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The Civil War, which lasted four long years and killed more than 618,000 Americans, was the product of many factors, including myopic political actions, territorial expansion, moral opposition to slavery, and economic differences between the North and South. However, the central point of controversy, the one encompassing all of the others, was a fundamental disagreement over the interpretation of the Constitution in regard to states' rights.

The quarrel over tariffs—which reflected the contrasting economic activities in the two sections of the nation—was but a portion of a much larger controversy: nullification. In response to the economic burdens the 1828 “tariff of abominations” was inflicting on his state, John C. Calhoun predicated the doctrine of nullification in his “South Carolina Exposition and Protest.” Drawing from the Virginia and Kentucky Resolutions and his interpretation of the Tenth Amendment, which reserves to the states and people all powers not specifically delegated to the federal government, Calhoun asserted that because the federal government is nothing more than a creation of the states, the ultimate decision as to the constitutionality of federal laws lies with the states—not courts or Congress. The theoretical concept became a genuine crisis when a South Carolina convention voted to nullify the 1828 and 1832 tariffs and prohibit the collection of duties. The nullification doctrine served as a prelude to another interpretation of the Constitution: the doctrine of secession. Indeed, it was South Carolina—the center of nullification—that was first to secede from the Union on December 20, 1860.

The South was outraged not only by tariffs but also by abolitionists, whose actions likewise involved Constitutional interpretations of states' rights. Moderate abolitionists won the 1842 Supreme Court case *Prigg v. Pennsylvania*, which declared that states were not compelled

to adhere to a 1793 law requiring the capture and return of fugitive slaves. Southerners were further enraged by the passage, in many Northern states, of “personal liberty laws,” preventing state officials from assisting in the return of escaped slaves. It was these assertions of states’ rights that impelled southerners to support the Compromise of 1850, inasmuch as it included a more stringent Fugitive Slave Law. Yet, even after its enactment, several Northern states continued to exercise individual authority by prohibiting the return of runaway slaves. Thus, claims of states’ rights by both the South and North intensified sectional animosity.

Constitutional disputes connected to poor political decisions and westward expansion, as well. As the United States acquired vast new territories, several positions emerged on the fate of slavery within them. President Polk supported the extension of the Missouri Compromise line, 36°30’, to the Pacific; Free-Soilers opposed any slavery in the territories; the solution of popular sovereignty was incorporated into both the Compromise of 1850 and the 1854 Kansas-Nebraska Act. However, all three of these positions were challenged by Chief Justice Taney’s interpretation of the Constitution in *Dred Scott v. Sanford* (1857). In his ruling, Taney argued that whereas slaves are a form of property and whereas the Fifth Amendment prevents Congress from interfering with property without “due process of law,” Congress has no right to prohibit slavery in any federal territory. By infuriating northerners at the same time it elated southerners, the decision only exacerbated the sectional discord that would soon sunder the Union.

Controversy over the interpretation of states’ rights in the Constitution was the principle cause of the Civil War because it was the culmination of other tensions. Southern antipathy toward tariffs produced the influential doctrine of nullification. Abolitionist activity, by asserting the rights of Northern states to resist fugitive slave laws, outraged the South. And the

politically unwise *Dred Scott* decision, which interpreted the Constitution as forbidding Congress to limit slavery in the territories, was one of the paramount factors in precipitating the Civil War.