The Kansas-Nebraska Act of 1854

Student Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Stephen Douglas, “Nebraska Territory,” January 30, 1854

[Page 275] Upon the other point--that pertaining to the question of slavery in the Territories--it was the intention of the committee to be equally explicit. We took the principles established by the compromise act of 1850 as our guide, and intended to make each and every provision of the bill accord with those principles. Those measures established and rest upon the great principle of self-government--that the people should be allowed to decide the questions of their domestic institutions for themselves, subject only to such limitations and restrictions as are imposed by the Constitution of the United States, instead of having them determined by an arbitrary or geographical line. …

[Page 277] The leading feature of the compromise of 1850 was congressional non-intervention as to slavery in the Territories; that the people of the Territories, and of all the States, were to be allowed to do as they pleased upon the subject of slavery, subject only to the provisions of the Constitution of the United States.

That, sir, was the leading feature of the compromise measures of 1850. Those measures therefore, abandoned the idea of a geographical line as the boundary between free States and slave States; abandoned it because compelled to do it from an inability to maintain it; and in lieu of that substituted a great principle of self-government, which would allow the people to do as they thought proper. Now, the question is, when that new compromise, resting upon that great fundamental principle of freedom, was established, was it not an abandonment of the old one--the geographical line? Was it not a supersedure of the old one within the very language of the substitute for the bill which is now under consideration?

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[Page 278] Mr. President, I repeat, that so far as the question of slavery is concerned, there is nothing in the bill under consideration which does not carry out the principle of the compromise measures of 1850, by leaving the people to do as they please, subject only to the provisions of the Constitution of the United States. If that principle is wrong, the bill is wrong. If that principle is right, the bill is right. It is unnecessary to quibble about phraseology or words; it is not the mere words, the mere phraseology that our constituents wish to judge by. They wish to know the legal effect of our legislation.

The legal effect of this bill, if it be passed as reported by the Committee on Territories, is neither to legislate slavery into these Territories nor out of them, but to leave the people do as they please, under the provisions and subject to the limitations of the Constitution of the United States. Why should not this principle prevail? Why should any man, North or South, object to it? I will especially address the argument to my own section of country, and ask why should any northern man object to this principle? If you will review the history of the slavery question in the United States, you will see that all the great results in behalf of free institutions which have been worked out, have been accomplished by the operation of this principle, and by it alone.

When these States were colonies of Great Britain, every one of them was a slave-holding province. When the Constitution of the United States was formed, twelve out of the thirteen were slave-holding States. Since that time six of those States have become free. How has this been effected? Was it by virtue of abolition agitation in Congress? Was it in obedience to the dictates of the Federal Government? Not at all; but they have become free States under the silent but sure and irresistible working of that great principle of self-government which teaches every people to do that which the interests of themselves and their posterity morally and pecuniarily may require.

Under the operation of this principle New Hampshire became free, while South Carolina continued to hold slaves; Connecticut abolished slavery, while Georgia held on to it; Rhode Island abandoned the institution, while Maryland preserved it; New York, New Jersey, and Pennsylvania abolished slavery, while Virginia, North Carolina, and Kentucky retained it. Did they do it at your bidding? Did they do it at the dictation of the Federal Government? Did they do it in obedience to any of your Wilmot provisoes or ordinances of ’87? Not at all; they did it by virtue of their right as freemen under the Constitution of the United States, to establish and abolish such institutions as they thought their own good required.

Let me ask you where have you succeeded in excluding slavery by an act of Congress from one inch of the American soil? You may tell me that you did it in the Northwest Territory, by the ordinance of 1787.

I will show you by the history of the country that you did not accomplish any such thing. You prohibited slavery there by law, but you did not exclude it in fact. Illinois was a part of the Northwest Territory. With the exception of a few French and white settlements, it was a vast wilderness, filled with hostile savages, when the ordinance of 1787 was adopted. Yet, sir, when Illinois was organized into a territorial government it established and protected slavery, and maintained it in spite of your ordinance, and in defiance of its express prohibition.

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[Page 279] I do not like, I never did like, the system of legislation on our part, by which a geographical line, in violation of the laws of nature, and climate, and soil, and the laws of God, should be run to establish institutions for a people; yet, out of a regard for the peace and quiet of the country, out of respect for past pledges, and out of a desire to adhere faithfully to all compromises, I sustained the Missouri compromise so long as it was in force, and advocated its extension to the Pacific. Now, when that has been abandoned, when it has been superseded, when a great principle of self-government has been substituted for it, I choose to cling to that principle, and abide in good faith, not only by the letter, but by the spirit of the last compromise.