

## **Background for Lincoln's Cooper Union Address**

### **The Issue of Slavery in the Territories**

As the United States expanded in the first half of the 19<sup>th</sup> century and new states entered the Union, the status of slavery in the new territories and in the newly admitted states became the central issue of political debate.

The formulation of the legislative branch in the US Constitution was designed specifically to protect the states from being out voted by the more populous northern free states. While seats in the House of Representatives are based on population, each state has two seats in the United States Senate. Consequently, as long as the number of slave states roughly equaled the number of free states, it would be impossible for the free states to have the necessary votes to ban slavery in all the new territories. Moreover, the Constitution requires two-thirds of each house to propose any amendment to the Constitution and two-thirds of all the states to ratify. Consequently, as long as one-third of the states were slave states, it would be impossible to pass a amendment to the Constitution abolishing slavery.

The United States expanded substantially, first by the Louisiana Purchase and then by the acquisition of California and what is now the southwestern United States in the Mexican-American War 1846-48. Most opponents of slavery opposed the Mexican-American War because they saw it as a war that would expand the number of slave states. During this period a number of compromises were made to admit states while placating Southern fears of a growing number of free states.

### **Missouri Compromise**

“In Jan., 1820, a bill to admit Maine as a state passed the House. The admission of Alabama as a slave state in 1819 had brought the slave states and free states to equal representation in the Senate, and it was seen that by pairing Maine (certain to be a free state) and Missouri, this equality would be maintained. The two bills were joined as one in the Senate, with the clause forbidding slavery in Missouri replaced by a measure prohibiting slavery in the remainder of the Louisiana Purchase north of 36°30'N lat. (the southern boundary of Missouri). The House rejected this compromise bill, but after a conference committee of members of both houses was appointed, the bills were treated separately, and in Mar., 1820, Maine was made a state and Missouri was authorized to adopt a constitution having no restrictions on slavery.”<sup>1</sup>

### **Wilmont Proviso**

In 1846, during the Mexican War, David Wilmont, a Congressman from Pennsylvania, attached an amendment to a funding bill for the war that would have prohibited slavery in all the territories won in the war. The amendment and similar amendments in subsequent year passed the House of Representatives but always failed in the Senate. These attempts increased Southern fear that the North would eventually try to abolish slavery throughout the United States.

### **Compromise of 1850**

After the Mexican-American War, the Southern concern about too many free states resulted in the narrow passage by Congress of the Compromise of 1850. The major provisions of the Compromise were: 1) the admission of California as a free state; 2) the organization of New Mexico (the current states of New Mexico and Arizona) and Utah (the current states of Utah and Nevada) as territories without mention of slavery – the legality of slavery was to be determined by the territories themselves; 3) the prohibition of the slave trade in the District of Columbia; and 4) a more stringent fugitive slave law.

### **Kansas-Nebraska Act**

“By 1854 the organization of the vast Platte and Kansas river countries west of Iowa and Missouri was overdue. As an isolated issue territorial organization of this area was no problem. It was, however, irrevocably bound to the bitter sectional controversy over the extension of slavery into the territories and was further complicated by conflict over the location of the projected transcontinental railroad. Under no circumstances did proslavery Congressmen want a free territory (Kansas) west of Missouri. Because the West was expanding rapidly, territorial organization, despite these difficulties, could no longer be postponed. Four attempts to organize a single territory for this area had already been defeated in Congress, largely because of Southern opposition to the Missouri Compromise. Although the last of these attempts to organize the area had nearly been successful, Stephen A. Douglas, chairman of the Senate Committee on Territories, decided to offer territorial legislation making concessions to the South. Douglas's motives have remained largely a matter of speculation. Various historians have emphasized Douglas's desire for the Presidency, his wish to cement the bonds of the Democratic party, his interest in expansion and railroad building, or his desire to activate the unimpressive Pierce administration. The bill he reported in Jan., 1854, contained the provision that the question of slavery should be left to the decision of the territorial settlers themselves. This was the famous principle that Douglas now called popular sovereignty, though actually it had been enunciated four years earlier in the Compromise of 1850. In its final form Douglas's bill provided for the creation of two new territories—Kansas and Nebraska—instead of one. The obvious inference—at least to Missourians—was that the first would be slave, the second free. The Kansas-Nebraska Act flatly contradicted the provisions of the Missouri Compromise (under which slavery would have been barred from both territories).”<sup>2</sup>

### **The Birth of the Republican Party**

Most opponents of slavery opposed the compromise of 1850, and because several prominent Whig Party (the opposition party to the Democrats) politicians were involved in the Compromise, the Whig Party fell apart. Several splinter parties formed and in 1854 they coalesced into the anti-slavery Republican Party in response to the Kansas-Nebraska Act. In 1856, the Republican nominated John C. Fremont of California as their presidential candidate.

### **The Dred Scott Decision.**

In March 1857, the Supreme Court ruled led by a Southern Chief Justice ruled: 1) that no slave or descendant of slaves could be a United States citizen; and 2) and that the

Missouri Compromise and subsequent laws were unconstitutional because Congress could not prohibit slavery in the territories. Lincoln was firmly opposed to this decision and his opposition is expressed in both the Cooper-Union Speech and in the Lincoln-Douglas debates.

### **John Brown**

During the referendum for or against slavery in Kansas, both sides fought a bloody civil war. The most ruthless of the anti-slavery leaders was John Brown. On October 16, 1859, John Brown resurfaced in Harper's Ferry, West Virginia (then Virginia) and raided the US Army Arsenal with the aim of sparking a mass slave revolt. It failed, and Brown was hanged soon afterwards

### **The Cooper Union Speech.**

Abraham Lincoln had made a national reputation for himself as an eloquent Republican moderate voice against slavery through the Lincoln-Douglas debates of 1858, which had been published. In October 1859 Abraham Lincoln accepted an invitation to lecture at Henry Ward Beecher's church in Brooklyn, New York, and chose a political topic which required months of painstaking research. His law partner William Herndon observed, "No former effort in the line of speech-making had cost Lincoln so much time and thought as this one." Before he gave the speech, he was photographed by the famous photographer, Mathew Brady (see photo on right). Because so many people wanted to hear "this western man" speak, the venue was changed to the Cooper Union in Manhattan. He had bought a new black suit for the occasion but it was badly wrinkled from the trip. An observer noticed that "one of the legs of his trousers was up about two inches above his shoe; his hair was disheveled and stick out like rooster's feathers; his coat was altogether too large for him in the back, his arms much longer than his sleeves."

### **The Structure of the Speech**

The speech is in three parts. The first part argues that the Republican position that slavery can and out to be banned in the territories is a "conservative" position in that echoes the expressed positions of a majority of the framers of the US Constitution. The second part is addressed to the Southern slave states. He denies that Republicans only represent Northern interests and distances the Republican Party from John Brown. He asks the South to stop focusing almost solely on the issue of slavery in the territories, and rebukes them for threatening to destroy the Union.

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<sup>1</sup> Infoplease.com <http://www.infoplease.com/ce6/history/A0833427.html>

<sup>2</sup> InfoPlease.com. <http://www.infoplease.com/ce6/history/A0813116.html>

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