
How Did Slaveholders Justify Their Personal Liberty As More Important Than Another's?



Supporting Questions

1. What issues relating to slavery and states rights arose out of the Constitutional Convention?
2. How do the founding documents protect people's rights to liberty and property (including slavery?)
3. What beliefs did slaveholders have about slavery and where did those beliefs come from?

How Did Slaveholders Justify Their Personal Liberty as More Important than Another's?

Michigan Content Expectations:	8 – U5.1.6 Describe how major issues debated at the Constitutional Convention such as disagreements over the distribution of political power, rights of individuals (liberty and property), rights of states, election of the executive, and slavery help explain the Civil War.
Staging the Compelling Question:	Ask students what they remember about compromises at the Constitutional Convention and why they were made.

Supporting Question 1
What issues relating to slavery and states rights arose out of the Constitutional Convention?
Formative Performance Task
Imagine you were a delegate at the Constitutional Convention. Write a journal entry describing both sides of the debates you witnessed at the Convention today.
Featured Sources
Gilder Lehrman Article Teaching American History article The Bill of Rights

Supporting Question 2
How do the founding documents protect people's rights to liberty and property (including slavery?)
Formative Performance Task
Write a paragraph where you cite how the founding documents might have secured someone's ability to own slaves.
Featured Sources
Article 4 of the Constitution The 3/5ths Compromise

Supporting Question 3
What beliefs did slaveholders have about slavery and where did those beliefs come from?
Formative Performance Task
Create a bubble map of Southern beliefs about slavery. Be sure to include three general themes with supporting evidence.
Featured Sources
Southern Argument for Slavery Southern Christians and Slavery Race, Science, and Social Policy

Summative Performance Task	Argument: How did Southern Slaveholders justify their personal liberty as being more important than another's? In the Summative Performance Task, students address this issue by supporting their answers with evidence. Students may write an essay, create a multi-media presentation, etc. to craft a claim that is supported by evidence.
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Supporting Question 1 - Featured Source A

The framers of the Constitution believed that concessions on slavery were the price for the support of southern delegates for a strong central government. They were convinced that if the Constitution restricted the slave trade, South Carolina and Georgia would refuse to join the Union. But by sidestepping the slavery issue, the framers left the seeds for future conflict. After the convention approved the great compromise, Madison wrote: "It seems now to be pretty well understood that the real difference of interests lies not between the large and small but between the northern and southern states. The institution of slavery and its consequences form the line of discrimination."

Of the 55 delegates to the Constitutional Convention, about 25 owned slaves. Many of the framers harbored moral qualms about slavery. Some, including Benjamin Franklin (a former slaveholder) and Alexander Hamilton (who was born in a slave colony in the British West Indies) became members of anti-slavery societies.

On August 21, 1787, a bitter debate broke out over a South Carolina proposal to prohibit the federal government from regulating the Atlantic slave trade. Luther Martin of Maryland, a slaveholder, said that the slave trade should be subject to federal regulation since the entire nation would be responsible for suppressing slave revolts. He also considered the slave trade contrary to America's republican ideals. "It is inconsistent with the principles of the Revolution," he said, "and dishonorable to the American character to have such a feature in the constitution."

John Rutledge of South Carolina responded forcefully. "Religion and humanity have nothing to do with this question," he insisted. Unless regulation of the slave trade was left to the states, the southern-most states "shall not be parties to the union." A Virginia delegate, George Mason, who owned hundreds of slaves, spoke out against slavery in ringing terms. "Slavery," he said, "discourages arts and manufactures. The poor despise labor when performed by slaves." Slavery also corrupted slaveholders and threatened the country with divine punishment, he believed: "Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a country."

Oliver Ellsworth of Connecticut accused slaveholders from Maryland and Virginia of hypocrisy. They could afford to oppose the slave trade, he claimed, because "slaves multiply so fast in Virginia and Maryland that it is cheaper to raise than import them, whilst in the sickly rice swamps [of South Carolina and Georgia] foreign supplies are necessary." Ellsworth suggested that ending the slave trade would benefit slaveholders in the Chesapeake region, since the demand for slaves in other parts of the South would increase the price of slaves once the external supply was cut off.

The controversy over the Atlantic slave trade was ultimately settled by compromise. In exchange for a 20-year ban on any restrictions on the Atlantic slave trade, southern delegates agreed to remove a clause restricting the national government's power to enact laws requiring goods to be shipped on American vessels (benefiting northeastern shipbuilders and sailors). The same day this agreement was reached, the convention also adopted the fugitive slave clause, requiring the return of runaway slaves to their owners.

<https://www.gilderlehrman.org/content/historical-context-constitution-and-slavery>

Supporting Question 1 - Featured Source A

The first question that presents itself on the subject is, whether a confederated government be the best for the United States or not? Or in other words, whether the thirteen United States should be reduced to one great republic, governed by one legislature, and under the direction of one executive and judicial; or whether they should continue thirteen confederated republics, under the direction and controul of a supreme federal head for certain defined national purposes only?

This enquiry is important, because, although the government reported by the convention does not go to a perfect and entire consolidation, yet it approaches so near to it, that it must, if executed, certainly and infallibly terminate in it.

This government is to possess absolute and uncontrollable power, legislative, executive and judicial, with respect to every object to which it extends, for by the last clause of section 8th, article 1st, it is declared “that the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution, in the government of the United States; or in any department or office thereof.” And by the 6th article, it is declared “that this constitution, and the laws of the United States, which shall be made in pursuance thereof, and the treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution, or law of any state to the contrary notwithstanding.” It appears from these articles that there is no need of any intervention of the state governments, between the Congress and the people, to execute any one power vested in the general government, and that the constitution and laws of every state are nullified and declared void, so far as they are or shall be inconsistent with this constitution, or the laws made in pursuance of it, or with treaties made under the authority of the United States. — The government then, so far as it extends, is a complete one, and not a confederation.

<http://teachingamericanhistory.org/library/document/brutus-i/>

Supporting Question 2 - Featured Source A

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

<https://www.archives.gov/founding-docs/declaration-transcript>

Supporting Question 2 - Featured Source B

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Supporting Question 2 - Featured Source C

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Supporting Question 3 - Featured Source A (Weblink)

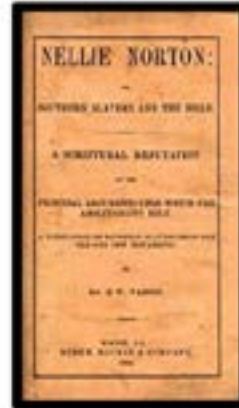
The Southern Argument for Slavery

Those who defended slavery rose to the challenge set forth by Abolitionists. The defenders of slavery included economists, history, religion, legality, social good, and even humanitarianism, to further their arguments. When a society forms around any institution, as the South did around slavery, formulating a set of arguments to support it is expected. The Southerners held ever firmer to their arguments as the political tensions in the country drew us ever closer to the Civil War. Various arguments made in defense of slavery are listed below.

1. A sudden end to the slave economy would have had a profound and killing economic impact in the South where reliance on slave labor was the foundation of their economy. The cotton economy would collapse. The tobacco crop would dry in the fields. Rice would cease being profitable.



2. If all the slaves were freed, there would be widespread unemployment and chaos. This would lead to uprisings, bloodshed, and anarchy. They pointed to the mob's "rule of terror" during the French Revolution and argued for the continuation of the status quo, which was providing for affluence and stability for the slaveholding class and for all free people who enjoyed the bounty of the slave society.
3. African Americans were biologically inferior to their masters. During the 1800s, this argument was taken quite seriously, even in scientific circles.
4. Slavery had existed throughout history and was the natural state of mankind. The Greeks had slaves, the Romans had slaves, and the English had slavery until very recently.
5. In the Bible, Abraham had slaves. In the Ten Commandments, it says "Thou shalt not covet thy neighbor's house, or his manservant, or his maidservant." In the New Testament, Paul returned a runaway slave, Philemon, to his master, and, although slavery was widespread throughout the Roman world, Jesus never spoke out against it.



6. The court system, the Dred Scott Decision, ruled that all blacks — not just slaves — had no legal standing—they were property, and the Constitution protected slave-holders' rights to their property.
7. The institution was divine, and that it brought Christianity to the heathen from across the ocean. Slavery was, according to this argument, a good thing for the enslaved. John C. Calhoun said, "Never before has the black race of Central Africa, from the dawn of history to the present day, attained a condition so civilized and so improved, not only physically, but morally and intellectually."
8. By comparison with the poor of Europe and the workers in the Northern states, that slaves were better cared for. They said that their owners would protect and assist them when they were sick and aged, unlike those who, once freed from their work, were left to fend helplessly for themselves.



9. The violence of Nat Turner's 1831 slave revolt frightened

Supporting Question 3 - Featured Source B (Weblink)

4/23/2018 Why Did So Many Christians Support Slavery? Christian History | Christian History

Why Did So Many Christians Support Slavery?

See reasons advanced by southern church leaders
THE BOSTONIAN



Many southern Christians felt that slavery, in one Baptist minister's words, "stands as an institution of God." Here are some common arguments made by Christians at the time:

Biblical Reasons

• Abraham, the "father of faith," and all the patriarchs

Current Issue

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Supporting Question 3 - Featured Source C

4/23/2019

RACE - The Power of an Illusion - Go Deeper | PBS

EXPLORE RACE, SCIENCE AND SOCIAL POLICY

Throughout history, social ideas have influenced research and discoveries related to race. Science emerged in the late 18th century and helped rationalize social inequalities and justify discriminatory policies and laws.

1776	Birth of "Caucasian"	Johann Blumenbach, one of many classifiers in the 18th century, lays out the scientific template for contemporary race categories in <i>On the Natural Varieties of Mankind</i> . Blumenbach strongly opposes slavery and believes in the potential equality of all people. Nevertheless, he maps a hierarchical pyramid of five human types, placing "Caucasians" at the top because he believes a skull found in the Caucasus Mountains is the "most beautiful form of the skull, from which...the others diverge." This model is widely embraced, and Blumenbach inadvertently paves the way for scientific claims about white superiority.
1781	Jefferson suggests innate Black inferiority	With <i>Notes on the State of Virginia</i> , Jefferson becomes the first prominent American to suggest innate Black inferiority: "I advance it therefore, as a suspicion only, that blacks ...are inferior to the whites in the endowments of body and mind." Published in the U.S. after the American Revolution, his writings help rationalize slavery in a nation otherwise dedicated to liberty and equality, calling on emerging science to provide proof. As historian Barbara Fields and others note, the idea of Black inferiority makes it possible to deny Africans the equal rights that others take for granted.
1839	skulls measured to "prove" racial hierarchy	Samuel Morton, the first famous American scientist, possesses the largest skull collection in the world. He claims to measure brain capacity through skull size, but makes systematic errors in favor of his assumptions, concluding: "[Their larger skulls gives Caucasians] decided and unquestioned superiority over all the nations of the earth." Morton's findings are later seized upon and popularized by pro-slavery scientists like Josiah Nott and Louis Agassiz. In just 60-70 years, Jefferson's tentative suggestion of racial difference becomes scientific "fact": "Nations and races, like individuals, have each an especial destiny: some are born to rule, and others to be ruled....No two distinctly-marked races can dwell together on equal terms." - Josiah Nott (1854)
1859	Evolution shapes debate	When Darwin uncovers the mechanism for evolution, it dramatically alters public debate. "Racial" differences, previously explained by some as the result of separate, divine origins, are now seen as the result of historical change and divergence over time. Evolution provides a new paradigm for comparing group "progress" but it also introduces the image of competition and possible extinction. Herbert Spencer captures the public's excitement and anxiety when he coins the phrase "survival of the fittest" in applying Darwin's ideas to the social realm. Advocates of Spencer's "social darwinism" view the hierarchy of races as the product of "nature," not specific institutions and policies. Consequently, social reform or improvement is pointless.

Supporting Question 3 - Featured Source D (Weblink)

1852

Slavery in the United States - Teaching American History

We of the South will not, cannot, surrender our institutions. To maintain the existing relations between the free races, inhabiting that section of the Union, is indispensable to the peace and happiness of both. It cannot be subverted without drenching the country in blood, and exterminating one or the other of the races. Be it good or bad, [slavery] has grown up with our society and institutions, and is so interwoven with them that to destroy it would be to destroy us as a people. But let me not be understood as admitting, even by implication, that the existing relations between the two races in the slaveholding States is an evil—for otherwise, I hold it to be a good, as it has thus far proved itself to be to both, and will continue to prove so if not disturbed by the fell spirit of abolition. I appeal to facts. Never before has the black race of Central Africa, from the dawn of history to the present day, attained a condition so civilized and so improved, not only physically, but morally and intellectually.

In the meantime, the white or European race, has not degenerated; it has kept pace with its brethren in other sections of the Union where slavery does not exist. It is odious to make comparison; but I appeal to all sides whether the South is not equal in virtue, intelligence, patriotism, courage, disinterestedness, and all the high qualities which adorn our nature.

But I take higher ground. I hold that in the present state of civilization, where two races of different origin, and distinguished by color, and other physical differences, as well as intellectual, are brought together, the relation now existing in the slaveholding States between the two, is, instead of an evil, a good—a positive good. I feel myself called upon to speak freely upon the subject where the honor and interests of those I represent are involved. I hold then, that there never has yet existed a wealthy and civilized society in which one portion of the community did not, in point of fact, live on the labor of the other. Broad and general as is this assertion, it is fully borne out by history. This is not the proper occasion, but, if it were, it would not be difficult to trace the various devices by which the wealth of all civilized communities has been so unequally divided, and to show by what means so small a share has been allotted to those by whose labor it was produced, and so large a share given to the non-producing classes. The devices are almost innumerable, from the brute force and gross superstition of ancient times, to the subtle and artful fiscal contrivances of modern. I might well challenge a comparison between them and the more direct, simple, and patriarchal mode by which the labor of the African race is, among us, commensured by the European. I may say with truth, that in few countries so



Supporting Question 3 - Featured Source E (Weblink)

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4/23/2019

"Cornerstone" Speech - Teaching American History

Our new government is founded upon exactly the opposite idea; its foundations are laid, its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery subordination to the superior race is his natural and normal condition. This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North, who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied or erroneous premises; so with the anti-slavery fanatics. Their conclusions are right if their premises were. They assume that the negro is equal, and hence conclude that he is entitled to equal privileges and rights with the white man. If their premises were correct, their conclusions would be logical and just but their premise being wrong, their whole argument falls. . . .

As I have stated, the truth of this principle may be slow in development, as all truths are and ever have been, in the various branches of science. . . . May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests? It is the first government ever instituted upon the principles in strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of the subordination and serfdom of certain classes of the same race; such were and are in violation of the laws of nature. Our system commits no such violation of nature's laws. With us, all of the white race, however high or low, rich or poor, are equal in the eye of the law. Not so with the