

Westward Expansion and Slavery

The North and the South had always been in turmoil, even from the beginning of United States history. At the Constitutional Convention, for example, they argued over congressional elections, and slavery. Although never mentioned in the Constitution it is evident that these two regions fought bitterly over the sensitive issue and came to great compromises such as the 3/5ths clause and the 1808 clause. Yet the two did agree on two things, the first was that they decided to cast aside the issue of slavery until 1808, and the second was they envisioned the expansion of the United States. Little did they know shortly after their tremendous decisions, the North and South would fight in a long war dealing with slavery, prompted by the Missouri Compromise, the Compromise of 1850, the Kansas Nebraska Act, and the Dred Scott decision.

The Missouri Compromise of 1820 was a compromise that allowed Missouri into the Union as a slave state and Maine as a free state there was also a line drawn at 36th latitude which allowed states above that line to be free and states below to be slave. This compromise was made to ensure the power in Congress between the North and South remained equal. Yet the south was not satisfied with the decision because the federal government was the overseer of which states were free and slave, and the north had the majority in Congress. Yet with the compromise of 1850 the issue regarding land and territories was settled, but only for a short period of time. Congress allowed California as a free state, prohibited the slave trade in Washington D.C, and allowed slavery in New Mexico and Utah. (Westward Expansion, 40) Although it sounded nice in theory there were flaws within the new compromise. For example, there was a new fugitive slave law, which denied criminal civil rights to escaped slaves, and allowed the government to prosecute whites that helped out fugitives. What brought on this new law was the case of Prigg v. Pennsylvania in 1842, which stated it was legal for a slave owner to capture their slave even if he was in a free state. (Oxfords Companion to the Supreme Court,) Due to this ruling the North refused to hear cases regarding fugitive slaves, because of this the south retaliated and was able to get the Fugitive Slave law enacted.

The Kansas Nebraska Act, unlike the Missouri Compromise and Compromise of 1850, which allowed some form of government to decide on the issue of slavery, allowed the settlers decide whether or not they wanted slavery. Northern abolitionists were not in agreement with this act because they felt slavery should be outlawed everywhere. Southerners who supported slavery did not like the act because it struck down the Missouri Compromise. Americans whether on the northern or southern side fought for their beliefs in Kansas in an effort to win over the state as either free or slave. (Westward Expansion, 47)

The final straw before the civil war broke out was that of the case Dred Scott v. Sanford. The case was about a slave, Scott, who had lived in the free territory of Wisconsin and the free state of Illinois. Scott claimed he should be free because he had lived in those free areas for some amount of time. Justice Taney, however, did not agree. In his opinion Justice Taney first said slaves were property so they could therefore not be taken away by anything or anyone, because they were property they could not sue in federal court, and they could never be US citizens. Any claim made by a slave about being in a free state was invalid because he was nothing but property and could never legally be a citizen. (Oxfords Companion to the Supreme Court,)

Despite the framers of our Constitution wanting us to be united, unfortunately, for a small, but significant part of US History the country was divided. The United States was divided due to the fact that at the Convention the issue of slavery was never agreed upon. This later led to disputes and compromises made by the North and South regarding land and slaves. These issues very inner-related only became resolved by a bloody civil war.