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Mr. Alex. Dreust, Temple, Texas.

THE REPORT
OF THE
COMMITTEE ON FOREIGN AFFAIRS
ON THE
PRESIDENT'S MESSAGE,
RELATING TO THE AFFAIRS BETWEEN
THE CONFEDERATE AND THE UNITED STATES.

Montgomery, Ala.
Presidential Message, May 1, 1861

The Committee on Foreign Affairs, to whom was referred so much of the President's Message as relates to the affairs of the Confederate States with the United States, respectfully report:

That the truthful and able narration of the facts and principles involved in the contest between the Confederate States and the United States, which the President's Message contains, constitutes a vindication of the course of the Confederate States, which ought to satisfy the world of the justice of their cause. But all who propose to change the general order of things amongst nations, stand at disadvantage. They are looked upon as assailing the peace of the world; and hence those who break up a long established government, and effect thereby the interests of other nations, owe it to them, as well as themselves, to make the justification of their course as complete as possible. The contest between the Confederate and the United States, is not merely a contest of war. Wars too often determine nothing, but which nation is the strongest or bravest. This contest is a contest for constitutional government, in which the interests of all mankind are concerned. Your committee therefore propose, on the wide subject committed to them, briefly to present some views in support of the President's positions, which may not be useless in elucidating the relations between the Confederate and the United States.

The real issue involved in the relations between the North and the South of the American States, is the great principle of

self-government. Shall a dominant party of the North rule the South, or shall the people of the South rule themselves. This is the great matter in controversy. After the lapse of eighty-four years, this party of the North set up the same pretension the British Parliament claimed over our ancestors in 1776. As the British crown contended, that the British Parliament was omnipotent in its Legislation over the Colonies, so the Northern people now contend, that the Congress of the United States, through their majority, is omnipotent in its legislation over the people of the South. Whilst the North—the stronger section of the Union—was not united in using its power in Congress, the Southern people tolerated the union with them. Although a sectional minority, they were not necessarily ruled by the majority section, however despotic were its principles, until that section became united in the use of its sectional power. That union was effected, in the late Presidential election. On the fiscal operations of the government in the laying and the expenditure of the taxes, they were previously not sufficiently united, completely to rule the South. The party weight of the South, and the ability and skill of its public men, kept them at bay; whilst the people of the North-West, being like the people of the South, an agricultural people, were generally opposed to the protective tariff policy—the grand sectionalising instrumentality of the North. They were allies of the South, to defeat this policy. Hence it has been only partially, and occasionally successful. To make it complete, and to render the North omnipotent to rule the South, the division in the North must be healed. To accomplish this object, and to sectionalise the North, the agitation concerning African slavery in the South was commenced. This institution was purely sectional, belonging to the South. Antagonism to it in the North must also be sectional. The agitation would unite the South against the North, as much as it united the North against the South; but the North being the stronger section, would gain power by the agitation. Accordingly, after the overthrow of the tariff of 1828, by the resistance of South Carolina in 1833, the agitation concerning the institution of African slavery in the South was immediately commenced in the Congress of the United States. It was taken up by the Legislatures of the Northern States; and upon one pretext or another in and out of Congress, it has been pursued from that day to the fall of 1860, when it ended

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in the election of a President and Vice President of the United States, by a purely sectional support. The great end was at last obtained, of a united North to rule the South. The first fruit the sectional despotism thus elected produced, was the tariff lately passed by the Congress of the United States. By this tariff the protective policy is renewed in its most odious and oppressive forms, and the agricultural States are made tributaries to the manufacturing States. It has revived the system of specific duties, by which, the cheaper an article becomes, from the progress of art or the superior skill of foreign manufacturers—the higher is the relative tax it imposes. Specific duties, is the expedient of high taxation, to enforce its collection. This tariff illustrates the oppressive policy of the North towards the South, and abounds in high taxation by specific duties. It is a war on the foreign commerce of the country, in which the Southern people are chiefly interested. Exclusively an agricultural people, it is their policy, to purchase the manufactured commodities they need, in the cheapest markets. These are amongst the nations of Europe, who consume five-sixths of the agricultural productions of the South. The late tariff passed by the Congress of the United States, was designed to force the Southern people, by prohibitory duties to consume the dearer manufactured commodities of the North, instead of the cheaper commodities of European nations. What is this but robbery? Does it not take from one citizen or section and give to another? The foreign trade of the United States, has always been carried on, by our agricultural productions. Our exports, are the basis of the imports, of the United States. Upon what principle of justice or of the Constitution, have the people of the North intervened between us and our natural customers, and forced us by the use of the Federal Government—laying prohibitory duties on the production of foreign nations—to consume *their* productions? Shall we not have the right to deal directly with those who consume our agricultural productions and who in return can supply us with their cheaper manufactured commodities. If foreign nations can sell us freely their manufactured commodities, in consequence of their greater cheapness—can they not afford to give us more for our cotton? And if we pay less for their manufactured commodities—are we not so much the richer by the trade? This tariff alone, would have been ample cause for a separation.

of the Southern from the Northern States. The reign of sectional oppression and tyranny, anticipated by the seceding States, is fully inaugurated at Washington, by the passage of this act.

It may be supposed, by those who have not attentively considered the history of the past, that the Constitution of the United States would be a barrier to the sectional omnipotence claimed by the North, in the administration of the Government of the United States. Undoubtedly, the Constitution does not authorize the assumption of the powers claimed by the Northern States. It was established on the principle of non-intervention by the General Government, as to all local or sectional interests whatever. Its framers were perfectly aware of the essential difference between the States composing the United States, in climate, productions and pursuits of industry. There was but one way, that different people, with such various interests, could live free and harmoniously under one Government. All local or sectional interests must be left to the exclusive governance of the people to whom they belonged; and only such general interests should be committed to the control of a common Government, as would make all equal, and equally protected in their exercise. Any policy, therefore, which is local or sectional in its operations, must, from the very nature of the constitution, be unconstitutional. If this great principle of the Constitution had been observed, there would have been no serious divisions or contests amongst the people of the United States. The interest of one section of the Union was the interest of all, in the powers exercised by the General Government. Hence, a sectional majority could not exist. Differences in policy in carrying out the provisions of the Constitution would be common to all sections of the Union; and a majority could not oppress a minority, without oppressing themselves. Party contests for power, however much they may rage, could not effect the stability of the Union. Antagonisms would be within the sphere of general interests, to be protected and promoted by general powers, and would not arise between opposing sections of the Union. This was the theory, upon which the Constitution of the United States was built.

From the commencement of the operations of the Constitution of the United States, the controlling party of the people of the North have endeavored to destroy its limitations. To make it sectional in its operations, and subservient to their sectional

interests, and to make the government of the United States itself a consolidated government, has been the aim of their steady and unintermitted efforts. By the necessities of nature, their industry must be engaged in navigation, commerce or manufactures. Amongst the first laws they obtained from congress, were laws granting them bounties in their fisheries, by which an annual tribute has been obtained by their fishermen from the treasury of the United States, from 1789 to this day. They obtained a monopoly to their vessels of the whole coasting trade of the United States, by which the Southern people have been debarred from using the cheaper navigation of other nations. They have had discriminations in the duties imposed on importations in the vessels of foreign nations, so that the people of the South may be compelled, by the increased duties laid on foreign commodities when brought in foreign bottoms, to employ their vessels to import them. No vessel built in a foreign nation, although purchased by a citizen of the United States, can be protected by the flag of the United States—thus forcing us to buy vessels built by them. The same selfish and sectional policy they endeavored to carry out with respect to all branches of their industry, through the Tariff and the expenditures of the government. All encroachments by Congress on the Constitution of the United States, they have uniformly upheld; until at last the Constitution, by their interpretation, is virtually abolished, and now consists only in three words—"the general welfare," of which they are the judges and dispensers. The last phasis of their usurpations, claiming for Congress the power to exclude the Southern people from settling any portion of the territories of the United States, was only a further development of their policy of sectional rule and consolidation.

It is impossible, we suppose, for the wit of man to conceive a worse government, than that by which the absolute rule of one people, acting under popular institutions, is established over another people, having different pursuits of industry, habits, and institutions. In such a government, the forms of free government, instead of affording any mitigation, only increase the tendency to excess and tyranny. Of what avail is representation in a legislative body, where the majority are united together to aggrandize their section, at the expense of the minority section? The oppressed minority in the legislature, may be zeal-

ously faithful to the people they represent, and yet they are perfectly powerless to protect them. Do they show, to a demonstration, that the people they represent are wronged and plundered by the measures proposed by the majority? They are offering the very best motives and arguments, why the measures should pass. The majority, mean to plunder and wrong the minority. They mean to make the weaker section their tributaries. Between a representation incompetent to protect, and no representation, there is no difference, where there are conflicting interests in a legislative body. And in the election of a Chief Magistrate, of what use is the right of suffrage, when, if every man in the oppressed section should vote against the candidate of the stronger section, (as the Southern States did in the late Presidential election) they cannot prevent his election. He is the exponent and instrument of the stronger section; and is elected, simply because he is their exponent. The only effect of the right of suffrage under such circumstances to a minority, is to elect an enemy to rule them; and the only effect of representation, is to give the majority power to legislate for their oppression. By the forms of a free government therefore, a many-headed despotism may be established by a stronger section over a weaker section, far worse than the despotism of one man. One man may have a conscience; but men acting in masses, seldom exhibit conscientious scruples. Individuality and responsibility, are lost in numbers. That "a corporation has no soul," is the proverbial aphorism of English law, indicating the unscrupulousness of men acting in masses. A single despot has no motive to oppress one portion of his people, more than another; but here, one half of a country rises up to plunder and oppress another half.

The States composing the Confederate States, needed no development of the nature of the consolidated government established at Washington, by the late Presidential election, to satisfy them, of its despotic tendencies. With the Constitution overthrown, and the government of the United States in the hands of a hostile section, not only liberty, but self-preservation, demanded their separation from it. To accomplish this separation, no usurpation of power was required. They had the ready instrumentality, in the sovereignty of the States. There is not a fact in all history more indisputable, than that the several States which adopted the Constitution of the United States, for

the establishment of a government over them, at the time of its adoption, were free, sovereign, and independent States. Robed with all the attributes of sovereignty, did they, by the adoption of the Constitution of the United States, surrender their sovereignty? If they did, the fact should be clearly shown. Not one of the powers granted, was surrendered by the States to each other, much less to their mere agent—the government of the United States. Every act of their agent, in conformity to the powers conferred, was their act. Its powers, were their powers. They called themselves under this constitution, “United States.” As states acting with equal power, they made the Constitution: as States acting severally, they adopted it; and by the States only, it can be amended. It is an anomaly unheard of in the political jurisprudence of nations—that the sovereignty of a nation is destroyed, because it exercises any of its powers by express compact, in common with another sovereignty. They have established a governmental agency, in the government of the United States, for their common benefit. They are the sovereign parties to the constitutional compact, establishing this agency; and when the compact is violated by their co-sovereigns, they have the right to reject it, and to establish for themselves another agency in its stead. There is not one word in the constitution of the United States which denies this right, and nothing but a plain specific alienation of it can wrest it from the States.

In seceding therefore, from the United States, the Confederate States have only exercised a right inherent in all Sovereignities. In their judgment, the agreement they had made with the Northern States had been grossly violated. Its whole purpose was overthrown. Instead of an agency of very limited power, having for its object the defence of the States against the aggressions of foreign nations, it has been converted into a government of unlimited internal powers. Unless the people of the Confederate States were prepared to surrender forever their liberties, there was but one course left for them to pursue—they must escape from the domination of such a government.

But they have a right to withdraw from the Union by virtue of another and broader principle.

In 1776, the Southern and Northern States were colonies of Great Britain. The British Government set up the pretension to tax them unjustly; and as they thought, without authority.

They refused obedience to the taxes, threw off the British Government, and set up a Government for themselves. In their Declaration of Independence, they justified their course upon the broad ground, that "the people have a right to alter or abolish their Government, laying its foundation upon such principles, and organizing its powers in such form as to them may seem most likely to effect their safety and happiness." A right to be a right, is entitled to the respect of all men and nations. One people cannot have a right, and another people be justified in taking it from them. Any attempt to take it from them, must be a wrong. Hence our ancestors denounced the course of Great Britain in attempting to subdue them to her authority, in contravention of this right. Whether this right exists or not, it is undeniable that our ancestors affirmed that it existed; and it constituted not only the basis on which they changed their Government, but the basis on which the colonies united their destinies together. It was a clearly understood principle of Government between them; and is just as obligatory upon all who take the benefit of their compact of union, as if inserted in the Constitution itself. The people of the North and the people of the South, having solemnly before the world asserted the right of every people to change their form of Government, come together and make a union and Constitution. Can either of them deny this right to the other, consistent with any principle of good faith or honor? Is it not a moral, as well as a political law, clearly obligatory upon them?

It is true, that every people are not capable of self-government. The self-restraint and obedience to law, which are absolutely necessary to maintain free governments, are not common to all the people of the world. Instead of ruling themselves, they may attempt to rule others; and the right to self-government may be so abused, as to justify the use of defensive force from within to enforce justice, or from without by other nations, to protect themselves. The people of the North cannot say, that the people of the South are incapable of ruling themselves. They cannot say, that by assuming a separation from them, we take from them any guarantee they possess for their liberties. We leave them in no condition of weakness amongst the nations of the world. We set up no monarchy or despotism on their borders, dangerous to their forms of free Government. We take the Constitution under which they live, and purging

it of the faithless and vicious interpretations they have put upon it, adopt it as our own. Such reasons as these do not, therefore, govern their hostility. They endeavor to coerce us into a union with them, by military force, with a view of ultimately overthrowing our domestic institutions, over which they have constitutionally no control, or simply because we are useful to them, as convenient subjects and most excellent tributaries.

It is true the President of the United States and the great leaders of his party declare, that they have had no design whatever to assail or interfere with the institution of African slavery in the States. But the laws of party progress, are sometimes as inexorable as the laws of nature. That they have had no design, at present, of interfering with slavery in the States, may be simply because they supposed that it would dissolve the Union. Nor have they agitated the subject of slavery from any regard to the negro. It is not humanity which has dictated this agitation. It has been policy. In the sectional dominion they propose to establish in the Union, every free State is an ally—every slaveholding State an enemy. Hence the struggle in our territories between the free and slaveholding States, has not been a struggle for the emancipation of slaves. It has been a contest for power, between the two great sections of the Union. The South, needing the aid of slaveholding States arising in our territories, to protect herself in the Union; and the North requiring them, to assist her in the great enterprise of ruling the South. But there is a marked difference in this contest, between the two sections of the Union, in the matter of principle. The Southern people, in claiming a right to settle in territories with their slaves, assert a right sanctioned by the Constitution. The Northern people, in attempting to preclude the Southern people, by the legislation of Congress from our territories, war against the Constitution. This is the declaration of the Supreme Court of the United States. If the Northern position has prevailed by the late Presidential election, as the Northern people maintain, it has overthrown the Constitution. For by this result, a party hostile both to the Constitution and the decisions of the Supreme Court, have been placed in control of the Government. This alone would justify a dissolution of the Union. Abolish the Constitution, and the Union is

destroyed. But the purport of the late Presidential election, goes further than this. It places a sectional party over the Government, which claims despotic sway over the South. This party not only proposes to substitute their arbitrary will for the Constitution, but by the denial of the right of secession, to close up the South forever, to their sectional domination.

It is absurd to suppose, that any people having any sense of independence or liberty, will allow another people, because they have different institutions, to overthrow their institutions. Any people may assimilate their institutions amongst themselves; but no people have a right to dictate the institutions of another people. Whether all the States composing the United States, should be slaveholding or non-slaveholding States, neither the Northern nor Southern States ought to have permitted to be a question in the politics of the United States. Such a question was derogatory to both sections of the Union, and the States composing them. But when it originates with the North—the stronger section, whose institutions could not be affected by the South, the weaker section—the intention could not be misunderstood. It was designed, despite the Constitution, to unite the North against the South. That there is a great difference between the institutions of the North and the South, none will deny; but whether the institutions of the North have the elements of greater stability for maintaining free popular government, may well be questioned. The South has the institution of African slavery, with four millions of slaves. Their slaves have no political power. The white man is a privileged man. He alone rules the country; whilst the offices of servitude are performed by the slaves. With the North it is different. They have a laboring and dependent class, who perform the services of the slaves in the South, but they are voters. With universal suffrage they influence and may control the elections, and through the elections, the government. The evil day, when those who own no property will be the majority at the polls, may be put off for a time. It has been put off in the North, by our vast vacant territory, and the Union with the South, showering upon them an artificial prosperity. But the evil day must come at last, and may not be far distant. Nearly every corner of Europe, acknowledges its existence. And when that day comes, will their free institutions stand the conflict which must arise? Will property be protected from confisca-

tion and appropriation? Will non-property holders live in want and starvation, with the government in their hands, by which they can, by all the forms of law, take the property of the country for their subsistence and relief? No statesmanship can prevent want. When the day arrives at the North, of a superabounding population and want, what will become of their free institutions? They will, indeed, have "an irrepressible conflict"—but it will be between capital and labor. The despotism they are so ready to extend over the South, may be extended over themselves.

Nearly all the political contests in the United States, have originated from violations of the Constitution. Anticipating that they would be the majority power in the Union, the people of the North have steadily upheld the policy of setting aside the Constitution, and of thus rendering the government of the United States omnipotent in its legislation. They have endeavored to drain the treasury, to carry on internal improvements, and at the same time by its exhaustion, to afford a pretext for higher tariff duties to replenish it. They pushed their oppressions, by the tariff, to such an extent in 1828, that the whole South protested against it; and when one of the Southern States resisted it, and a compromise was effected by which the taxes were to be reduced and limited, they overthrew the compromise, and renewed the oppressions. They have disregarded the plain obligations of the Constitution of the United States, to deliver up fugitives bound to service, without which guarantee on their part, they know, that the Constitution would never have been formed; and by acts passed in their State Legislatures, they have practically nullified it. With these various means of sectional aggrandizement—protective tariffs—appropriations from the treasury—the exclusive settlement of our territories—and anti-slavery agitations—they have at last succeeded in uniting the North against the South. To escape their ruthless mastery, the Southern States were compelled to secede from the Union with them.

Such has been the conduct of the people of the North towards the people of the South. What has been the conduct of the people of the South towards them? Whilst at every step, the records of the country show, that the people of the South were fully aware of the injustice and oppression practised towards them, they did not resist them. They submitted to them, un-

der the vain hope and expectation that a spirit of forbearance—a spirit of fraternity and a returning sense of justice in the North, would prevent future aggressions. They had been most faithful confederates. When the rights of any of the citizens of any of the United States were assailed, they were foremost to redress them. They made the war of 1812, to redress the wrongs done by Great Britain to Northern seamen and Northern commerce; and when this was ended, they consented that the war-taxes should be kept up, that Northern interests vested in manufactures should not suddenly be overthrown. No narrow sectionalism—no ignoble jealousies limited the broad views of their great statesmanship. To make the United States as illustrious by its free institutions, as for its unparalleled progress and prosperity, was the high aim of their wise policy. And whilst doing their duty to their confederates; as a constituent portion of the Union, they have never sought to use the Government of the United States to benefit themselves at the expense of other portions of the Union. No eager pursuit of gain has blinded their sense of justice. Their cities, which before the Revolution of 1776 were advancing rapidly in prosperity, have been paralysed in their growth, and have swelled by their tributary commerce, the great commercial emporiums of the North. They have not assailed the institutions of the North, although agrarianism, Fourierism, free-loveism, mormonism, have found there, their congenial soil. For the eighty-four years that we have been associated with them under one Government, we have acted on the principle, that the Northern States as the Southern States, were sovereigns, whose internal economy was sacred to themselves. And now when we leave them, we take nothing from them. We leave them all the ends of free Government, unimpaired by us, as laid down in the Declaration of Independence, “life, liberty, and the pursuit of happiness.” We simply take ourselves from their political association and control. What is their course? They offer us violence and war.

The power to coerce a State into obedience to the federal authority, was distinctly proposed in the convention which framed the Constitution of the United States, to be a part of the Constitution, and it was as distinctly rejected. Such a power was totally inconsistent with the whole theory of the Constitution, which was—that the Constitution was a compact between

the States. Give to the agent—the General Government—the power of construing the Constitution, and of enforcing its constructions upon the parties to the Constitutional compact, and the parties to the compact would be superseded. The framers of the Constitution when they rejected it, could not have misunderstood the purport of the proposition to confer on the General Government the power to coerce a State. Yet in the clear light of the principles involved, and the distinct refusal to grant this power, the Government of the United States claims that it exists, and calls out troops to enforce it. If their blinded avarice and lust for power, had left them their usual discretion, they would have seen the absurdity of attempting to subdue the seceding States to their authority. They would have hastened to propose terms of friendly accommodation; and if they had failed to save a union with us, they would have obtained such arrangements, as might have made the South as valuable to them, as the United States proved to be to Great Britain after their separation. But they are as reckless of their own liberties as they are of ours; and support their Executive in an usurpation of powers, for which in the purer days of their political existence, they would have executed him. For what crime can be greater, than that of unconstitutionally producing war? Instead of rebuking the usurper, however, the people of the North, seem to recognize in the President a correct exponent of themselves. If the Confederate States, ever had any doubt, as to the necessity of a separation from the people of the North, that doubt would be removed by the recklessness with which they allow their own liberties to be trampled on. They appear to have no idea of free Government. Those necessary restraints on power—those nicely adjusted balances, by which justice and liberty are secured in a free government, are not understood.

The future historian of the times in which we live, may be astonished at the long forbearance and patience of the people of the South, under the continual aggressions of the people of the North. Looking merely to the interest of the people of the South, their submission cannot be accounted for on any principle creditable to their intelligence or patriotism. But a people are not always governed by motives of interest. There are traditional opinions and attachments, which are often stronger in their influence, than mere interest. An attachment to the

Union of the United States, was a sentiment—a passion with the people of the South, transmitted to them by their ancestors. The great hero and Patriot of the Revolution of '76 was a Southerner. The Constitution of the United States was mainly the work of Southern statesmen. All the Presidents of the United States, excepting five, were Southerners. In the cabinet and in the field, the Union was the great theatre on which the genius of the South for command was displayed.— It is not surprising, therefore, that the people of the South should be slow to surrender a Union and government, rendered illustrious by their public men, and reflecting its glories on themselves. They loved the Union, and could with difficulty realize that it bound them to their bitterest enemies.— Aggressing on the North in no way—asking only the observance of the Constitution their Fathers made with ours—conscious that the operation of the government of the United States was to the advantage of the North, all the motives which usually actuate men would seem to render it most reasonable, that the North would cease its senseless aggressions. Such was the reasonable hope and expectation of the people of the South, after each successive contest; whilst their love for the Union, dictated the sacrifices they made to preserve it. But delusions cannot prevail forever against facts. Slowly but surely the great fact was developed, that the North designed to use the Union to overthrow their liberties, and to make them tributaries. Their generous patience—their heroic love for the Union, was construed into fear; and presuming on their supposed imbecility, it is attempted to subject them by the sword. This attempt at subjection cannot succeed, and the Union between the North and the South is forever dissolved. Conscious of the justice of their cause, the Confederate States, can fearlessly face the arbitrament of the world. They accept the stern trial imposed upon them, for the preservation of their liberties and institutions; and relying on him who alone governs the destinies of nations, enter upon the high duties their condition involves.

The issuing of letters of marque and reprisal to privateers, has been the usual practice of all nations at war with each other. An effort was made a few years since, by the chief European nations to abolish this practice, by the consent of the civilized nations of the world. It was defeated by the government of the United

States. They refused to surrender the right to employ the "militia of the seas" in any future conflict with other nations.— They preserved it for themselves, and we presume for the rest of the world. They at least, cannot object to privateers being employed against them, in any war in which they may be engaged. Our late associates, in the government of the United States, have seized the whole of the United States navy, one-half of which belongs to us, and design using it against us. We have but one resource, to meet the advantage they possess, by this unjust seizure. We must meet them on the high seas by our privateers. This is our right, and it will be our duty to exercise it, so long as they wage war against us. If they observe the usages of civilized warfare, the Confederate States will not disregard them. It is the interests of all nations, under the humane principles of Christianity, to ameliorate as far as possible the inevitable cruelties of war. But the government of the United States, in equal disregard of our rights, and those of all neutral nations, denounce our resort to this legitimate means of defence, and threatens to treat it as piracy. Retaliation, will follow the execution of any such threats. It is for the people of the United State to determine whether they will place themselves out of the pale of civilized nations, by disregarding their usages.

Your committee beg leave to report a Bill, recognizing the existence of war between the United States and the Confederate States, and concerning letters of marque, prizes, and prize goods.

