

# Did tariffs really cause the Civil War? The Morrill Act at 150

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Did protective tariffs really bring about the Civil War? It's an argument that enthusiasts of the era are bound to encounter at some point, and also among the most contentious and least understood of the many debates surrounding the instigating causes of secession 150 years ago this month.

The tariff thesis is contentious because it is often interpreted as an attempt to displace the primacy of slavery as the underlying instigator of events in Civil War causality. In this simplified form, the argument may be easily disposed of by referring to South Carolina's Declaration of Immediate Causes, which attributed their action to "an increasing hostility on the part of the non-slaveholding States to the institution of slavery." Yet as we will see, the tariff issue cannot be completely discounted from the discussion of Civil War causality.

Sociologist James W. Loewen attempted to do as much in a recent article for the Washington Post proclaiming tariffs one of the "5 myths" of the Civil War (this article has since provoked a lively discussion on the history blogosphere with economist - and fellow Austrian School thinker - Thomas DiLorenzo offering a strong rebuttal, and Loewen answering at HNN by digging in and reiterating his original position with little more to answer its indicated faults). The gist of Loewen's claim appears in the Washington Post:

"[The Tariff Thesis is] flatly wrong. High tariffs had prompted the Nullification Crisis in 1831-33, when, after South Carolina demanded the right to nullify federal laws or secede in protest, President Andrew Jackson threatened force. No state joined the movement, and South Carolina backed down. Tariffs were not an issue in 1860, and Southern states said nothing about them. Why would they? Southerners had written the tariff of 1857, under which the nation was functioning. Its rates were lower than at any point since 1816."

Several fundamental problems with this assessment immediately jump out. To state that tariffs were not an issue in 1860 is itself "flatly wrong," as my recent article in the *Journal of the Early Republic* illustrates. Nor was the Tariff of 1857 the source of southern angst, but rather the Morrill Tariff of 1861, which had been the subject of an intense political feud in Congress for some two years prior and an issue in the presidential election of 1860. The Nullification topic is long and complicated, enlisting not only the South Carolinians of 1828-33 but Thomas Jefferson before them and will unfortunately have to wait for another discussion, but given the timeliness of tariff issue a little much-needed light appears in order.

The history of the Morrill Tariff is complicated by historiography though, and elsewhere in his articles Loewen identifies a strain of postbellum revisionism toward the tariff thesis within the "Lost Cause" mythos (for more on that see Robert Penn Warren's centennial essay on the war). By the late 19th century the "cause" of slavery was no longer in vogue for self-evident reasons, and many former slaveowners cast about for other ways through which they could interpret the war, the tariff (which incidentally happened to be at the center of the national political debate at the time) was a popular choice. This is a separate issue of historical discussion though, and the attempt to account for "Lost Cause" historiography should not obscure the actual history of the tariff itself.

So where did the tariff issue stand on the eve of the Civil War? Like so many other facets of American politics at the time, it stood in the middle of a complex and heated political fight that fell largely on North-South sectional lines.

### The Morrill Tariff

For some years prior to the war the tariff rates actually stabilized around a relatively free trade status quo. This was due to the Walker Tariff of 1846, a lesser known American counterpart to Britain's repeal of the Corn Laws that same year. Southern and western agricultural interests succeeded in lowering the tariff even further in 1857 with an across-the-board rate reduction, authored by Senate Finance Committee Chairman Robert M.T. Hunter of Virginia.

The main destabilizing event of this status quo occurred that same year with the Panic of 1857. Though caused primarily by international price shocks in agricultural food markets, the Panic breathed new life into the beleaguered protectionist movement, which proposed a high tariff as a policy remedy.

The Panic pushed the tariff issue to the forefront of economic policy at the national level, already in a frenzied state over the Dred Scott decision that same year. Along with the territorial question surrounding slavery, tariffs became the primary issue in the hotly contested ballot Speaker of the House in 1858. In fact, Richard Franklin Bense has shown that southern steadfastness on the tariff combined with the protectionist inclinations of Republican candidate John Sherman kept the Speaker ballot deadlocked for over two months after the start of the session. Sherman was ultimately dropped from the ballot though in exchange for freshman Rep. William Pennington, and was given chairmanship of the Ways and Means Committee as consolation. This brought the tariff issue to the forefront, as Sherman and Vermont Rep. Justin Morrill drafted a new and highly protectionist tariff schedule to replace the 1857 rates. The resultant Morrill Tariff bill was hotly debated for the better part of a year in the House, ultimately passing on strict North-South lines in May 1860 shortly before the summer recess.

Enter Robert M.T. Hunter, author of the 1857 Tariff, who used his position on the Finance committee to table the measure in the Senate. Though little noticed at the time, Hunter's move (1) effectively guaranteed the tariff would become a campaign issue in the 1860 presidential election and (2) pushed the Senate's vote on the House bill back into the Winter 1860-61 lame duck session, the same that would become the infamous "Secession Winter" Congress.

While the territorial dispute over slavery dominated the election at the national level, the pending Morrill Tariff bill played an important role in the Republican Party and as a regional issue in the northeast. Abraham Lincoln's reputation as an old Tariff Whig contributed directly to his nomination at the Republican Convention in Chicago, particularly in securing the delegates previously pledged to protectionist Pennsylvania Sen. Simon Cameron on the second round of balloting. After winning the GOP nomination, Lincoln then dispatched his campaign manager David Davis to Pennsylvania and New Jersey with a set of pro-tariff speeches, designed to shore up the protectionist vote in these two 19th century "swing states." Morrill and Sherman also joined the campaign effort as Lincoln's surrogates on the Pennsylvania stump circuit, allowing him to focus on the Midwest where pro-tariff sentiments were not as strong and where they may have even alienated voters. Needless to say, Lincoln's brilliant yet seldom-acknowledged electoral strategy worked.

The "Secession Winter" Congress began in December amidst looming secessionism and the heated rhetoric of the virulently pro-slavery "fire-eaters" faction. These Southern Democrats opened the session by assailing the incoming president's platform - not to abolish slavery but the comparatively mild policy of simply keeping it out of the territories.

With the slavery powder keg ablaze, the Morrill Tariff bill finally arrived in the Senate at the peak of the "Secession Winter."

## Tariffs and Secessionism?

The connection between the Morrill Tariff and secession has been hotly debated since 1860-61, with several participants in those events actually taking it up themselves. The immediate debate centered around whether the Morrill Tariff stood a chance of passing in either the lame duck session, or the new Senate after Lincoln's inauguration. We will likely never know that answer for certain, as the resignation of the senators from six secessionist states on January 21, 1861 also removed several likely opposition votes to the tariff bill, and hastened its adoption with relative ease a month later.

We do know for certain, contrary to the claims in Loewen's article, that the secessionists did contemplate and debate the tariff issue at length. Tariffs almost always came up as a secondary consideration to slavery. The territorial question and fire-eater invective against the abolitionists dominated the secession conventions of the original seven Confederate states, but on more than one occasion the secessionists made their anger with the impending Morrill Tariff bill clear and explicit. When mentioned it was usually treated as a parallel grievance against the North. On December 25, 1860 the South Carolina secession convention issued an invitation to the legislatures of the other southern states, citing as its rationale "the consolidation of the North to rule the South, by the tariff and slavery issues."

A more elaborate discussion came from neighboring Georgia, where Alexander Stephens, the future Confederate Vice President who actually opposed his state's secession efforts despite his later reputation in the Confederate government, argued that the South and other tariff opponents in the western agricultural states would have enough votes to stop the tariff in the Senate if they remained. Robert Toombs, then a Senator and soon to be the Confederate Secretary of State, deemed the House version of the Morrill Tariff "the most atrocious tariff bill that was ever enacted, raising the present duty from twenty to two hundred and fifty percent above the existing rates of duty." As the convention progressed Toombs continued to rail against the "infamous Morrill bill" and managed to insert an anti-tariff clause into the otherwise virulently pro-slavery Georgia Declaration of Causes for secession.

When weighed against the sum of other evidence, it is difficult to maintain that the tariff was the lone, central issue of the secession crisis by any measure, but at least in the modern era most historians who follow the tariff thesis do not do this. It is therefore something of a strawman to expunge all discussion of the tariff on account of its later connection to "Lost Cause" historiography, and some historians who attack the tariff thesis are guilty of this tendency. Tariff politics at any time in history are notoriously complex, and analysis of them requires both political knowledge and an understanding of their economic effects. There was something afoot with the tariff on the eve of the Civil War, and dismissing it from the discussion without the requisite analysis does as much of a disservice to our knowledge of that event as the resurrected chimera of a long-abandoned "Lost Cause" mythos.

A measured and factually grounded take of the tariff issue reveals its dramatic resurgence between 1858-61 as the national political climate collapsed and pre-war sectional divisions reached a fever pitch. The issue directly contributed to those divisions, particularly as it arrived in the Senate during the "Secession Winter" to add its own havoc to a rapidly growing perfect storm. Though it is not a complete or full explanation of the Civil War itself, it should be viewed as an indicator of the war's complexity. Simplistic, single-issue explanations of large political and military upheavals seldom work under scrutiny, and the tariff is one such sign of how the economic dimensions of secession overlapped and intertwined with the Civil War's moral questions about slavery and political questions about sectionalism.