

Lesson 17-The CSA and Secession

1- Read and discuss the SC Secession Ordinance.

~ The Ordinance of Secession ~

(20 DEC 1860)

The State of South Carolina At a convention of the People of the State of South Carolina, begun and holden at Columbia, on the Seventeenth day of December, in the year of our Lord one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there by divers adjournment to the Twentieth day of December in the same year- An Ordinance to dissolve the Union between the State of South Carolina and other States united with her under the compact entitled "The Constitution of the United States of America" We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained. That the Ordinance adopted by us in Convention, on the twenty-third day of May in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also all Acts and parts of Acts of the General Assembly of this State, ratifying amendments of the said Constitution are hereby repealed; and that the union now subsisting between South Carolina and other States under the name of "The Constitution of the United States of America" is hereby dissolved. Done at Charleston, the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty.

D. F. Jamison Delegate from Barnwell South Carolina
President of the Convention

- 2- Go around the room and vote on the following question (the teacher will record the votes):
- Did South Carolina, and the other Southern states, have the right to secede from the Union in 1860-1861?
- 3- Read the section titled 'What was secession, and what were the arguments for and against its constitutionality?' (p. 119-120)
- 4- Organize/prioritize the evidence on the next page into the "valid" or "not valid" column on your sheet. Note that your group will have to defend your choice.

Evidence to organize:

Articles of Association (1774)

- 1- ... And we do solemnly bind ourselves and our constituents, under the ties aforesaid, to adhere to this association, until such parts of the several acts of parliament passed since the close of the last war ... are repealed.

Articles of Confederation (1781)

- 2- ARTICLE II. Each state retains its sovereignty, freedom and independence ...
- 3- ARTICLE XIII. ... the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual

The Constitution (1787)

- 4- The 3/5 Compromise, the Fugitive Slave Clause and the continuation of the Atlantic slave trade until 1808.

Patrick Henry (VA Ratifying Convention 1788)

- 5- “Who authorized them to speak the language of, *We, the people*, instead of, *We, the states*? ... If the states be not the agents of this compact, it must be one, great, consolidated, national government, of the people of all states. Here is a resolution as radical as that which separated us from Great Britain.”

Thomas Jefferson (First Inaugural Address 1801)

- 6- *Friends and Fellow Citizens*: ...If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it. I know, indeed, that some honest men fear that a republican government is not strong enough; but would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free...? I trust not. I believe this, on the contrary, the strongest Government on earth.

Hartford Convention (1814)

- 7- *Resolved*, That if the application of these states to the government of the United States, recommended in a foregoing resolution, should be unsuccessful and peace should not be concluded, and the defense of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston...with such powers and instructions as the exigency of a crisis so momentous may require.

John C. Calhoun (1851)

- 8- “That a State, as a party to the constitutional compact, has the right to *secede*—acting in the same capacity in which it ratified the constitution—cannot, with any show of reason, be denied by anyone who regards the constitution as a compact—if a power ... should fail to fulfill the ends for which it was established.”

Abraham Lincoln (First Inaugural Address 1861)

- 9- “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 formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776.”