

PART FIFTEEN

THE CIVIL WAR

15-1 Jefferson Davis, Address to the Provisional Congress of the Confederate States of America (1861)

Jefferson Davis had a long and varied career before reluctantly becoming the first and only President of the Confederacy. A West Point graduate, he was a congressman before becoming a hero in the Mexican War. That success led to his appointment as United States Senator from Mississippi. Davis later became a very able Secretary of War in the administration of Franklin Pierce. He later returned to the Senate where he was a supporter of the extension of slavery. Though he sought to avoid secession, when it happened he resigned from the Senate and was made the President of the Confederate States of America. In this document Davis justifies the Confederacy on historical and constitutional grounds.

The declaration of war made against this Confederacy by Abraham Lincoln, the President of the United States, in his proclamation issued on the 15th day of the present month, rendered it necessary, in my judgment, that you should convene at the earliest practicable moment to devise the measures necessary for the defense of the country. The occasion is indeed an extraordinary one. It justifies me in a brief review of the relations heretofore existing between us and the States which now unite in warfare against us and in a succinct statement of the events which have resulted in this warfare, to the end that mankind may pass intelligent and impartial judgment on its motives and objects. During the war waged against Great Britain by her colonies on this continent a common danger impelled them to a close alliance and to the formation of a Confederation, by the terms of which the colonies, styling themselves States, entered “*severally* into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.” In order to guard against any misconstruction of their compact, the several States made explicit declaration in a distinct article—that “*each State retains its* sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this Confederation *expressly delegated* to the United States in Congress assembled.” . . .

Strange, indeed, must it appear to the impartial observer, but it is none the less true that all these carefully worded clauses proved unavailing to prevent the rise and growth in the Northern States of a political school which has persistently claimed that the government thus formed was not a compact *between* States, but was in effect a national government, set up *above* and *over* the States. An organization created by the States to secure the blessings of liberty and independence against *foreign* aggression, has been gradually perverted into a machine for their control in their *domestic* affairs. The *creature* has been exalted above its *creators*; the *principles* have been made subordinate to the *agent* appointed by themselves. The people of the Southern States, whose almost exclusive occupation was agriculture, early perceived a tendency in the Northern States to render the common government subservient to their own purposes by imposing burdens on commerce as a protection to their manufacturing and shipping interests. Long and angry controversies grew out of these attempts, often successful, to benefit one section of the country at the expense of the other. And the danger of disruption arising from this cause was enhanced by the fact that the Northern population was increasing, by immigration and other causes, in a greater ratio than the population of the South. By degrees, as the Northern States gained preponderance in the National Congress, self-interest taught their people to yield ready assent to any plausible advocacy of their right as a majority to govern the minority without control. They learned to listen with impatience of their will, and so utterly have the principles of the Constitution been corrupted in the Northern mind that, in the inaugural address delivered by President Lincoln in March last, he asserts as an axiom, which he plainly deems to be undeniable, that the theory of the Constitution requires that in all cases the majority shall govern; and in another memorable instance the same Chief Magistrate did not hesitate to liken the relations between a State and the United States to those which exist between a county and the State in which it is situated and by which it was created. This is the lamentable and fundamental error on which rests the policy that has culminated in his declaration of war against these Confederate States. 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, involving interests of such transcendent magnitude as at all times to create the apprehension in the minds of many devoted lovers of the Union that its permanence was impossible. 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. The increase in the number of slaves by further importation

from Africa was also secured by a clause forbidding Congress to prohibit the slave trade anterior to a certain date, 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 of the 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. Under the unrestricted free intercourse between two sections, the Northern States consulted their own interests by selling their slaves to the South and prohibiting slavery within their limits. 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, from disquieting a title emanating from themselves. As soon, however, as the Northern States that prohibited African slavery within their limits had reached a number sufficient to give their representation a controlling voice in the Congress, a persistent and organized system of hostile measures against the rights of the owners of slaves in the Southern States was inaugurated and gradually extended. 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; means were furnished for their escape from their owners, and agents secretly employed to entice them to abscond; the constitutional provision for their rendition to their owners was first evaded, then openly denounced as a violation of conscientious obligation and religious duty; men were taught that it was a merit to elude, disobey, and violently oppose the execution of the laws enacted to secure the performance of the promise contained in the constitutional compact; owners of slaves were mobbed and even murdered in open day solely for applying to a magistrate for the arrest of a fugitive slave; the dogmas of these voluntary organizations soon obtained control of the Legislatures of many of the Northern States, and laws were passed providing for the punishment, by ruinous fines and long-continued imprisonment in jails and penitentiaries, of citizens of the Southern States who should dare to ask aid of the officers of the law for the recovery of their property. Emboldened by success, the theater of agitation and aggression against the clearly expressed constitutional rights of the Southern States was transferred to the Congress; Senators and Representatives were sent to the common councils of the nation, whose chief title to this distinction consisted in the display of a spirit of ultra fanaticism, and whose business was not “to promote the general welfare or insure domestic tranquility,” but to awaken the bitterest hatred against the citizens of sister States by violent denunciation of their institutions; the transaction of public affairs was impeded by repeated efforts to usurp powers not delegated by the Constitution, for the purpose of impairing the security of property in slaves, and reducing those States which held slaves to a condition of inferiority. 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.

1. Summarize Davis’ argument regarding the rights of states and the rights of the United States as they pertain to the declaration of war by the North. Explain the “fundamental error” that has resulted in the war Davis is now confronted with.
2. What actions have been taken by the North to undermine and destroy the successful existence of the southern states according to Davis?
3. Summarize Davis’ point of view on the causes of the civil war? What factors are largely responsible for the South’s need to defend itself?

15-2 The “Cornerstone Speech” (1861)

On March 21, 1861, Alexander Hamilton Stephens, vice president of the newly established Confederate States of America, stood before an overflowing crowd at the Athenaeum in Savannah, Georgia, and delivered a speech outlining what he believed was the great principle upon which the new government was created. Stephens, an erstwhile lawyer and congressman from Crawfordville, was originally opposed to secession, but chose to remain with his state when it left the Union in January 1861. Elected vice-president of the Confederacy in February, Stephens remained estranged from President Jefferson Davis through much of the war—partly as a result of the following speech. After the war he returned to political service in his native Georgia and in the U. S. House of Representatives. He was elected governor of Georgia in 1882 and died in office. The “Cornerstone Speech” was delivered extemporaneously and no official printed version exists. The text below was taken from a newspaper article in the *Savannah Republican*.

Source: Henry Cleveland, *Alexander H. Stephens, in Public and Private: With Letters and Speeches, Before, During, and Since the War*, Philadelphia, 1886, pp. 717–729.
<http://www.geocities.com/CollegePark/Quad/6460/doct/861crnrstn.html>

Savannah, Georgia
March 21, 1861

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 revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood. [Applause.]

. . . 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. Jefferson in his forecast, had anticipated this, as the “rock upon which the old Union would split.” He was right. What was conjecture with him, is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old constitution, were that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was that, somehow or other in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the constitution, was the prevailing idea at that time. The 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. [Applause.] This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North, who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind—from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied or erroneous premises; so with the anti-slavery fanatics; their conclusions are right if their premises were. They assume that the negro is equal, and hence conclude that he is entitled to equal privileges and rights with the white man. If their premises were correct, their conclusions would be logical and just—but their premise being wrong, their whole argument fails. I recollect once of having heard a gentleman from one of the northern States, of great power and ability, announce in the House of Representatives, with imposing effect, that we of the South would be compelled, ultimately, to yield upon this subject of slavery, that it was as impossible to war successfully against a principle in politics, as it was in physics or mechanics. That the principle would ultimately prevail. That we, in maintaining slavery as it exists with us, were warring against a principle, a principle founded in nature, the principle of the equality of men. The reply I made to him was, that upon his own grounds, we should, ultimately, succeed, and that he and his associates, in this crusade against our institutions, would ultimately fail. The truth announced, that it was as impossible to war successfully against a principle in pol-

itics as it was in physics and mechanics, I admitted; but told him that it was he, and those acting with him, who were warring against a principle. They were attempting to make things equal which the Creator had made unequal.

In the conflict thus far, success has been on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our social fabric is firmly planted; and I cannot permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

As I have stated, the truth of this principle may be slow in development, as all truths are and ever have been, in the various branches of science. It was so with the principles announced by Galileo—it was so with Adam Smith and his principles of political economy. It was so with Harvey, and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now, they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests? 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. He, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with the proper material—the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best, not only for the superior, but for the inferior race, that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of his ordinances, or to question them. For his own purposes, he has made one race to differ from another, as he has made “one star to differ from another star in glory.”

The great objects of humanity are best attained when there is conformity to his laws and decrees, in the formation of governments as well as in all things else. Our confederacy is founded upon principles in strict conformity with these laws. This stone which was rejected by the first builders “is become the chief of the corner”—the real “corner-stone”—in our new edifice. [Applause.]

I have been asked, what of the future? It has been apprehended by some that we would have arrayed against us the civilized world. I care not who or how many they may be against us, when we stand upon the eternal principles of truth, if we are true to ourselves and the principles for which we contend, we are obliged to, and must triumph. [Immense applause.]

Thousands of people who begin to understand these truths are not yet completely out of the shell; they do not see them in their length and breadth. We hear much of the civilization and christianization of the barbarous tribes of Africa. In my judgment, those ends will never be attained, but by first teaching them the lesson taught to Adam, that “in the sweat of his brow he should eat his bread,” [applause,] and teaching them to work, and feed, and clothe themselves.

. . . . Thus far we have seen none of those incidents which usually attend revolutions. No such material as such convulsions usually throw up has been seen. Wisdom, prudence, and patriotism, have marked every step of our progress thus far. This augurs well for the future, and it is a matter of sincere gratification to me, that I am enabled to make the declaration. Of the men I met in the Congress at Montgomery, I may be pardoned for saying this, an abler, wiser, a more conservative, deliberate, determined, resolute, and patriotic body of men, I never met in my life. [Great applause.] Their works speak for them; the provisional government speaks for them; the constitution of the permanent government will be a lasting monument of their worth, merit, and statesmanship. [Applause.]

. . . . Our growth, by accessions from other States, will depend greatly upon whether we present to the world, as I trust we shall, a better government than that to which neighboring States belong. If we do this, North Carolina, Tennessee, and Arkansas cannot hesitate long; neither can Virginia, Kentucky, and Missouri. They will necessarily gravitate to us by an imperious law. We made ample provision in our constitution for the admission of other States; it is more guarded, and wisely so, I think, than the old constitution on the same subject, but not too guarded to receive them as fast as it may be proper. Looking to the distant future, and, perhaps, not very far distant either, it is not beyond the range of possibility, and even probability, that all the great States of the north-west will gravitate this way, as well as Tennessee, Kentucky, Missouri, Arkansas, etc. Should they do so, our doors are wide enough to receive them, but not until they are ready to assimilate with us in principle.

The process of disintegration in the old Union may be expected to go on with almost absolute certainty if we pursue the right course. We are now the nucleus of a growing power which, if we are true to ourselves, our destiny, and high mission, will become the controlling power on this continent. To what extent accessions will go on in the process of time, or where it will end, the future will determine. So far as it concerns States of the old Union, this process will be upon no such principles of reconstruction as now spoken of, but upon reorganization and new assimilation. [Loud applause.] Such are some of the glimpses of the future as I catch them.

. . . . As to whether we shall have war with our late confederates, or whether all matters of differences between us shall be amicably settled, I can only say that the prospect for a peaceful adjustment is better, so far as I am informed, than it has been.

The prospect of war is, at least, not so threatening as it has been. The idea of coercion, shadowed forth in President Lincoln's inaugural, seems not to be followed up thus far so vigorously as was expected. Fort Sumter, it is believed, will soon be evacuated. What course will be pursued toward Fort Pickens, and the other forts on the gulf, is not so well understood. It is to be greatly desired that all of them should be surrendered. Our object is peace, not only with the North, but with the world. All matters relating to the public property, public liabilities of the Union when we were members of it, we are ready and willing to adjust and settle upon the principles of right, equity, and good faith. War can be of no more benefit to the North than to us. Whether the intention of evacuating Fort Sumter is to be received as an evidence of a desire for a peaceful solution of our difficulties with the United States, or the result of necessity, I will not undertake to say. I would fain hope the former. Rumors are afloat, however, that it is the result of necessity. All I can say to you, therefore, on that point is, keep your armor bright and your powder dry. [Enthusiastic cheering.]

The surest way to secure peace, is to show your ability to maintain your rights. The principles and position of the present administration of the United States—the Republican party—present some puzzling questions. While it is a fixed principle with them never to allow the increase of a foot of slave territory, they seem to be equally determined not to part with an inch “of the accursed soil.” Notwithstanding their clamor against the institution, they seemed to be equally opposed to getting more, or letting go what they have got. They were ready to fight on the accession of Texas, and are equally ready to fight now on her secession. Why is this? How can this strange paradox be accounted for? There seems to be but one rational solution—and that is, notwithstanding their professions of humanity, they are disinclined to give up the benefits they derive from slave labor. Their philanthropy yields to their interest. The idea of enforcing the laws, has but one object, and that is a collection of the taxes, raised by slave labor to swell the fund, necessary to meet their heavy appropriations. The spoils is what they are after—though they come from the labor of the slave. . . . [Continued applause]

1. According to Vice President Alexander H. Stephens, what was is the cornerstone of the Confederacy? What other explanations (cornerstones) might have been articulated by Confederate politicians for the establishment of the new nation?
2. President Jefferson Davis was greatly disturbed by Stephens's remarks, even though the two men shared basically the same beliefs. Why do you think this was so? How had Stephens shifted the focus of the political debate over the “creed” of the Confederacy?