

# A NORTHERN PLEA

FOR THE

# RIGHT OF SECESSION.

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THE great event of the day and of the world, is the formal dissolution of the American Union.

But secession, the exciting phenomenon, is only the fatal issue of a chronic disease, as old as the nation. The seeds of dissolution were planted in the American Government at its formation.

Long before the South Carolina ordinance of secession, was this Union of States destroyed in spirit and practice. The laws which obligate the States and their citizens to each other, have been practically nullified for years. While a citizen of Massachusetts, or of any other Northern State, can traverse the whole wide extent of the British Empire, and, whatever his color, creed or condition at home, his natural rights be as firmly protected as those of the Queen on her throne; the moment he crosses the line which divides the slave from the non-slave States, he is subject to indignities and lawless outrage, unsurpassed by the selfish cruelty of the most wild and inhospitable barbarians.

It is a humiliating thought, that there is no power in the civilized world that could protect the *life* of the President elect, though uncharged with civil crime, were he now to attempt to pass through the Slave States of this Republic.

The mere ordinance of a misguided State, therefore, is not the cause of the dissolution of the American Union. A more potent agency has long since wrought the fatal work, beyond the remedy of civil or military power.

But the formal separation of the States, so long increasingly probable, has at length become a matter of history. The spirited State of South Carolina has led the way, and, by the highest act of popular sovereignty,

formally repealed the ordinance of 1788, whereby the Constitution of the United States of America was ratified, and has thus dissolved her Union with the other States of this Confederacy.

One star, followed by another and another and *others* still, have fled from the American galaxy.

Whether there is any legitimate or illegitimate power able to sieze and replace them again, and bind them in their former and formal courses of reluctant submission, is the question of the times.

It is to the candid and deliberate consideration of this question, that I now ask attention.

An exigency has occurred in the history of our country, which requires the guidance of fundamental principles and the promptings of a magnanimous spirit. Without original and profound views of the principles of government, we shall find ourselves bewildered at every point. Nay! we may fancy that we are incidentally advancing the cause of freedom, when, in fact, by obeying the dictates of prejudice and following the precedents of the past, we may be forging chains for ourselves, and strengthening those which have so long bound the Negro slave.

It may be thought strange that, with my well-known hostility to American Slavery, together with the almost unanimous anti-secession feeling of the North, I should, in this specific controversy, take the side of the South.

But it is not in the enslavement of her poor, that I side with her; but in her inalienable right of national sovereignty.

The greater question of the existence of slavery is a distinct matter, and, if involved at all, very differently, in my apprehension, from that of the popular mind generally at the North. Nor have I failed to give due consideration to that greatest of political problems.

#### THE QUESTION STATED.

The specific question is, "*Has any one of the United States a right to secede from the Union at her own option?*"

This should not be confounded with other collateral or incidental questions, such as, whether there is sufficient *cause* for secession? or whether it is expedient for the seceding States? or best for the other States?

I propose to discuss the *absolute and unqualified right of the people of any State to dissolve their political connection with the General Government whenever they choose.*

The right of secession implies, of course, the right of the people to be their own exclusive judges in the matter. By the very act of asking the consent or permission of the other States to secede, they relinquish the right to do so. So by granting them that permission, you would deny them the right. Says Ferguson, "Liberty is a right which every individual must be ready to vindicate for himself, and which he who pretends to bestow as a favor, has by that very act in reality denied."

Before entering upon the direct argument for the right of State secession, and as preparatory to it, I will invite attention briefly to the great fundamental principle of all free government, viz: *The political supremacy of the people of any given territory over all other human authority, subject only to natural justice.* A due consideration of the nature and legitimate object of government will make this principle obvious to reason. The true nature of government is the will of the people governed, voluntarily expressed and enforced by themselves. Its object is protection from injustice. The true idea of government is, that of a mutual league of such persons as may voluntarily unite to protect each other against lawless and vicious men. One man is not naturally more a ruler than another. The people of any community as a whole are endowed with natural sovereignty. They alone are interested, and of course they alone are the proper authors of laws, and the creators of magistrates. Hence they are politically superior to all constitutions, compacts, laws or magistrates. Magistrates are only the hired servants of the sovereign people, which they may discharge at will. Laws and constitutions are only the decrees of the people, which the makers are competent to annul or change at will.

This principle is clearly recognized in our own immortal Declaration of Independence in these words: "Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to *them* shall seem most likely to effect their safety and happiness."—And this declaration was made "in the name and by the *authority* of the good people of these colonies," and our own glorious Revolution was the practical commentary upon this great principle of popular supremacy.

The same has been abundantly enunciated by the wisest of English statesmen, and exemplified by the most exalted instances of patriotic devotion and valor.

The profoundest of England's political philosophers, and the most revered of her patriots, the great Algernon Sidney, says, "that they who place the power in a multitude, understand a multitude composed of freemen, who *think* it for their convenience to join together, and to establish such laws and rules as they oblige *themselves* to observe; which multitude, whether it be great or small, has the *same right*; because *ten* men are as free as ten millions; and though it may be more prudent in some cases to join with the greater than the smaller number, because there is more strength, it is not so always; but however every man must therein be his own judge, since if he mistake, the hurt is only to himself; and the *ten* may as *justly* resolve to live together, form a civil society, and oblige themselves to laws, as the greatest number of men that ever met together in the world."

This clear, profound, and comprehensive proposition, expresses the



great fundamental principle of civil liberty, and lies at the foundation of all free governments, whatever their form. It was enunciated by one of the world's greatest philosophers and truest heroes, and was endorsed by his life and sealed with his blood upon the scaffold of tyranny, which is indeed the scaffold of glory. But it is constantly being overlooked and lost from the popular mind. The people are ever forgetting their natural sovereignty, with all its advantages and responsibilities, and paying a blind devotion to some form of tyranny which they reverence under the name of government, and most blindly and most devoutly those plausible tyrannies which are exercised in their own name and authority.

But on a point so vital and fundamental, I would refer to another of the intellectual giants of the 17th century. It is John Milton, the magnificence and profoundness of whose political writings are hardly surpassed by the unequalled grandeur of the *Paradise Lost*. He says, "that since the king or magistrate holds his authority of the people, both originally and naturally for *their* good, in the first place, and not *his* own, then may the people as oft as *they* shall judge it for the best, either choose him or reject him, retain him or depose him, though no tyrant, merely by the liberty and right of free born men, to be governed as seems to them best."

These majestic truths have stood the test of ages of hostile power and popular prejudice. They are truly immortal. They may be forgotten in the selfish gratifications of a degenerate, mercenary, and servile age. They may be eclipsed by the dazzling glitter of aristocratic wealth and power, but they are imperishably enshrined with the richest jewels of the world's literature. There will they ever remain, for the encouragement of the patriot, and the guide and inspiration of the heroes of Liberty.

Again, our own great Jefferson, as late as 1819, in arguing against the supremacy and independence of any one department of government, says, "that absolute independence can be trusted nowhere but with the people, *en masse*. They are independent of all but moral law."

Here is an admirable expression of both the *extent* and *limit* of popular supremacy. The people are competent to any political act that is not morally unjust. But they possess no sovereign right to do wrong. They are independent of all *but* moral law. No antiquity of authority—no extent of numbers—no solemnity of legal forms, nor majesty of judicial decisions, nor sanctity of religious oaths; can authorize the perpetration of a moral wrong—can justify a Shylock in taking the covenanted pound of flesh.

It is claimed that a numerical majority have a right to rule and to enforce their decrees. But nothing is more erroneous. The Southern statesmen are right in principle in denying the absolute supremacy of the majority. Majorities possess no legitimate authority to do wrong. There can be no legitimate authority to do a moral wrong, because right

is immutable, and eternally and unconditionally obligatory. *Right is the unchanging decree of the Supreme Being.*

If a majority enacts and enforces a moral wrong, it is nothing less nor more than tyranny; and no tyrannies are so irresponsible and uncontrollable as those of a majority; and no political thralldom is so degrading as that which is self-imposed.

It is plain, therefore, that sovereignty ceases with the transgression of natural justice. Then the sovereign, whether a monarch or a tyrannical majority, becomes *himself* the culprit, and justly subject to any righteous power that may restrain him. "Justice," says Milton, "*is the sword of God, superior to all mortal things, in whose hand soever, by apparent signs, his testifical will is to put it.*"

But this popular supremacy, of course, involves *also* popular responsibility. Government is not a mere selfish interest, but a high and sacred trust. The legitimate end of government is to prevent injustice. The sovereign people are therefore the responsible guardians of civil justice and human rights. This responsibility, in any given case, is measured by physical power. Human enactments being the mere creatures or acts of the people, are not, of course, the true measure of their responsibility. The sovereign people have no more right to suffer injustice, than to do it. It is a betrayal or neglect of their trust. They are the divinely constituted and legitimately authorized guardians of human rights over such territory as they may actually occupy; and for the faithful discharge of the functions of political supremacy, God and humanity will hold them responsible.

Of no principle of political philosophy is history more replete with beautiful and glorious examples, than this of popular supremacy. The gloomy annals of human thralldom are relieved and gladdened by innumerable instances of its heroic exercise.

It was the presiding genius of Roman destiny in all the brilliant progress of that wonderful people from an iron monarchy to the achievement of a system of republican freedom, which has been the pride, stimulant, and model of the race ever since. The same principle, also, has ever presided over the development of that palladium of human freedom, the British Constitution. And to-day, in both hemispheres, it is the mighty angel of Liberty, commissioned of God, and moving about among the nations, demolishing thrones, changing dynasties, crushing despoticisms, and everywhere demanding the inauguration of the reign of justice and equal right.

Thus it appears that supreme political power inheres in the people of any given territory, that they have the right to do politically whatever is not in its nature unjust. They may form, modify, or abolish their government as shall seem best to their own judgment, restricted of course by "justice," which, as Milton says, "*is the only true sovereign and supreme majesty upon earth.*"

*It is, simply, the great natural right of self-government.*