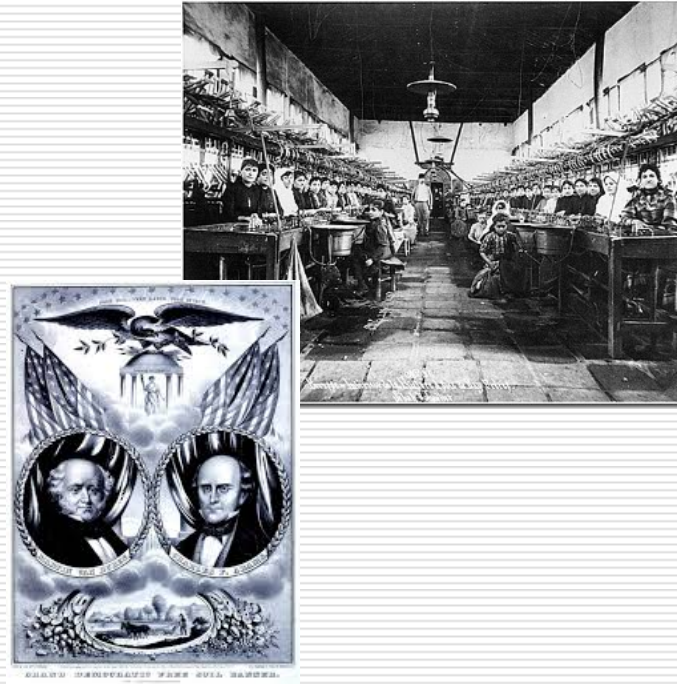


The Half Has Never Been Told:

Chapter 9: 'Backs'



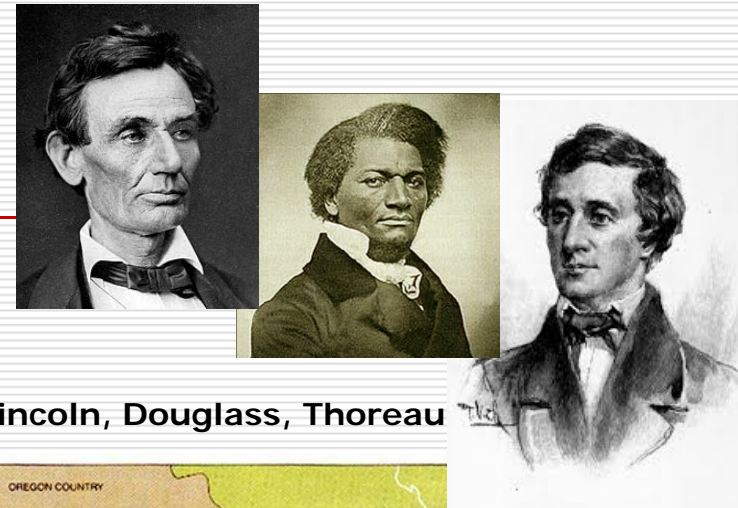
- 'Backs' has two meanings in this chapter: the expansion of both industry and territory on the backs of the enslaved and the Native Peoples
- The chapters also tells the story of the growth of the 'Slave Power' and how it forced realignments and new political parties in all parts of the country.
- New changes in the law and in court rulings bring the country to ever sharper conflicts.



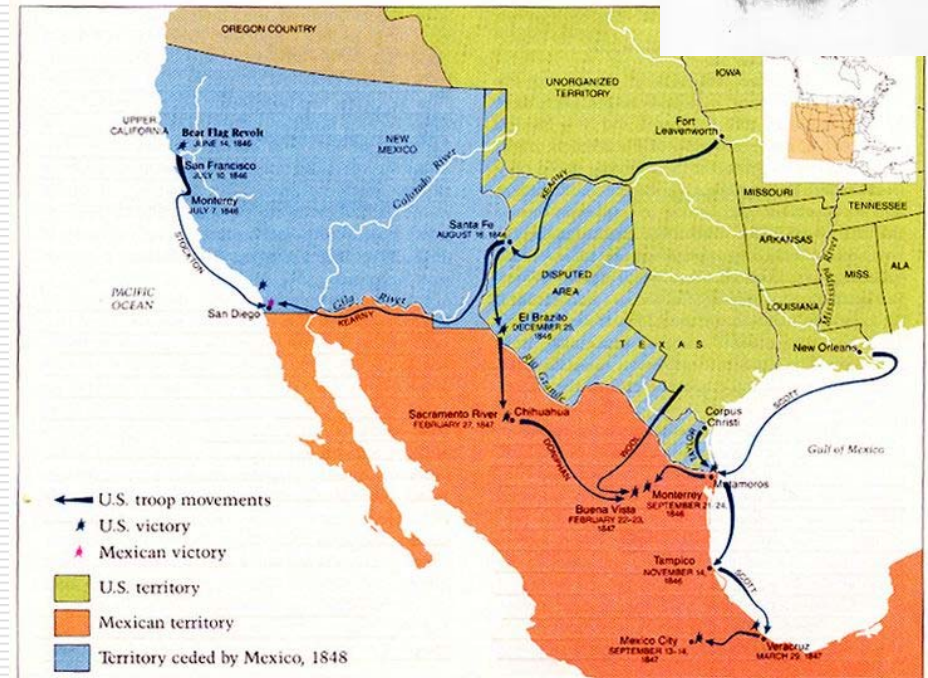
What is going on here? Top: Axe and hoe heads. Right: Collins Axe Company. Center: Early textile mill. Left: 'Free Soil' party banner

Slavery Pushes Back on Itself

- ❑ Slavery certainly pushed the growth of industry in the North. But the author's argument is not undialectical.
- ❑ Once an industrial power arose in the North, it acquired its own 'sectional interests', ie, the need to keep wage labor more stationary. This would be played out politically in the ongoing tug-of-war over whether new states and territories would be 'free' or 'slave.'
- ❑ This began making waves with the 'Wilmot Proviso,' a measure attached to a bill ending the Mexican War, by PA Congressman David Wilmot, that none of the territories acquired would be open to slavery.
- ❑ The Whigs opposed the Democrats on the war.



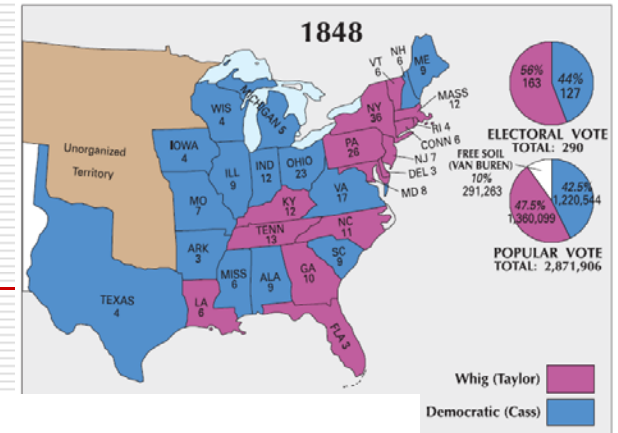
Antiwar: Lincoln, Douglass, Thoreau



Paths of Fremont, Zachary Taylor and Winfield Scott in the Mexican War

The Drive for and against Expansion Forced Splits and Factions

- ❑ The Wilmont Provisio was stymied, winning in the House but defeated in the Senate. But the long debate over it factionalized the two major parties, the Whigs and the Democrats.
- ❑ The Whigs started with two factions, 'Cotton Whigs' and 'Conscience Whigs', and grew into more.
- ❑ The Democrats at first gathered into the 'Barnburners' of Martin Van Buren and the 'Hunkers,' siding with the slave Democrats in the South, ran Cass in 1848.
- ❑ These tensions would grow even greater and into more factions and parties in the period ahead.



Result shows North-South Whig Split, and the start of Free Soil from Barnburners In New York



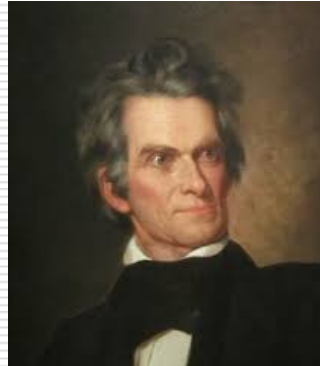
WHY DID THE FREE SOIL PARTY FORM??



- THE MAIN GOAL OF THE FREE SOIL PARTY WAS TO KEEP SLAVERY OUT OF THE WESTERN TERRITORIES

John Calhoun's Last Stand: Taking the Fifth Amendment

- ❑ In the 1840s three views of the powers of Congress to deal with slavery in territories emerged
- ❑ The Free Soilers stated that Congress had the power to outlaw slavery in the territories, although many held the 'free' territories were for 'white labor' only
- ❑ The 'popular sovereignty' position argued that the voters (white) living there should decide.
- ❑ The Calhoun doctrine said that Congress and the citizens of the territories could never outlaw slavery in the territories. The Constitution, via the 5th Amendment, protected the 'life, liberty and property' of citizens.



Calhoun



Somerset

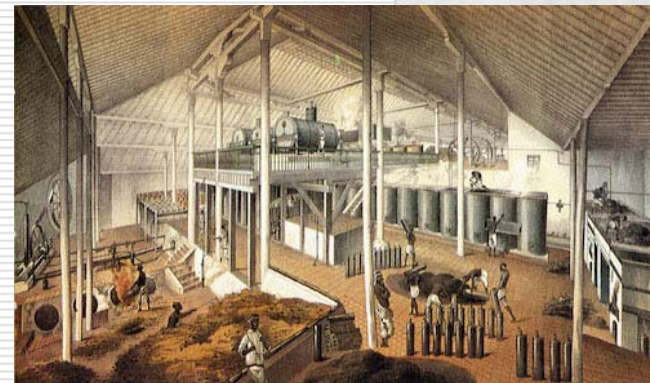
FIFTH AMENDMENT: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

James Somerset v Charles Stewart (1772) found that in England, slavery had no precedent in Common Law and was thus a 'self-evident' wrong.

Chapter Nine: 'Arms' and the Breaking Point

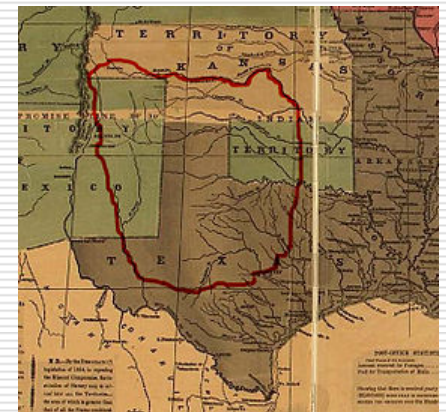
- ❑ 'Arms,' again, has multiple meanings. The simplest one is the strong arms of Black slaves in building the South's railroads, for getting cotton to markets more efficiently.
- ❑ But its also 'arms' as in the US military uses for expansion, successfully and unsuccessfully. Ethnic cleansing on Native peoples to secure land for new plantations was successful.
- ❑ So was the Mexican War, securing much of the Northern half of Mexico, were slavery had been abolished, for US enslavers.
- ❑ But with each gain in territory, the debate erupted, would it be slave or free?

Ad for slaves as railroad workers; Slaves working in sugar mill



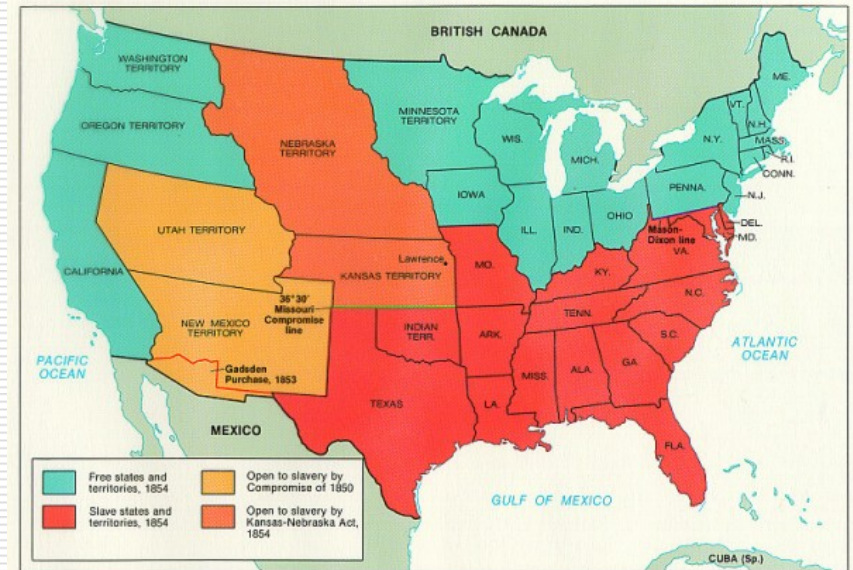
Below: Killing Comanches and burning their village at Ft Laramie, Kansas

Below: Area of Comanche land in New Territories

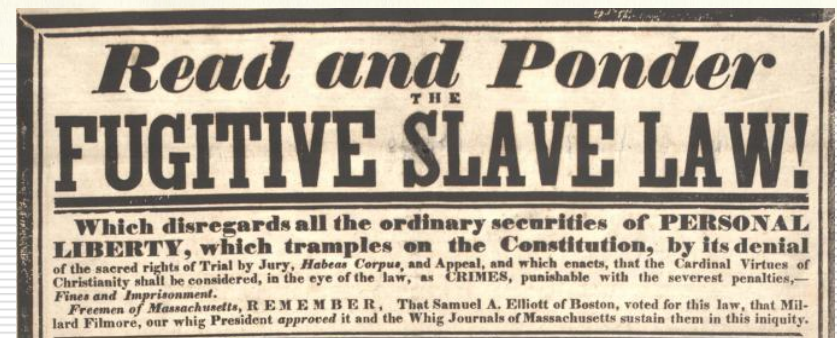


'Compromise of 1850' Delays the Conflict

- ❑ The sudden death of President Taylor saw the accession of Millard Fillmore to the presidency, on July 9, 1850.
- ❑ Fillmore, anxious to find a quick solution to the conflict in Texas over the border with New Mexico, backed Henry Clay's Provisions.
- ❑ 1. California admitted as a free state;
- ❑ 2. Utah Territory and New Mexico Territory organized with slavery to be decided by popular sovereignty;
- ❑ 3. Texas dropped its claim to land north and west in favor of New Mexico Territory;
- ❑ 4. Slave trade was abolished in Washington, D.C. (but not slavery itself);
- ❑ 5. The Fugitive Slave Act was strengthened.



The Kansas-Nebraska Act



Dred Scott, Judge Taney and the Fugitive Slave Act of 1850

- ❑ Dred Scott, a slave, having lived for a time in Wisconsin, declared himself a free man, and sued for his rights.
- ❑ **JUDGE TANEY:** 'They (Negroes) had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. This opinion was at that time fixed and universal in the civilized portion of the white race.'



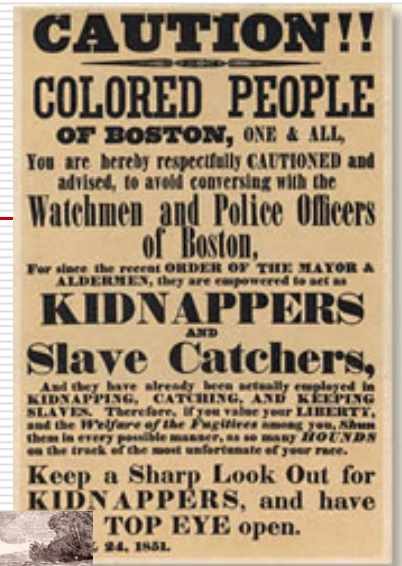
Dred Scott

Judge Taney, in his 7-2 decision, had sided Calhoun's warped view of the 5th Amendment, and then some, including outright falsehoods in his ruling. It is considered by nearly all scholars the worse decision of the Supreme Court, and together with the Fugitive Slave Act, treating those who even passively aided escapees as criminals, made the Civil War a certainty.

Impact of the Fugitive Act: Mass Shift in Opinion and Open Civil Disobedience

- ❑ The Fugitive Slave Law of 1850 penalized officials who did not arrest an alleged runaway slave, and made them liable to a fine of \$1,000 (about \$29,000 in present-day value). Law-enforcement officials everywhere were required to arrest people suspected of being a runaway slave on as little as a claimant's sworn testimony of ownership.
- ❑ The suspected slave could not ask for a jury trial or testify on his or her own behalf. In addition, any person aiding a runaway slave by providing food or shelter was subject to six months' imprisonment and a \$1,000 fine. Officers who captured a fugitive slave were entitled to a bonus or promotion for their work.
- ❑ Slave owners needed only to supply an affidavit to a Federal marshal to capture an escaped slave. Since a suspected slave was not eligible for a trial, the law resulted in the kidnapping and conscription of free blacks into slavery, as suspected fugitive slaves had no rights in court and could not defend themselves against accusations.

Right:
Abolitionist
Poster



Left: Free Blacks
and Abolitionists
drive away slave
catchers in
Christiana, PA

Right: John
Brown leads
armed band
to kill
slavery
supporters
and free
slaves in
Kansas-
Missouri

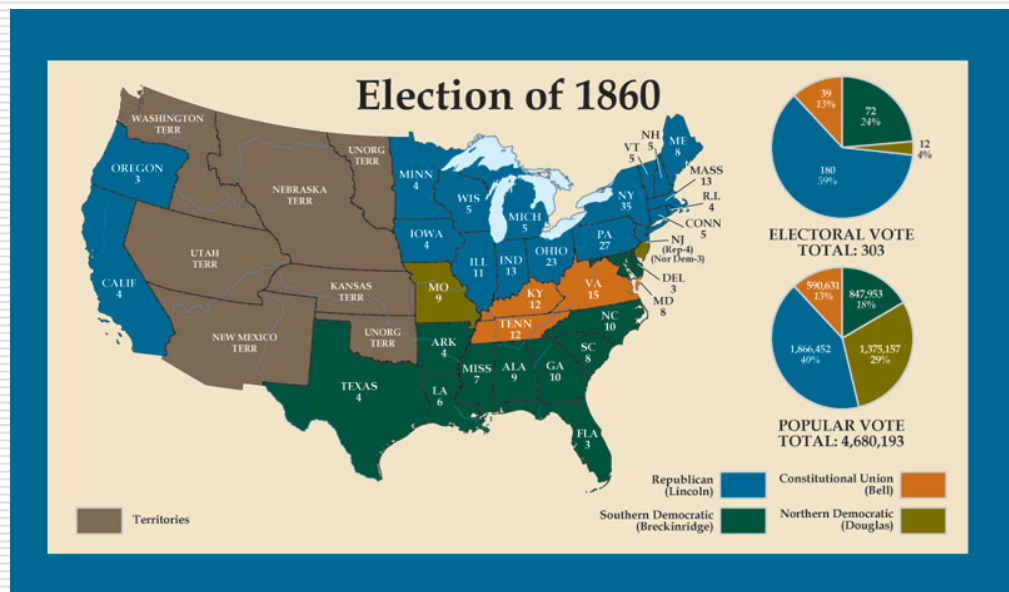


Lincoln's Election and Secession

- ❑ The two major parties, Whigs and Democrats, shattered.
- ❑ Southern Democrats became secessionists; Northern Democrats were sympathetic, but opposed secession.
- ❑ The Whigs split several ways, North and South and otherwise, imploding.
- ❑ Lincoln's Whig grouping joined with Free Soilers and Liberty Party Advocates, and a mass social youth movement called the 'Wide Awakes', to form what would be a new 'First Party', the Republicans.
- ❑ The GOP opposed slavery's expansion, but not yet for abolition directly. The Enslavers saw that in practice, however, it meant their doom, and with Lincoln's election, they seceded and launched the armed attack on Fort Sumter.



Above: Nighttime March of 'Wide Awakes'

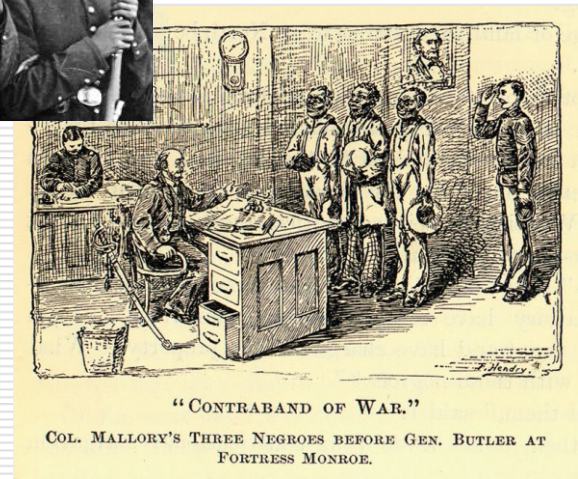
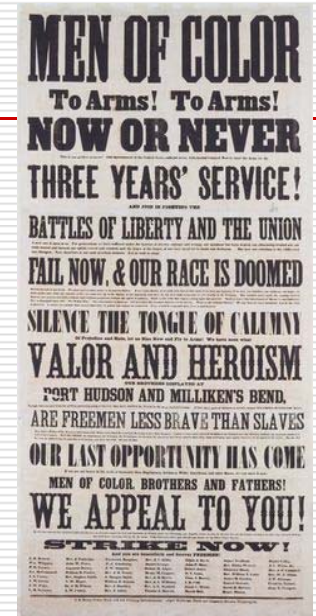


Epilogue: 'Corpse'

- ❑ 'Corpse,' again has a double meaning, referring to the dead African Americans who rose up to fight slavery as Union soldiers, and the death of the institution of slavery itself.
- ❑ As Union armies penetrated deeper into the South, at every camp hundreds, or even thousands, of 'contrabands' appeared, African Americans who deserted slave plantations, mines and mills to join the Union ranks in whatever way they could.
- ❑ W.E.B. Dubois referred to these critical events as 'the general strike of Black labor,' and it took the heart out of the slave economy.
- ❑ Some 200,000 of these self-liberated slaves were eventually formally brought into the Union Army, any proved decisive in many battles.



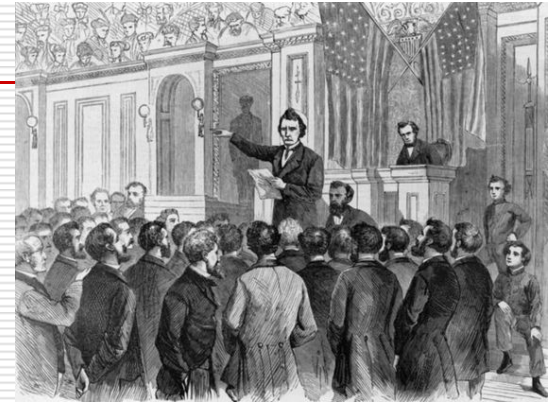
Gen. Benjamin Butler
Skewered the Confederates
trying to make
a legal case for
the return of
their slaves



The Emancipation Proclamation and the 13th Amendment

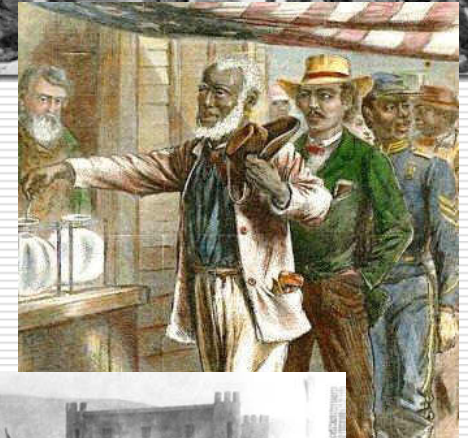
- ❑ The political battle caused a split among abolitionists, between Garrison and Douglass. The first refused to vote; the second argued freedom passed through the Union, not against it.
- ❑ The Emancipation Proclamation was mainly a military measure. It only applied to rebel areas, inciting slaves to revolt.
- ❑ **THIRTEENTH AMENDMENT**
- ❑ Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
- ❑ Section 2. Congress shall have power to enforce this article by appropriate legislation.
- ❑ Passed by a vote of 119 to 56

Thaddeus Stevens was the driving leader getting the 13th passed, and much more.



Revolution, Reconstruction and Counter-Revolution

- ❑ Black soldiers spearheaded slavery's defeat, and the surrender of the South meant a period of dual power existed in the former Confederacy.
- ❑ Black freedmen, many of them armed veterans, together with federal troops, allowed for 'Reconstruction' governments, with many freed Blacks and free Blacks being elected to office in new state legislatures and the to US Congress.
- ❑ Many laws they passed, designed to meet the needs of the poor generally, were among the most progressive ever seen in the area.
- ❑ Radical Republicans floated the program of supplying every Black man with 40 acres, a mule, a rifle and the right to vote, breaking up old plantations.
- ❑ But it never was implemented. The old ruling classes in the South also organized, especially with the armed terror of the Ku Klux Klan. By 1876, federal troops were withdrawn, and Reconstruction overthrown by 'Redeemers.'
- ❑ At the point of a gun or a noose, Blacks were forced into 'labor contracts,' 'sharecropping,' and penal gangs little different from slavery. But that is a story for for another book.



Voting
required
armed
enforcement



Scene
from
'Birth
of a
Nation'