Abraham Lincoln's "The House Divided" Speech (1858)

The escalating crisis drew a country lawyer back into the political fray. Abraham Lincoln was practicing rather than making law when the decade opened, but as acts he considered dangerous were passed, he was drawn out of the courtroom and onto convention floors and speakers' platforms. Lincoln, as a Whig, had served in the Illinois legislature and then for one term in Congress. He was still a Whig in 1854 when he again entered the public arena to oppose Stephen Douglas's Kansas-Nebraska Act. In 1856, however, Lincoln left the weakened Whigs to help found the Republican Party of Illinois and thus aided in the establishment of the greater, national party. Lincoln then campaigned vigorously for Republican policies and candidates. The party rewarded him at the Republican state convention in Springfield on 16 June 1858 when it endorsed him for the Senate seat held by Douglas. Lincoln accepted the endorsement with the following speech.

Mr. President and Gentlemen of the Convention.

If we could first know where we are, and whither we are tending, we could then better judge what to do, and how to do it.

We are now far into the fifth year, since a policy was initiated, with the avowed object, and confident promise, of putting an end to slavery agitation.

Under the operation of that policy, that agitation has not only, not ceased, but has constantly augmented.

In my opinion, it will not cease, until a crisis shall have been reached, and passed.

"A house divided against itself cannot stand."

I believe this government cannot endure, per-manently half slave and half free.

I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided.

It will become all one thing, or all the other.

Either the opponents of slavery, will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South.

Have we no tendency to the latter condition?

Let any one who doubts, carefully contemplate that now almost complete legal combination—piece of machinery so to speak—compounded of the Nebraska doctrine, and the Dred Scott
This necessity had not been overlooked; but had been provided for, as well as might be, in the notable argument of "squatter sovereignty," otherwise called "sacred right of self government," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That if any one man, choose to enslave another, no third man shall be allowed to object.

That argument was incorporated into the Nebraska bill itself, in the language which follows: "It being the true intent and meaning of this act not to legislate slavery into any Territory or state, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

Then opened the roar of loose declamation in favor of "Squatter Sovereignty," and "Sacred right of self government."

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While the Nebraska bill was passing through congress, a law case, involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free state and then a territory covered by the congressional prohibition, and held him as a slave, for a long time in each, was passing through the U.S. Circuit Court for the District of Missouri; and both Nebraska bill and law suit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally made in the case.

Before the then next Presidential election, the law case came to, and was argued in the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requests the leading advocate of the Nebraska bill to state his opinion whether the people of a territory can constitutionally exclude slavery from their limits; and the latter answers, "That is a question for the Supreme Court."
The election came. Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. The indorsement, however, fell short of a clear popular majority by nearly four hundred thousand votes, and so, perhaps, was not overwhelmingly reliable and satisfactory.

The outgoing President, in his last annual message, as impressively as possible echoed back upon the people the weight and authority of the indorsement.

The Supreme Court met again; did not announce their decision, but ordered a re-argument.

The Presidential inauguration came, and still no decision of the court; but the incoming President, in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, whatever it might be.

Then, in a few days, came the decision.

The reputed author of the Nebraska bill finds an early occasion to make a speech at this capitol indorsing the Dred Scott Decision, and vehemently denouncing all opposition to it.

The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained.

At length a squabble springs up between the President and the author of the Nebraska bill, on the mere question of fact, whether the Lecompton constitution was or was not, in any just sense, made by the people of Kansas; and in that squabble the latter declares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted down or voted up. I do not understand his declaration that he cares not whether slavery be voted down or voted up, to be intended by him other than as an apt definition of the policy he would impress upon the public mind—the principle for which he declares he has suffered much, and is ready to suffer to the end.

And well may he cling to that principle. . . . That principle, is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision, "squatter sovereignty" squatted out of existence, . . . His late joint struggle with the Republicans, against the Lecompton Constitution, involves nothing of the original Nebraska doctrine. That struggle was made on a point, the right of a people to make their own constitution, upon which he and the Republicans have never differed.

The several points of the Dred Scott decision, in connection with Senator Douglas' "care not" policy, constitute the piece of machinery, in its present state of advancement. This was the third point gained.

The working points of that machinery are:

First, that no negro slave, imported as such from Africa, and no descendant of such slave can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States.
This point is made in order to deprive the negro, in every possible event, of the benefit of this provision of the United States Constitution, which declares that—

"The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

Secondly, that "subject to the Constitution of the United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States territory.

This point is made in order that individual men may fill up the territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

Thirdly, that whether the holding a negro in actual slavery in a free State, makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master.

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Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mould public opinion, at least Northern public opinion, to not care whether slavery is voted down or voted up.

This shows exactly where we now are; and partially also, whither we are tending.

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It should not be overlooked that, by the Nebraska bill, the people of a State as well as Territory, were to be left "perfectly free" "subject only to the Constitution."

Why mention a State? They were legislating for territories, and not for or about States. . . . Why are the people of a territory and the people of a state therein lumped together, and their relation to the Constitution therein treated as being precisely the same?

While the opinion of the Court, by Chief Justice Taney, in the Dred Scott case, and the separate opinions of all the concurring Judges, expressly declare that the Constitution of the United States neither permits Congress nor a Territorial legislature to exclude slavery from any United States territory, they all omit to declare whether or not the same Constitution permits a state, or the people of a State, to exclude it.

Possibly, this was a mere omission; but who can be quite sure, . . .

The nearest approach to the point of declaring the power of a State over slavery, is made by Judge Nelson. He approaches it more than once, using the precise idea, and almost the language too, of the Nebraska act. On one occasion his exact language is, "except in cases where the power is restrained by the Constitution of the United States, the law of the State is supreme over the subject of slavery within its jurisdiction."

In what cases the power of the states is so restrained by the U.S. Constitution, is left an open question, precisely as the same question, as to the restraint on the power of
the territories was left open in the Nebraska act. Put that and that together, and we have another nice little niche, which we may, ere long, see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a state to exclude slavery from its limits.

And this may especially be expected if the doctrine of "care not whether slavery be voted down or voted up," shall gain upon the public mind sufficiently to give promise that such a decision can be maintained when made.

Such a decision is all that slavery now lacks of being alike lawful in all the States.

Welcome or unwelcome, such decision is probably coming, and will soon be upon us, unless the power of the present political dynasty shall be met and overthrown.

We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their State free; and we shall awake to the reality, instead, that the Supreme Court has made Illinois a slave State.

To meet and overthrow the power of that dynasty, is the work now before all those who would prevent that consummation.

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