

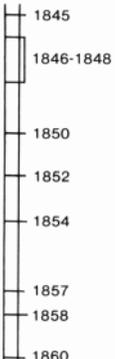
## The Debate over Slavery

The “second party system” of Democrats and Whigs was threatened from the start by sectional conflict over the slavery question. For a time, both parties continued to enjoy support in the North and the South, as moderates—such as Henry Clay in the Whig party and Stephen A. Douglas in the Democratic—were successful in persuading their party colleagues to accept compromise settlements.

The festering moral and constitutional issues that grew out of the institution of slavery were aggravated by the zealous expansionism of the period. In fact, both pro- and antislavery forces came to treat the question of slavery in the territories as a crucible in which the whole question of the institution might be resolved. And it was during debate over key territorial legislation—in particular, the Compromise of 1850 and the Kansas-Nebraska Act—that the debate over slavery reached its most intense and fully developed stage.

Politicians, of course, mirrored the general public’s widely differing viewpoints on slavery in their debates. Those viewpoints were difficult to generalize. Several shades of opinion on race and constitutional questions were woven through both pro- and antislavery arguments, and there was a good deal of confusion and internal contradiction. Occasionally, catalytic events or agents emerged—such as publication of the immensely popular *Uncle Tom’s Cabin* or the Supreme Court’s controversial ruling in the *Dred Scott* case—that clarified the basic issues and suggested the ultimate impossibility of settling the slavery question through compromise and moderation. For a time, moderates like Clay and Douglas prevailed; but the center could not hold. The Whigs collapsed, to be replaced by the Republicans, a Northern-based, antislavery party. The victory in 1860 of the new party’s presidential candidate, Abraham Lincoln, led directly to the final rupture—secession and civil war.

### Chronology



1845	1845	Annexation of Texas
1846-1848	1846-48	Mexican War
	1850	Congress approves Compromise of 1850
	1852	Harriet Beecher Stowe’s <i>Uncle Tom’s Cabin</i> published
	1854	Kansas-Nebraska Act passed Republican party formed
	1857	Supreme Court rules in <i>Dred Scott v. Sanford</i> that territories are open to slavery
	1858	Lincoln-Douglas debates take place in Illinois
	1860	Republican Abraham Lincoln wins presidential election over Stephen Douglas, John Breckenridge, and John Bell

### Documents

- 12.1 Defense of Slavery As a Benefit to Society, John C. Calhoun (primary source)
- 12.2 Cruelties of Slavery: The Plight of Slave Women, Jacqueline Jones (secondary source)
- 12.3 Images of Slavery, C. Giroux, Eyre Crowe (visual sources)
- 12.4 Changing the Boundaries of Slavery, 1850 and 1854 (maps)
- 12.5 The Supreme Court Takes the Southern Side, David M. Potter (secondary source)
- 12.6 Popular Sovereignty Explained: The Freeport Doctrine, Stephen A. Douglas (primary source)
- 12.7 The Republican Party and the Race Question, Eric Foner (secondary source)

## 12.1 Defense of Slavery As a Benefit to Society

John C. Calhoun

Although arguments in defense of slavery varied widely, many Southerners suggested that the institution of slavery was superior to Northern capitalism (“wage slavery”) and was an absolute benefit to society. Among the most forceful and influential proponents of this line of thought was John C. Calhoun. In the letter excerpted here, written in 1844 while he was serving as Secretary of State, Calhoun expands on the benefits of slavery. The immediate issue was Britain’s threatened interference in the question of the legality of slavery in then-independent Texas. But Calhoun’s larger point was that a state had both the right and the responsibility to protect the existence of slavery for the good of all its citizens.

**SOURCE:** Secretary of State John C. Calhoun to Richard Pakenham (April 18, 1844), U.S. House of Representatives, 28th Cong., 1st sess., Doc. 271, 50–53.

### Consider:

1. Whether the British had a right to try to abolish slavery outside their own borders;
2. How abolitionists would have reacted to Calhoun’s arguments (see Doc. 11.1);
3. How his arguments relate to the “compact theory” of government.

So long as Great Britain confined her policy to the abolition of slavery in her own possessions and colonies, no other country had a right to complain. . . . But when she goes beyond, and avows it as her settled policy, and the object of her constant exertions, to abolish it throughout the world, she makes it the duty of all other countries, whose safety or prosperity may be endangered by her policy, to adopt such measures as they may deem necessary for their protection. .

The policy she has adopted in reference to the portion of that race in her dominions may be humane and wise; but it does not follow, if it prove so with her, that it would be so in reference to the United States and other countries, whose situation differs from hers. . . . With us, it is a question to be decided, not by the Federal Government, but by each member of this Union for itself, according to its own views of its domestic policy, and without any right on the part of the Federal Government to interfere in any manner whatever. . . . A large number of the States has decided that it is neither wise nor humane to change the relation which has existed, from their first settlement, between the two races; while others, where the African is less numerous, have adopted the opposite policy.

It belongs not to the Government to question whether the former have decided wisely or not; . . . if the experience of more than half a century is to decide, it would be neither humane nor wise in them to change their policy. The census and other authentic documents show that, in all instances in which the States have changed the former relation between the two races, the condition of the African, instead of being improved, has become worse. They have been invariably sunk into vice and pauperism . . . while, in all other States which have retained the ancient relation between them, they have improved greatly in every respect—in number, comfort, intelligence, and morals—as the following facts, taken from such sources, will serve to illustrate:

The number of deaf and dumb, blind, idiots, and insane, of the negroes in the States that have changed the ancient relation between the races, is one out of every ninety-six; whilst in the States adhering to it, it is one out of every six hundred and seventy-two—that is, seven to one in favor of the latter, as compared with the former. .

On the other hand, the census and other authentic sources of information establish the fact, that the condition of the African race throughout all the States where the ancient relation between the two has been retained, enjoys a degree of health and comfort which may well compare with that of the laboring population of any country in Christendom; and, it may be added, that in no other condition, or in any other age or country, has the negro race ever attained so high an elevation in morals, intelligence, or civilization.

If such be the wretched condition of the race in their changed relation, where their number is comparatively few, and where so much interest is manifested for their improvement, what would it be in those States where the two races are nearly equal in numbers, and where, in

consequence, would necessarily spring up mutual fear, jealousy, and hatred between them? It may, in truth, be assumed as a maxim, that two races differing so greatly, and in so many respects, cannot possibly exist together in the same country, where their numbers are nearly equal, without the one being subjected to the other. Experience has proved that the existing relation, in which the one is subjected to the other in the slaveholding States, is consistent with the peace and safety of both, with great improvement to the inferior; . . . In this view of the subject, it may be asserted, that what is called slavery is in reality a political institution, essential to the peace, safety, and prosperity of those States of the Union in which it exists.

## 12.2 Cruelties of Slavery:

The Plight of Slave Women, Jacqueline Jones

The cruelty suffered by slaves was not limited to physical violence at the hands of slaveholders and overseers, though such violence was certainly widespread. The psychological deprivations caused by the institution of slavery could, over a period of time, be every bit as injurious to blacks as physical punishment. Particularly victimized were slave women, whose plight is described in this excerpt from Jacqueline Jones's study of the history of black women in America.

**SOURCE:** Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family from Slavery to the Present*, 11–15, 19, 22, 28. Copyright © 1985 I'y Basic Books, Inc. Reprinted by permission of the publisher.

### Consider:

1. How the situation described by Jones in this selection compares with Calhoun's depiction of the effects of slavery (Doc. 12.1);
2. Why family life was so important to black slaves;
3. Whether slave women were worse off, as a group, than male slaves.

A compact, volatile, and somewhat isolated society, the slave-holder's estate represented, in microcosm, a larger drama in which physical force combined with the coercion embedded in the region's political economy to sustain the power of whites over blacks and men over women. . . . As blacks, slave women were exploited for their skills and physical strength in the production of staple crops; as women, they performed a reproductive function vital to individual slaveholders' financial interests and to the inherently expansive system of slavery in general. Yet slave women's unfulfilled dreams for their children helped to inspire resistance against "the ruling race" and its attempts to subordinate the integrity of black family life to its own economic and political interests.

The master took a . . . crudely opportunistic approach toward the labor of slave women, revealing the interaction (and at times conflict) between notions of women qua "equal" black workers and women qua unequal reproducers; hence a slaveowner just as "naturally" put his bondswomen to work chopping cotton as washing, ironing, or cooking. .

However, slave women also worked on behalf of their own families, and herein lies a central irony in the history of their labor. Under slavery, blacks' attempts to sustain their family life amounted to a political act of protest against the callousness of owners, mistresses, and overseers. In defiance of the slaveholders' tendencies to ignore gender differences in making assignments in the fields, the slaves whenever possible adhered to a strict division of labor within their own households and communities. . . . black women's attention to the duties of motherhood deprived whites of full control over them as field laborers, domestic servants, and "brood-sows." .

the definition of slave women's work is problematical. If work is any activity that leads either directly or indirectly to the production of marketable goods, then slave women did nothing but work. Even their efforts to care for themselves and their families helped to maintain the owner's work force and to enhance its overall productivity. .

In his efforts to wrench as much field labor as possible from female slaves without injuring their capacity to bear children, the master made "a noble admission of female equality," observed . . . an abolitionist sympathizer, with bitter irony. Slaveholders had little use for sentimental platitudes about the delicacy of the female constitution when it came to grading their "hands" according to physical strength and endurance. .

Still, slaveowners faced a real dilemma when it came to making use of the physical strength of women as field workers and at the same time protecting their investment in women as childbearers. These two objectives—one focused on immediate profit returns and the other on long-term economic considerations—at times clashed, as women who spent long hours picking cotton, toiling in the fields with heavy iron hoes, and walking several miles a day sustained damage to their reproductive systems immediately before and after giving birth. At the regional level, a decline in slave fertility and increase in miscarriage rates during the cotton boom years

of 1830 to 1860 reveals the heightened demands made upon women. .

Work in the soil thus represented the chief lot of all slaves, female and male. . . . Although women predominated as household workers, few devoted their energies full time to this kind of labor; . . . According to Eugene Genovese, as few as 5 percent of all antebellum adult slaves served in the elite corps of house servants .

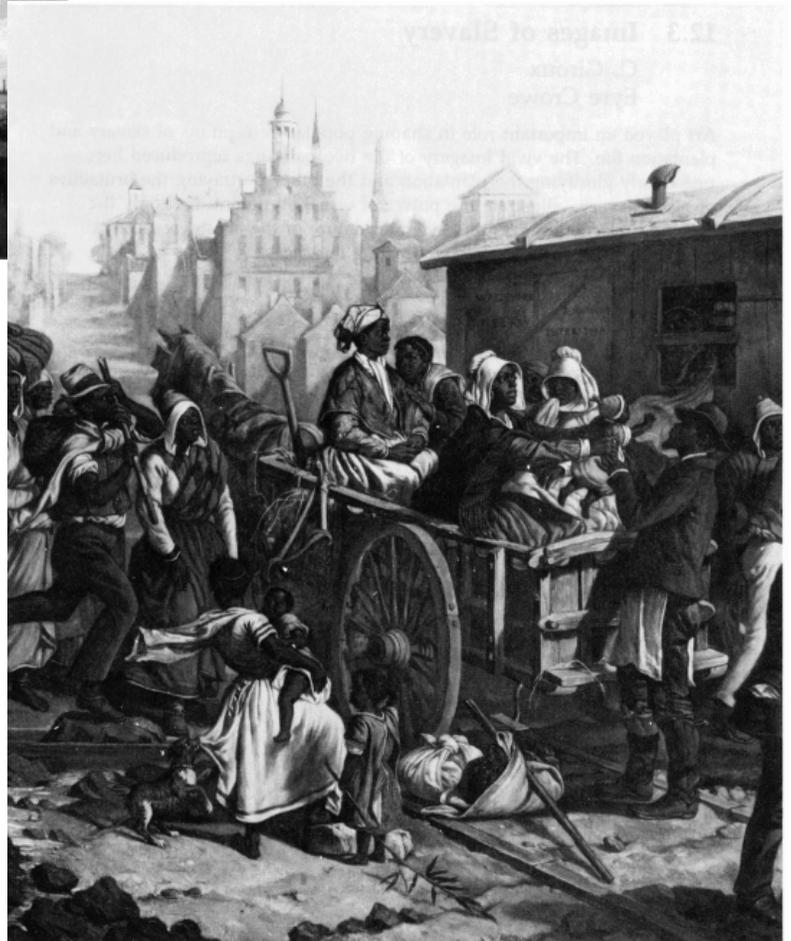
The allocation of slave women's labor by white men and women was based on three different considerations—the whites' desire to increase staple-crop production, enlarge their work force, and provide for the daily sustenance of their own households. . . . Profit-making was a "rational" basis upon which to set female slaves to work in the fields, but long-term interests related to women's childbearing capacity at times yielded to the demands of the harvest at hand. Owners and overseers alike might easily cross the boundary between chastising black women for work-related offenses and terrorizing them as a means of asserting control over the entire slave labor force. Moreover, the sexual exploitation of a black woman could produce concentric rings of bitterness that engulfed the white mistress, resulting in further (though economically "irrational") abuse of the victim herself.

### 12.3 Images of Slavery

Art played an important role in shaping popular perceptions of slavery and plantation life. The vivid imagery of the two paintings reproduced here— one clearly glorifying the plantation and the other portraying the brutalities of black slavery—illustrate the power of visual argument. Not only the specific subjects, but also the style and nature of the artists' respective compositions, convey sharply contrasting messages.

#### Consider:

1. The story told by each painting;
2. The mood created, in each case, by the artist's style and composition;
3. How Eyre Crowe's representation of the slaves leaving the auction at Richmond reinforces and/or expands upon what is said in Document 12.2.



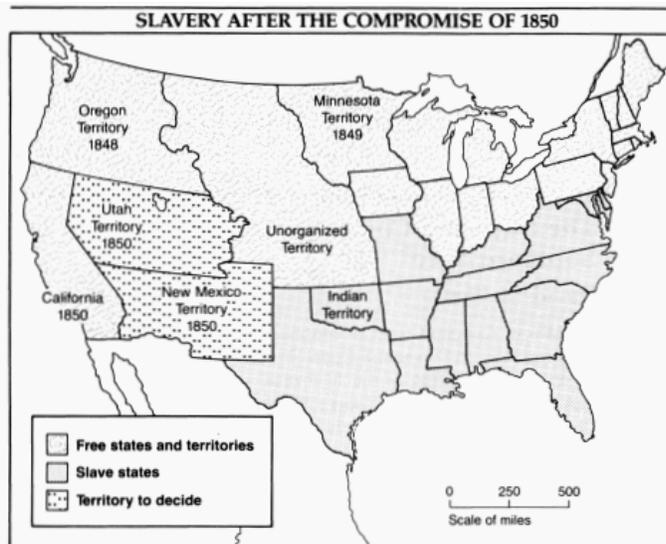
SOURCE: C. Giroux, "Cotton Plantation," painted between 1850 and 1865. Courtesy, Museum of Fine Arts, Boston, Karolik Collection of American Paintings, 1815–1865, 47.1144; and Eyre Crowe, "After the Sale: Slaves Going South from Richmond" (1853), oil on canvas, 1957.2, Chicago Historical Society.

## 12.4 Changing the Boundaries of Slavery, 1850 and 1854

The Missouri Compromise, the Compromise of 1850, and the Kansas-Nebraska Act all involved the drawing of boundary lines that were designed to resolve the question of where slaveholders could legally take their slave “property” within American territory. Each of these acts was viewed, at least for a time, as a permanent solution. The Missouri Compromise had prohibited slavery north of 36° 30' latitude in the area west of Missouri, which was admitted as a slave state. The two maps reproduced here show how the acts of 1850 and 1854 altered the situation.

### Consider:

1. Whether these maps reveal different underlying principles at work;
2. Whether it was realistic for Southerners to hope that slavery would expand westward, given the territories where slavery was allowed after 1854;
3. Whether the Missouri Compromise could have served as a permanent solution to the question of slavery in the territories, if the extent of American territory had not changed after 1820.



## 12.5 The Supreme Court Takes the Southern Side

David M. Potter

While moderates in Congress tried to contain the explosive slavery issue through compromises, the Supreme Court struck a blow against their efforts in its controversial ruling in the 1857 case, *Dred Scott v. Sanford*. Chief Justice Taney, who spoke for the Court's Southern majority, hoped to resolve the thorny questions related to the expansion of slavery by going well beyond the narrow issue of the case. In a posthumously published book, *The Impending Crisis, 1848—1861*, renowned historian David Potter takes the Court to task for its attempt to accomplish what Congress could not, or would not, do. This excerpt from Potter's book discusses the ways in which the Court failed the American public in rendering its decision.

SOURCE: David M. Potter, *The Impending Crisis, 1848-1861*, compiled and edited by Don E. Fehrenbacher, 290—93. Copyright © 1976 by The Estate of David M. Potter. Reprinted by permission of Harper & Row, Publishers.

### Consider:

1. Where Potter's sympathies lie on the issues he is discussing;
2. Whether the Supreme Court should have tried to "settle the sectional fight by resolving a question which Congress had avoided";
3. Whether the Court should have avoided "strengthening the extremists" in issuing its decision in the *Dred Scott* case.

Like a good many other measures during these years. . . the *Dred Scott* decision conspicuously failed to accomplish what was expected of it, either by its advocates or by its opponents. . . it strangely combined theoretical significance with trivial consequences. Probably no other major judicial decision in history affected the daily lives of as few people as this one. It annulled a law which had in fact been repealed three years previously, and it denied freedom to the slaves in an area where there were no slaves.

Yet, in other respects, it was momentous in its meaning and its indirect results, and by all functional tests, it was a failure for those who supported it and a disaster for the American people. The extent of this failure and disaster can be measured in three ways.

First, it is legitimate to ask what effect the decision had in reducing sectional tensions. Clearly it had none, but instead it placed obstacles in the way of sectional adjustment. In the South, for instance, it encouraged southern rights advocates to believe that their utmost demands were legitimized by constitutional sanction. . . . In the North, on the other hand, it strengthened a conviction that an aggressive slavocracy was conspiring to impose slavery upon the nation, . . . While thus strengthening the extremists, it cut the ground from under the moderates. . . . Second, . . . a question arises as to the realism of the justices in supposing that they could settle the sectional fight by resolving a question which Congress had avoided. . . . It was a ruling which invalidated a measure passed by Congress, and which sought to validate a position that Congress had repeatedly voted against. . . . However admirable may have been the courage of the justices in facing the music, their tactical judgment was wretched.

Finally, the *Dred Scott* decision was a failure because the justices followed a narrow legalism which led them into the untenable position of pitting the Constitution against basic American values, although the Constitution in fact derives its strength from its embodiment of American values. Concretely, the American people wanted the United States to be a republic of free people and regarded the Constitution as essentially a charter for a free people. The utmost exception which they would make was to concede the right of local areas (states) to maintain slavery as a local—and, they hoped, temporary—institution. But always they regarded slavery as having only a local sanction, and freedom as having a national sanction. . . . The South, while attempting defensively to ward off attacks on slavery, had adopted a position that went far beyond the defensive. Southern leaders had developed the doctrine that southern citizens with southern property (slaves) could not legally be kept out of the federal territory. The argument was not without legal plausibility, but it fatally reversed the place of slavery and freedom in the American system. It made freedom local—an attribute of those states which abolished slavery, but not of the United States; it made slavery national, in the sense that slavery would be legal in any part of the United States where a state government had not abolished it. Apart from the morality of it, this was a ruinous decision because, in the process of splitting logical hairs, it arrived at a result which converted the charter of freedom into a safeguard of slavery.

## 12.6 Popular Sovereignty Explained: The Freeport Doctrine

Stephen A. Douglas

In 1858, public attention focused on the campaign in Illinois, where Republican Abraham Lincoln and Democrat Stephen A. Douglas were competing for a seat in the Senate. In a series of seven debates held across the state, Lincoln hammered away at the inconsistencies in the “popular sovereignty” doctrine supported by Douglas. At Freeport, Lincoln extracted from Douglas a statement that was supposed to explain how the people of a territory could exclude slavery in spite of the recent Dred Scott ruling. Douglas’s “Freeport Doctrine,” excerpted here, was artful, but it also opened him up to charges of cynicism and lack of moral concern. In particular, “popular sovereignty” now began to appear to many Northerners as a less useful tool against the expansion of slavery than they had previously thought.

SOURCE: Created Equal? The Complete Lincoln-Douglas Debates of 1858, ed. Paul M. Angle (Chicago: University of Chicago Press, 1958), 152, 154–56.

### Consider:

1. The strength of Douglass argument that the people of a territory could, in effect, evade the Supreme Court’s ruling;
2. The kinds of voters that would have responded most favorably to Douglas’s arguments;
3. Why people would have accused Douglas of lacking moral concern about slavery because of his Freeport Doctrine.

The . . . question propounded to me by Mr. Lincoln is, can the people of a territory in any lawful way against the wishes of any citizen of the United States; exclude slavery from their limits prior to the formation of a state constitution? I answer emphatically, as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a territory can, by lawful means, exclude slavery from their limits prior to the formation of a state constitution. . . . It matters not what way the Supreme Court may hereafter decide as to the abstract question whether slavery may or may not go into a territory under the Constitution, the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere, unless it is supported by local police regulations. . . . Those police regulations can only be established by the local legislature, and if the people are opposed to slavery they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave territory or a free territory is perfect and complete under the Kansas-Nebraska Bill.

The third question which Mr. Lincoln presented is, if the Supreme Court of the United States shall decide that a state of this Union cannot exclude slavery from its own limits will I submit to it? . . . He might as well ask me, suppose Mr. Lincoln should steal a horse would I sanction it; . . . He casts an imputation upon the Supreme Court of the United States by supposing that they would violate the Constitution of the United States. I tell him that such a thing is not possible. .

The fourth question of Mr. Lincoln is, are you in favor of acquiring additional territory in disregard as to how such acquisition may effect the Union on the slavery question. This question is very ingeniously and cunningly put.

I answer that whenever it becomes necessary, in our growth and progress to acquire more territory, that I am in favor of it, without reference to the question of slavery, and when we have acquired it, I will leave the people free to do as they please, either to make it slave or free territory, as they prefer. . . . I tell you, increase, and multiply, and expand, is the law of this nation’s existence. . . . You cannot limit this great republic by mere boundary lines, saying, “thus far shalt thou go, and no further.”. . . With our natural increase, growing with a rapidity unknown in any other part of the globe, with the tide of emigration that is fleeing from despotism in the old world to seek a refuge in our own, there is a constant torrent pouring into this country that requires more land, more territory upon which to settle, and just as fast as our interests and our destiny require additional territory in the north, in the south, or on the islands of the ocean, I am for it, and when we acquire it will leave the people . . . free to do as they please on the subject of slavery and every other question.

## 12.7 The Republican Party and the Race Question

Eric Foner

Some abolitionists believed in absolute equality of the races, but many of those who opposed slavery and its extension to the territories shared, to one degree or another, racist assumptions similar to those held by advocates of slavery. Accordingly, the Republican Party, which began as a Northern organization that stood firmly against the spread of slavery, contained a variety of viewpoints on race. In this selection, historian Eric Foner stresses the degree to which Republicans departed from the extreme racist attitudes of their day. He also points out how Lincoln reflected the balance of racial sentiment in the young party.

SOURCE: Eric Foner, *Free Soil, Free Labor, Free Men: Ideology of the Republican Party Before the Civil War* (New York: Oxford University Press, 1970), 261–62, 280–81, 288, 292–95.

### Consider:

1. Whether the Republican attitudes described were racist;
2. Whether the movement favoring colonization of American blacks in Africa was consistent with the spirit of the Constitution and of the Declaration of Independence.

Like the Democrats, Republicans often made use of electoral appeals which smacked of racism, and some historians have interpreted this as proof that there existed no fundamental differences between the two parties' racial attitudes. Yet the Republicans did develop a policy which recognized the essential humanity of the Negro, and demanded protection for certain basic rights which the Democrats denied him. Although deeply flawed by an acceptance of many racial stereotypes, and limited by the free labor ideology's assumption that the major responsibility for a person's success or failure rested with himself, not society, the Republican stand on race relations went against the prevailing opinion of the 1850's, and proved a distinct political liability in a racist society.

In an age which witnessed the voluntary emigration of millions of Europeans to the United States and the constant flow westward of the American population, the idea that black Americans would wish to seek a better life in other lands did not seem as impractical as it does today. . . . "Colonization," said George Julian, "is one of the great tidal forces of modern civilization." In many ways, therefore, the plan was a logical product of its times, and in its strange mixture of racism and humanitarianism, imperialism and missionary zeal, it reflected many aspects of the Republican ideology as a whole. But in the end, though the colonizationists must be given credit for their awareness of the immense difficulties of achieving racial justice in this country, their proposal was an attempt to escape from the problem, not to solve it.

While racism and colonization were important elements of the Republican attitude toward the Negro, they were by no means the entire story. Many men entered the Republican party with long histories of support for Negro rights, and many of the areas of the North which gave the Republicans their largest majorities had distinguished themselves in the past by their endorsement of Negro suffrage and opposition to Negro exclusion laws. Even more striking was the large number of Republican leaders who had taken pro-Negro positions earlier in their political careers.

Republicans in Congress had few opportunities to vote on issues of Negro rights in the 1850's but in the instances which did come up, their differences with northern Democrats were clearly demonstrated.

In accordance with their conception of the civil rights of free Negroes, Republicans consistently attacked the policies of the federal government denying the citizenship of the black man. During the 1850's the government generally rejected passport applications from Negroes and denied them the right to benefits under pre-emption laws. Republicans criticized these policies, . . . They also bitterly denounced Chief Justice Taney's opinion in the Dred Scott case that Negroes could not be citizens of the United States, . . . Throughout the North, the Republican press denounced this opinion, and several state conventions of the party in 1857 affirmed free Negro citizenship. Many Republicans insisted before the Civil War that their party had no position on the questions of race relations and Negro rights, and certainly the differences between easterners and westerners, and men of Whig, Democratic, and Liberty background made it extremely difficult to reach a consensus within the party. . .

Nevertheless, by the eve of the Civil War there had emerged a distinctive Republican attitude towards the Negro. As on other questions, it was well represented by Abraham Lincoln. . . . Lincoln, coming from Illinois, was well aware of the strength of racial prejudice, and he knew too that "a universal feeling, whether well- or ill-founded, can not be safely disregarded." Like most western Republicans, he opposed Negro suffrage and was an ardent colonizationist, though he insisted that emigration be voluntary. However, he never pandered to racial prejudice, even when confronted with the racist attacks of Douglas. And he consistently affirmed the basic humanity of the Negro and his right to an economic livelihood. . . . Many eastern Republicans would go further than this; many westerners, on the other hand, felt that Lincoln had gone too far; but Lincoln himself articulated a shaky consensus within the party.

## **QUESTIONS**

Now that you have read the documents, answer the questions below by writing an essay for each. Remember the rules for thesis arguments. You can supplement your essays with graphics, maps, or charts.

- 1. What were the principal points of view in the 1840s and 1850s on the best way to solve the slavery question?**
- 2. How was the issue of minority rights against the "tyranny" of a majority used in the slavery question debate? To what extent could both sides use this appeal?**