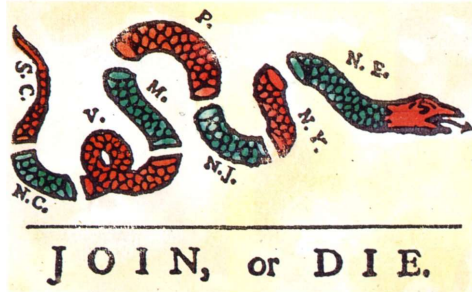
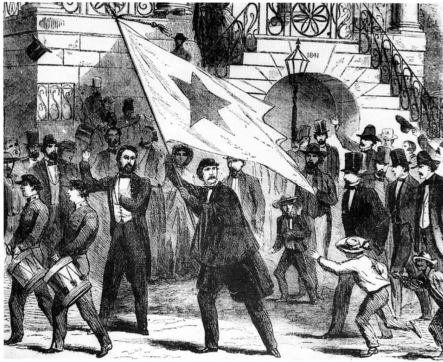
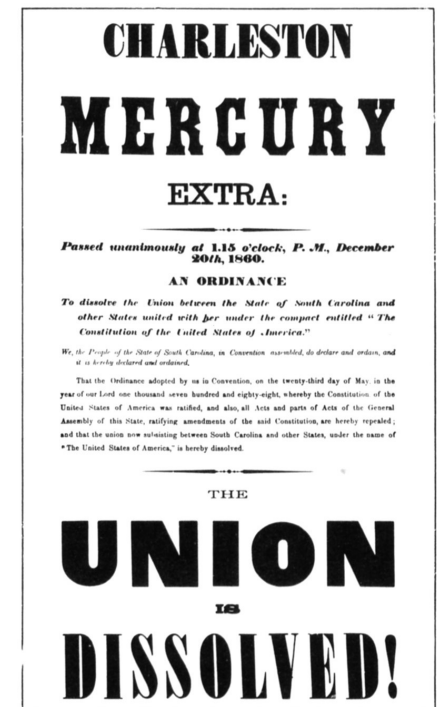
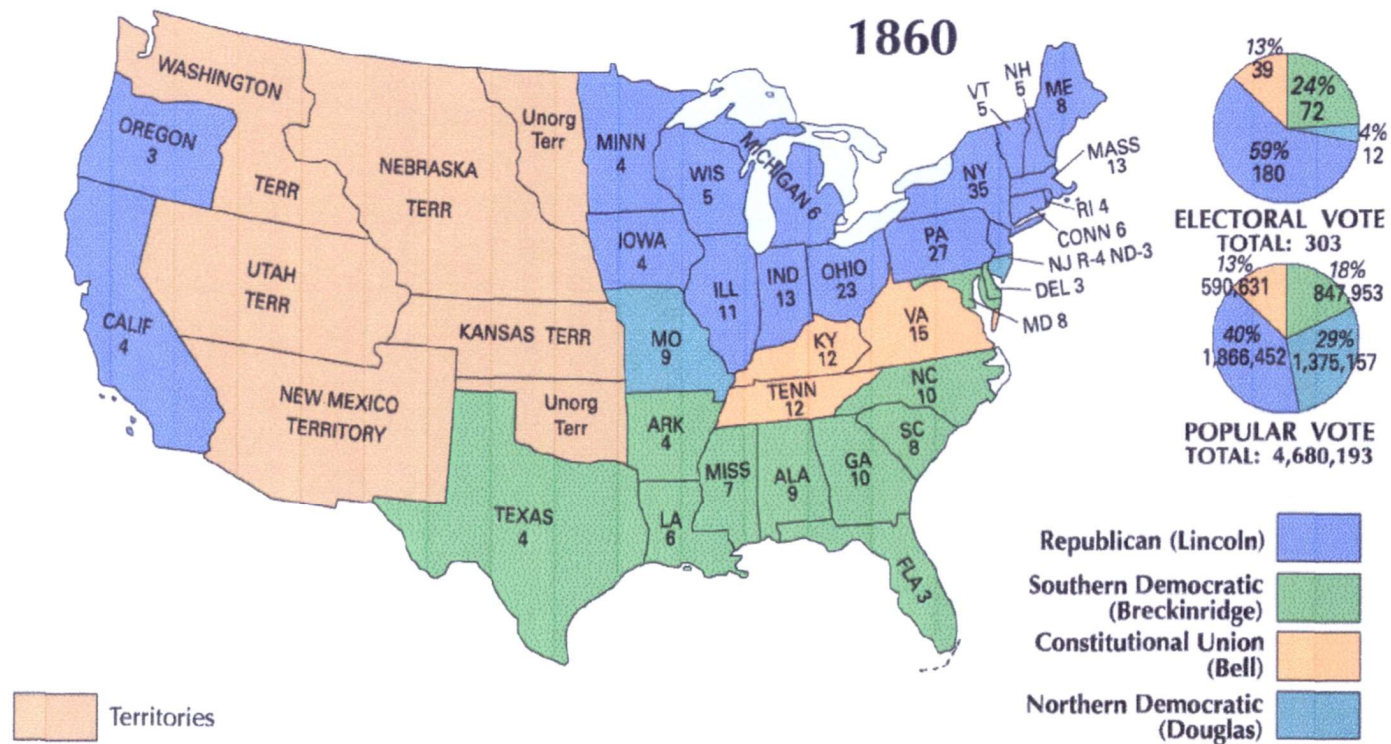


# La sécession des Etats du Sud en 1860-1861: une crise du système fédéral américain?

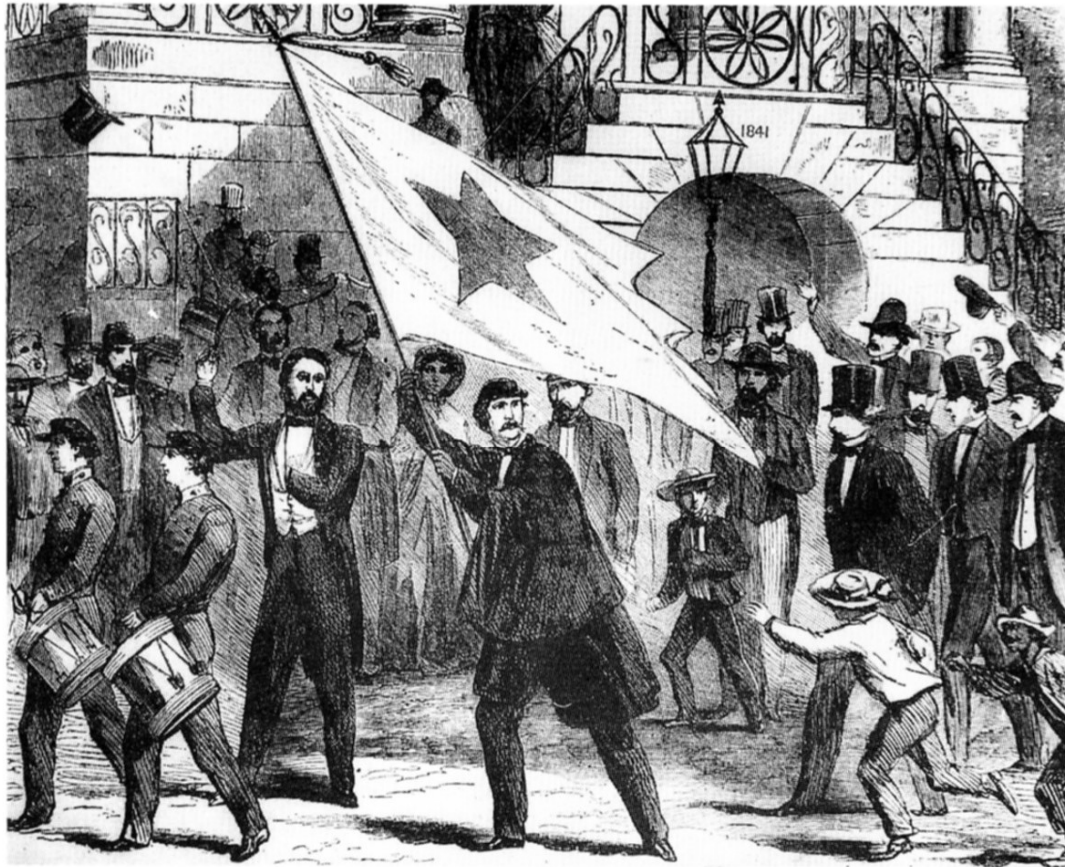


Pierre-François PEIRANO  
Laboratoire Babel (EA 2649)

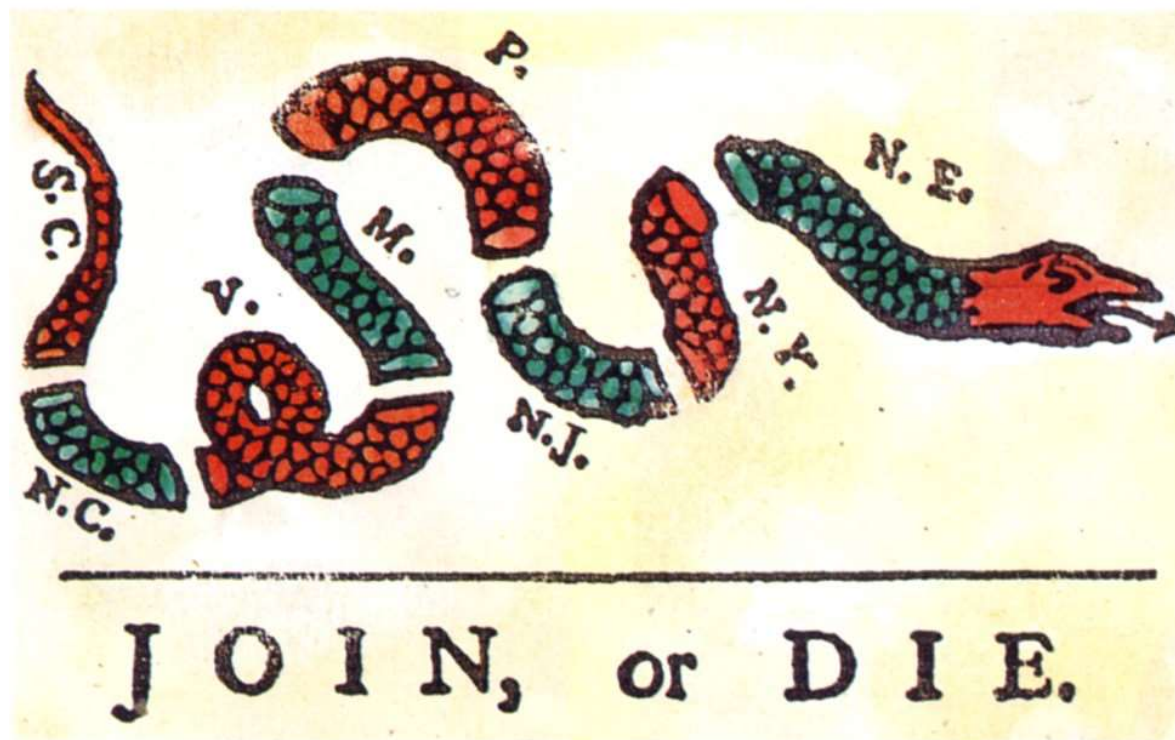




L'élection présidentielle de 1860 (carte électorale).



La célébration de la sécession en Caroline du Sud, le 20 décembre 1860.



*Join, or Die*, dessin de Benjamin Franklin (1754).

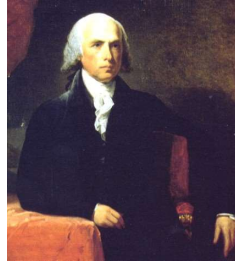


## La construction fédérale

- Articles de Confédération (rédigés en 1777, ratifiés en 1781):
- Convention de Philadelphie (mai-septembre 1787);
- Constitution Fédérale (votée le 17 septembre 1787);
- Ratification de la Constitution (1788);
- *Bill of Rights* (1791: dix amendements à l'origine).



Howard C. Christy, *Scene at the Signing of the Constitution of the United States* (1940)

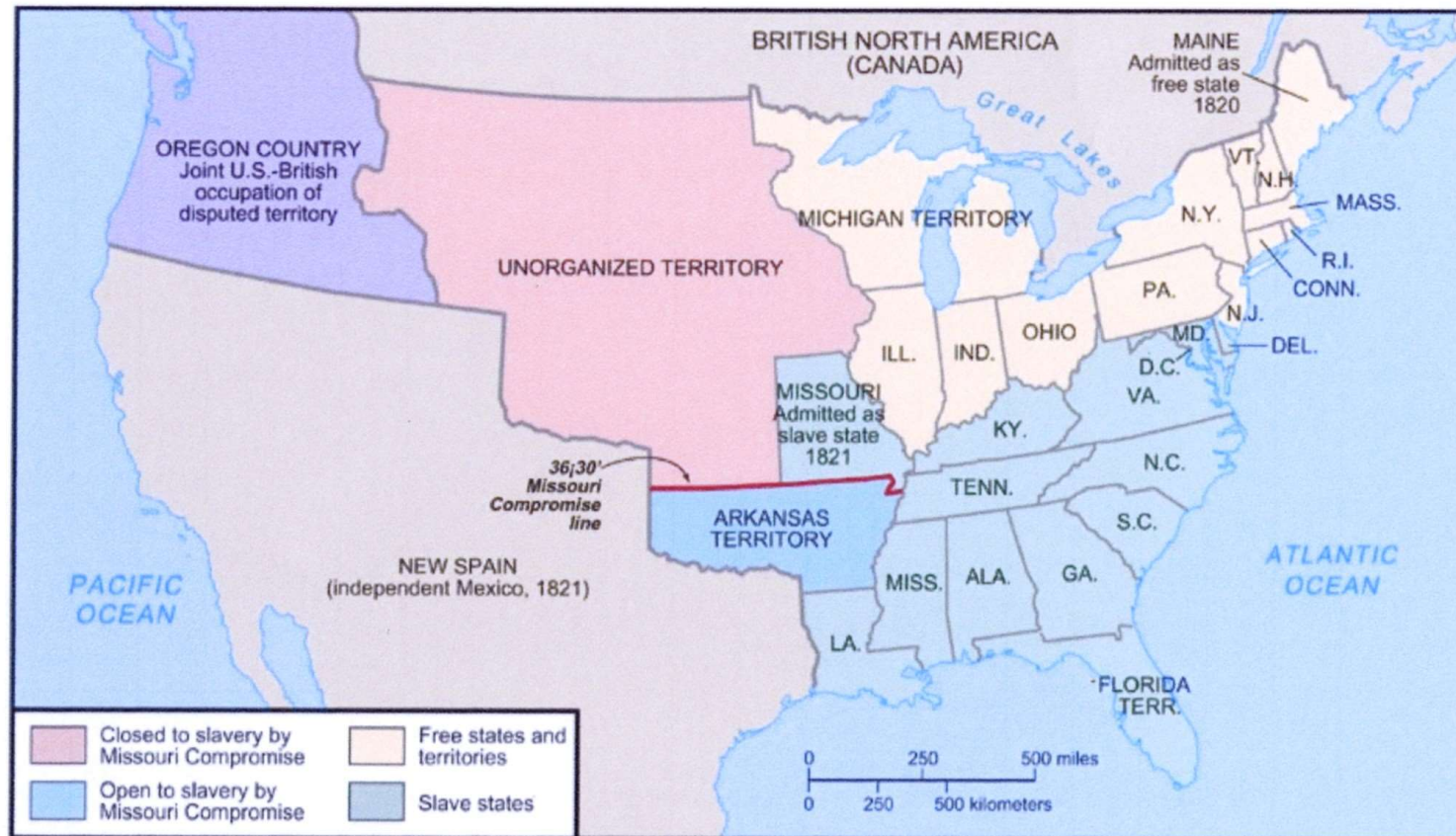


It seemed now to be pretty well understood that the real difference of interests lay, not between the large & small but between the N. & Southn. States. **The institution of slavery & its consequences formed the line of discrimination.** There were 5 States on the South, 8 on the Northn. side of this line. Should a proportl. Representation take place it was true, the N. side would still outnumber the other: but not in the same degree, at this time; and every day would tend towards an equilibrium.

James Madison, discours prononcé devant la Convention de Philadelphie, 14 juillet 1787.

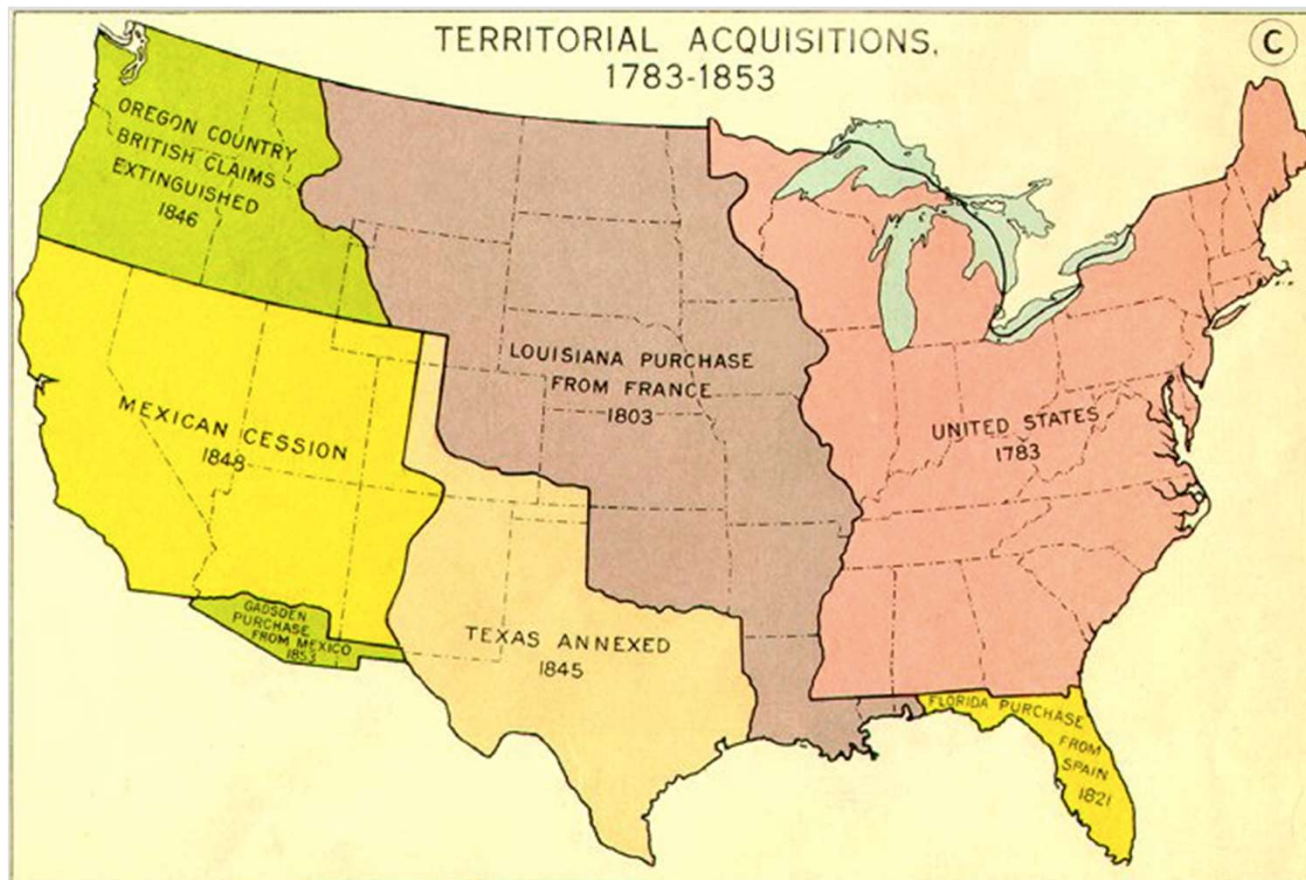


L'Ordonnance du Nord-Ouest (juillet 1787).

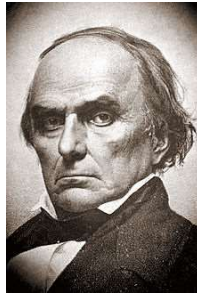


Le Compromis du Missouri (1820).



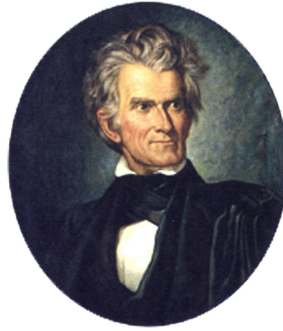


L'expansion des Etats-Unis au milieu du XIXe siècle.



We admitted Texas, — one State for the present. Three years ago we did this; we now propose to make two States. Undoubtedly, if we take, as the President recommends, New Mexico and California, there must be then four new Senators. Now, what will be the relation between these Senators and the people they represent, or the States from which they come? **I think I see a course adopted which is likely to turn the Constitution of the land into a deformed monster, into a curse rather than a blessing;** in fact, a frame of an unequal government, not founded on popular representation, not founded on equality, but on the grossest inequality; and **I think that this process will go on, or that there is *danger* that it will go on, until this Union shall fall to pieces.** I resist it, to-day and always!

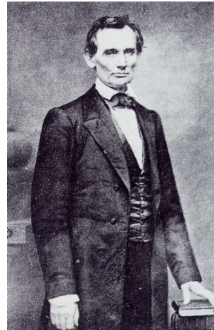
Discours de Daniel Webster au Sénat, 23 mars 1848.



**As the North has the absolute control over the Government**, it is manifest, that on all questions between it and the South where there is a diversity of interests, the interests of the latter will be sacrificed to the former; as the South possesses no means by which it can resist. [...]

**How can the Union be saved?** To this I answer, there is but one way—by adopting measures that will satisfy the States belonging to the Southern section, that they can remain in the Union consistently with their honor and their safety.

Dernier discours de John C. Calhoun au Sénat, 4 mars 1850.



**“A house divided against itself cannot stand.”**

I believe this government cannot endure, permanently 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.

Discours d'Abraham Lincoln à Springfield (Illinois), 16 juin 1858.



## Les conséquences du débat sur l'esclavage

- 1787: Ordonnance du Nord-Ouest;
- 1787: clause des « trois-cinquièmes »;
- 1793: première loi sur les esclaves fugitifs (*Fugitive Slave Law*);
- 1794: loi sur le commerce des esclaves (*Slave Trade Act*);
- 1808: interdiction de « l'importation » d'esclaves;
- 1820: Compromis du Missouri;
- 1846: « Clause Wilmot » (*Wilmot Proviso*);
- 1850: deuxième compromis;
- 1854: Loi Kansas-Nebraska;
- 1857: décision Dred Scott; le Compromis du Missouri est jugé anticonstitutionnel;
- 1859: raid manqué de John Brown à Harpers Ferry (Virginie).

## Les relations entre les Etats et l'Etat fédéral

- 1798: *Virginia and Kentucky Resolutions*;
- 1815: convention de Hartford (Connecticut);
- 1831: John C. Calhoun expose la théorie de la « Nullification »;
- 1832: Crise de la Nullification;
- 1833: *Compromise Tariffs*.

**THE QUESTION**

**IF LINCOLN**  
 will be elected or not, is one which interests all parties,  
 North and South. Whether he

**IS ELECTED**  
 or not, the people of

**SOUTH CAROLINA**  
 (whose rights have been for a number of years trampled  
 upon) have the advantage of supplying themselves with  
 CLOTHING, at the well-known CAROLINA CLOTHING  
 DEPOT, 261 King-street, at such prices as

**WILL LEAD**  
 them to be satisfied that the reputation of this Establish-  
 ment has been

**BOLDLY**  
 and fearlessly maintained

**FOR A**  
 number of years, supplying its

**SOUTHERN**  
 Customers with all the Latest Styles, and at as low prices  
 as any Clothing House in the present

**CONFEDERACY**  
 of all the States.

Thankful for the liberal patronage extended, the Pro-  
 prietors desire merely to inform their customers and the  
 public generally, that their present STOCK OF CLOTH-  
 ING IS COMPLETE in all its departments, and are now  
 prepared to offer Goods on the most reasonable and satis-  
 factory terms. A call is therefore solicited by

OTTOLENGUIS, WILLIS & BARRETT,  
 November 5 261 King-street.

**CHARLESTON**

**MERCURY**

**EXTRA:**

*Passed unanimously at 1.15 o'clock, P. M., December  
 20th, 1860.*

**AN ORDINANCE**

*To dissolve the Union between the State of South Carolina and  
 other States united with her under the compact entitled "The  
 Constitution of the United States of America."*

*We, the People of the State of South Carolina, in Convention assembled, do declare and ordain, and  
 it is hereby declared and ordained,*

That the Ordinance adopted by us in Convention, on the twenty-third day of May, in the  
 year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the  
 United States of America was ratified, and also, all Acts and parts of Acts of the General  
 Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed;  
 and that the union now subsisting between South Carolina and other States, under the name of  
 "The United States of America," is hereby dissolved.

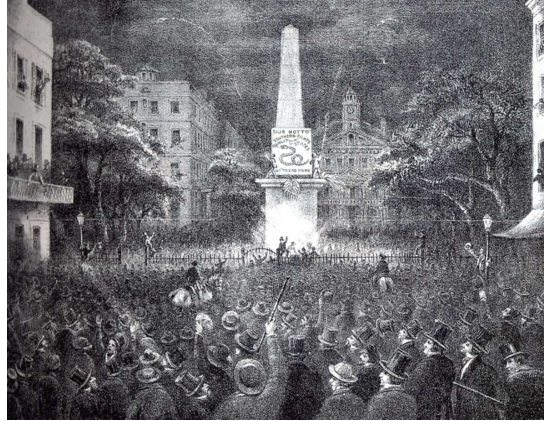
**THE**

**UNION**

**IS**

**DISSOLVED!**

*A gauche.* Publicité pour un magasin de vêtements en Caroline du Sud.  
*A droite.* La première page du *Charleston Mercury* après l'annonce de la  
 sécession.



We hold that the Government thus established is subject to the two great principles asserted in the Declaration of Independence; and we hold further, that the mode of its formation subjects it to a third fundamental principle, namely, the law of compact. **We maintain that in every compact between two or more parties, the obligation is mutual;** that the failure of one of the contracting parties to perform a material part of the agreement, entirely releases the obligation of the other. [...] In the present case, that fact is established with certainty. We assert that fourteen of the States have deliberately refused for years past to fulfill their constitutional obligations. **Thus the constitutional compact has been deliberately broken and disregarded by the non-slaveholding States; and the consequence follows that South Carolina is released from her obligation.**

Extrait de la déclaration de sécession de la Caroline du Sud, 24 décembre 1860.



Utter subjugation awaits us in the Union, if we should consent longer to remain in it. It is not a matter of choice, but of necessity. We must either submit to degradation, and to the loss of property worth four billions of money, or we must secede from the Union framed by our fathers, to secure this as well as every other species of property. **For far less cause than this, our fathers separated from the Crown of England.**

Our decision is made. **We follow in their footsteps.** We embrace the alternative of separation; and for the reasons here stated, **we resolve to maintain our rights** with the full consciousness of the justice of our course, and the undoubting belief of our ability to maintain it.

Extrait de la déclaration de sécession du Mississippi, 9 Janvier 1861.

The principles of the Declaration of Independence were great principles. [...] So, Senators, **we recur to the principles upon which our Government was founded;** and when you deny them, and when you deny us the right **to withdraw from a Government which, thus perverted, threatens to be destructive of our rights, we tread in the path of our fathers when we proclaim our independence.**

Extrait du discours d'adieu de Jefferson Davis au Sénat, 21 Janvier 1861.

Should the Cotton States go out in a body, we shall then witness the beginning of an experiment to establish, on this continent, a great slaveholding monarchy. With few exceptions, the leaders of the Disunion cabal are men of the most aristocratic pretensions—men who easily adopt the habits and titles of the European nobility. South Carolina, which is at the head of Secession, is almost a monarchy herself. Her representatives in both branches of Congress, for years past, have acted upon the idea that the people of the free States are servile.

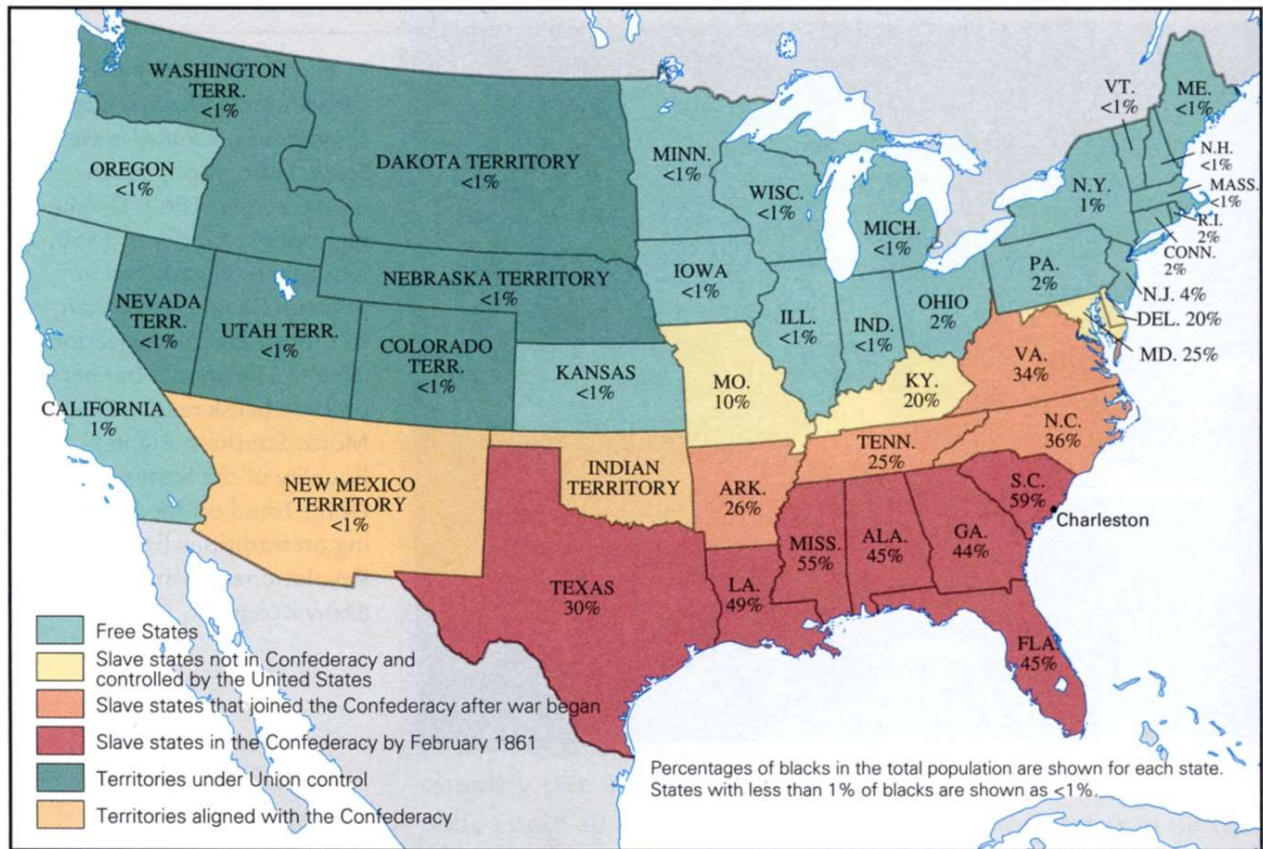
Article publié dans *The Philadelphia Press*, 21 décembre 1860.

The Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured and the faith of all the then thirteen States expressly engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution, was “to form a more perfect Union.”

But if destruction of the Union, by one, or by a part only, of the States, be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

**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.**

Extrait du Premier Discours d'Investiture du président Lincoln, 4 mars 1861.



## L'Union et la Confédération.