

## Lincoln-Douglas Debates - Freeport (1858)

### Senator Stephen Douglas

#### Historical Background

In 1858 Abraham Lincoln of the Republican Party and Senator Stephen Douglas of the Democratic Party crisscrossed Illinois engaging in seven debates. Time and time again the two men returned to one issue: the fate of the expansion of slavery in the territories. Indeed, this issue presented a tremendous difficulty to politicians, especially for those who possessed national ambitions. Senator Douglas was one such politician. After defeating Lincoln and gaining reelection to the Senate, he then hoped to be the Democratic Party's nominee in the 1860 Presidential Election. Supporting proslavery or abolitionist positions would undoubtedly alienate one part of the nation or the other and make it very difficult to be elected in the upcoming election. Senator Douglas developed a principle, known as Popular Sovereignty, to satisfy his electoral needs *and* because he felt it had the best opportunity to maintain the union against the gathering clouds of conflict. This principle declared that the settlers of a territory had the right to adopt a constitution supportive of slavery or an abolitionist one and that the will of the majority of those inhabiting the territory should be the deciding factor. He denied that moral claims about slavery or the constitutional "rights" of property holders should obstruct the will of the majority. In the opening hour of the Freeport Debate, however, Lincoln took direct aim at this doctrine and argued that the Dred Scott Decision of 1857 made this view untenable, as Justice Taney's argument had ruled out the ability of Congress or territorial legislatures to control slavery in the territories.

#### Historical Significance

Senator Douglas' response to Lincoln became known as the Freeport Doctrine and had a profound effect not only on the result of the 1858 election, but the results of the 1860 Presidential Election. Douglas answered that slavery was not supported by the result of inquiries into "abstract questions" such as the outcome of the Dred Scott case. Instead slavery could only be supported by the legal and practical protections he called "local police regulations." If these protections were not granted, citizens of a territory could make a concrete decision to disallow slavery in their midst. This doctrine, once popularly attributed to Douglas, made it impossible for him to generate support for his presidential campaign in the South and, combined with other factors, directly led to the split of the Democratic Party into Northern and Southern factions. This split, in turn, helped to give a boost to the Republican Party and ultimately resulted in the election of Lincoln, closely followed by the secession of South Carolina.

## Key Concepts and Learning Objectives

Concepts: sectionalism, partisanship, Democrats and Republicans, election politics, “slave power,” free-soil, abolitionism, party platform, popular sovereignty, Freeport Doctrine, police power

Learning objectives: On completion of this unit, students will be able to:

- describe how Senators were elected before the 17<sup>th</sup> Amendment;
- analyze and describe rhetorical strategies used in the Lincoln-Douglas debate;
- describe the conflict between Republicans and Democrats in the late 1850s;
- define a political party platform and explain why platforms are important;
- describe the importance of the Lincoln-Douglas debates for subsequent U.S. History.

## Questions to Explore

Popular Sovereignty is, in one sense, a central tenet of all democratic nations and democratic theory more broadly. In its simplest form it means that a majority rules. What does the relationship between popular sovereignty and slavery tell you about majority rule? How must majority rule be altered, amended, or limited for the minority to avoid being tyrannized by the majority? Does the U.S. Constitution of the 1800s or today fully solve this problem? Why or why not?

Often claims are made that moral arguments, especially those derived from religious sources, are not legitimate bases for government action and that one group’s moral values should not be enshrined in law over those who may not share those moral values. How does slavery affect your evaluation of this position? Is it possible to object to Popular Sovereignty without making arguments based on normative (moral or ethical) grounds?

Douglas argues that the practical and local laws protecting a practice are more important than abstract questions and decisions of the Supreme Court. To what extent do you agree or disagree with Stephen Douglas about “local police regulations” being more practically significant than Supreme Court decisions? Explain why you disagree or agree by using a contemporary issue as evidence for your position.