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Our Wisdom And Our Duty. Anti-
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Charles Hodges, American Anti-Slavery Society

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DISUNION OUR WISDOM AND OUR DUTY.

BY REV. CHARLES E. HODGES.

IN discussing this question, it should be remembered that it is in the highest sense a moral question, and, as such, superior to any criticisms of an immoral expediency; that its positions cannot be met by arguments not based on the same fundamental principle from which it starts, namely, that right is right, and therefore demands the voluntary adherence of men — that wrong is wrong, and as such must be repudiated; that in questions of this nature there is no room for compromise or evasion. And it must be further borne in mind that, however much must be conceded to a necessary expediency in matters purely political, nevertheless this great principle must be applied, wherever it is applicable, equally to the affairs of nations as of individuals. It is not claimed that governments and political associations should be either missionary societies, ecclesiastical tribunals, or direct religious agencies; yet no government or party has a right, for any possible motive, itself to violate, or to exact of any of its subjects or members a violation of the absolute and immutable moral law.

If disunion be, as is asserted, a measure not simply of expediency, but of justice, not of mere policy, but of right, it certainly is the duty of every honest man to investigate the subject calmly and rationally, as he would any other subject making such claims. It is a duty he owes, not alone to the slave, whose emancipation he would secure, nor to the country, whose otherwise sure and final ruin he would avert, but to himself as a moral agent responsible for his actions.

To do this fairly, or at all, we have first to free ourselves of an amount of prejudice unequalled in any other direction; the prejudice of education, ignorance, pride, and inherited reverence, all

of which is fostered by the mistaken patriotism of an uninquiring public, and the atheistical idolatry of a human constitution and political union, by most of the controlling minds of the country, in both church and state, — a prejudice so general and so confirmed, that the impression is almost universal, that the United States Constitution is sacred as divine revelation, and the Union, however cemented, to whatever base uses prostituted, of divine origin. To investigate these, therefore, to question their right to be perpetuated, or the duty of allegiance, is regarded with pious horror, as the ravings of a disorganizing and impious fanaticism, a profanation of the sanctuary which shields us.*

Such view as this, it is evident, precludes all hope or necessity of amendment, and denies even that final and universally-conceded right of revolution. For, of course, if the Constitution and Union are infallible and sacred, nothing can ever justify disobedience or resistance. Whatever of oppression or injustice may be exercised under the authority of the one, or by the force of the other, must be patiently endured. A position, which no political theorist has ever ventured to take. But, what is of even greater consequence, such a view puts an end at once, to the right of criticism, examination, and moral judgment; in other words, forbids the exercise of reason and conscience. This is the necessary effect of the popular idea of the sacredness of these things, and is the actual present state of public sentiment.

But, since the Constitution is of human origin, and the Union, existing by virtue of that instrument, equally the result of human agency, there is no sufficient reason why these should be more infallible in their aim and operation than their authors, and no especial heresy or impropriety in examining and criticizing their claims upon us as honest men. With these rational views, with no prejudice or preference, save for the truth, we may look at this question of disunion with the hope of coming to some just conclusion.

And, at the outset, we are ready as any, to grant the importance of some such union as ours for most ends of political existence. The physical constitution of the country, apart from other consider

* The Rev. Nehemiah Adams, D. D., in his "South Side View," page 128, says, "There is a law of the land, a Constitution, to which we must submit, or employ suitable means to change it. *While it remains, all our appeals to a 'higher law' are fanaticism.*"

ations, which need not be mentioned here, makes a union natural, desirable, and in the end, perhaps, essential. Probably no person wishes to deny this. But the question is not of the advantage of union (though it has been often and undeniably proved that in every respect it is injurious to the north, and only advantageous to the south, as it at present stands); the question is deeper than this; *not, Is it expedient? but, Is it right?* Have we a right for the sake of national greatness and power, or territorial integrity, or any conceivable material prosperity, or for any purpose whatsoever, to sustain a union, which demands, *and for its preservation must secure*, from its citizens, a sacrifice of the fundamental and eternal laws of religion and morality? We firmly and sincerely believe that we have no such right; that nothing of presumed expediency or necessity, can justify conscious and deliberate acquiescence in, or support of what we believe to be morally wrong. We stand on the assertion of the simplest, the very elementary principles of morality and religion, that whatever is contrary to the universal, unchangeable, and very initial laws of God, cannot be made right by vote of a majority; that what is intrinsically wrong for one man is equally so for a hundred, or a hundred thousand men; and, on the same principle, that what is wrong in one State is wrong in every State, or in a union of States; and yet further, that to defend or sustain another in doing what we confess would be wrong for us, and is wrong for them to do, involves us in an equal culpability for the sin and its consequences.

It is on these simple principles that the abolitionist justifies, and commends to the consideration of a candid public, his opposition to the Union. It is wrong for us to support *voluntarily*, a government or political union, which sustains iniquity. If, then, our Union does sustain iniquity, it is wrong for us to abide by the Union. This, in brief statement, is the position of the northern anti-slavery, and only sincere disunionist, who is not insane.

Does the Union, then, protect, encourage, sustain iniquity, and do we by our acts, as members of that Union, acquiesce?

We proceed, in answering this question, with the assumption, that slavery is not simply a social or political evil, but a *sin and a crime*, in the fullest sense; something which neither law nor presumed necessity can justify; which cannot exist, in however mitigated a form, without infraction of the primal rights of human nature; therefore

not without absolute and direct rebellion against God; who, by creating man with the nature he has, granted, by the very act of creation, and guaranteed the rights, which that nature demands for its satisfaction. Preëminent among these are the rights to life and liberty, and all which necessarily result therefrom; which even our Declaration of Independence unqualifiedly asserts when it declares them to be inalienable. Now, slavery actually alienates these rights; robs three and a half millions of human beings of their right to the pursuit of happiness, to liberty, and even to life—men, women, and children, who, even granting their present inferiority, are still human beings, endowed by their Creator with the common human nature, and so equally entitled to human rights.

The assumption and exercise of the power and boasted right to hold property in man, is the essential wrong, and the necessary source and justification of the misery and iniquity which result;—as, the denial to the slave of the slightest opportunity for the culture and development of the faculties given him in trust; the exaction of severe and wasting labor without compensation, and wrung from the indolent and the feeble by the lash; the encouragement of prostitution in various ways, but most cruelly in its mockery of the sacredness of marriage; the separation and sale of husband and wife, parent and child, and the many other infamous customs of slavery. And these are not accidental, unusual, or mere abuses of the system, but its necessary results, without which, slavery cannot exist, so declared in the statute laws of the slaveholding States, and of constant occurrence under the administration of these laws. So we say that the whole thing is, from beginning to end, in principle and result, “*de facto et de jure*,” sin, and nothing but sin, and that continually. It should seem unnecessary, it certainly is humiliating, to feel compelled to waste a word, or a moment of time, in stating such evident propositions as these: that slavery is sin, at war with the holiest instincts of our nature, the essential rights of man, the principles of Christianity, and the will of God; and, that we have no right deliberately to countenance or sustain sin. But we are fallen on unhappy times, when even learned and influential ministers of religion, (so accredited,) occupying commanding social positions, urge, with the calm and mature deliberation of printed argument and appeal, the opposite doctrines; and when men gladly accept these modern, Protestant indulgences to countenance and

abet in man stealing, prostitution, and all the iniquity of slavery with untarnished title to respect here, and duly endorsed passport to heaven.

Nothing more, certainly, need be said to prove — what, it is presumed, after all, most men here at the north will grant — that slavery is sin, and that we have no right to sanction or encourage sin. And any man who grants this, has granted all we ask; for we assert, what a very few words will confirm, that in sustaining the Union, *we* are encouraging and upholding slavery; and even more strongly, that without the Union, as it now exists, slavery could not stand another day.

Our present political position proves *our connection with the sin*. In closest league with States in which slavery, with all its infamy, is sustained by express statute — States in which this system is supreme, the controlling element in all affairs, political and religious, and which have succeeded, for nearly seventy years, ever since the Union was formed, in subjecting the legislation of the entire country to their will, making the general government, which by virtue of numbers, is ours more than theirs, favor, foster, and extend slavery, till it has grown to what it is. We are in intimate union with these States, in partnership with them in crime. We swear to abide by a Constitution, which guarantees perpetual possession of his slaves to the slaveholder, which grants him unusual privileges, in proportion to the number of his slaves, and finally, guarantees perpetual enjoyment of those privileges. We meet with them in the national Congress, yielding them a larger representation there, than an equal number of non-slaveholders, in proportion to their iniquity. We make laws together, elect officers in common, pay taxes into a common treasury, collect a common revenue, make treaties and form alliances with other nations, as one people, united in principle and interest. We associate with them in church and state, as friends and fellow-Christians, and do their bidding in all things, without noticeable or efficient protest. We have thus openly committed ourselves, in the eyes of the world, to a participation in their guilt, and in the court of conscience, to an equal responsibility for the sin. For our association with the slave States is not a partial or limited confederacy, formed for protection against a common danger, for special purposes, in no wise connected with this peculiar evil, in which we hold no part, and for which we are not responsi-

ble. Such argument is not merely fallacy, but falsehood. Undoubtedly, an alliance of that nature is possible between two or more States, without involving an acquiescence from either one, in the peculiar faith, institutions, or customs of the other. As England and France are, at this moment, acting as associates and allies of the Turk, without suspicion of countenancing either Islamism or polygamy. But our Union is not of that temporary or limited character. It is not a partial and independent alliance, in view of some pressing emergency, to cease when that is past. Were it so, the hour for dissolving that connection arrived long ago. Ours is an unlimited partnership, a perpetual and peculiar confederation, of the most intimate character. One which unites both north and south, the free and the slave States, into a common country, under one central government, under a federal Constitution, the fundamental law of the land, which grants, as has been said, extraordinary privileges to the slaveholders — 1st, a three-fifths representation for their slaves in the national Congress; 2d, a pledge to restore fugitives; and 3d, the pledge that we will labor, and, if necessary, fight to repel aggression, and to suppress any efforts that may be made by the oppressed to regain their freedom. Now, in illustration of our position, we will take a supposable case, thus: I form a partnership in trade with a notoriously wicked man, one who is dishonest in his dealings, given to theft and falsehood, engaged in constant brawls, living in open adultery, and feeding his lust by force. In our articles of agreement, I allow him an undue interest in the concern, in proportion to his iniquity; agree to continue the connection, despite his character, though he should cheat even me; pledge myself to defend his practices; and, more, should any victims of his knavery or unholy violence resist, or rise against him, to shoot them down. Now, should I do all this, I could as justly claim exemption from any responsibility for, or encouragement of that man's iniquity, as we can, under the Union, disclaim any responsibility for slavery and its inevitable iniquities. The cases are strictly parallel. The man who swears to sustain the Constitution, which grants and the Union, which sustains slavery, is certainly, in the sight of God, as guilty as one would be in the case I have supposed. The cry, "Freedom national, slavery sectional," is an absurdity. It is impossible under the Union. Slavery existing any where in these States is the sin of the whole people.

From what has already been said, it is apparent that *slavery exists only by virtue of the Union*. This is further confirmed by the voluntary confessions of a few southern gentlemen, who exhibit either superior sagacity or a greater degree of honesty than is common in their portion of the country. In the debate in Congress on the question of censuring John Q. Adams for presenting a petition for dissolution of the Union, Mr. Underwood, of Kentucky, said, —

“They (the south) were the weaker portion, were in the minority. The north could do what they pleased with them; they could adopt their own measures. All he asked was, that they would let the south know what those measures were. One thing he knew well — that the State which he in part represented had perhaps a deeper interest in this subject than any other, except Maryland and a small portion of Virginia. And why? Because he knew that to dissolve the Union and separate the different States composing this confederacy, — making the Ohio river and Mason and Dixon’s line the boundary line, — he knew as soon as that was done, *slavery was done* in Kentucky, Maryland, and a large portion of Virginia, and it would extend to all the States south of this line. *The dissolution of the Union was the dissolution of slavery*. It had been the common practice for southern men to get up on this floor and say, ‘Touch this subject, and we will dissolve this Union as a remedy.’ Their remedy was the destruction of the thing which they wished to save, and any sensible man could see it. If the Union were dissolved into two parts, the slave would cross the line, and then turn round and curse his master from the other shore.”

Mr. Thomas D. Arnold, of Tennessee, in a speech on the same subject, spoke as follows: —

“The free States had now a majority of forty-four in that house. Under the new census they would have fifty-three. The cause of the slaveholding States was getting weaker and weaker, and what were they to do? He would ask his southern friends what the south had to rely on if the Union were dissolved? Suppose the dissolution could be peaceably effected, (if that did not involve a contradiction in terms,) what had the south to depend upon? *All the crowned heads were against her. A million of slaves were ready to rise and strike for freedom at the first tap of the drum*. They were cut loose from their friends at the north (friends that ought to be, and without them the south had no friends); *whither were they to look for protection?* How were they to sustain an assault from England or France, with that cancer at their vitals? The more the south reflected, the more clearly she must see that she had a deep and vital interest in maintaining the Union.”

The editor of the Maryville (Tenn.) Intelligencer, in an article on the slave population, wrote thus: —

“We of the south are emphatically surrounded by a dangerous class of beings, — degraded, stupid savages, — who, if they could but once entertain the idea that immediate and unconditional death would not be their portion, would react the St. Domingo tragedy. But the consciousness, with all their stupidity, that a tenfold force, superior in discipline, if not in barbarity, would gather from the four corners of the United States, and slaughter them, keeps them in subjection. *But to the non-slaveholding States particularly we are indebted for a permanent safeguard against insurrection.* Without their assistance, the white population of the south would be too weak to quiet that innate desire for liberty which is ever ready to act itself out with every rational creature.”

More recently, Mr. Gentry, member of Congress from Tennessee, thought it would be better for the south to submit to the Wilmot proviso than to dissolve the Union, as he “believes that the continued existence of slavery rests upon the existence of the Union.”

Every slave will confirm what these gentlemen tell us — that what prevents the slaves securing their liberty, is not their degradation, nor fear of their masters, but the fear, into which they are carefully educated, of the intervention of the northern States. The first successes of the Nat Turner insurrection, and its final suppression by the forces of the Union, teach the value of that Union to the slaveholder, and afford a painful precedent of despair to the unhappy slave. It is idle to offer further evidence. Every one who understands the Constitution, and interprets it fairly, and who knows so much of history as is comprised in the records of these States for seventy years, must confess that the Union is the main stay of slavery, and that were the Union dissolved, slavery that moment hastens to its end. No man, therefore, can properly regard the position of the abolitionist as other than reasonable and just, fully sanctioned, in the light of religion and humanity, by such facts and admissions as have been stated. A position, whose justice is implied by the Hon. Horace Mann, in his eloquent and able speech in Congress, August 17, 1852, when he says, “Let me ask if the political free soil party do not go to the uttermost verge that patriot, moralist, or Christian can go, when it consents to let slavery remain where it is?” To his question we reply, Yes; and beyond that dizzy and bewildering verge, where a mistaken expediency overlaps the boundaries of right, *farther* than either patriot, moralist, or Christian can go. It is on these grounds that a dissolution of the Union is urged; because, first, while we remain in the Union we are respon-

sible for slavery, which the Union sustains, and second, because we believe, that in disunion lies the only hope of emancipation for the slave.

No reference has been made to the corrupting influence of slavery upon the country; its constant aggressions upon our liberties; its control of the political parties; its despotic use of the general government as a tool for the promotion of its interests, by patronage, public moneys, and unjust enactments; its wars, fought by northern men, paid for by northern money; its prostitution of justice, through packed juries, profligate attorneys, and unjust judges; for all these things the north has power to correct if she will; though it is an impossible expectation, that the north will ever be sufficiently free and united, to rule by virtue of its numerical preponderance, while slavery exists as a recognized power in the State. But we omit any argument based on these things, which admit of possible cure. For, in respect to these things, the fault (strictly speaking) is not directly with the Union. These, we are not *forbidden to prevent*, and therefore, of themselves, afford no necessary or unavoidable reason for a separation. Now, this same argument, could it be applied to the Constitution, would be equally valid against our measure of dissolution. If it were possible, under the Constitution, to abolish slavery, and we could be freed from the responsibility of an immoral oath, if it were possible so to alter the Constitution as to expunge its slave clauses, and allow us to move for abolition,—then the Union need not, necessarily, be severed. But how is it, in fact?

The Constitution is pro-slavery. That has been assumed throughout. Nothing need be said on that point, save to refer the reader to the first tract of this series, or to Mr. Phillips's reply to Lysander Spooner. Facts, evidence, usage, the interpretation of our courts, the public voice, and the instrument itself, are unanimous in their decision of that point. That Constitution is the fundamental federal law. Whatever is constitutional may be done; whatever is unconstitutional (save when in favor of slavery) may not be done. It stands, therefore, as the supreme law of the land, and is regarded by the people as a sort of external conscience. Here, then, we have an authority, established nearly seventy years ago, to control the legislation of a great and growing country, increasing, since that authority was established, from thirteen to thirty-one States, and seven enormous Territories, and, in population, from three to twenty-three

millions — an authority *from which there is no appeal*; which neither changing social needs, the growing wants of a growing country, nor increasing intelligence and virtue, and capacity of men for freer forms, nor any exigency or circumstance whatever can question. But even further; this authority, which admits of no appeal, hears no petitions, which is blind, deaf and heartless, in its protection of sin, this authority *is perpetual*. The Constitution cannot be altered, so that there may be just laws, which shall be at the same time constitutional, so that we may obey conscience legally, and speak and act for the right, without arrest for treason. Provision is made, indeed, for amendment, but under conditions so strict and impossible, that it amounts to prohibition, so far as any great dividing question, like slavery, is concerned. Article V. of the Constitution reads as follows: “The Congress, whenever *two thirds of both* houses shall deem it necessary, shall propose amendments to this Constitution; or, on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments; which, in either case, shall be valid to all intents and purposes, as part of this Constitution, *when ratified by the legislatures of three fourths of the several States, or by conventions in three fourths thereof*, as the one or the other mode of ratification may be proposed by Congress.”

By this article, therefore, not one State alone, not all New England, not the *entire north*, have any right to propose a modification or repeal of the slave clauses of the Constitution. As we now stand, twenty-one States must agree to propose an amendment, before the proposition can be received; and after that is done, *twenty-four* States must ratify that amendment, before it can be law. Is not this simple statement sufficient? Who so sanguine or visionary, that he dare hope for a vote of three fourths of the States, to free our Constitution from its protection of slavery, or even of two thirds of the States to make such a proposal. This very difficulty was alluded to by Edmund Randolph, of Virginia, a member of the convention which framed the Constitution. In a letter to the Virginia legislature, explaining his reasons for refusing to sign the Constitution, he says, “My opinion always was, and still is, that every citizen of America, let the crisis be what it may, ought to have a full opportunity to propose, through his representatives, any amendment which in his apprehension tends to the public welfare. By signing, I should have contradicted this sentiment. * * * I may be asked

why the mode pointed out in the Constitution, for its amendment, may not be a sufficient security against its imperfections. My answers are, That it is better to amend while the passions of designing men are not yet enlisted, and while a bare majority of the States may amend, than to wait for the uncertain assent of three fourths; that a bad feature in government becomes more and more fixed every day; * * * and that in the present case it may be questionable whether, after the particular advantages of its operation shall be discerned, three fourths of the States can be induced to amend."

Here, then, we have the singular spectacle, of a Constitution, which is the national fundamental law, the bond of union, and supreme, from whose authority *there is no appeal, which is unchangeable and eternal*, formed nearly seventy years ago, not by an omniscient power, but by men like ourselves; men who yet made laws not for themselves alone, not for their times, suited to their political necessities alone, but, with an assumption of infallibility almost impious, for their children's children, to the remotest generation, for every age, to the end of time or of the Union. Absolute beyond the possible limits of monarchical despotism, our charter of tyranny, not only makes laws, but makes them perpetual. *And in swearing to the Constitution, we are compelled, virtually, to swear to its perpetuity just as it is.* That Constitution is pro-slavery. Viewed, then, in the light of all that is urged, (and can logic or inspiration point to any other conclusion?) he is not the traitor to his country, but the only true patriot as well as Christian, who labors for the peaceful dissolution of this Union.

The question of the *policy* of this movement, apart from its effect in removing slavery, we have not discussed. We care not to discuss it; though the fears, so commonly expressed, of consequent disaster and ruin, might easily be shown to be unfounded. But whether so or not, it is a fatal admission for any one to make, *that the prosperity and safety of the country depend on sustaining sin, and would be perilled by removing it; still more fatal to say, that any conceivable danger to existing institutions, can justify PERSEVERING and PERPETUAL disobedience to the supreme law of God.* But there is no danger of disaster or ruin in the success of the measure proposed, even were it put into execution at once. There is, however, no immediate prospect of that. A score or two of abolitionists cannot

dissolve the Union. Their principles must first be carried home to the consciences of the people of the north. Thus the public mind will be prepared for the change, when it can be made, and all needful precautions taken. And when the people are ready, then the Union is broken, the Constitution repealed, slavery abolished. Then, and not till then, shall we be able to secure, what, in the preamble to our Constitution, the present Union proposed, but has signally failed to effect — “A MORE PERFECT UNION,” which will “*establish justice, insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.*”

Our purpose is not incendiary. We do not expect to dissolve the Union, alone. With the truest and most disinterested love of justice, humanity, and our country, we simply ask coöperation, and for this, appeal to the conscience and understanding of the people. There is no necessity, therefore, for any definite answer to the question, “How do you propose to do this thing?” It is not the time to lay out a plan of the campaign, to open trenches, dispose forces, and besiege the citadel, while we yet have no forces, save only a few recruiting officers. The thing to be done now is, to urge upon every man this question — *Are you ready?* If you (believing slavery a sin, and that it is wrong to sustain sin) believe that the American Union does sustain slavery, can you do otherwise than commit yourself to this cause, as the *only* hope for the slave, the only measure of salvation for the country, and a simple expression of adhesion to the eternal laws of the Almighty?

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