot is NOT calling for abolition of slavery, but to stop it from spreading out of the 15 slave states. South had enough strength in Congress – bill failed. Many Northerners in Congress did not call for abolishment, but did oppose the spread.

Northerners are now unhappy about the proviso. John C. Calhoun led the Southerners, who felt the right to take their slaves anywhere in Federal territories (not northern states) because of the 5th Amendment (Right to protect property). The U.S Constitution recognized slavery, so N couldn't abolish it even if they wanted to (would need a Const. Amendment and that's not going to happen) but they could stop it from spreading.

North and South begin to spread further apart

2. Compromise of 1850 – made up of 4 main issues

- A. 1850 – California applied for statehood. Majority of Californian's want CA to come in as a free state. At this time, there is an even balance (15-15) of N & S states. CA will upset that balance.
- B. Will slavery be allowed in rest of South West territories or not?

- C. Northern abolitionists wanted Congress to ban slavery in Washington D.C.
- D. Southerners not happy with current fugitive slave laws. Want tougher laws to require North to return slaves.

All 4 issues have to do with slavery. Calhoun says, “if we can’t compromise on these 4 issues, we just might have to leave the Union” and we want the N to recognize our right to take slaves into territories, or we may have to leave Union.

Henry Clay of Kentucky “The Great Compromiser” forges a compromise over these 4 major issues. (Calhoun dies in 1850). This is the last compromise on slavery- ever.

The Compromise

1. CA came into Union as a free state (S. now a minority in Congress and not happy).
2. SW Territories – will let the people decide when they apply for statehood (popular sovereignty) just like CA. Until then there will be no slavery in that area.
3. Abolished slave trade in Washington D.C. No longer can buy or sell or trade slaves in D.C. (was one of the biggest slave markets in the nation).
4. South got a new law that required North to do everything in its power to return slaves. There would be penalties for not helping.

Compromise satisfied really no one in the North or South.

N. had wanted slavery abolished in D.C.

S. the slave law was never enforced and when it was enforced, it angered the N.

The Compromise was a band-aid on a gaping wound.

3. Kansas-Nebraska Act of 1854

In 1854, KS & NE asked permission of Congress for territorial status.

3 step process for statehood.

Federal land belongs to Government

Ask for territorial status

Ask for statehood

Both of these new territories are above the Missouri Compromise line – 36,30. It should be a no brainer that KS and NE will come in as a free state. Stephen A. Douglas said “we should have popular sovereignty there” (he really, really wanted to be President, and believed he needed the Southern support). He badly underestimated the Northern sentiment on slavery. Douglas had enough votes in Congress (was most powerful Senator in Senate, though now hated by the N b/c of his idea), and it passed. Repealed the MO Compromise by allowing slavery above the 36,30 line into N. territory. Really, really ticked off the North.

Was a no-brainer that NE would come in as a free state – full of “free soilers.” KS was another matter. Many MO people moved to Kansas to ensure slavery (would vote in the election, and then move back to MO). At the same time, wealthy Northern abolitionists were paying people to move to Kansas to vote in the elections. N & S both moving to Kansas.

- A. Each side elected a legislature. Now have a free and slavery legislature running Kansas. Neither faction wins state.
- B. Bleeding Kansas – both sides practice guerilla warfare (prelude to Civil War)
- C. Southerners attacked Lawrence KS (Anti-slavery headquarters).
- D. Kansas is terrible battleground from 1854-1859

4. Brooks – Sumner Incident, 1856

During the 1850's, there were many N & S people who wanted a Civil War. Labeled “hot-heads” by N & S papers. Southern Hot-Heads were called Fire-Eaters.

Charles Sumner was an abolitionist Senator from Massachusetts. Called for abolishment of slavery throughout the U.S. Made no secret about his feelings towards slavery, constantly criticized S. for slavery.

May 1856, on the floor of the U.S. Senate, Sumner tore into A.P. Butler from South Carolina, a very staunch defender of slavery. Sumner attacks Butler personally. Butler's nephew was a member of Congress, also from S. Carolina, named Preston Brooks. Brooks takes offense. Two days later, Brooks walks into Congress with a thick, gold topped walking stick, and repeatedly hits Sumner over the head with his cane. Sumner is hospitalized for 2 ½ years from this attack. Brooks was accompanied by Laurence Keitt, who held a pistol up and refused to allow anyone to stop the fight, or to help Sumner.

Northern press jumps on it, and Preston Brooks is now known as Bully Brooks for attacking an older man from behind. North is furious - says S. is trying to intimidate N. to keep silent on slavery. Brooks is seen as a hero in the S. (Another example of the S. shooting themselves in the foot – the hero status will enrage Northerners, who had never even cared about the issue – Northern Moderates) Many Northerners became sympathetic to abolishment, and the last thing the S. needs to do is antagonize N. moderates, which they do by making Brooks a hero.

S. beginning to alienate N. moderates. Brooks is not punished. Had Congressional immunity, could not be liable for anything he said or did in Congressional chambers (law no longer around).

Ralph Waldo Emerson “I do not see how a barbarous community and a civilized community can make up one nation. We must either get rid of slavery, or get rid of freedom.”

Why B-S incident important? – Brooks goes free, treated as a hero, N. accuses S. of trying to silent them.

5. Founding of Republican Party - 1856

When founded, it's composed of Whigs and Democrats who were opposed to the extension of slavery. Rep. party will be the major opponent of the Dem. Party. Major goal of Rep. party was to stop the spread of slavery, *not to abolish it*.

For the first time in history, a MAJOR political party comes out to take a stand against slavery. They run a candidate for Pres. In 1856 (John C. Fremont) who lost, but made a very strong showing.

The 1856 election showed that anti-slavery sentiment was growing rapidly in the N. They elected many people to Congress. Dem's continue to believe that Congress cannot regulate slavery in the territories → believe in popular sovereignty.

James Buchanan elected President in 1856 election by a narrow margin. From Penn., he carried the entire south and most of the border states. But Republican's did quite well, and S. is scared for the 1860 election. Stephen A. Douglas is nowhere to be seen in this election.

6. **Dred Scott Decision – 1857**

Supreme Court ruling – March 1857

Dred Scott was a black male slave. Owner had lived in MO (a slave state). Scott's master moved to Illinois and other northern free territory (WI, Minnesota). Scott's owner moved back to MO, and died in 1843. Scott offered to buy his freedom from his master's wife – she refused. Scott sued for Freedom in MO state courts.

Scott's argument – since I lived in free states and territories, I am a free man. The MO circuit court said Yes. Scott's owners brother appealed the ruling to the MO State Supreme Court said, which overturned the ruling. Scott appealed to the US Supreme Court (his case was paid for by wealthy northerners).

Dred Scott Decision

1. Court simply refused to hear the case because Dred Scott was private property, not a citizen, and so he had no rights.
2. Supreme Court (in its infinite wisdom) went on to issue an “obiter dictum” (“by the way” – courts opinion, but not legally binding – “by the way, while we're on the subject...”) Court said neither congress or any territorial legislature can ban slavery from any Federal territories. Only if the territory became a state could they ban it. Soooo until then, slavery can go anywhere it wants to, because slaves are private property and protected by the 5th Amendment, and cannot be taken by the government.

The decision absolutely ticks off the North. Many in N. believe 36,30 line is still in effect, only repealed for KS-NB. North blames the S. justices on Supreme Court, believes Supreme Court trying to force slavery on N.

7. **John Brown's Raid (attack) on Harpers Ferry – 1859**

Brown was from Mass. He and his sons were fanatical abolitionists – considered slavery immoral and evil, and so was anyone who defended slavery. Brown moved to KS to take part in anti-slavery forces. Led many attacks there (Pottawatomie Massacre in 1856, killed about 6 or 7 adults)

Oct. 1859, Brown leads an attack against U.S. Govt. arsenal at Harpers Ferry, VA. Harpers Ferry manufactured weapons, as well as storage of arsenal. Led about 20 men (and his sons).

The plan was to capture the arsenal and seize all weapons and head to the hills in western VA (Appalachian Mts.) From this stronghold, he would spread word that the slaves should come to VA and Brown would arm them. They would head south and they would lead revolts. If the whites won't overthrow slavery, blacks will.

In a few hours they had captured the arsenal, but were then surrounded by the militia (National Guard) in the fire house (size of the classroom). The Cavalry is called in to go against Brown, led by Robert E. Lee. Brown is captured, tried for treason, (attacked Federal property), found guilty, and hanged in Dec. 1859.

Northerners criticized Browns methods, but believed in his motives. He becomes an heroic martyr in the N., like Brooks was a hero in the S.

South goes off the deep end when they hear of Brown – scared to death that this was the tip of the iceberg for slave revolts. Fire-eaters were convinced that the N. was conspiring to force free the S and they fanned the flames to get the S to succeed (leave the Union).

8. **The presidential election of 1860 – *The straw that broke the camels back***

Pres. Buchanan chose not to seek re-election. Dem. party meets in Charleston S.C. for an election for nominee. Southern delegates demand that the convention as a whole do two things:

1. Formerly recognize South's right to take slaves into free territories.
2. Dem. Candidates will pledge to pass laws to protect slaves in those territories.

This was a major departure from what the party had done in the past. Northern Dem's said No, and S. Dem's walked out of the convention – no one was nominated. N. Dems hold own convention and nominated Stephen Douglas (current V.P.) and S. Dems hold own convention and nominate Breckinridge (current V.P.) who wants slavery in the territories.

The Republicans nominate Abraham Lincoln of Ill.

Lincoln's views on slavery were

- Condemned it as evil and immoral
- Totally opposed to its spread outside the South

- Would leave it alone in the South – Govt. had no right to interfere with slavery b/c of the Const.
- Hopes it dies someday – hoped that it might become unprofitable (which wasn't going to happen).

The delegates at the Rep. Convention denounced John Browns raid and recognized the S. to practice their own affairs.

Constitution Union party – old Whigs and Mod. S. Dems mostly from border states, nominated John Bell of TN. Goals is to bring a compromise between two sides.

Election of 1860 – not a close election, Lincoln only needed 152 to win.

Lincoln wins – 180 electoral votes
Douglas – 12 electoral votes
Breckinridge – 72 electoral votes
Bell – 39 electoral votes

Six weeks after the election, (mid. Dec., 1860) South Carolina left the Union.