

Understanding what is meant by States' Rights

Background:

An important concept to help you understand the impact the Civil War had on Georgia is to understand what is meant by the noun phrase, "States' Rights." The dictionary definition alone is not enough to help you gain an understanding how this term was used in the 1800s. It was a important cause of tension between the North and the South.

In order to assist you with the study of the Civil War and the impact it had on Georgia, read the following short excerpts that describe related terms. Each of these excerpts follows a common practice in history texts- they define important terms within the text itself, using punctuation marks or phrases, like "known as," or "called" In the examples that follow, the authors have used commas to separate a term from its definition.

Directions:

1. Highlight or underline the definition for each noun.
2. Speculate how that noun might be related to the phrase "states' rights."
3. Read the excerpt from the Lincoln-Douglas Debate, which summarizes much of the concept of states' rights.
4. Finally, create your own definition of states' rights.

Concept #1: Federalism

"Just as the Constitution divides power among the three branches of the federal government, it also divides power between the states and the nation, a division known as **federalism**."

- 1) How do you think this term is related to the phrase "States' Rights?"

Concept #2: Popular Sovereignty

"For decades, the major parties – the Whigs and the Democrats – had avoided the slavery issue, thus managing to win support in both the North and the South. In 1848, they hoped once again to attract voters from all sides of the slavery debate....

Both Democrats and Whigs addressed the problem by embracing the idea of **popular sovereignty**, a policy stating that voters in a territory – not Congress – should decide whether or not to allow slavery there. This idea had wide appeal, since it seemed in keeping with the traditions of American democracy."

- 2) How do you think this term is related to the phrase "States' Rights?"

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Concept #3: Secede

“... Calhoun did not believe that Clay’s proposal gave the South enough protection. If the North would not submit to the South’s demands, “let the states agree to separate and part in peace. If you are unwilling that we should part in peace, tell us so, and we shall know what to do.” In other words, if the North did not agree, the South would **secede**, or break away, from the Union.”

Note: The act of seceding is known as **secession**.

3) How do you think this term is related to the phrase “States’ Rights?”

Concept #4: Nullification

This episode convinced [John C. Calhoun] that the future of slavery, which he supported, required a stronger defense of states’ rights. Toward that end, he began to champion [argue for] the concept of **nullification**, which meant that states could **nullify**, or void, any federal law deemed [thought to be] unconstitutional.

4) How do you think this term is related to the phrase “States’ Rights?”

Stephen Douglas (in a speech during the Lincoln-Douglas Debate, 1858)

“I repeat that the principle is the right of each State, [and] each Territory, to decide this slavery question for itself, to have slavery or not, as it chooses, and it does not become Mr. Lincoln, or anybody else, to tell the people of Kentucky that they have no consciences, that they are living in a state of iniquity, [sin] and that they are cherishing an institution to their bosoms in violation of the law of God. Better for him to adopt the doctrine of ‘judge not lest ye shall be judged.’”

5) Using your work above and the Douglas quote, define the phrase “states’ rights” and explain what it has to do with the division between North and South.
