

Documents for In-Class Final

HIST 118, Professor McDaniel

April 28, 2013

Document A

Alexander Stephens Discusses the Causes of the Civil War (1868)

In a memoir written during Reconstruction, the former Confederate Vice President outlined *A Constitutional View of the Late War between the States*. In the following excerpt he discusses the causes of the sectional conflict that led to war.

My position [is] that in the Federal Councils and before Federal Authorities it was not a conflict between the advocates of the system of Slavery, as it existed, and its opponents, as Mr. Greeley has treated it throughout; but that it was in all its stages and phases so far as Federal Politics were concerned, a conflict between those who claimed, and those who denied, that the Federal Authorities had any rightful power, under the Constitution, to take any action whatever upon it, with a view to its immediate or ultimate extinction, or its regulation in any way in contravention of the Rights of the States. . . .

[T]he conflict on this subject in the Federal Councils and before Federal Authorities, was not one between the “principles of human rights and human bondage” at all ; . . . it was a conflict between the advocates and supporters of a Federal Government, with limited and specific powers, on the one side, and those who favored Centralism and Consolidation on the other.

The States South were all on the side of the Constitution. They never invoked any stretch of Federal power to aid or protect that peculiar Institution, either in the States or Territories. Their position from the beginning to the end, upon the Territorial question, was “non-intervention” by Congress, either for or against the Institution. All they asked of Congress, in this particular, was simply not to be denied equal rights in settling and colonizing the common public domain, and that the people in these inchoate States

might be permitted to act as they pleased upon the subject of the status of the Negro race amongst them, as upon all other subjects of internal policy ... They claimed the same Sovereign Right of local Self-government on the part of these new States which was the moving cause of the Declaration of Independence, and was the basis upon which our whole system of Government rested. ...

The leading men of the South ... even the extremest of them ... aimed at nothing, and desired nothing, but the maintenance, in good faith, of the Constitution, with all its guarantees as they stood! They wanted and desired nothing but that Constitutional liberty and equality which the Fathers had established! They wanted no new Constitution, nor any new "Slavery Dynasty!"

Document B

Excerpts from the Constitution of the Confederate States of America (1861)

Adopted in Montgomery, Alabama, on March 11, 1861.

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent federal government, establish justice, insure domestic tranquillity, and secure the blessings of liberty to ourselves and our posterity invoking the favor and guidance of Almighty God do ordain and establish this Constitution for the Confederate States of America.

Article 1, Sec. 9 ... No bill of attainder, ex post facto law, or law denying or impairing the right of property in negro slaves shall be passed.

Article 4, Secs. 2-3 The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States; and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired. ...

The Confederate States may acquire new territory; and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy.

In all such territory the institution of negro slavery, as it now exists in the Confederate States, shall be recognized and protected be Congress and by the Territorial government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such Territory any slaves lawfully held by them in any of the States or Territories of the Confederate States. . . .

Document C

Alexander Stephens Identifies the “Cornerstone” of the Confederacy (1861)

On March 21, 1861, the soon-to-be Vice President of the Confederacy delivered this speech in Georgia, his home state, about the new Confederate Constitution.

I was remarking that we are passing through one of the greatest revolutions in the annals of the world. Seven States have within the last three months thrown off an old government and formed a new. . . .

This new constitution, or form of government, constitutes the subject to which your attention will be partly invited. In reference to it, I make this first general remark: it amply secures all our ancient rights, franchises, and liberties. . . . All the essentials of the old constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. Some changes have been made. . . . They form great improvements upon the old constitution. So, taking the whole new constitution, I have no hesitancy in giving it as my judgment that it is decidedly better than the old.

Allow me briefly to allude to some of these improvements. The question of building up class interests, or fostering one branch of industry to the prejudice of another under the exercise of the revenue power, which gave us so much trouble under the old constitution, is put at rest forever under the new. We allow the imposition of no duty [or tax] with a view of giving advantage to one class of persons, in any trade or business, over those of another. . . .

Another change in the constitution relates to the length of the tenure of the presidential office. In the new constitution it is six years instead of four, and the President rendered ineligible for a re-election. . . .

But not to be tedious in enumerating the numerous changes for the better, allow me to allude to one other though last, not least. The new

constitution has put at rest, forever, all the agitating questions relating to our peculiar institution African slavery as it exists amongst us the proper status of the negro in our form of civilization. This was the immediate cause of the late rupture and present revolution. . . . The [old federal] constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly urged against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the government built upon it fell when the “storm came and the wind blew.”

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests, upon the great truth that the negro is not equal to the white man; that slavery subordination to the superior race is his natural and normal condition. This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth. . . .

It is the first government ever instituted upon the principles in strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of the subordination and serfdom of certain classes of the same race; such were and are in violation of the laws of nature. Our system commits no such violation of nature’s laws. With us, all of the white race, however high or low, rich or poor, are equal in the eye of the law. Not so with the negro. Subordination is his place. . . .

Document D

Jefferson Davis Looks Back on the Civil War (1881)

Excerpt from the preface to *The Rise and Fall of the Confederate Government*, by former Confederate President Jefferson Davis.

The object of this work has been from historical data to show that the Southern States had rightfully the power to withdraw from a Union into which they had, as sovereign communities, voluntarily entered; that the denial of that right was a violation of the letter and spirit of the compact between the States; and that the war waged by the Federal Government against the seceding States was in disregard of the limitations of the Constitution, and destructive of the principles of the Declaration of Independence. . . .

The incentive to undertake the work now offered to the public was the desire to correct misapprehensions created by industriously circulated misrepresentations as to the acts and purposes of the people and the General Government of the Confederate States. . . .

Another great perversion of truth has been the arraignment of the men who participated in the formation of the Confederacy . . . as the instigators of a controversy leading to disunion. Sectional issues appear conspicuously in the debates of the Convention which framed the Federal Constitution, and its many compromises were designed to secure an equilibrium between the sections, and to preserve the interests as well as the liberties of the several States. African servitude at that time was not confined to a section, but was numerically greater in the South than in the North, with a tendency to its continuance in the former and cessation in the latter. It therefore thus early presents itself as a disturbing element, and the provisions of the Constitution, which were known to be necessary for its adoption, bound all the States to recognize and protect that species of property. When at a subsequent period there arose in the Northern States an antislavery agitation, it was a harmless and scarcely noticed movement until political demagogues seized upon it as a means to acquire power. Had it been left to pseudo-philanthropists and fanatics, most zealous where least informed, it never could have shaken the foundations of the Union and have incited one section to carry fire and sword into the other. . . . To preserve a sectional equilibrium and to maintain the equality of the States was the effort on one side, to acquire empire was the manifest purpose on the other. . . .

Document E

Mississippi's Declaration of Causes for Its Secession (1861)

In the momentous step which our State has taken of dissolving its connection with the government of which we so long formed a part, it is but just that we should declare the prominent reasons which have induced our course.

Our position is thoroughly identified with the institution of slavery—the greatest material interest of the world. Its labor supplies the product which constitutes by far the largest and most important portions of commerce of the earth. These products are peculiar to the climate verging on the tropical regions, and by an imperious law of nature, none but the black race can bear exposure to the tropical sun. These products have become necessities of the world, and a blow at slavery is a blow at commerce and civilization. That blow has been long aimed at the institution, and was at the point of

reaching its consummation. There was no choice left us but submission to the mandates of abolition, or a dissolution of the Union, whose principles had been subverted to work out our ruin.

That we do not overstate the dangers to our institution, a reference to a few facts will sufficiently prove.

The hostility to this institution commenced before the adoption of the Constitution, . . .

The feeling increased, until, in [the Missouri Compromise of] 1819-20, it deprived the South of more than half the vast territory acquired from France. . . .

It has grown until it denies the right of property in slaves, and refuses protection to that right on the high seas, in the Territories, and wherever the government of the United States had jurisdiction.

It refuses the admission of new slave States into the Union, and seeks to extinguish it by confining it within its present limits, denying the power of expansion.

It tramples the original equality of the South under foot. . . .

It advocates negro equality, socially and politically, and promotes insurrection and incendiarism in our midst.

It has enlisted its press, its pulpit and its schools against us, until the whole popular mind of the North is excited and inflamed with prejudice. . . .

It has recently obtained control of the Government, by the prosecution of its unhallowed schemes, and destroyed the last expectation of living together in friendship and brotherhood.

Utter subjugation awaits us in the Union, if we should consent longer to remain in it. It is not a matter of choice, but of necessity. We must either submit to degradation, and to the loss of property worth four billions of money, or we must secede from the Union framed by our fathers, to secure this as well as every other species of property. . . .

Document F

Jefferson Davis Addresses the Confederate Congress (1861)

In this April 29, 1861, speech upon the ratification of the Confederate Constitution, Jefferson Davis discussed just causes for secession.

. . . In addition to the long-continued and deep-seated resentment felt by the Southern States at the persistent abuse of the powers they had delegated to

the Congress, for the purpose of enriching the manufacturing and shipping classes of the North at the expense of the South, there has existed for nearly half a century another subject of discord. . . . When the several States delegated certain powers to the United States Congress, a large portion of the laboring population consisted of African slaves imported into the colonies by the mother country. In twelve out of the thirteen States negro slavery existed, and the right of property in slaves was protected by law. This property was recognized in the Constitution, and provision was made against its loss by the escape of the slave. . . . and in no clause can there be found any delegation of power to the Congress authorizing it in any manner to legislate to the prejudice, detriment, or discouragement owners of that species of property, or excluding it from the protection of the Government.

The climate and soil of the Northern States soon proved unpropitious to the continuance of slave labor, whilst the converse was the case at the South. . . . The South were willing purchasers of a property suitable to their wants, and paid the price of the acquisition without harboring a suspicion that their quiet possession was to be disturbed by those who were inhibited not only by want of constitutional authority, but by good faith as vendors . . . A continuous series of measures was devised and prosecuted for the purpose of rendering insecure the tenure of property in slaves. Fanatical organizations, supplied with money by voluntary subscriptions, were assiduously engaged in exciting amongst the slaves a spirit of discontent and revolt; . . . Emboldened by success, the theater of agitation and aggression against the clearly expressed constitutional rights of the Southern States was transferred to the Congress; . . . Finally a great party was organized for the purpose of obtaining the administration of the Government, with the avowed object of using its power for the total exclusion of the slave States from all participation in the benefits of the public domain acquired by all the States in common, whether by conquest or purchase; of surrounding them entirely by States in which slavery should be prohibited; of thus rendering the property in slaves so insecure as to be comparatively worthless, and thereby annihilating in effect property worth thousands of millions of dollars. This party, thus organized, succeeded in the month of November last in the election of its candidate for the Presidency of the United States.

In the meantime, under the mild and genial climate of the Southern States and the increasing care and attention for the wellbeing and comfort of the laboring class, dictated alike by interest and humanity, the African slaves had augmented in number from about 600,000, at the date of the adoption of the constitutional compact, to upward of 4,000,000. . . . Under the supervision of a superior race their labor had been so directed as not

only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of the wilderness into cultivated lands covered with a prosperous people . . . With interests of such overwhelming magnitude imperiled, the people of the Southern States were driven by the conduct of the North to the adoption of some course of action to avert the danger with which they were openly menaced. . . . Here it may be proper to observe that from a period as early as 1798 there had existed in all of the States of the Union a party almost uninterruptedly in the majority based upon the creed that each State was, in the last resort, the sole judge as well of its wrongs as of the mode and measure of redress. Indeed, it is obvious that under the law of nations this principle is an axiom as applied to the relations of independent sovereign States, such as those which had united themselves under the constitutional compact. . . .



Final Exam, HIST 118

Professor McDaniel

April 28, 2013

Read the packet of documents distributed in class. Then answer all of the three questions using the space provided. If you need more room to write, you may request more paper.

Question 1

Imagine that the Sons of Confederate Veterans (SCV), a “Confederate heritage” group, has petitioned Texas Governor Rick Perry to declare May 2013 “Confederate History Month.”

Anticipating controversy, the SCV has issued a press release arguing that this declaration would not be offensive because the Confederacy was not fighting primarily to defend slavery. Instead, according to the SCV, Confederates stood for the principles of “states’ rights” and the Constitutional right of states to secede.

Now imagine that KHOU, a local news station, has contacted you, a Rice University history student, to evaluate these claims and advise their editorial board, which is planning an on-air opinion piece about the SCV press release. Using specific evidence from the documents provided to you, how would you respond?

Dear KHOU Editorial Board:

See the next page for more questions.

Question 2

The image printed below was downloaded from a webpage on “Black Confederate Veterans” which claims that “old historical records” like this photo show “the contributions made by the black men and women of the South in the struggle for our Independence.”

Study the picture carefully.



Figure 1: Image downloaded from <http://www.texasconfederateveterans.com>

Now look at the image projected on the classroom screen. What information would you want to gather about these images to assess the website’s claims about “Black Confederates”? Explain why this information would help you in your assessment, using the next page if necessary.

Question 3

Write one new historical question generated by your examination of the documents distributed with this exam. When relevant, use information from the documents themselves *or* from other readings in the class to ensure that your question is both specific and illustrative of historical thinking.

Optional Bonus Question

At the time of the American Civil War, *at least* three different cultural understandings of property existed in the United States. Slaveholding Southerners, Northern Republicans, and enslaved Southerners shared some common understandings of property, but in key respects their definitions of property also differed dramatically.

Using the remaining space, discuss the predominant understandings of “property” that characterized *each* of these three groups and explain what kinds of historical sources give scholars access to these different views. Be as specific as you can.

Your answer is worth **up to** an *additional 0.4 points* on your grade for this exam.