

14-4 A Dying Statesman Speaks Out Against the Compromise of 1850

At age sixty-eight, John C. Calhoun made his last address to the Senate during the great debate over the Compromise of 1850. Although in a sickly and frail condition, Calhoun prepared his speech with great care and dictated it to his secretary, Joseph Alfred Scoville. Too weak to deliver the speech himself, the senator had James Mason of Virginia read it from a printed version. Calhoun, draped in a black cloak, was assisted to his desk on the Senate floor a few minutes past noon on March 4, 1850, and scanned the crowded galleries as Mason read. He returned to the Senate on March 7 to listen to the speech given by Daniel Webster in favor of the compromise. Calhoun died on March 31, 1850.

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March 4, 1850

I have, Senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of each of the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed, with almost no attempt to resist it, until it has reached a period when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the greatest and the gravest question that can ever come under your consideration: How can the Union be preserved?

To give a satisfactory answer to this mighty question, it is indispensable to have an accurate and thorough knowledge of the nature and the character of the cause by which the Union is endangered. Without such knowledge, it is impossible to pronounce, with any certainty, by what measure it can be saved. . . .

The first question, then . . . is: What is it that has endangered the Union? . . .

One of the causes is, undoubtedly, to be traced to the long continued agitation of the slave question on the part of the North and the many aggressions which they have made on the rights of the South during the time. . . .

There is another lying back of it, with which this is intimately connected, that may be regarded as the great and primary cause. That is to be found in the fact that the equilibrium between the two sections in the government, as it stood when the Constitution was ratified and the government put into action, has been destroyed. At that time there was nearly a perfect equilibrium between the two which afforded ample means to each to protect itself against the aggression of the other; but, as it now stands, one section has the exclusive power of controlling the government, which leaves the other without any adequate means of protecting itself against its encroachment and oppression. . . .

The result of the whole is to give the Northern section a predominance in every part of the government and thereby concentrate in it the two elements which constitute the federal government—a majority of states and a majority of their population, estimated in federal numbers. Whatever section concentrates the two in itself possesses the control of the entire government.

But we are just at the close of the sixth decade and the commencement of the seventh. The census is to be taken this year, which must add greatly to the decided preponderance of the North in the House of Representatives and in the electoral college. The prospect is also that a great increase will be added to its present preponderance in the Senate during the period of the decade by the addition of new states. Two territories, Oregon and Minnesota, are already in progress, and strenuous efforts are being made to bring in three additional states from the territory recently conquered from Mexico; which, if successful, will add three other states in a short time to the Northern section, making five states and increasing the present number of its states from fifteen to twenty, and of its senators from thirty to forty. On the contrary, there is not a single territory in progress in the Southern section and no certainty that any additional state will be added to it during the decade.

The prospect, then, is that the two sections in the Senate, should the efforts now made to exclude the South from the newly acquired territories succeed, will stand before the end of the decade twenty Northern states to twelve Southern (considering Delaware as neutral), and forty Northern senators to twenty-eight Southern. This great increase of senators, added to the great increase of members of the House of Representatives and electoral college on the part of the North, which must take place over the next decade, will effectually and irretrievably destroy the equilibrium which existed when the government commenced.

Part Fourteen: The Sectional Crisis

Had this destruction been the operation of time, without the interference of government, the South would have had no reason to complain; but such was not the fact. It was caused by the legislation of this government, which was appointed as the common agent of all and charged with the protection of the interests and security of all.

The legislation by which it has been effected may be classed under three heads. The first is that series of acts by which the South has been excluded from the common territory belonging to all of the states as the members of the federal Union, and which had the effect of extending vastly the portion allotted to the Northern section, and restricting within narrow limits the portion left the South. And the next consists in adopting a system of revenue and disbursements by which an undue proportion of the burden of taxation has been imposed upon the South and an undue proportion of its proceeds appropriated to the North. And the last is a system of political measures by which the original character of the government has been radically changed.

I propose to bestow upon each of these . . . a few remarks with the view of showing that it is owing to the action of this government that the equilibrium between the two sections has been destroyed and the whole powers of the system centered in a sectional majority.

The first of the series of acts by which the South was deprived of its due share of the territories originated with the Confederacy which preceded the existence of this government. It is to be found in the provision of the Ordinance of 1787. Its effect was to exclude the South entirely from that vast and fertile region which lies between the Ohio and the Mississippi rivers now embracing five states and one territory. The next of the series is the Missouri Compromise, which excluded the South from that large portion of Louisiana which lies north of 36°30', excepting what is included in the state of Missouri.

The last of the series excluded the South from the whole of the Oregon Territory. All these, in the slang of the day, were what are called slave territories and not free soil; that is, territories belonging to slaveholding powers and open to the emigration of masters with their slaves. By these several acts, the South was excluded from 1,238,025 square miles, an extent of country considerably exceeding the entire valley of the Mississippi.

To the South was left the portion of the territory of Louisiana lying south of 36°30', and the portion north of it included in the state of Missouri; the portion lying south of 36°30' including the states of Louisiana and Arkansas, and the territory lying west of the latter and south of 36°30', called the Indian Country. These, with the territory of Florida, now the state, make, in the whole, 283,503 square miles. To this must be added the territory acquired with Texas. If the whole should be added to the Southern section, it would make an increase of 325,520, which would make the whole left to the South, 609,023. But a large part of Texas is still in contest between the two sections, which leaves it uncertain what will be the real extent of the portion of her territory that may be left to the South.

I have not included the territory recently acquired by the treaty with Mexico. The North is making the most strenuous efforts to appropriate the whole to herself by excluding the South from every foot of it. If she should succeed, it will add to that from which the South has already been excluded 526,078 square miles, and would increase the whole which the North has appropriated to herself to 1,764,023, not including the portion that she may succeed in excluding us from in Texas.

To sum up the whole, the United States, since they declared their independence, have acquired 2,373,046 square miles of territory, from which the North will have excluded the South if she should succeed in monopolizing the newly acquired territories, from about three-fourths of the whole, leaving to the South but about one-fourth.

Such is the first and great cause that has destroyed the equilibrium between the two sections in the government.

The next is the system of revenue and disbursements which has been adopted by the government. It is well known that the government has derived its revenue mainly from duties on imports. I shall not undertake to show that such duties must necessarily fall mainly on the exporting states, and that the South, as the great exporting portion of the Union, has in reality paid vastly more than her due proportion of the revenue because . . . the subject has on so many occasions been fully discussed. Nor shall I, for the same reason, undertake to show that a far greater portion of the revenue has been disbursed at the North than its due share, and that the joint effect of these causes has been to transfer a vast amount from South to North, which, under an equal system of revenue and disbursement, would not have been lost to her.

If to this be added that many of the duties were imposed, not for revenue but for protection; that is, intended to put money, not in the Treasury but directly into the pocket of the manufacturers, some conception may be formed of the immense amount which, in the long course of sixty years, has been transferred from South to North. There are no data by which it can be estimated with any certainty, but it is safe to say that it amounts to hundreds of millions of dollars. Under the most moderate estimate, it would be sufficient to add greatly to the wealth of the North, and thus greatly increase her population by attracting emigration from all quarters to that section. . . .

That the government claims, and practically maintains, the right to decide in the last resort as to the extent of its powers will scarcely be denied by anyone conversant with the political history of the country. That it also claims the right to resort to force to maintain whatever power she claims, against all opposition, is equally certain. Indeed, it is apparent, from what we daily hear, that this has become the prevailing and fixed opinion of a great majority of the community. Now, I ask, what limitation can possibly be placed upon the powers of a government claiming and exercising such rights? And, if none can be, how can the separate governments of the states maintain and protect the powers reserved to them by the Constitution, or the people of the several states maintain those which are reserved to them, and among others the sovereign powers by which they ordained and established, not only their separate state constitutions and governments but also the Constitution and government of the United States?

But, if they have no constitutional means of maintaining them against the right claimed by this government, it necessarily follows that they hold them at its pleasure and discretion, and that all the powers of the system are in reality concentrated in it. It also follows that the character of the government has been changed, in consequence, from a federal republic, as it originally came from the hands of its framers, and that it has been changed into a great national, consolidated democracy. It has, indeed, at present, all the characteristics of the latter and not one of the former, although it still retains its outward form.

The result of the whole of these causes combined is that the North has acquired a decided ascendancy over every department of this government, and through it a control over all the powers of the system. A single section, governed by the will of the numerical majority, has now in fact the control of the government and the entire powers of the system. What was once a constitutional federal republic is now converted, in reality, into one as absolute as that of the Autocrat of Russia, and as despotic in its tendency as any absolute government that ever existed.

As, then, the North has the absolute control over the government, it is manifest that on all questions between it and the South, where there is a diversity of interests, the interests of the latter will be sacrificed to the former, however oppressive the effects may be, as the South possesses no means by which it can resist through the action of the government. But if there was no question of vital importance to the South, in reference to which there was a diversity of views between the two sections, this state of things might be endured without the hazard of destruction to the South. There is a question of vital importance to the Southern section, in reference to which the views and feelings of the two sections are as opposite and hostile as they can possibly be.

I refer to the relation between the two races in the Southern section, which constitutes a vital portion of her social organization. Every portion of the North entertains views and feelings more or less hostile to it. Those most opposed and hostile regard it a sin, and consider themselves under most sacred obligation to use every effort to destroy it. Indeed, to the extent that they conceive they have power, they regard themselves as implicated in the sin and responsible for suppressing it by the use of all and every means. Those less opposed and hostile regard it as a crime—an offense against humanity, as they call it—and, although not so fanatical, feel themselves bound to use all efforts to effect the same object; while those who are least opposed and hostile regard it as a blot and a stain on the character of what they call the nation, and feel themselves accordingly bound to give it no countenance or support. On the contrary, the Southern section regards the relation as one which cannot be destroyed without subjecting the two races to the greatest calamity and the section to poverty, desolation, and wretchedness; and accordingly they feel bound by every consideration of interest and safety to defend it.

This hostile feeling on the part of the North toward the social organization of the South long lay dormant, but it only required some cause to act on those who felt most intensely that they were responsible for its continuance to call it into action. The increasing power of this government and of the control of the Northern section over all its departments furnished the cause. It was this which made an impression on the minds of many that there was little or no restraint to prevent the government from doing whatever it might choose to do. This was sufficient of itself to put the most fanatical portion of the North in action for the purpose of destroying the existing relation between the two races in the South.

The first organized movement toward it commenced in 1835. Then, for the first time, societies were organized, presses established, lecturers sent forth to excite the people of the North, and incendiary publications scattered over the whole South through the mail. The South was thoroughly aroused. Meetings were held everywhere and resolutions adopted calling upon the North to apply a remedy to arrest the threatened evil, and pledging themselves to adopt measures for their own protection if it was not arrested. At the meeting of Congress, petitions poured in from the North calling upon Congress to abolish slavery in the District of Columbia and to prohibit what they called the internal slave trade between the states, announcing at the same time that their ultimate object was to abolish slavery, not only in the District but in the states and throughout the whole Union.

At this period, the number engaged in the agitation was small and possessed little or no personal influence. Neither party in Congress had, at that time, any sympathy with them or their cause. The members of each party presented their petitions with great reluctance. Nevertheless, as small and as contemptible as the party then was, both of the great parties of the North dreaded them. They felt that, though small, they were organized in reference to a subject which had a great and commanding influence over the Northern mind. Each party on that account, feared to oppose their petitions lest the opposite party should take advantage of the one who might do so by favoring their petitions. The effect was that both united in insisting that the petitions should be received and that Congress should take jurisdiction over the subject for which they prayed. To justify their course they took the extraordinary ground that Congress was bound to receive petitions on every subject, however objectionable it might be, and whether they had or had not jurisdiction over the subject.

These views prevailed in the House of Representatives, and partially in the Senate; and thus the party succeeded, in their first movements, in gaining what they proposed—a position in Congress from which agitation could be extended over the whole Union. This was the commencement of the agitation, which has ever since continued, and which, as is now acknowledged, has endangered the Union itself.

As for myself, I believed, at that early period, if the party who got up the petitions should succeed in getting Congress to take jurisdiction, that agitation would follow and that it would, in the end, if not arrested, destroy the Union. I then so expressed myself in debate and called upon both parties to take grounds against assuming jurisdiction; but in vain. Had my voice been heeded and had Congress refused to take jurisdiction, by the united votes of all parties the agitation which followed would have been prevented, and the fanatical zeal that gives impulse to the agitation, and which has brought us to our present perilous condition, would have become extinguished from the want of something to feed the flame. That was the time for the North to have shown her devotion to the Union; but, unfortunately, both of the great parties of that section were so intent on obtaining or retaining party ascendancy that all other considerations were overlooked or forgotten.

What has since followed are but the natural consequences. With the success of their first movement, this small, fanatical party began to acquire strength; and, with that, to become an object of courtship to both the great parties. The necessary consequence was a further increase of power and a gradual tainting of the opinions of both of the other parties with their doctrines, until the infection has extended over both, and the great mass of the population of the North who, whatever may be their opinion of the original Abolition Party which still preserves its distinctive organization, hardly ever fail, when it comes to acting, to cooperate in carrying out their measures. . . .

Unless something decisive is done, I again ask what is to stop this agitation before the great and final object at which it aims—the abolition of slavery in the South—is consummated? Is it, then, not certain that if something decisive is not now done to arrest it, the South will be forced to choose between abolition and secession? Indeed, as events are now moving, it will not require the South to secede to dissolve the Union. Agitation will of itself effect it. . . .

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bind these states together in one common Union are far too numerous and powerful for that. Disunion must be the work of time. It is only through a long process, and successively, that the cords can be snapped, until the whole fabric falls asunder. Already the agitation of the slavery question has snapped some of the most important and has greatly weakened all the others. . . .

If the agitation goes on, the same force, acting with increased intensity . . . will snap every cord, when nothing will be left to hold the states together except force. But surely that can, with no propriety of language, be called a union, when the only means by which the weaker is held connected with the stronger portion is force. It may, indeed, keep them connected; but the connection will partake much more of the character of subjugation on the part of the weaker to the stronger than the union of free, independent, and sovereign states in one confederation, as they stood in the early stages of the government, and which only is worthy of the sacred name of Union.

Having now, senators, explained what it is that endangers the Union, and traced it to its cause, and explained its nature and character, the question again recurs: How can the Union be saved? To this I answer there is but one way by which it can be; and that is by adopting such measures as will satisfy the states belonging to the Southern section that they can remain in the Union consistently with their honor and their safety. There is, again, only one way by which this can be effected, and that is, by removing the causes by which this belief has been produced. Do that and discontent will cease, harmony and kind feelings between the sections be restored, and every apprehension of danger to the Union removed. The question, then, is, By what can this be done? But, before I undertake to answer this question, I propose to show by what the Union cannot be saved.

It cannot, then be saved by eulogies on the Union, however splendid or numerous. The cry of "Union, union, the glorious Union!" can no more prevent disunion than the cry of "Health, health, glorious health!" on the part of the physician can save a patient lying dangerously ill. So long as the Union, instead of being regarded as a protector, is regarded in the opposite character, by not much more than a majority of the States, it will be in vain to attempt to conciliate them by pronouncing eulogies upon it.

Beside, this cry of Union comes commonly from those whom we cannot believe to be sincere. It usually comes from our assailants. But we cannot believe them to be sincere; for, if they loved the Union, they would necessarily be devoted to the Constitution. It made the Union, and to destroy the Constitution would be to destroy the Union. But the only reliable and certain evidence of devotion to the Constitution is, to abstain, on the one hand, from violating it, and to repel, on the other, all attempts to violate it. It is only by faithfully performing these high duties that the Constitution can be preserved, and with it the Union. . . .

The plan of the administration cannot save the Union, because it can have no effect whatever toward satisfying the states composing the Southern section of the Union that they can, consistently with safety and honor, remain in the Union. It is, in fact, but a modification of the Wilmot Proviso. It proposes to effect the same object: to exclude the South from all territory acquired by the Mexican treaty. It is well known that the South is united against the Wilmot Proviso and has committed itself, by solemn resolutions, to resist should it be adopted. Its opposition is not to the name but that which it proposes to effect; that the Southern states hold to be unconstitutional, unjust, inconsistent with their equality as members of the common Union and calculated to destroy irretrievably the equilibrium between the two sections.

These objections equally apply to what, for brevity, I will call the Executive Proviso. There is no difference between it and the Wilmot, except in the mode of effecting the object; and, in that respect, I must say that the latter is much the least objectionable. It goes to its object openly, boldly, and distinctly. It claims for Congress unlimited power over the territories, and proposes to assert it over the territories acquired from Mexico, by a positive prohibition of slavery. Not so the Executive Proviso. It takes an indirect course, and in order to elude the Wilmot Proviso, and thereby avoid encountering the united and determined resistance of the South, it denies, by implication, the authority of Congress to legislate for the territories, and claims the right as belonging exclusively to the inhabitants of the territories.

But to effect the object of excluding the South, it takes care, in the meantime, to let in emigrants freely from the Northern states and all other quarters except from the South, which it takes special care to exclude by holding up to them the danger of having their slaves liberated under the Mexican laws. The necessary consequence is to exclude the South from the territory just as effectually as would the Wilmot Proviso. The only difference in this respect is that what one proposes to effect directly and openly, the other proposes to effect indirectly and covertly.

Part Fourteen: The Sectional Crisis

But the Executive Proviso is more objectionable than the Wilmot in another and more important particular. The latter, to effect its object, inflicts a dangerous wound upon the Constitution by depriving the Southern states, as joint partners and owners of the territories, of their rights in them; but it inflicts no greater wound than is absolutely necessary to effect its object. The former, on the contrary, while it inflicts the same wound, inflicts others equally great and, if possible, greater. . . .

In claiming the right for the inhabitant instead of Congress, to legislate over the territories, in the Executive Proviso it assumes that the sovereignty over the territories is vested in the former; or to express it in the language used in a resolution offered by one of the senators from Texas (General Houston, now absent), they have “the same inherent right of self-government as the people in the states.” The assumption is utterly unfounded, unconstitutional, without example, and contrary to the entire practice of the government from its commencement to the present time.

The recent movement of individuals in California to form a constitution and a state government, and to appoint senators and representatives, is the first fruit of this monstrous assumption. If the individuals who made this movement had gone into California as adventurers, and if, as such, they had conquered the territory and established their independence, the sovereignty of the country would have been vested in them as a separate and independent community. In that case they would have had the right to form a constitution and to establish a government for themselves; and if, afterward, they thought proper to apply to Congress for admission into the Union as a sovereign and independent state, all this would have been regular and according to established principles. But such is not the case. It was the United States who conquered California and finally acquired it by treaty. The sovereignty, of course, is vested in them and not in the individuals who have attempted to form a constitution and a state without their consent. All this is clear beyond controversy, unless it can be shown that they have since lost or been divested of their sovereignty.

Nor is it less clear that the power of legislating over the acquired territory is vested in Congress and not, as is assumed, in the inhabitants of the territories. None can deny that the government of the United States has the power to acquire territories, either by war or by treaty; but if the power to acquire exists, it belongs to Congress to carry it into execution. On this point there can be no doubt, for the Constitution expressly provides that Congress shall have power “to make all laws which shall be necessary and proper to carry into execution the foregoing powers” (those vested in Congress) “and all other powers vested by this Constitution in the government of the United States or in any department or officer thereof.”

It matters not, then, where the power is vested; for, if vested at all in the government of the United States, or any of its departments or officers, the power of carrying it into execution is clearly vested in Congress. But this important provision, while it gives to Congress the power of legislating over territories, imposes important restrictions on its exercise by restricting Congress to passing laws necessary and proper for carrying the power into execution. The prohibition extends not only to all laws not suitable or appropriate to the object of the power but also to all that are unjust, unequal, or unfair; for all such laws would be unnecessary and improper and therefore unconstitutional.

Having now established beyond controversy that the sovereignty over the territories is vested in the United States—that is, in the several states composing the Union—and that the power of legislating over them is expressly vested in Congress, it follows that the individuals in California who have undertaken to form a constitution and a state, and to exercise the power of legislating without the consent of Congress, have usurped the sovereignty of the state and the authority of Congress, and have acted in open defiance of them both. In other words, what they have done is revolutionary and rebellious in its character, anarchical in its tendency, and calculated to lead to the most dangerous consequences. Had they acted from premeditation and design, it would have been in fact actual rebellion; but such is not the case. The blame lies much less upon them than upon those who have induced them to take a course so unconstitutional and dangerous. They have been led into it by language held here and the course pursued by the executive branch of the government. . . .

Having now shown what cannot save the Union, I return to the question with which I commenced: How can the Union be saved? There is but one way by which it can with any certainty, and that is by a full and final settlement on the principle of justice of all the questions at issue between the two sections. The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer but the Constitution, and no concession or surrender to make. She has already surrendered so much that she has little left to surrender. Such a settlement would go to the root of the evil and remove all cause of discontent by satisfying the South that she could remain honorably and safely in the Union; and thereby restore the harmony and fraternal feelings between the sections which existed anterior to the Missouri agitation. Nothing else can, with any certainty, finally and forever settle the questions at issue, terminate agitation, and save the Union.

But can this be done? Yes, easily; not by the weaker party, for it can of itself do nothing—not even protect itself—but by the stronger. The North has only to will it to accomplish it; to do justice by conceding to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled—to cease the agitation of the slave question; and to provide for the insertion of a provision in the Constitution, by an amendment, which will restore to the South in substance the power she possessed of protecting herself before the equilibrium between the sections was destroyed by the action of this government. There will be no difficulty in devising such a provision—one that will protect the South and which, at the same time, will improve and strengthen the government instead of impairing and weakening it.

But will the North agree to do this? It's for her to answer this question. But I will say she cannot refuse if she has half the love of the Union which she professes to have, or without justly exposing herself to the charge that her love of power and aggrandizement is far greater than her love of the Union. At all events, the responsibility of saving the Union rests on the North and not the South. The South cannot save it by any act of hers, and the North may save it without any sacrifice whatever, unless to do justice and to perform her duties under the Constitution should be regarded by her as a sacrifice.

It is time, Senators, that there should be an open and manly avowal on all sides, as to what is intended to be done. If the question is not now settled, it is uncertain whether it ever can hereafter be; and we, as the representatives of the States of this Union, regarded as governments, should come to a distinct understanding as to our respective views, in order to ascertain whether the great questions at issue can be settled or not. If you, who represent the stronger portion, cannot agree to settle them on the broad principle of justice and duty, say so; and let the States we both represent agree to separate and part in peace. If you are unwilling we should part in peace, tell us so; and we shall know what to do, when you reduce the question to submission or resistance. If you remain silent, you will compel us to infer by your acts what you intend. In that case, California will become the test question. If you admit her, under all the difficulties that oppose her admission, you compel us to infer that you intend to exclude us from the whole of the acquired territories, with the intention of destroying, irremediably, the equilibrium between the two sections. We would be blind not to perceive, in that case, that your real objects are power and aggrandizement, and infatuated not to act accordingly.

I have now, Senators, done my duty in expressing my opinions fully, freely, and candidly, on this solemn occasion. In doing so, I have been governed by the motives which have governed me in all the stages of the agitation of the slavery question since its commencement. I have exerted myself, during the whole period, to arrest it, with the intention of saving the Union, if it could be done, and if it could not, to save the section where it has pleased Providence to cast my lot, and which I sincerely believe has justice and the Constitution on its side. Having faithfully done my duty to the best of my ability, both to the Union and my section, throughout this agitation, I shall have the consolation, let what will come, that I am free from all responsibility.

1. What does Calhoun say about the status of the equilibrium between the North and the South as represented in the federal government? How does he support his conclusion? What relevance does Clay's compromise have to Calhoun's concerns?
2. According to Calhoun, how can the Union be saved?