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First Paper Assignment

State Rights to Own Slaves

On December 20, 1860, South Carolina declared that it was seceding from the United States of America. By February of the following year, six more states had seceded and together they became the Confederate States of America. Later that same year, four more states had left the union and had decided to join the Confederate States of America. The United States had split in half between the northern and southern states. The south seceding from the union was not an entirely surprising occurrence. A southern democrat by the name of John C. Calhoun who was vice president, secretary of state, secretary of war, a senator, and a congressman for the United States proclaimed about the possibility of the south seceding from the union in 1837. From then until 1860 threats like these were brought forth by many other southern democrats. These threats became more and more prevalent when southerners claimed they would leave the union if Northern Republican candidate Abraham Lincoln won the Presidency. Sure enough President Abraham Lincoln did win the election in 1860 and the south kept it’s promise to the north. How could this happen? Why would southerners do this? Was “Honest Abe” going to be a tyrannical dictator and southerners were the only ones that understood that? Southern democrats of that time would say yes to that last question. Southerners today might say no to the last question, but they would say the south left because the north wanted to take southern states’ rights and southerners’ rights away. However, Abraham Lincoln never publicly discussed taking rights away from anyone and there is no evidence he was ever going to. Instead, the real
reason why the south seceded from the United States was to protect their racist institution of slavery.

Since the birth of the nation, slavery had been something that political actors were arguing about in the United States. Many of the founding fathers owned slaves, but not all of them agreed with the institution of slavery. Many, in fact, believed that one day slavery would die out on its own. Unfortunately, slavery did not die on its own. However, it turns out that southern slave owners never wanted slavery to end. Free labor was important to the southern economy and it was a sign of wealth for a man who owned many slaves. Some would call it a necessary evil for the south to thrive economically. However, it seems as though slavery was crucial for the south considering how much importance they put upon it. On February 18, 1861, Henry L. Benning gave a speech before the Virginia State Convention in an attempt to convince Virginia to secede from the union and join the Confederate States. Benning was appointed by the Georgia state convention to convince other states to secede and he states clearly why Georgia left the union: "it was a conviction; a deep conviction on the part of Georgia, that separation from the north was the only thing that could prevent the abolition of her slavery. This conviction was the main cause."1 A representative chosen by Georgia to explain to other states why they should leave the union says that the main reason that Georgia seceded was because they felt like it was the only way to protect slavery. Benning later says in that speech that it would only be a matter of time until the north abolishes slavery because they are becoming so much more powerful than the south in the federal government. It is interesting to note that Abraham Lincoln did not talk about abolishing slavery ever during the campaign for the Presidency and instead wanted to limit slavery to where it already was. Also, not all northern

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politicians and northerners agreed with abolition of all slaves either. Southerners like Benning used a scare tactic that the north would be in complete control of the United States and made sure to remind his audience that day that this would bring an end to slavery even though this was probably not going to happen during Lincoln’s presidency.

Dred Scott v. Sandford in 1857 was one of the most important court cases in the history of the United States. The implications of the decision meant to many southerners that the government could not infringe upon slavery at all because slaves were property and should be treated like any other kind of property. Dred Scott v. Sanford could be interpreted that a master could take his slave into a free state and that slave would still be considered the master’s property there. The governor of Tennessee (a state that ultimately did not secede), Isham Harris, sent a message to his state’s legislature on January 7, 1861 about the possibility of the seceding from the union. His main argument for secession was a constitutional argument where he cited the Dred Scott case and then quoted the Chief Justice of the Supreme Court, Roger B. Taney, after he said, “The Constitution distinctly recognizes property in slaves… but contains no grant of power to the Federal Government to interfere with this species of property, except ‘the power coupled with the duty,’ common to all civil governments, to protect the rights of property, as well as those of life, liberty, of the citizen, which clearly appears from the exposition given that instrument by the Supreme Court of the United States in the case of Dred Scott v. Sanford.”

Essentially the indiscretion of the northern states was that they were trying to limit slavery in any fashion. Governor Harris makes a good point when he cites the Dred Scott case because technically the rule of thumb after that decision means that owning slaves was equal to owning property and therefore could not be infringed upon by the government. Because of the Dred Scott case, Governor Harris and whoever else was making this point at the time was correct

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1 Isham Harris, “Message to the Legislature,” 7 January 1861, in James Loewen and Edward Sebesta, eds., The Confederate and Neo-Confederate Reader, 161.
because the highest court in the land, the Supreme Court, deemed it to be this way. Southerners believed that northerners were going to ignore the decision altogether and therefore the north was corrupt and tyrannical. Another governor during this time, Governor John W. Ellis of North Carolina, went into more detail of how corrupt and tyrannical the United States was in his proclamation on April 17, 1861 to convince North Carolina to secede from the union: “Lincoln made a call for 75,000 men to be employed for the invasion of peaceful homes in the south, and for the violent subversions of the liberties of a free people… this high-handed act of tyrannical outrage is not only in violation of all constitutional law in utter disregard of every sentiment of humanity and Christian, and conceived in a spirit of aggression unparalleled by any act of recorded history.” Ellis referenced the 75,000 soldiers that Lincoln requested after Fort Sumter was attacked by the confederates. He believed that the north was trying to tyrannically rule over the south and he called it the worst in human history. Southerners were using this argument of a corrupt government to create fear amongst other southerners. They created the narrative that the southern states’ only choice was to leave to union because of how corrupt and tyrannical they were.

What came first: slavery or racism? It is arguable that slavery did help create a huge prejudice against black people considering that the reason why Africans were made into slaves was not because they were black, but instead because wealthy Europeans wanted free labor. Regardless of which one came first, by the year 1860, racism was well and truly ever-present in the United States and especially so in the Confederate States. Clearly the south wanted to keep slavery, but they also really wanted black people to remain slaves because they believed white people were superior than black people. In a speech given to the Georgia General Assembly on December 17, 1860, the commissioner from Mississippi, William L. Harris, argued why black

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3 John W. Ellis, “Proclamation,” 17 April 1861, in James Loewen and Edward Sebesta, eds., The Confederate and Neo-Confederate Reader, 166.
people did not deserve the same rights and privileges of the white man: “our fathers made this a
government for the white man, rejecting the negro, as an ignorant, inferior, barbarian race,
incapable of self-government, and not, therefore, entitled to be associated with the man upon
terms of civil, political, or social equality.” Harris even references the founding fathers and how
they set up the United States exclusively for white people and especially not for black people.
Statements like these were being used by many southerners as to why the institution of slavery
must exist. Many of these racist southerners also believed that it would be in insult to the white
man if black people became free due to how much more inferior they were. In a letter from
Stephen Hale, commissioner of Alabama, to Governor Beriah Magoffin of Kentucky on
December 27, 1860 the idea of these racist believes were discussed: “The slave-holder and
non-slave-holder must ultimately share the same fate; all be degraded to a position of equality
with free negroes, stand side by side with them at the polls, and fraternize in all the social
relations of life, or else there will be an external war of races.” Hale believed that if slavery was
abolished then either it would be hugely embarrassing for white people or there would have to
be a war between whites and blacks. This is another instance of a southerner who attempted to
use fear as a reason to secede from the union, except this time it is the white man’s fear of
black people.

The south wanted nothing more than to keep slavery and even to expand slavery, but
the “aggression” from the north made them fear that their way of life was going to ultimately
come to an end. The south used three main arguments when it comes to seceding which were
that the institution of slavery would come to an end because of the north, the north was corrupt

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4 William L. Harris, “Address of Hon. W. L. Harris, Commissioner from the State of Mississippi, Delivered
before the General Assembly of the State of Georgia,” 17 December 1860, in Charles B. Dew, eds.,
Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War
(Charlottesville: University of Virginia Press 2002), 85.
Dew, eds., Apostles of Disunion, 98.
and tyrannical towards the south, and that abolition would lead to the “equality” of black people and white people. Their main arguments were based around fear and scared the people living in these states that the north and the black people were out to get the southerners. This proved to be a strong enough case for 11 states of the union to leave and attempt to create their own nation.
Works Cited
