

Lesson: The Constitution and the Future of Slavery in America: Were the Compromises Justified?

Point of View Paragraphs

Essential Question:

Were the Constitution's compromises over slavery justified?

Point of View I: "No." The delegates compromised too much. They unnecessarily helped protect slavery when they could have limited it or put an end to it.

The tragedy is that while they designed an excellent system of government, they gave way at every point to the demands of Southern slaveowners. Some Northern delegates spoke out against slavery forcefully. Others saw it as an evil, but one that was of less importance than keeping the states united. Some told themselves slavery would fade away on its own, even though it was clearly not doing that. In any case, most were willing to live with it. Nevertheless, slavery was too high a price to pay for the national unity they prized. Besides, slavery kept the nation from ever really uniting anyway. In the meantime, the slave states got everything they wanted. With the three-fifths clause, slaves were counted for representation in Congress. This made the South stronger in the House of Representatives and the Electoral College. By preventing any ban on the slave trade until 1808, the South could keep importing slaves and adding to its power in Congress. Finally, the fugitive slave clause meant slaveowners could capture runaway slaves even in free states. The slaves, the clause said, must be "delivered up." This implied that slaves had to be regarded as property everywhere, not just in the slave states alone. Slaveowners would claim that this shows the federal government itself backed the idea that there could be property in men. In other words, the Constitution was truly a slaveowners compact. No wonder it would take a bloody civil war to end what the Constitution never could.

Point of View II: "Yes." The Constitution never accepted slavery as a form of property. It created a government that enabled anti-slavery forces to grow and ultimately triumph.

The Constitution definitely did protect slavery. It could even be said to have strengthened slavery's hold in the states where it was legal. This was surely true of the three-fifths clause and the clause providing for the capture of fugitive slaves. The slave trade clause also helped the South to continue adding slaves and increasing its representation in Congress. However, that clause gave Congress the right to ban the slave trade after 1808. This established the new federal government's right to limit slavery, at least outside the states where it was legal. South Carolina and Georgia especially hoped for more. After all, they arrived at the Convention at a

transforming time. Many Northern delegates came from states that were abolishing slavery. The South desperately wanted the Convention to accept the idea that, as Madison put it, there could be “property in men.” Instead, the Constitution went to great lengths to avoid even mentioning the word “slave.” Moreover, it never granted slavery the official, explicit backing of the federal government. As to the fugitive slave clause, many wording changes were made during debates. All the changes together made clear that the clause depicted slavery as solely the product of state laws. Because the Constitution kept its distance from the idea of property in men, it left intact the right of the federal government to stop slavery’s expansion into new territories. This was the issue that would build over the decades. It would ultimately bring on the Civil War and the end of slavery. This is why abolitionist Frederick Douglass was right when he called the Constitution a “glorious liberty document.” In the hands of the right leaders, that is in fact what it became.