

CONSTITUTION 101

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

ABRAHAM LINCOLN, FIRST INAUGURAL ADDRESS AND MESSAGE TO THE SPECIAL SESSION OF THE 37TH CONGRESS (1861)

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

SUMMARY

Abraham Lincoln was elected as the 16th president of the United States of America, and was the first president avowedly opposed to legalized slavery. Lincoln was elected on November 6, 1860, and inaugurated March 4, 1861. In between these dates, seven states of the American Union that legalized slavery announced their secession, to create the Confederate States of America. It fell to Lincoln to declare such secession unconstitutional, and when the Confederates attacked the U.S. Army garrison at Fort Sumter in South Carolina, Lincoln called a special session of Congress on July 4, 1861, to lay out his reasons for acting against the Confederacy, not as a rival nation, but as an insurgency which the United States would suppress.

Excerpt

Inaugural Address, March 4, 1861:

Secession is unconstitutional. I hold, that in contemplation of universal law, and of the Constitution, the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments.... Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade, by less than all the parties who made it? One party to a contract may violate it – break it, so to speak; but does it not require all to lawfully rescind it?

This conclusion is confirmed by our nation's history; no state can simply choose to leave the Union on its own; these states' secession ordinances are void; and the Confederacy is a violent insurrection. Descending from these general principles, we find the proposition that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself.... It follows from these views that no State, upon its own mere motion, can lawfully get out of the Union, that resolves and ordinances to that effect are legally void; and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances....

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Secession equals anarchy; if any part of a nation can leave whenever it wants (e.g., after it loses an election), no nation can survive; in a republic, elections matters, and majorities rule, within the constraints laid out in the Constitution. Plainly, the central idea of secession, is the essence of anarchy. A majority, held in restraint by constitutional checks, and limitations, and always changing easily, with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it, does, of necessity, fly to anarchy or to despotism.

Message to Special Session, July 4, 1861:

The attack on Fort Sumter was an aggressive act of violence; it forces us to choose between disunion and war. [T]he assault upon, and reduction of, Fort Sumter was, in no sense, a matter of self-defence on the part of the assailants. They well knew that the garrison in the Fort could, by no possibility, commit aggression upon them. ...In this act, discarding all else, they have forced upon the country, the distinct issue: "Immediate dissolution, or blood."

And this issue is about more than America; it is about the future of republican government itself; the key question is whether America will defend key principles like majority rule, free elections, representative government, and the peaceful transfer of power against a disgruntled minority committed to insurrection and secession; I had no choice but to use my war powers to oppose the Confederacy. And this issue embraces more than the fate of these United States. It presents to the whole family of man, the question, whether a constitutional republic, or a democracy – a government of the people, by the same people – can, or cannot, maintain its territorial integrity, against its own domestic foes. It presents the question, whether discontented individuals, too few in numbers to control administration, according to organic law, in any case, can always, upon the pretences made in this case, or on any other pretences, or arbitrarily, without any pretence, break up their Government, and thus practically put an end to free government upon the earth. It forces us to ask: "Is there, in all republics, this inherent, and fatal weakness?" "Must a government, of necessity, be too strong for the liberties of its own people, or too weak to maintain its own existence?" So viewing the issue, no choice was left but to call out the war power of the Government; and so to resist force, employed for its destruction, by force, for its preservation.

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