

Slavery in the Constitution Lesson Plan

Central Historical Question:

Why did the Founding Fathers keep slavery in the Constitution?

Materials:

- Copies of Slavery Grievance Worksheet
- Copies of Slavery in Constitution Documents
- Copies Slavery in the Constitution Graphic Organizer

Plan of Instruction:

1. Introduction: Pass out SLAVERY GRIEVANCE sheet. Explain to students:

You have looked at the grievances in the Declaration of Independence. These were the colonists' complaints against the king.

There was a grievance about slavery that was deleted from the final version. Let's read it out loud.

2. In groups, students read the grievance and answer the questions at the bottom of the page.

Discussion Question:

- Who is Thomas Jefferson *blaming* for slavery? (Answer: King)
- Thomas Jefferson owned slaves. Do you believe that he really opposed slavery?
- Why might he have wanted to include the grievance in the Declaration of Independence?

Explain that the grievance was deleted because southern states opposed it.

3. TRANSITION: *The slavery grievance didn't make it into the Declaration of Independence in 1776, but the document did claim that, "all men are created equal." Eleven years later, in 1787, the founders drafted the Constitution and they didn't eliminate slavery. This raises the question:*

Why did the founding fathers keep slavery in the CONSTITUTION if the Declaration of Independence claimed, "all men are created equal?"

4. Hand out Slavery Documents and Graphic Organizer worksheet. Have students read the documents and fill in the Graphic Organizer.
5. Debrief:
 - Overall did these men realize that slavery was a problem?

- Who did think it was a problem and who didn't?
 - For those who did think it was a problem, why didn't they do anything to abolish slavery?
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Citations:

Declaration of Independence, "Original Rough draught," *The Papers of Thomas Jefferson*. Vol. 1, 1760-1776. Ed. Julian P. Boyd. Princeton: Princeton University Press, 1950, pp 243-247). <http://www.loc.gov/exhibits/declara/ruffdrft.html>

Constitutional Convention, Philadelphia, 1787. James Madison's notes: <http://www.sagehistory.net/constitution/ConstDebate.html> Benjamin Franklin's notes: <http://bartelby.net/268/8/11.html>

John P. Kaminski, *A Necessary Evil?* Madison, Wisconsin: Madison House, 1995. p. 42. <http://books.google.com/books?id=q4i5MISfPJ0C&>

William Freehling, "The Founding Fathers and Slavery." In Kermit Hall, Ed., *The Law of American Slavery*. New York, NY: Garland Publishing, 1987. p. 221.

Kermit Hall, *The Law of American Slavery*. New York, NY: Garland Publishing, 1987. p. xi.

Slavery Grievance (Modified)

Thomas Jefferson was born to a slave-owning family and he himself owned slaves. As chairman of the committee that drafted the Declaration of Independence, Jefferson wrote a paragraph condemning slavery in his first draft of the Declaration. He included this paragraph in his list of complaints against King George III. Before the final version of the Declaration was adopted, this paragraph was deleted.

Read the grievance below and answer the questions that follow:

Excerpt from Jefferson's slavery grievance:

King George III has waged cruel war against human Nature itself. He has taken away the most sacred rights of Life and Liberty from a distant people who never offended him. He did this by capturing and carrying them into slavery in another hemisphere if they did not die a miserable death in their transportation to this new world. These disgraceful practices are the Warfare of the *Christian* King of Great Britain.

He has stopped every attempt to prohibit or to restrain the disgusting business of slavery. He is determined to keep open a market where men are bought and sold.

Guiding Questions:

1. How does the Slavery Grievance describe slavery? Who does Jefferson blame for the continuation of the slave trade?
2. Why does Jefferson *italicize* the word 'Christian' at the end of the first paragraph?
3. Why do you think that Thomas Jefferson wrote a paragraph about slavery when he wrote the Declaration of Independence?

Historical Question:

Why did the Constitution allow slavery to continue, if the Declaration of Independence claimed that “all men are created equal”?

Philadelphia Constitutional Convention of 1787 (Modified)

The Philadelphia Constitutional Convention was where the Founding Fathers gathered to write the Constitution. They had many debates over what the new government should look like. This is where they decided to KEEP SLAVERY. As you read the documents below, try to see if they thought slavery was a major contradiction.

Mr. RUTLIDGE: Religion and humanity have nothing to do with this question. The true question at present is whether the Southern states shall or shall not be a part of the Union. If the Northern states think about their interest, they will not oppose the increase of slaves because they will profit by selling the goods that slaves produce.

Mr. ELSEWORTH: Let every state do what it pleases. The morality or wisdom of slavery are decisions belonging to the states themselves. What enriches a part enriches the whole.

Mr. WILLIAMSON: Southern states could not be members of the Union if the slave trade ended. It is wrong to force any thing that is not absolutely necessary, and which any state must disagree to.

BENJAMIN FRANKLIN: I agree to this Constitution with all its faults because I think a federal (national) government necessary for us. When you assemble a large group of men, you will inevitably find that they will disagree with each other about their local interests, and their selfish views. We have to accept some of these disagreements in order to build a national government.

Historian Interpretation #1 (Modified)

The men at the Constitutional Convention never considered getting rid of slavery. The Revolutionary talk of freedom and equality had been left behind; Americans in general and the men at the Convention in particular wanted a united, well-ordered, and prosperous society in which private property—including slave property—would be secure.

Source: John P. Kaminski, *A Necessary Evil?* Madison, Wisconsin: Madison House, 1995. p.42

Historian Interpretation #2 (Modified)

The Founding Fathers' racism [was] a barrier to antislavery. Here again Jefferson typified the age. Jefferson suspected that blacks had lower intellectual abilities than did whites. These suspicions, together with Jefferson's fear that free blacks and free whites could not live harmoniously in America, made him and others think that the only way Africans could be free was if they were sent back to Africa.

Source: William Freehling, "The Founding Fathers and Slavery." In Kermit Hall, Ed., *The Law of American Slavery*. New York, NY: Garland Publishing, 1987. p. 221.

Historian Interpretation #3 (Modified)

Slavery hung over the Philadelphia Convention, threatening to divide northern and southern delegates. Even though slavery existed by law in some of the northern states in 1787, most people there favored its end. Southerners were more unsure about whether to end slavery, both because they had significantly greater numbers of slaves to deal with and because an end to [slavery] had important economic implications. The result was compromise. The Founding Fathers were more determined to fashion a new nation than they were to bring an end to slavery.

Source: Kermit Hall, *The Law of American Slavery*. New York, NY: Garland Publishing, 1987. p. xi.

Name _____

	According to this person, was slavery a problem?	If no, why not? If yes, what was more important than ending slavery?
Mr. Rutledge		
Mr. Elsworth		
Mr. Williamson		
Benjamin Franklin		
Historian 1 (Kaminski)		
Historian 2 (Freehling)		
Historian 3 (Hall)		