**States’ Rights**

**One of the major conflicts in the history of the United States, from its creation to the present, is the issue of states’ rights**. Basically, states’ rights are the amount of power a state government has in relation to the amount of power held by the federal government in making decisions. Early in the United States’ history, **the Articles of Confederation gave the individual states too much power and the nation could not even tax the states for revenue**. All of the signers of the U.S. Constitution knew that the federal government needed to have more power than it did during the Articles of Confederation to run the country effectively. However, once the Constitution was ratified, there were several instances before the Civil War that **caused the country to almost break apart due to the issue of states’ rights**. While the argument for states’ rights during the **Civil War was often based on a state’s right to have slavery**, there were other times in the nation’s history that issues tied to states’ rights became major concerns.

**Slavery**

**Due to the rules of the Trustees, slaverywas not allowed in Georgia until the early 1750’s**. Once it was legalized, **slavery grew quickly due to Georgia’s agriculture based economy**. However, slavery grew big time with **the invention of the cotton gin**. The South’s dependence on cotton led to a change of attitude about the evils of slavery. While many of the nation’s founding fathers disliked slavery and hoped that later generations would find a way to end it, their sons and grandsons began to defend slavery as a necessary good and began infringing on the rights of those who spoke out against it in the South.

In turn, many in the North, led by the writings of abolitionist such **as Fredrick Douglass, William Lloyd Garrison, and Harriet Beecher Stowe,** began to despise slavery and call for its end. While others simply became uncomfortable with its existence in the nation’s borders and **disagreed with its expansion**. **The gap between the two sections widened every time the U.S. gained more territory.** The South hoped for slavery to expand into the new territories while **many in the North wanted it, at the very least, to be contained to where it already existed**. As with the other slave states, **Georgia wanted slavery to expand and was distrustful of the abolitionist movement taking place in the North**.

**Nullification**

Another states’ rights issue, **the *nullification* crisis in the early 1830s, was a dispute over taxes and money**. **The North supported high tariffs** to subsidize their manufacturing industry against the cheaper products that could be sent to the United States by Great Britain. **The South was opposed to this tariff because it took away profits from cotton farmers** based on Great Britain’s retaliatory tariff on cotton. **When the Northern states, who dominated the House of Representatives**, voted to renew the tariff, **South Carolina threaten to nullify the tariff and even possibly to secede**. However, Andrew Jackson’s threat to attack South Carolina if they attempted to leave the union worked well enough to keep the state in the fold.

The last states’ rights issue was in Georgia. Georgia lost the *Worcester v. Georgia* case but refused to release the missionaries or stop pushing for Cherokee removal. **This test of states’ rights proved that a state could do as it pleased if there was not a unified attempt to by the federal government or other states to stop them.**  However, it should be understood that **most of the issues separating the North and South were due to slavery**. Even issues like the tariff and the Indian Removal indirectly concerned slavery as it was based on the major economic differences between the two sections. **In summary, the issues always involved the slave based agriculture system of the South and the manufacturing based economy of the North.**

**Acts and Compromises**

**The issues of slavery tied with the concept of states’ right left a huge rift on the country.** Controversy after controversy widened this gap, and for almost 40 years, **members of the U.S. Congress tried to close this wound with compromises and acts that amounted to band-aids**. Though these acts and compromises kept the country together in the short term, as Abraham Lincoln said **“A house divided against itself cannot stand.”** Over time, a war between the North and South appeared to be almost inevitable.

**The Missouri Compromise**

**The first compromise was called the *Missouri Compromise***. This compromise was an agreement between the northern and southern states about allowing Missouri to enter the Union. **The primary issue was that if Missouri was allowed in the Union, there would be more slave states than free.** This would have **altered the balance of power in the Senate to the side of the slave states**. Though there were protests by both sides concerning this compromise, **Missouri was allowed to enter the Union as a slave state. In return, Maine was allowed to enter as a free state.** In addition, Congress forbade slavery north of the 36˚ 30’ parallel (the southern border of Missouri). This compromise tempered the debate for almost 30 years with states being admitted into the Union in free and slave parings.

**The Compromise of 1850**

**This pattern changed in 1850 when California, due to the Gold Rush, had a population large enough to apply for statehood**. **With no slave state available to balance the entry of a free one, major conflict ensued between the North and South**. The South, which had a smaller population than the North, was fearful that losing the balance of power in the Senate would one day give the North the opportunity to end slavery. Talk of secession was prevalent in the South and the Civil War almost started a decade earlier. However, Senators Henry Clay and Stephen A. Douglas wrote the compromise bill that both groups grudgingly agreed to.

Though there were **several provisions in the *Compromise of 1850*, the two most important were that California was admitted as a free state resulting in a power imbalance in both the House and Senate. In turn, Northern congressmen agreed to pass the Fugitive Slave Act, which guaranteed the return of any runaway slave to their owners if they were caught in the North**. There was much protest in the North to this act but the southern leaders believed it would protect the institution of slavery.

**The Georgia Platform**

While debate over the Compromise of 1850 was raging in Congress, prominent Georgia politicians were deciding if the state should accept the terms of the Compromise. If passed, it would give the free states more representation in the U.S. Senate and end the balance of power that had been established for 30 years. Led **by *Alexander Stephens*, Robert Toombs, and the promise of the passage of the Fugitive Slave Act, Georgia approved the Compromise of 1850.** With Georgia leading the way, other southern states also accepted the Compromise preventing a civil war for 11 years.

**The Kansas-Nebraska Act**

Only four years after the Compromise of 1850 was passed, anther conflict over slavery erupted. This conflict can be considered a precursor or a **“mini” civil war and it took place in Kansas**. The violence began when the **Kansas-Nebraska Act was passed in 1854**. **This act repealed the Missouri Compromise and permitted for the possibility of slavery being allowed above the 36˚ 30’ parallel.** Senator Stephen Douglas believed in **popular sovereignty, or the ability for the states to decide for themselves if they would be slave or free**.

**KANSAS-NEBRASKA ACT: REPEALED THE MISSOURI COMPROMISE, SLAVERY NOW ALLOWED ABOVE MISSOURI BORDER. STEPHEN DOUGLAS SAID STATES SHOULD BE ABLE TO DECIDE IF THEY WANT SLAVERY =POPULAR SOVEREIGNTY.**

The territory of Kansas, which was being considered for statehood, **was flooded by both pro and antislavery supporters who came to the state to vote for or against the institution in Kansas.** Soon after their arrival, **the violence between the two sides escalated.** For instance, John Brown and his sons killed five proslavery farmers in retaliation for atrocities committed by proslavery forces. With all of the bloodshed, **Kansas became known as “Bleeding Kansas.”**

**PEOPLE CAME TO “HELP” KANSAS DECIDE IF IT WANTED TO BE FREE OR SLAVE AND IT BECAME A FIGHT.**

In the end, **Kansas was admitted as a free state in 1861**. The Kansas-Nebraska act greatly divided the nation and destroyed the Missouri Compromise and Compromise of 1850. **It also allowed for the rise of the Republican Party, when the Whig party split into a northern and southern faction.**

**KANSAS IS FREE STATE AND NEW POLITICAL PARTIES ARE CREATED IN RESPONSE. EVERYONE IS MAD.**

**The Dred Scott Case**

The Dred Scott Case (1857) ended in a Supreme Court ruling that **greatly favored the southern view of slavery** and lead to a greater ideological divide between the North and South. Dred Scott was a slave who was **taken by his master to the free states of Illinois and Wisconsin**. Upon his return to Missouri, **Scott sued the state based on the belief that** **his time in the Free states made him a free man**. When the case made it to the Supreme Court, the court ruled on the side of Missouri. **The Court went on to declare that slaves and freed blacks were not citizens of the United States and did not have the right to sue in the first place**.

**DRED SCOTT WAS A SLAVE TAKEN BY HIS MASTER TO FREE STATES (ILLINOIS AND WISCONSIN). WHEN HE CAME BACK TO MISSOURI HE THOUGHT HE DIDN’T HAVE TO BE A SLAVE ANYMORE SINCE HE HAD BEEN IN THE FREE STATES SO HE SUED. THE SUPREME COURT SAID THAT HE WAS WRONG AND COULDN’T SUE ANYWAY BECAUSE HE WAS NOT A CITIZEN.**

**The Election of 1860**

The final event that led to the Civil War was the election of 1860. Due to the **dramatic sectionalism** that was tearing the country apart, **four presidential candidates ran for office in 1860.** These men were **Abraham Lincoln, John Breckenridge, John Bell, and Stephen Douglas**. Due to the issue of slavery, Northern and Southern Democrats split into two parties with the nominee for the North being Stephen Douglas and the nominee for the South was John Breckenridge. John Bell was the candidate for the Constitutional Union Party whose primary concern was to avoid secession. Lincoln was the nominee of the Republican Party, a party that began in 1854 and whose primary goal was to prevent the expansion of slavery.

**PRESIDENTIAL CANDIDATES:**

1. **SOUTHERN DEMOCRATS-JOHN BRECKENRIDGE-PROTECT SLAVERY**
2. **NORTHERN DEMOCRATS-STEPHEN DOUGLAS-NO MORE SLAVERY**
3. **CONSTITUTIONAL UNION PARTY-JOHN BELL-AVOID SECESSION-KEEP COUNTRY TOGETHER**
4. **REPUBLICAN PARTY-ABRAHAM LINCOLN-STOP THE SPREAD OF SLAVERY\*\* WINNER**

Though Lincoln’s name was not on the ballot in most southern states, he won the election of 1860 with **180 electoral votes**. **After the election, the southern states, believing that Lincoln’s ultimate goal was to end slavery, voted one by one to secede from the Union.** Georgia, after a three day debate voted to leave the Union on January 19, 1861. **LINCOLN WANTS TO END SLAVERY SO WE ARE DONE. #FIGHTINGWORDS.**

**The Debate over Secession in Georgia**

Georgia seceded from the Union after several other southern states. It was part of the Confederacy from 1861-1865. During the debate there were those who did not want to leave the Union, including representatives from the northern counties, small farmers and non-slave holders, and most importantly Alexander Stephens, who gave an eloquent speech against secession. On the other side, were large farmers and slaveholders, Georgia Governor Joseph E. Brown, and powerful and influential men such as Robert Toombs, who had a social and economic stake in the continuation of the institution of slavery. In one of the first votes for secession the Assembly was split 166 to 130 in favor of secession. However, in the end, the General Assembly voted 208 to 89 in favor of seceding from the union.

**PEOPLE WHO DID NOT WANT TO LEAVE THE UNION: PEOPLE IN THE NORTHERN COUNTIES, SMALL FARMERS, NON-SLAVE HOLDERS AND ALEXANDER STEVENS.**

**PEOPLE WHO DID WANT TO LEAVE THE UNION: LARGE FARMERS, SLAVEOWNERS, GOVERNOR JOESPH E BROWN, ROBERT TOOMBS (ANYONE WHO GOT RICH FROM SLAVERY!)**

**Alexander Stephens**

Alexander Stephens (1812-1873) served as Governor of Georgia, U.S. Congressman, U.S. Senator, and the Vice-President of the Confederacy. **ALEXANDER STEVENS WAS A BIG SHOT IN CONGRESS.**

Stephens, though physically small and frail, was a major force in Georgia and U.S. politics. **HE WAS SMALL AND WEAK BUT POWERFUL IN GOVERNMENT**. In 1843, Stephens was elected to the U.S. Congress. **While in Congress, Stephens played a major role in assisting with the passage of the Compromise of 1850 and the Kansas-Nebraska Act.** **Though an advocate for slavery, Stephens was a Unionist who resisted secession until the very end. STEVENS TRIED TO COMPROMISE AND KEEP THE UNION TOGETHER.**

Once the General Assembly voted for secession, Stephens signed the **“Ordinance of Secession” and was immediately chosen as one of Georgia’s representatives to Confederate Congress. At the congress, he was elected vice president of the Confederate States of America. STEVENS BECOMES VICE PRESIDENT OF THE CONFEDERACY (THE SOUTH).** His election was due to his political experience and as a sign of Confederate unity based on his Unionist past. Stephens had a frustrating experience as the vice president; though a brilliant statesman, **his weak stature never allowed him any military experience.** Once the CSA’s focus turned to fighting, Stephens had little to do. **SINCE HE COULDN’T FIGHT, HE COULD NOT DO MUCH.**

After the war, Stephens was jailed for five months. Upon his release, the people of Georgia elected him as their U.S. Senator. However, the Senate Republicans refused to sit the former C.S.A. vice president so soon after the war was over. He was elected to the U.S. House again in 1877, where he served until 1882. He was elected Governor of Georgia in 1882, but died shortly after. Stephens County is named in his honor. **THE NORTH DIDN’T WANT CONFEDERATES IN THE NEW GOVERNMENT BUT STEVENS EVENTUALLY GOT ELECTED GOVERNOR BUT DIED SHORTLY AFTER.**