

## **“The Failure of Compromise” ~ by Bruce Levine**

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(1) In the spring of 1861, the United States of America split into two hostile countries—the United States and the new **Confederate States of America**. The two opposing heads of state agreed about what was causing the **rupture**—the long-running dispute concerning slavery and especially its status in the federal territories. “One section of our country believes slavery is right, and ought to be extended,” noted **Abraham Lincoln** in his **First Inaugural Address**, “while the other believes it is wrong, and ought not to be extended. This is the only **substantial** dispute.”[1] In a message to his own congress the following month, the Confederate president **implicitly affirmed** that interpretation. He and his colleagues had left **the Union**, **Jefferson Davis** explained, because Lincoln’s party had pledged to exclude “the labor of African slaves” from the “**public domain**” of the territories.

(2) As Davis emphasized in the same message, **slavery** “was and is **indispensable**” to the South’s kind of society.[2] Of the more than twelve million souls who resided in the southern states in 1860, nearly one out of every three was enslaved. As **commodities** that could be (and were) freely bought and sold, their bodies were worth something like three billion dollars. That was a sum greater than the value of all the farmland in all of the South and fully three times as great as the construction costs of all the railroads then running throughout all the United States. But even more important was the labor that those four million people performed. Slave labor yielded more than half of all the South’s tobacco; almost all of its sugar, rice, and hemp; and 90 percent of its cotton. Only slave laborers, southern leaders were sure, would work hard enough and cheaply enough to **yield** the **immense** profits that slaveholders expected. But the slaveholders’ attachment to slavery went even deeper than those **considerations**. Slavery, it seemed to them, was the only firm foundation for republican government. More generally still, their “**peculiar institution**” was the unique basis of the particular outlook, assumptions, norms, habits, and relationships that defined their world and to which they had become deeply and **reflexively** attached.

(3) In the North, just as in the South, meanwhile, economic and social development shaped the population’s cultural, intellectual, and political lives and values. Northerners who embraced an economy based on **free labor** came to view the ownership of one human being by another as economically backward, morally **repugnant**, and politically antidemocratic. This basic difference gave rise to a **protracted** conflict that **waxed and waned** in intensity between the Revolution and the Civil War. Various aspects of that issue became the **foci** of that conflict at various times—including the way to **apportion** representation in Congress, the right to petition Congress, the right of states to **nullify** federal laws, and the recapture of runaway slaves. But the most **persistent** and explosive of issue was that of slavery’s geographical expansion.

(4) Supporters and opponents of slavery both believed that the institution needed to spread in order to survive. Slave-based agriculture was **intensive** and exhausted the soil quickly. It therefore constantly required additional lands. As large portions of the US population moved westward, only the creation of new slave states could sustain the slaveholders' political power in Congress and the Electoral College. And **conversely**, allowing the territories, and the states carved out of them, to banish slavery would provide slaves contemplating escape new sanctuaries toward which to flee. Opponents of slavery thought it equally urgent to bar that institution from **the West**. Many northern farmers and urban dwellers wanted to be able to migrate into the West without dwelling among slaves, competing with cheap slave labor, or being governed locally by slave-owning politicians. Nor did they **relish** the idea of increasing the slaveholders' already outsized political power in the federal government. By preventing slavery from expanding, finally, many of its opponents hoped to see it choke to death where it already existed.

(5) This dispute repeatedly erupted into major political crises. Those who prized national harmony above the rights or wrongs of slavery tried to **defuse** these crises with legislative deals that offered something to both sides. The two most important of these deals became known as the **Missouri Compromise** and **the Compromise of 1850**.

(6) In 1819, the Missouri Territory—a piece of the **Louisiana Purchase**—applied for statehood. By that time there were some 10,000 slaves living in the territory. In order to prevent the spread of slavery, a group of northern congressmen led by James Tallmadge Jr. of New York proposed granting statehood to Missouri on condition that it gradually **abolish** slavery. This would be accomplished by preventing any additional slaves from entering Missouri and **emancipating** all slave children born in Missouri following statehood once those children reached the age of twenty-five. The House of Representatives, where the more populous North enjoyed greater strength than the South, passed the **Tallmadge plan**. The Senate, however, where slave and free states had the same representation regardless of the size of their populations, voted to admit Missouri as a state without imposing any restrictions on slavery there. A legislative compromise finally broke this **stalemate**. Congress granted statehood to Missouri without barring slavery from it, and Maine, whose application for statehood had in the **interim** been blocked by southern senators, would now enter the Union as a free state. But in another measure Congress declared slavery illegal in all remaining territories that had been purchased in 1803 and lay north of Missouri's southern border (at **36° 30' latitude**).

(7) A **war with Mexico** between 1846 and 1848 led to a second great compromise over slavery. By the terms of the treaty that ended that war, the United States acquired more than half a million square miles of Mexican land. Anticipating such an outcome, Rep. David Wilmot, a Pennsylvania Democrat, introduced a measure in the summer of 1846 declaring that "neither slavery nor involuntary servitude shall ever exist in any part" of any land seized during the war. After a heated debate, the House of Representatives passed the "**Wilmot proviso**," but in the Senate, once again, proslavery forces **mustered** the votes needed to block the measure.

(8) This conflict, too, ended in a compromise embodied in a number of congressional **resolutions**. One accepted the province of California into the Union as a state with the right to decide for itself whether or not to legalize slavery within its borders; it soon outlawed slavery. A second measure organized the rest of the lands taken from Mexico into two territories—New Mexico and Utah—without addressing the status of slavery there. In a process dubbed “**popular sovereignty**,” the white residents of each territory would be permitted to decide that question on their own; both territorial governments later legalized slavery. To **placate** anti-slavery sentiment, a third measure forbade using the District of Columbia any longer as a regional **slave market**, making it a crime to bring any additional slaves into the District for the purpose of selling and delivering them elsewhere. And to **mollify** slaveholders, a fourth measure was adopted. Designed to put additional teeth into the **fugitive slave clause** of the US Constitution, it empowered federal marshals to pursue people accused of being runaways into free states and to force citizens of those states to join their posses. It also established a body of special federal commissioners (instead of northern judges) to preside over all such cases and denied jury trials to the accused. A final part of the compromise package settled a boundary dispute between Texas and the New Mexico territory.

(9) Many political leaders cheered both the 1820 and 1850 compromises as resolutions of the slavery conflict. Each did, for a time, formally decide the specific questions then in contention. But neither testified to the existence of an overriding, nationwide spirit of **conciliation** among the population—and neither resolved the fundamental, underlying dispute over slavery, its merits, and its future in the United States.

(10) **Chafing** at the new fugitive slave law, anti-slavery forces tried to **render** it unenforceable. Southerners who liked the new “popular sovereignty” doctrine used it to overturn the Missouri Compromise. In 1854, Democratic **Senator Stephen A. Douglas** of Illinois introduced a bill into Congress to **facilitate** the political organization of the Nebraska territory, a vast region composed of lands obtained in the Louisiana Purchase but not yet formed into states. Over the years, southern leaders had come more and more to resent the 1820 exclusion of slavery from that part of the continent. As a result of their pressure, Douglas’s bill declared the Missouri Compromise **null and void**. It divided Nebraska into two territories, a **Nebraska** to the north and a **Kansas** to the south. White settlers would decide the legal status of slavery in each via “popular sovereignty.”

(11) The **repeal** of the Missouri Compromise triggered a huge political **backlash** in the free states that ultimately gave rise to a new political party, the **Republican Party**, that pledged to exclude slavery from all federal territories. In the Kansas territory, meanwhile, a **guerrilla war** known as “**Bleeding Kansas**” erupted between pro- and anti-slavery settlers, who received support from others in the North and South.

(12) In 1857, a Supreme Court dominated by southerners and pro-southern Democrats sought once again to resolve the conflict over slavery in the territories with a two-pronged ruling in the now-famous **Dred Scott case**. The Court declared that a slaveholder could carry human property into free territories and even free states and hold such people there for an unspecified period of time without losing claim to them. The Court also ruled that neither Congress nor territorial

governments had the constitutional power to outlaw slavery in any federal territory. This decision only further inflamed anti-slavery opinion in the North and brought additional support to the Republican Party. In the most dramatic expression of the escalating tensions, the abolitionist **John Brown** and about two dozen men, white and black, mounted a raid in 1859 against a federal armory in **Harpers Ferry**, Virginia. They hoped to encourage a massive slave revolt that would eventually spread further. Although the attempt failed, it did much to **stoke the flames** of the North-South conflict.

(13) By 1860, most northern voters had **manifestly** lost confidence in legislative compromises over slavery. They therefore cast their ballots for presidential candidate Abraham Lincoln, who pledged to outlaw slavery throughout the territories and who hoped this would accelerate that system's "ultimate extinction." [3] Convinced that Lincoln's election proved that slavery had no future in the United States, South Carolina's leaders voted that state out of the United States in December 1860. As it departed, it **exhorted** the rest of the slave states to follow suit. In short order the rest of the states of the lower South cotton kingdom (Georgia, Mississippi, Alabama, Texas, Louisiana, and Florida) declared themselves out of the Union, too.

(14) The departure of the lower South and the Republicans' refusal to back away from their program strengthened **secession** sentiment in four of the eight slave states still in the Union—Virginia, North Carolina, Tennessee, and Arkansas. The major Virginia planter Robert E. Scott, once a unionist, now warned that the secession of seven slave states had "given to the non-slaveholding States such a **preponderance** in the Federal Government over the remaining slaveholding States as to make it **incompatible** with the safety of the latter to remain permanently associated with them under the present constitution." Now "the free States would control the Government" while the remaining slave states will "be reduced to the condition of humble **subordination**." [5] Leaders of all four of those slave states in the upper South again demanded that Lincoln **repudiate** his party's program or risk additional withdrawals from the Union. They also warned that any use of force by the federal government to prevent the Union's **dissolution** would propel them into the arms of their sister slaveholding states in the Confederacy.

(15) Lincoln rejected these ultimatums. When the Confederacy fired upon and forced the surrender of **Fort Sumter** in Charleston harbor in April 1861, Lincoln called on the states to send volunteers to put down this armed rebellion against the government. Virginia, Arkansas, Tennessee, and North Carolina refused and made good on their threat to join the Confederacy. The era of compromise had ended; the era of civil war had begun.

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[1] In *Collected Works of Abraham Lincoln*, ed. Roy P. Basler et al (1953), 4:268–269.

[2] Dunbar F. Rowland, ed., *Jefferson Davis, Constitutionalist: His Letters, Papers and Speeches* (1923), 5:72–73.

[3] Lincoln made this point numerous times. For just one example, see *Collected Works of Abraham Lincoln*, 2:461.

[4] Abraham Lincoln to James T. Hale, Jan. 11, 1861, in *Collected Works of Abraham Lincoln*, 4:172.

[5] *Proceedings of the Virginia State Convention of 1861*, ed. George H. Reese (1965), 3:61–62.

## **The Failure of Compromise ~ Discussion Questions**

1. According to Abraham Lincoln and Jefferson Davis, what caused "the rupture" and split of the United States of America? (Paragraph #1)
2. Why was slavery "indispensable" to the South? (Paragraph #2)
3. Explain three reasons Northerners opposed slavery? (Paragraph #3)
4. In what ways did the issue of slavery impact aspects of American politics? (Paragraph #3)
5. Why did slavery need to spread in order to survive? (Paragraph #4)
6. Why were northern farmers and urban dwellers opposed to slavery's expansion? (Paragraph #4)
7. Summarize the details of the Missouri Compromise. How did it maintain "national harmony?" (Paragraph #6)
8. Describe the process of popular sovereignty. (Paragraph #8)
9. Summarize the details of the Compromise of 1850. How did it maintain "national harmony?" (Paragraph #8)
10. How did events in Kansas and John Brown represent the "escalating tensions" between the North and the South in the 1850s? (Paragraphs #11-12)
11. Explain the Supreme Court of the United States (SCOTUS) decision in the Dred Scott case. Why was this ruling significant? (Paragraph #12)
12. Describe the impact of both Abraham Lincoln's election in 1860 and the attack on Fort Sumter in 1861. (Paragraphs #13-15)

## The Failure of Compromise ~ Vocabulary

1. **rupture**: (v) to break or burst suddenly
2. **substantial**: (adj) of considerable importance, size, or worth
3. **implicitly**: (adv) without qualification, absolutely
4. **affirmed**: (v) state as fact, assert strongly
5. **public domain**: (n) the state of belonging or being available to the public as a whole
6. **indispensable**: (adj) absolutely necessary
7. **commodities**: (n) a raw material or product that can be bought and sold
8. **yield**: (v) to produce or provide, generate
9. **immense**: (adj) extremely large or great in size or degree
10. **considerations**: (n) a fact or a motive taken in account in deciding or judging something
11. **reflexively**: (adv) automatically, without conscious thought
12. **free labor**: (noun phrase) the work of independent individuals, as distinguished from that of slaves
13. **repugnant**: (adj) extremely distasteful, unacceptable
14. **protracted**: (adj) lasting for a long time or longer than expected
15. **waxed and waned**: (verb phrase) to undergo alternate increases and decreases
16. **foci**: (n) the point of origin
17. **apportion**: (v) to divide and allocate, assign
18. **nullify**: (v) invalidate, make legally void
19. **persistent**: (adj) continuing firmly in a course of action in spite of difficulty or opposition
20. **intensive**: (adj) aiming to achieve the highest possible level of production within a limited area
21. **conversely**: (adv) introducing statement or idea that reverses one that has just been made or referred to
22. **relish**: (n) liking for or pleasurable anticipation of something
23. **defuse**: (v) reduce the danger or tension in a difficult situation
24. **abolish** (v) formally put an end to a (system, practice, or institution)
25. **emancipating**: (v) set free, especially from legal, social, or political restrictions
26. **stalemate**: (n) a position counting as a draw
27. **interim**: (adj) provisional or temporary
28. **mustered**: (v) collect or assemble
29. **resolutions**: (n) a firm decision to do or not do something
30. **placate**: (v) make someone less angry or hostile
31. **mollify**: (v) reduce the severity of something, make less angry
32. **conciliation**: (n) the action of minimizing or mediating conflict between people or groups
33. **chafing**: (v) become or make annoyed or impatient
34. **render**: (v) deliver a verdict or judgment, make a decision
35. **facilitate**: (v) to make an action or process easier, to help along
36. **null and void**: (phrase) no legal force, invalid, or completely empty
37. **repeal**: (v) revoke or cancelling a law or congressional act
38. **backlash** : (n) strong or adverse reaction by a large number of people
39. **guerrilla war**: (noun phrase) type of warfare where a smaller group tries to ambush or sabotage a larger military to avoid direct head to head combat
40. **stoke the flames**: (verb phrase) to poke or fuel a fire so that it burns higher, to intensify or make something/someone angrier or more intense
41. **manifestly**: (adv) in a way that is clear or obvious to the eye or mind
42. **exhorted**: (v) strongly encourage or urge someone to do something
43. **preponderance**: (n) the quality or fact of being greater in number or importance
44. **incompatible**: (adj) unable to live together harmoniously, incapable of existing together
45. **subordination**: (n) the action of placing someone who is inferior into a position of submission or servitude
46. **repudiate**: (v) to deny the truth or validity of
47. **dissolution**: (n) the action or process of something being dissolved, eliminated, or terminated