

CONSTITUTION 101

Module 12: Slavery in America: From the Founding to America's Second Founding
12.4 Primary Source

SOUTH CAROLINA DECLARATION OF SECESSION (1860)

View the document on the National Constitution Center's website [here](#).

SUMMARY

The victory of Republican presidential candidate Abraham Lincoln in the 1860 elections convinced South Carolina legislators that it was no longer in their state's interest to remain in the Union. South Carolina declared its secession from the United States. Citing "an increasing hostility on the part of the non-slaveholding states to the institution of slavery," South Carolina insisted that the Northern states had breached their constitutional obligation to enforce federal laws like the Fugitive Slave Act and had "united in the election of a man to the high office of President of the United States" who would "inaugurate a new policy, hostile to the South, and destructive of its beliefs and safety." "We, therefore, the People of South Carolina . . . have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved." Within months, a total of 11 slaveholding states declared their secession from the Union. And war came. The Union defeat of the Confederate army was nothing less than a defeat of secessionist theories of the Constitution. It also opened up the door to profound changes in the federal system during Reconstruction.

Excerpt

We are seceding from the Union, and we must now explain our reasons. [T]he State of South Carolina having resumed her separate and equal place among nations, deems it due to herself, to the remaining United States of America, and to the nations of the world, that she should declare the immediate causes which have led to this act....

Many Northern states refused to enforce the Fugitive Slave Act; and many of these states have also passed personal liberty laws that make it harder to retrieve alleged fugitives; these states have breached their obligations to us under the Constitution. [A]n increasing hostility on the part of the non-slaveholding States to the institution of slavery, has led to a disregard of their obligations, and the laws of the General Government have ceased to effect the objects of the Constitution. The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Illinois, Indiana, Michigan, Wisconsin and Iowa, have enacted laws which either nullify the Acts of Congress or render useless any attempt to execute them. In many of these States the fugitive is discharged from service or labor claimed, and in none of them has the State Government complied with the stipulation made in the Constitution. . . .

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Things have gotten worse over time, and now America has elected Abraham Lincoln, the nation's first anti-slavery president; he only represents the Northern states; and he will pursue policies that attack the institution of slavery. For twenty-five years this agitation has been steadily increasing, until it has now secured to its aid the power of the common Government. Observing the forms of the Constitution, a sectional party has found within that Article establishing the Executive Department, the means of subverting the Constitution itself. A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that that "Government cannot endure permanently half slave, half free," and that the public mind must rest in the belief that slavery is in the course of ultimate extinction. . . .

The anti-slavery Republican Party will control the national government soon; this new government will ignore the Constitution and attack slavery; at that point, the national government will become the enemy of the slaveholding states. On the 4th day of March next, this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States. The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy. . . .

We are seceding from the Union. We, therefore, the People of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

***Bold sentences give the big idea of the excerpt and are not a part of the primary source.**