

[Debate Over Nullification, Webster and Calhoun]

Introduction

The debates between Daniel Webster of Massachusetts and John C. Calhoun of South Carolina concerned the supremacy [highest power or authority] of the federal government over state governments. Many Southerners, in response to tariff laws that favored the North, supported the concept of “nullification.” Nullification held that states had the right to disobey laws of Congress they thought were unconstitutional. Webster argued that nullification would destroy the Union. Calhoun supported nullification. In March 1833, they debated the issue on the floor of the United States Senate.

Primary Sources

The Constitution Not a Compact Between Sovereign States: Daniel Webster

I deny that any man can state accurately what was done by the people in establishing the present Constitution, and then state accurately what the people, or any part of them, must now do to get rid of its obligations, without stating an undeniable case of the overthrow of government. I admit, of course, that the people may, if they choose, overthrow the government. But, then, that is revolution.

The doctrine now contended for is, that, by nullification or secession, the obligations and authority of the government may be set aside or rejected, without revolution. . . .

The Constitution does not provide for events which must be preceded by its own destruction. SECESSION, therefore, since it must bring these consequences with it, is REVOLUTIONARY, and NULLIFICATION is equally REVOLUTIONARY. What is revolution? Why, Sir, that is revolution which overturns, or controls, or successfully resists, the existing public authority; that which arrests the exercise of the supreme power; that which introduces a new paramount [ranking higher than any other] authority into the rule of the State.

Now, Sir, this is the precise object of nullification. It attempts to supersede [to cause to be set aside and replaced by something else] the supreme legislative authority. It arrests the arm of the executive magistrate. It interrupts the exercise of the accustomed judicial power. Under the name of an ordinance, it declares null and void, within the State, all the revenue laws of the United States. . . .

If Carolina now shall effectually resist the laws of Congress; if she shall be her own judge, take her remedy into her own hands, obey the laws of the Union when she pleases and disobey them when she pleases, she will relieve herself from a paramount power as distinctly as the American Colonies did the same thing in 1776. In other words, she will achieve, as to herself a revolution. . . .

To allow State resistance to the laws of Congress to be rightful and proper, to admit nullification in some States, and yet not expect to see a dismemberment [to divide up or mutilate] of the entire government, appears to me the wildest illusion, and the most extravagant folly.

“Speech in Reply to Daniel Webster on the Force Bill,” John C. Calhoun

. . . Where does sovereignty reside? If I have succeeded in establishing the fact that ours is a federal system, as I conceive I conclusively have, that fact of itself determines the question which I have proposed. It is of the very essence of such a system, that the sovereignty [supreme and independent political authority] is in the parts, and not in the whole; . . . the parts are the units in such a system, and the whole is the multiple; and not the whole the unit and the parts the fractions.

Ours, then, is a government of twenty-four sovereignties, united by a constitutional compact, for the purpose of exercising certain powers through a common government as their joint agent, and not a union of the twenty-four sovereignties into one, which, according to the language of the Virginia Resolutions, already cited, would form a consolidation [a merger; union]. . . .

“ . . . There is no provision in the Constitution to authorize the General Government, through any of its departments, to control the action of the State within the sphere of its reserved powers; and that, of course, according to the principle laid down by the senator from Massachusetts himself, the government of the States, as well as the General Government, has the right to determine the extent of their respective powers, without the right of the part of either to control the other. The necessary result is the veto. . . .”

The States, unless deprived of it, possess the veto power, or what is another name for the same thing, the right of nullification. . . . It is the very shield of State rights, and the only power which that system of injustice against which we have contended for more than thirteen years can be arrested: a system of hostile legislation, of plundering by law, which must necessarily lead to a conflict of arms if not prevented.

ASSESSMENT

1. **Determine Central Ideas** What is Webster's central argument? Cite examples that Webster uses to support his argument.
2. **Determine Central Ideas** How would you summarize Calhoun's argument?
3. **Compare Points of View** How do both speakers use the Constitution in their speeches?
4. **Compare Points of View** With which Senator's argument do you think the Framers would agree?