

Sources and Point of View Paragraphs

Sources for this Lesson

(Some of the spelling and punctuation in these sources has been modernized.)

1. James Madison on “Property in Men”

Virginia's James Madison recorded the discussions in the Constitutional Convention. In these notes, he refers to himself in the third person. This passage is from his notes for August 25, 1787. The Convention was discussing whether or not to allow a tax or duty to be charged on imported slaves. In this passage, Madison was making a brief objection to imposing any such tax. In later decades, abolitionists would often cite this short passage and see it as highly significant. The passage is from *The Debates in the Federal Convention of 1787*, reported by James Madison, edited by Gaillard Hund and James Brown Scott, published by Oxford University Press, 1920, available from "The Avalon Project" website of Yale University's Lillian Goldman Law Library. These passages are available online at:

https://avalon.law.yale.edu/18th_century/debates_825.asp

Mr. MADISON thought it wrong to admit in the Constitution the idea that there could be property in men. The reason of duties did not hold, as slaves are not like merchandize, consumed, &c

2. Gouverneur Morris of New York

Gouverneur Morris was a wealthy New Yorker who moved to Philadelphia in 1779. In 1787, he represented Pennsylvania in the Constitutional Convention. He spoke more often than any other delegate there. He was also one of the strongest and most open opponents of slavery at the Convention. In this passage, he opposes the proposal to allow slave states to count their slaves for purposes of representation in Congress. The passage is from *The Debates in the Federal Convention of 1787*, reported by James Madison, available online from "The Avalon Project" website of Yale University's Lillian Goldman Law Library at:

https://avalon.law.yale.edu/18th_century/debates_808.asp

Mr. Govr. MORRIS. He never would concur in upholding domestic slavery. It was a nefarious institution. It was the curse of heaven on the states where it prevailed. Compare the free regions of the Middle States, where a rich and noble cultivation marks the prosperity and happiness of the people, with the misery and poverty which overspread the barren wastes of Virginia, Maryland and the other states having slaves. . . . Upon what principle is it that the slaves shall be computed in the representation? Are they men? Then make them citizens and let them vote. Are they property? Why then is no other property included? The houses in this city [Philadelphia] are worth more than all the wretched slaves which cover the rice swamps of South Carolina. The admission of slaves into the representation when fairly explained comes to this: that the inhabitant of Georgia and South Carolina who goes to the coast of Africa, and in defiance of the most sacred laws of humanity tears away his fellow creatures from their dearest connections and damns them to the most cruel bondages, shall have more votes in a government

instituted for protection of the rights of mankind, than the citizen of Pennsylvania or New Jersey who views with a laudable horror, so nefarious a practice.

3. Mason of Virginia Against the Slave Trade, August 22, 1787

Virginia delegate George Mason was a major slaveowner who opposed slavery forcefully. In the Constitutional Convention on August 22, 1787, he spoke in support of a proposed ban on the slave trade. In the end, Mason refused to sign the Constitution partly due to his feelings about slavery. And yet, he never freed his own slaves. This passage is from *The Debates in the Federal Convention of 1787*, reported by James Madison, available online from "The Avalon Project" website of Yale University's Lillian Goldman Law Library at:

http://avalon.law.yale.edu/18th_century/debates_822.asp

Col.MASON: This infernal traffic originated in the avarice of British Merchants. The British government constantly checked the attempts of Virginia to put a stop to it. . . . Maryland and Virginia, he said, had already prohibited the importation of slaves expressly. North Carolina had done the same in substance. All this would be in vain if South Carolina and Georgia were at liberty to import. The Western people are already calling out for slaves for their new lands, and will fill that Country with slaves if they can be got through South Carolina and Georgia. Slavery discourages arts and manufactures. The poor despise labor when performed by slaves. They prevent the immigration of whites, who really enrich and strengthen a country. They produce the most pernicious effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a country. As nations cannot be rewarded or punished in the next world, they must be in this. By an inevitable chain of causes and effects providence punishes national sins, by national calamities.

4. Ellsworth of Connecticut Responds to Mason, August 22, 1787

Oliver Ellsworth was a delegate from Connecticut. He replied to George Mason (see Source 3), who wanted a total ban on the slave trade. Ellsworth, like Mason, opposed slavery. However, he thought it was more important to keep North and South together by reaching acceptable compromises on slavery and the slave trade. He may also have felt Virginia slaveowners like Mason had selfish reasons for opposing the slave trade. He hints at those reasons in this passage. From *The Debates in the Federal Convention of 1787*, reported by James Madison, available online from "The Avalon Project" website of Yale University's Lillian Goldman Law Library at: https://avalon.law.yale.edu/18th_century/debates_822.asp

Mr. ELSWORTH. As he had never owned a slave could not judge of the effects of slavery on character. He said however that if it was to be considered in a moral light we ought to go farther and free those already in the country. As slaves also multiply so fast in Virginia and Maryland that it is cheaper to raise than import them, whilst in the sickly rice swamps foreign supplies are necessary, if we go no farther than is urged, we shall be unjust towards South Carolina and Georgia. Let us not intermeddle. As population increases poor laborers will be so plenty as to render slaves useless. Slavery in time will not be a speck in our Country. Provision is already made in Connecticut for abolishing it. And the abolition has already taken place in

Massachusetts. As to the danger of insurrections from foreign influence, that will become a motive to kind treatment of the slaves.

5. The Pinckneys of South Carolina, August 22, 1787

Also on August 22, 1787, directly following Ellsworth's remarks (see Source 4) two closely related South Carolina delegates spoke. Charles Pinckney and General Charles Cotesworth Pinckney were part of a large family of wealthy slaveholders. Both men were among the strongest defenders of slavery in the Constitutional Convention. In these passages, each of them in different ways spoke in favor of the slave trade. From *The Debates in the Federal Convention of 1787*, reported by James Madison, available online from "The Avalon Project" website of Yale University's Lillian Goldman Law Library at:

https://avalon.law.yale.edu/18th_century/debates_822.asp

Mr. PINCKNEY. If slavery be wrong, it is justified by the example of all the world. He cited the case of Greece, Rome and other ancient states; the sanction given by France England, Holland and other modern states. In all ages one half of mankind have been slaves. If the Southern states were let alone, they will probably of themselves stop importations. He would himself as a citizen of South Carolina vote for it. An attempt to take away the right as proposed will produce serious objections to the Constitution which he wished to see adopted.

General PINCKNEY declared it to be his firm opinion that if himself and all his colleagues were to sign the Constitution and use their personal influence, it would be of no avail towards obtaining the assent of their constituents. South Carolina and Georgia cannot do without slaves. As to Virginia she will gain by stopping the importations. Her slaves will rise in value, and she has more than she wants. It would be unequal to require South Carolina and Georgia to confederate on such unequal terms. . . . He contended that the importation of slaves would be for the interest of the whole Union. The more slaves, the more produce to employ the carrying trade; the more consumption also, and the more of this, the more of revenue for the common treasury.

6. James Madison, Federalist No. 42.

Once the Constitution was written, it was sent to the states to debate and approve. *The Federalist Papers* were 85 essays written to support the Constitution. They were published in 1787-88 as the states were debating the document and deciding whether to ratify it. The essays were written by Alexander Hamilton, James Madison, and John Jay. This passage is from one of the essays by Madison. It deals with the clause prohibiting Congress from banning the slave trade before 1808. The passage is from "Federalist No. 42" in *The Federalist Papers*, all of which are available online from "The Avalon Project" website of Yale University's Lillian Goldman Law Library at: http://avalon.law.yale.edu/18th_century/fed42.asp

It were doubtless to be wished, that the power of prohibiting the importation of slaves had not been postponed until the year 1808, or rather that it had been suffered to have immediate operation. But it is not difficult to account, either for this restriction on the general government,

or for the manner in which the whole clause is expressed. It ought to be considered as a great point gained in favor of humanity, that a period of twenty years may terminate forever, within these states, a traffic which has so long and so loudly upbraided the barbarism of modern policy; that within that period, it will receive a considerable discouragement from the federal government, and may be totally abolished, by a concurrence of the few states which continue the unnatural traffic, in the prohibitory example which has been given by so great a majority of the Union. Happy would it be for the unfortunate Africans if an equal prospect lay before them of being redeemed from the oppressions of their European brethren! Attempts have been made to pervert this clause into an objection against the Constitution, by representing it on one side as a criminal toleration of an illicit practice, and on another as calculated to prevent voluntary and beneficial emigrations from Europe to America. I mention these misconstructions, not with a view to give them an answer, for they deserve none, but as specimens of the manner and spirit in which some have thought fit to conduct their opposition to the proposed government.

7. Charles Rich of Vermont, February 1820

In 1819-20, a great conflict arose over the issue of expanding slavery into the vast Louisiana Purchase lands west of the Mississippi. A part of those lands had applied for admission as the slave state of Missouri. Many northern anti-slavery lawmakers wanted slavery banned from Missouri. Instead, a compromise was reached. Missouri was admitted as a slave state along with Maine as a free state; also, slavery was banned in the remaining Louisiana Purchase lands north of the 36°30' parallel, except for Missouri. During the debates, House member Charles Rich of Vermont defended the Constitution against slaveowners who said it protected their property in slaves everywhere. Rich said the Constitution never approved of slavery and did nothing to prevent Congress from limiting it. His argument was not a new one. Anti-slavery advocates in future years would continue to make it. This passage is part of Rich's speech. From *Annals of Congress*, House of Representatives, 16th Congress, 1st Session. Pages 1395 & 1396.

<https://memory.loc.gov/cgi-bin/ampage?collId=llac&fileName=036/llac036.db&recNum=59>

It is true that, at the time the Declaration of Independence was adopted, as well as the Constitution, and from circumstances over which our fathers had no control, slavery, unfortunately, existed in our country. And the fact of its existence, though repugnant to the noble feelings, which alone gave birth to, and with the aid of Providence sustained the Revolution, and which matured and brought forth the Constitution of our country, is believed to have produced a necessity for its continued existence. But I ask gentlemen by what charter of a national character, a right to hold a human being in slavery has ever been recognized?

The fact that the word "slave" is nowhere to be found in the Constitution, or other words so employed as to convey an idea that the framers of that instrument intended to recognize slavery, has satisfied my mind that, as from a condition of things beyond their control, or that of their country, they could not prohibit it in the then "existing States." And as, for obvious reasons, they were obliged indirectly to admit the fact of its existence, they purposely, and very carefully, avoided the use of any expression from which, by fair construction, even an argument could be derived in favor of its legitimacy.

8. William Lloyd Garrison, 1832

William Lloyd Garrison became a central figure in the anti-slavery movement in the 1830s. He called for the immediate abolition of slavery. He saw slavery in religious terms as a sin staining the nation's honor. Garrison had a harsh view of the U.S. Constitution, which he considered a purely pro-slavery document. He expresses this view in "On the Constitution and the Union," which he wrote in his magazine *The Liberator*, December 29, 1832. It is available online from the website "TeachingAmericanHistory.org" at:

<http://teachingamericanhistory.org/library/document/on-the-constitution-and-the-union>

There is much declamation about the sacredness of the compact which was formed between the free and slave states, on the adoption of the Constitution. A sacred compact, forsooth! We pronounce it the most bloody and heaven-daring arrangement ever made by men for the continuance and protection of a system of the most atrocious villainy ever exhibited on earth. Yes—we recognize the compact, but with feelings of shame and indignation, and it will be held in everlasting infamy by the friends of justice and humanity throughout the world. It was a compact formed at the sacrifice of the bodies and souls of millions of our race, for the sake of achieving a political object – an unblushing and monstrous coalition to do evil that good might come. Such a compact was, in the nature of things and according to the law of God, null and void from the beginning. No body of men ever had the right to guarantee the holding of human beings in bondage. Who or what were the framers of our government, that they should dare confirm and authorize such high-handed villainy – such flagrant robbery of the inalienable rights of man – such a glaring violation of all the precepts and injunctions of the gospel – such a savage war upon a sixth part of our whole population? They were men, like ourselves – as fallible, as sinful, as weak, as ourselves. By the infamous bargain which they made between themselves, they virtually dethroned the Most-High God, and trampled beneath their feet their own solemn and heaven-attested Declaration, that all men are created equal, and endowed by their Creator with certain inalienable rights – among which are life, liberty, and the pursuit of happiness.

9 Frederick Douglass, 1860

The escaped slave Frederick Douglass became perhaps the greatest African America abolitionist leader of his time. At first, he and William Lloyd Garrison agreed about most issues. In time, however, he rejected Garrison's views on several key matters. He disagreed with Garrison's feeling that the North should leave the hopelessly sinful Union. Douglass also argued against Garrison's negative view of the Constitution. He did that, for example, in a Fourth of July speech in 1852. He also did it in a speech he gave in 1860 in Glasgow, Scotland. This passage is from that speech, which can be accessed online from the website "TeachingAmericanHistory.org" at:

<http://teachingamericanhistory.org/library/document/the-constitution-of-the-united-states-is-it-pr-o-slavery-or-anti-slavery/#sthash.Skum6u9J.cQuSr5qX.dpuf>

My argument against the dissolution of the American Union is this: It would place the slave system more exclusively under the control of the slaveholding States, and withdraw it from the

power in the Northern States which is opposed to slavery. Slavery is essentially barbarous in its character. It, above all things else, dreads the presence of an advanced civilization. It flourishes best where it meets no reproofing frowns, and hears no condemning voices. While in the Union it will meet with both. Its hope of life, in the last resort, is to get out of the Union. I am, therefore, for drawing the bond of the Union more completely under the power of the Free States. What they most dread, I most desire. I have much confidence in the instincts of the slaveholders. They see that the Constitution will afford slavery no protection when it shall cease to be administered by slaveholders. They see, moreover, that if there is once a will in the people of America to abolish slavery, there is no word, no syllable in the Constitution to forbid that result. They see that the Constitution has not saved slavery in Rhode Island, in Connecticut, in New York, or Pennsylvania. . . . Within the Union we have a firm basis of opposition to slavery. It is opposed to all the great objects of the Constitution. . . . My position now is one of reform, not of revolution. I would act for the abolition of slavery through the Government — not over its ruins. If slaveholders have ruled the American Government for the last fifty years, let the anti-slavery men rule the nation for the next fifty years. If the South has made the Constitution bend to the purposes of slavery, let the North now make that instrument bend to the cause of freedom and justice.