

Part I:
The Slide into Disunity; 1776 – 1859
Antebellum Politics

By Emil Posey

Cultural divisions between the North and South have their roots in American history. The original colonies were founded by groups with different religions, ethnicities, dialects, politics, and artistic traditions. This was exacerbated by subsequent immigration as well, and together they drove different value sets. Various explanations have been offered to explain what drove the difference between the two regions: the presence of slavery; the primacy of agriculture in the South vis-à-vis manufacturing in the North; defeat in war (the Civil War); an inborn conservatism; unique ethnic origins; and even the weather. One thing is clear: From the very beginning, the nation's politics have been shaped by regional differences.

Southern and Northern economies initially were both based on agriculture, but in the antebellum period they separated into two distinct economic sectors – the South staying predominantly agricultural and the North industrializing. They had a history of being politically separated. Both initially favored small, weak central government with heavy reliance on states' rights and prerogatives, but that began to change in the North with improved transportation systems – canals and railroads – and the expectation that the government (state and federal) would back investors with bonds and other financial incentives. There are even today differences in identity, language (dialect and accents), values, and so on. From an anthropological point of view that would be enough to categorize Southerners and Northerners as different cultures.

From Colonial times to the founding of our nation and on through our antebellum period, there was nothing smooth in our national politics and domestic relations. The nation was on a path that precious few seemed to foresee and fewer still to understand – a critical, formative path that defines us still. There were several attempts to reduce the tempo (compromises), but the nation relentlessly stayed on this path. It was a path to the future by way of civil strife, civil war, suffering, and, for many people and locales, ruin. It was a path to understand and reconcile sectional interpretations of the meaning of the Constitution amid a clash of cultures. It was a complicated, swirling, entangled journey that made us who we are today.

From the War of Independence emerged thirteen sovereign and independent States. To carry on that war, they had formed a league, or confederation, the articles of which were still obligatory upon them. This was codified in the Articles of Confederation, our first constitution, lasting from 1781 until 1789. But that national governance structure was flawed in that it established a weak central government, placed most powers in the hands of the states, was unable to enforce national laws, and, therefore, had little power over the various states. Our very name, *United States*, was emblematic of this weakness. Having gained independence from Great Britain, the thirteen colonies viewed themselves as

sovereign nations. That was what “state” meant: “Groups of people which have acquired international recognition as an independent country and which have a population, a common language, and a defined and distinct territory.”⁴ Their “union” was not intended to surrender self-control to a central government; rather, it was a marriage of convenience – a *confederation*. They had rid themselves of one abusive, overly powerful central government; they did not want another.

Our confederation could not sustain itself; its economy faltered, and it could not resolve the issues facing a nascent and growing country. Ineffective, this model led to the formation of “a more perfect union” under our present Constitution — the United States of America 2.0, so to speak.

The new constitution was “more perfect,” yes, but it, too, had flaws. Several compromises were needed just to keep Southern states in the Constitutional Convention and to subsequently ratify it.

- **The Great Compromise** – Under the Articles of Confederation, the national government had only one branch, the Confederation Congress, in which each state, regardless of population or size, had an equal vote. Under this compromise, Congress would be bicameral consisting of a Senate that would be based on equal representation for each state and a House of Representatives that would be based on population.
- **The Three-Fifths Compromise** – The Constitutional Convention also grappled with how slaves would be counted for purposes of both representation and taxation. A compromise provided that every five slaves would be counted as three *in terms of representation*. This was not a statement on the intrinsic worth or humanness of individual slaves (that was a completely different issue), but rather a method of apportionment for Representatives.
- **The Electoral College** – Rather than election of a national executive (president) based on direct voting of the citizens, election would be carried out by a group of electors drawn from, and roughly proportional to the population of, each state (including slaves).
- **The Commerce Compromise** – Northern states wanted import tariffs on finished products to protect against foreign competition and encourage the South to buy goods made in the North, export tariffs on raw goods to increase revenue flowing into the United States, and federal regulation over trade. Southern states feared such tariffs would hurt their trade and wanted states to have the power to regulate trade. This compromise provided that tariffs would only be allowed on imports (none on exports for at least 20 years). Also, while international and interstate commerce would be regulated by the federal government, all commerce legislation would need a two-thirds majority in the Senate to be passed. Intrastate trade would be regulated by the individual states.
- **The Slave Trade Compromise** – The issue of slavery was divisive during the Constitutional Convention. Those who opposed slavery in the Northern states wanted to bring an end to the importation and sale of

slaves. This was in direct opposition to the Southern states, which felt that slavery was vital to their economy and did not want the government interfering in the slave trade. South Carolina and Georgia threatened to secede if slavery were banned altogether. In this compromise, Northern states, believing slavery was a dying institution anyway, agreed to wait until 1808 before Congress would be able to ban the slave trade in the US. It also allowed the federal government to levy a tax on the importation of slaves, at \$10 for each slave, although it could not be levied for at least ten years.

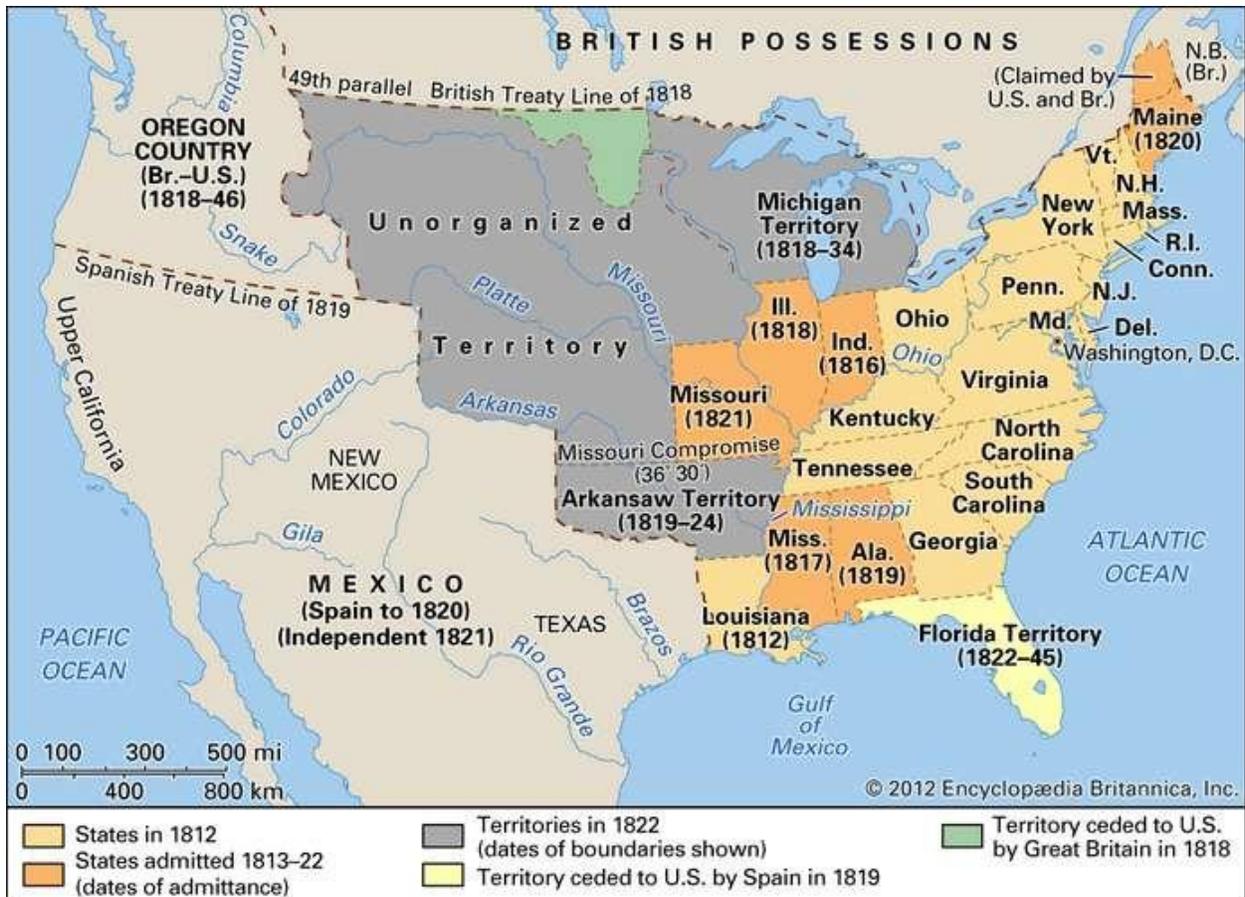
These compromises generally were in the South's favor – a view not lost on the rest of the new nation – as advocates of a new Constitution sought Southern approval and ultimate ratification.

Federal versus State rights

From the first days of the Republic, the central issue was the degree of sovereignty held by the individual states vis-à-vis the federal government and the basis for and meaning of *the Union* as a unifying political entity. As H. W. Brands observed, “The founders had left deliberately vague where the boundary lay between state and national authority; similarly, blurred was who would determine the boundary and how it would be enforced. They knew that any explicit answer might wreck their experiment in self-government before it got fairly started; they left to their heirs to find a solution the country could live with.” The Constitutional Convention broadened the powers of the federal government, but only after considerable disagreement among the delegates as to how extensive the powers of the federal government should be. While the sovereignty of states was preserved in some respects, specific provisions were included limiting their powers.

The power to secede

The crystalizing issue in the sectional turmoil was whether the states individually had the discretionary right to leave (to secede from) the Union. Exacerbating all of this was the occasional federal law and policy that would benefit one section of the country at the expense of another. The states' rights controversy (focusing on secession) was the political underpinning of the North-South dispute – a power struggle to see which part of the country would have control.



The nation continued to expand westward following the War of 1812. The period of President James Monroe’s administration (1817 – 1825) has been labeled the Era of Good Feelings reflecting a sense of national purpose and unity among Americans, but it was a mixed blessing. Eastern conservatives sought to keep land prices high; speculative interests opposed a policy that would be advantageous to poor squatters; politicians feared a change in the sectional balance of power; and businessmen were wary of a new section with interests unlike their own. Throughout, Americans expressed scorn for those in other sections, tending to blame economic hardships on other hostile or malevolent interests.

During this period, the economy expanded and matured at a remarkable rate with the West specializing in the production of grains and pork. This permitted the older sections to specialize in other crops. New processes of manufacture, particularly in textiles, not only accelerated an “industrial revolution” in the Northeast but also, by drastically enlarging the Northern market for raw materials, helped account for a boom in Southern cotton production. Slavery, on which the cotton economy relied, became a “positive good” rather than the “necessary evil”. Industrial workers organized the country’s first trade unions and even workingmen’s political parties. While some manufacturing sprouted in the South, its economy was agrarian based, composed of small yeomen farms

and large plantations that relied on slave labor. Corresponding trends occurred in transportation and banking.

Slavery expansion issues

These changes saw the dispute between northeastern and southern states grow to critical mass, with no issue epitomizing this more than the expansion of slavery into new states and federal territories. Slavery was the underpinning – the backdrop – of sectional conflict and every national domestic issue from 1820 to 1860, and, ultimately, the Civil War. Physical crises and political clashes abounded, all resulting from, contributing to, and worsening sectional disputes.

Political Parties

As the nation and issues and interests grew and expanded, so did the number and scope of its political parties. Today's Republican and Democratic parties began to take shape, and slavery and secession dominated the political and economic landscape.

National politics became more polarized as the decades rolled by. Compromises to address Southern concerns and achieve ratification had to be made in Philadelphia in 1787 to get agreement on a new Constitution to replace the Articles of Confederation, yet there still were disagreements as to meaning and intent – disagreements stemming from and exacerbated by the growing cultural divide between North and South. Slavery as an institution and its expansion into federal territories and new states as they were admitted was becoming ever more sensitive. Political parties were forming, splitting, and reforming. Congress was often chaotic. There would be efforts to reduce friction and to resolve the various issues as best they could be resolved, but passions soared and resolve hardened. The nation lurched towards a storm cloud growing on the horizon.

Legislative Compromises

Splitting of political lines and the formation of alliances, driven in part by the question of whether new states would be free states or slave, drove the North-South balance of power in Congress. Numerous compromises were made in this regard: The Northwest Ordinance of 1787 (prior to our Constitution, but it carried forward), the Missouri Compromise of 1820, Texas Annexation (1845), the Wilmot Proviso (1846), the Compromise of 1850, and the Kansas-Nebraska Act of 1854.

Tariffs were another contentious issue, in particular the Tariff of 1828, which led to the Nullification Crisis wherein South Carolina, long a political hotbed, challenged federal authority and declared the tariff null and void. Ardent political negotiations and maneuvering got the nation past the immediate crisis, but it was only a patch.

There were the Fugitive Slave Acts of 1793 and 1850 and slavery-based Supreme Court cases such as *United States v. Schooner Amistad* (1841), *Prigg v. Pennsylvania* (1842), and *Dred Scott v. Sandford* (1857). These settled immediate legal actions, but only exacerbated animosities.

The fear of slave rebellion abounded in the South. There were several, the most notable being the Nat Turner rebellion of 1831. Fears were heightened by John Brown's Raid on Harper's Ferry in 1859.

Political passions grew unrestrainedly. In the South, there was growing momentum for secession epitomized by the so called Fire-Eaters. These were pro-slavery Southern Democrats led by the likes of Robert Barnwell Rhett of South Carolina and William Lowndes Yancey of Alabama. Their opposite number in the North in terms of enflamed fervor were the abolitionists. Championed by the the likes of William Lloyd Garrison and former slave Frederick Douglass, they advocated immediate, unconditional, and total abolition of slavery in the nation (as opposed to anti-slavery activists such as Abraham Lincoln that called for the gradual ending of slavery).

Abraham Lincoln's election (1860)

The sectional conflict came to head in 1860 with Republican Abraham Lincoln winning the election to become the sixteenth president of the United States. In the South, his election was taken as the signal for secession, and on December 20 South Carolina became the first state to withdraw from the Union. Promptly, the other states of the lower South followed. Feeble efforts on the part of Buchanan's administration to check secession failed, and one by one most of the federal forts in the Southern states were taken over by secessionists. Neither extreme Southerners, intent upon secession, nor Republicans, intent upon reaping the rewards of their hard-won election victory, were really interested in compromise. On February 4, 1861—a month before Lincoln could be inaugurated in Washington—six Southern states (South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana) sent representatives to Montgomery, Alabama, to set up a new independent government. Delegates from Texas soon joined them. With Jefferson Davis of Mississippi at its head, the Confederate States of America came into being.

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At its core, the Civil War was occasioned by failure to peaceably resolve the conflict of notions as to the degree to which the individual states had sovereignty (autonomy) versus the control needed for an effective national government – states versus national rights.

To those that advocated states' rights, the Constitution was a compact. The states were sovereign when they united and had retained their sovereignty even while creating another sovereign power. As such, the federal government was bound to acquiesce in a solemn decision of a state acting in its sovereign capacity. Southern belief in the sovereignty of states cannot be overemphasized. Those favoring secession believed they not only were justified in dissolving the compact under which they lived but in fact were upholding the spirit of the Constitution in doing so because the North had used its political power to the disadvantage of the South.

The national rights advocates held that the Constitution was in no sense a mere compact between the states but an instrument whereby the people of the United States established a strong centralized government and endowed it with ample powers to enforce its rights. If a state were to resist the enforcement of national law, it was revolution if it succeeded and rebellion if it failed. Upon these ideas the conflicts surrounding states' rights, slavery, territorial expansion, nullification, and secession were based.

The failure to resolve this dispute peaceably led to the wrenching national experience of Civil War, the impact of which is still being felt today.