

**Outline #15**  
**Transforming America: The Civil War, 1861-1865**

I. Secession and War, 1860-61

A. Confederacy (South) vs. Union (North). Please read “South Carolina Ordinance of Secession” (*Voices of Freedom*, pp. 287-290) and “Abraham Lincoln’s 1<sup>st</sup> Inaugural Address” (attached) to answer the questions below. Consider the key issue: Why did South Carolina favor secession, and why did Lincoln oppose secession?

1. Why was the “compact theory” of government, and how did South Carolina use it to justify secession? According to South Carolina, what were some of the things the Northern states had done that were so objectionable? Why did the Ordinance of Secession object to Lincoln becoming president?
2. Did Lincoln agree with the “compact theory of government” and secession? If not the states, who or what agreed to the creation of the Constitution? Why did Lincoln argue secession was illegal? Why did Lincoln call secession the “essence of anarchy”?

II. From Preserving the Union to Emancipation - Redefining American Freedom

- A. Battle of Antietam (Sharpsburg), 17 Sept 1862 (*Civil War*, pt. 3)
1. Robert E. Lee (Confederate) vs. George McClellan (Union)

B. Emancipation Proclamation, 1 January 1863

1. Excerpt: “all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free...”
2. Does the wording of the document suggest all slaves were freed by the proclamation?

C. Black Soldiers

1. 54th Massachusetts

D. Repeal of Racist State Laws

III. Women and the War (*Civil War*, pt. 5, 48-53)

- A. Sanitary Commission
- B. George and Ellie Strong
- C. Mary Livermore
- D. Clara Barton
- E. Sally Thompson
- F. Mary Ann Bickerdyke
- G. In what ways did the Civil War change the opportunities available to women?

#### IV. Economic Transformation and Western Expansion

A. Morrill Land Grant College Act, 1862. The Morrill Land Grant Act of 1862, signed into law by Abraham Lincoln ... was first proposed in 1857 by Justin Smith Morrill ... a Representative and a Senator from Vermont. The son of a blacksmith, Morrill had to leave school when he was 15. He saw the need for the everyday working people he identified with to have access to higher education. The legislation he proposed used a simple formula to give federal land to every state for one purpose: to build at least one college, accessible to all, that would promote regional development by teaching agriculture and engineering in addition to "the higher graces of classical study," in Morrill's own words. These land-grant universities are considered forerunners of today's state universities. Because of the Morrill Land Grant Act, 12 million acres now house 70 land-grant universities [including the University of Idaho and Washington State University.]

[http://congress.indiana.edu/radio\\_series/morrill\\_land\\_grant\\_college.html](http://congress.indiana.edu/radio_series/morrill_land_grant_college.html)

B. Homestead Act, 1862. President Abraham Lincoln signed the Homestead Act on May 20, 1862. The act provided settlers with 160 acres of surveyed public land after payment of a filing fee and five years of continuous residence. Designed to spur Western migration, the Homestead Act culminated a twenty-year battle to distribute public lands to citizens willing to farm. Concerned free land would lower property values and reduce the cheap labor supply, Northern businessmen opposed the movement. Unlikely allies, Southerners feared homesteaders would add their voices to the call for abolition of slavery. With Southerners out of the picture in 1862, the legislation finally passed. <http://memory.loc.gov/ammem/today/may20.html>

C. Pacific RR Bill (Transcontinental Railroad), 1862 (clip: Grandest Enterprise)

- A. Railroads and Western expansion
- B. Government support
- C. Union Pacific and Central Pacific Railroad Companies
- D. Workers – mostly immigrants (Irish for Union, Chinese for Central)
- E. Questions
  1. What was connection between RRs and western expansion?
  2. Why was government support of RRs seen as necessary?

#### V. War's End and Aftermath

- A. Gen. Robert E. Lee's Surrender, Appomattox Courthouse, 9 April 1865
- B. Lincoln Assassinated (14 April 1865) by John Wilkes Booth
- C. Ratification of the 13th Amendment (December 1865)

## South Carolina Ordinance of Secession, 24 December 1860

<http://www.yale.edu/lawweb/avalon/csa/scarsec.htm>

[In December 1860, South Carolina leaders declared that their state would secede from the Union – that is, leave the United States. They stated their reasons in an Ordinance of Secession, excerpted below.]

...By this [United States] Constitution, certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily implied their continued existence as sovereign States...

Thus was established, by **compact** between the States, a Government with definite objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people...

... We assert that fourteen of the [Northern] States have deliberately refused, for years past, to fulfill their constitutional obligations, and we refer to their own Statutes for the proof.

The Constitution of the United States, in its fourth Article, provides as follows: "No person [slave] held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due..."

... [The U.S. Congress] passed laws [Fugitive Slave Act] to carry into effect these stipulations of the States. For many years these laws were executed. But an increasing hostility on the part of the non-slaveholding States to the institution of slavery, has led to a disregard of their obligations [that is, Northerners largely refused to enforce Fugitive Slave Act]...

... [E]ach State was recognized as an equal, and had separate control over its own institutions. The right of property in slaves was recognized [in the Constitution] ...

... We affirm that these ends for which this Government was instituted have been defeated, and the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assumed the right of deciding upon the propriety of our domestic institutions [slavery]; ... they have denounced as sinful the institution of slavery; they have permitted open establishment among them of [anti-slavery] societies, whose avowed object is to disturb the peace and to eloign [take away] the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures to servile insurrection.

... A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man [Abraham Lincoln] to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that slavery is in the course of ultimate extinction...

... The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy...

## **Abraham Lincoln's 1<sup>st</sup> Inaugural Address, 4 March 1861**

[http://www.pbs.org/civilwar/war/lincoln\\_address1.html](http://www.pbs.org/civilwar/war/lincoln_address1.html)

[Elected President of the United States in 1860, Abraham Lincoln of Illinois was inaugurated and gave his 1<sup>st</sup> Inaugural Address to the country in March 1861. He focused on his opposition to the effort by several Southern states to secede from the Union.]

...I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so...

... A disruption of the Federal Union, heretofore only menaced, is now formidably attempted [by secession of states from the Union].

I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination...

Again: If the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it--break it, so to speak--but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that in legal contemplation the Union is perpetual confirmed by the history of the Union itself. The Union is much older than the Constitution... It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was "to form a more perfect Union."

But if destruction of the Union by one or by a part only of the States be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State upon its own mere motion can lawfully get out of the Union...

...Plainly the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy or to despotism. Unanimity is impossible...