

Did the framers of the Constitution want everyone to be equal?



Overview: Today we take for granted that everyone in the United States is free, and has the right to vote. We hear phrases such as “all men are created equal” and believe that enough change has happened to give everyone a fair shot at achieving the American dream. However, do we believe that the men who met in Philadelphia and created the Constitution, wanted a society similar to what we have today? Did the framers of our nation’s most prized document really believe that African-Americans, Native-Americans, women, and even poor whites should be able to vote?

The Documents:

Document A: Article I, Section 2 of the US Constitution, 1787

Document B: Article I, Section 9 of the US Constitution, 1787

Document C: Article 4, Section 2 of the US Constitution, 1787

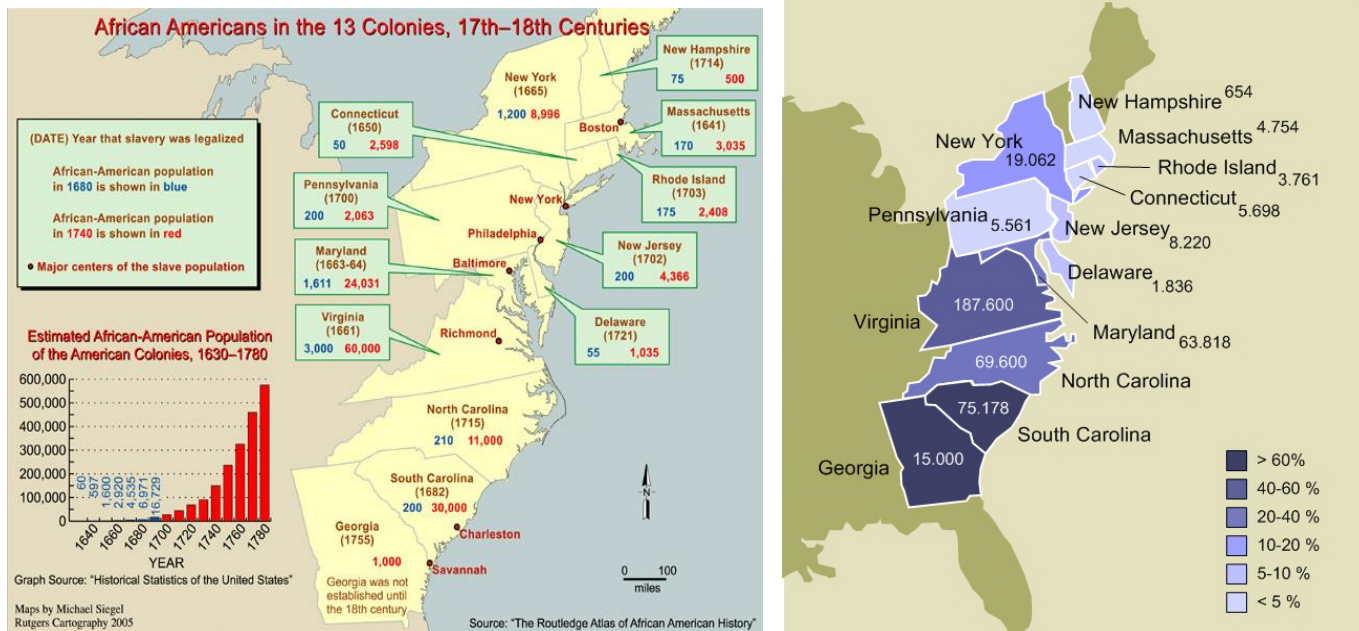
Document D: James Madison’s Debates in Convention, 1787

Document E: James Wilson’s Remarks on the Pennsylvania Ratifying Committee, 1787

Document F: Oliver Ellsworth's The Landholder, 1787

Hook Exercise: How extensive was slavery?

Today we tend to think of slavery as a north vs. south institution. Many believe that it primarily existed beneath the Mason-Dixon Line, and that all northern states wanted to get rid of it as soon as possible. However, has our view of the past been altered?



Directions: Examine each of the above maps very closely. Read the labels and numbers to gain a better understanding of how big or small the institution of slavery was in each of the 13 colonies. Use the information from these maps to answer the questions below. Share your findings with your partner.

1. Which of the colonies did not have slavery during this period?
2. Did the number of slaves in any of the colonies decrease from the 17th to 18th century?
3. Which states had the largest percentage of slaves according to the second image?
4. Did any of the states we normally consider "northern" have a large percentage of slaves?
5. How did the images above contradict what we are normally led to believe about slavery and the colonies?
6. Does the fact that every colony had slaves change your mind on why slavery was not abolished when the constitution was first written? Explain.

Notes: List some of the interesting facts, ideas, or questions that you overheard while discussing this information. _____

Background Essay:

When the American colonies broke from England, the Continental Congress asked Thomas Jefferson to write the Declaration of Independence. In the declaration, Jefferson expressed American grievances and explained why the colonists were breaking away. His words proclaimed America's ideals of freedom and equality, which still resonate throughout the world.

Yet at the time these words were written, more than 500,000 black Americans were slaves. Jefferson himself owned more than 100. Slaves accounted for about one-fifth of the population in the American colonies. Most of them lived in the Southern colonies, where slaves made up 40 percent of the population.

Many colonists, even slave holders, hated slavery. Jefferson called it a "hideous blot" on America. George Washington, who owned hundreds of slaves, denounced it as "repugnant." James Mason, a Virginia slave owner, condemned it as "evil."

But even though many of them decried it, Southern colonists relied on slavery. The Southern colonies were among the richest in America. Their cash crops of tobacco, indigo, and rice depended on slave labor. They weren't going to give it up.

The first U.S. national government began under the Articles of Confederation, adopted in 1781. This document said nothing about slavery. It left the power to regulate slavery. After their experience with the British, the colonists distrusted a strong central government. The new national government consisted solely of a Congress

in which each state had one vote.

With little power to execute its laws or collect taxes, the new government proved ineffective. In May 1787, 55 delegates from 12 states met in Philadelphia. (Rhode Island refused to send a delegation.) Their goal was to revise the Articles of Confederation. Meeting in secret sessions, they quickly changed their goal. They would write a new Constitution. The outline of the new government was soon agreed to. It would have three branches — executive, judiciary, and a two-house legislature.



A dispute arose over the legislative branch. This argument carried on for two months. In the end, the delegates agreed to the "Great Compromise." One branch, the House of Representatives, would be based on population. The other, the Senate, would have two members from each state.

Part of this compromise included an issue that split the convention on North–South lines. The issue was: Should slaves count as part of the population? Under the proposed Constitution, population would ultimately determine three matters: (1) How many members each state would have in the House of Representatives.

(2) How many electoral votes each state would have in presidential elections.

(3) The amount each state would pay in direct taxes to the federal government.

Most of the Southern states had large numbers of slaves. Counting them as part of the population would greatly increase the South's political power, but it would also mean paying higher taxes. This was a price the Southern states were willing to pay.

They argued in favor of counting slaves. Northern states disagreed. The delegates compromised. Each slave would count as three-fifths of a person.

Following this compromise, another controversy erupted: What should be done about the slave trade, the importing of new slaves into the United States? Ten states had already outlawed it. Many delegates heatedly denounced it. But the three states that allowed it — Georgia and the two Carolinas — threatened to leave the convention if the trade were banned. A special committee worked out another compromise: Congress would have the power to ban the slave trade, but not until 1800. The convention voted to extend the date to 1808.



A final major issue involving slavery confronted the delegates. Southern states wanted other states to return escaped

slaves. The Articles of Confederation had not guaranteed this. When Congress adopted the Northwest Ordinance, there was a clause promising that slaves who escaped to the Northwest Territories would be returned to their owners. The delegates placed a similar fugitive slave clause in the Constitution. This was part of a deal with New England states. In exchange for the fugitive slave clause, the New England states got concessions on shipping and trade.

These compromises on slavery had serious effects on the nation. The fugitive slave clause allowed escaped slaves to be chased into the North and caught. It also resulted in the illegal kidnapping and return to slavery of thousands of free blacks. The three-fifths compromise increased the South's representation in Congress and the Electoral College. In 12 of the first 16 presidential elections, a Southern slave owner won. Extending the slave trade past 1800 brought many slaves to America. South Carolina alone imported 40,000 slaves between 1803 and 1808 (when Congress overwhelmingly voted to end the trade). So many slaves entered that slavery spilled into the Louisiana territory and took root.

Northern states didn't push too hard on slavery issues. Their main goal was to secure a new government. They feared antagonizing the South. Most of them saw slavery as a dying institution with no economic future. However, in five years the cotton gin would be invented, which made growing cotton on plantations immensely profitable, as well as slavery.

The Declaration of Independence expressed lofty ideals of equality. The

framers of the Constitution, intent on making a new government, left important questions of equality and fairness to the future. It would be some time before the

great republic that they founded would approach the ideals expressed in the Declaration of Independence.

Background Essay Questions:

1. What percentage of the South's population was made up of slaves?
2. What was the first government of the United States? What problems did it have?
3. What was the "Great Compromise?"
4. What was the "Three-Fifths Compromise?"
5. How did the Northwest Ordinance impact the wording included in the Constitution?
6. How did slavery play a role in the first presidential elections?

Words to Define:

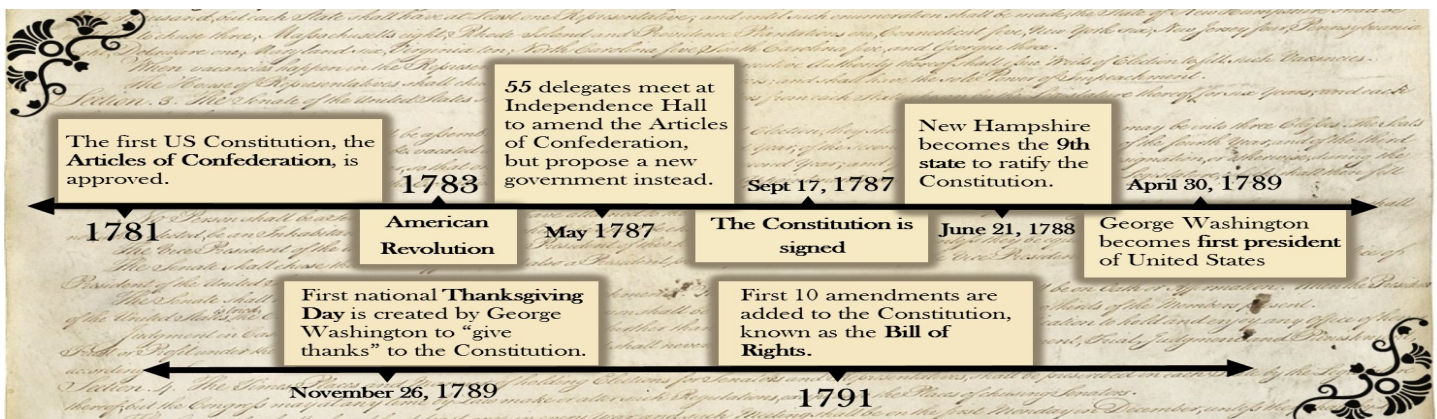
Articles of Confederation –

Delegation –

Great Compromise –

Three-Fifths Compromise-

Fugitive Slave Clause –



Document A

Source: Article 1, Section 2 of The United States Constitution, 1787

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.

Document Analysis:

1. What inferences can we make from this document? Explain your reasoning.

2. How does this document help us answer the DBQ's main question? Explain your reasoning.

Document B

Source: Article 1, Section 9 of The United States Constitution, 1787

The Migration and Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Document Analysis:

1. What inferences can we make from this document? Explain your reasoning.

2. How does this document help us answer the DBQ's main question? Explain your reasoning.

Document C

Source: Article 4, Section 2 of The United States Constitution, 1787

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom Service or Labour may be due.

Document Analysis:

1. What inferences can we make from this document? Explain your reasoning.

2. How does this document help us answer the DBQ's main question? Explain your reasoning.

Document D

Source: James Madison's *Debates in Convention*, 1787

The real difference of interests, lay not between large and small, but between the Northern and Southern states. The institution of slavery and its consequences formed a line of discrimination.

Document Analysis:

1. What inferences can we make from this document? Explain your reasoning.

2. How does this document help us answer the DBQ's main question? Explain your reasoning.

Document E

Source: James Wilson's *Remarks on the Pennsylvania Ratifying Committee*, 1787

If there was no other lovely feature in the Constitution but this one, it would diffuse a beauty over its whole countenance. Yet the lapse of a few years, and Congress will have power to exterminate slavery from within our borders.

Document Analysis:

1. What inferences can we make from this document? Explain your reasoning.

2. How does this document help us answer the DBQ's main question? Explain your reasoning.

Document F

Source: Oliver Ellsworth's *The Landholder*, 1787

All good men wish the entire abolition of slavery, as soon as it can take place with safety to the public, and for the lasting good of the present wretched race of slaves. The only possible step that could be taken towards it by the convention was to fix a period after which they should not be imported.

Document Analysis:

1. What inferences can we make from this document? Explain your reasoning.

2. How does this document help us answer the DBQ's main question? Explain your reasoning.

Argumentative Essay

Look over all of the documents and decide which ones support the idea that the Founders wanted to protect the institution of slavery, and which ones support the idea that the Framers wanted to abolish slavery. It is possible that a document could support both arguments. Your goal is to find a minimum of three documents that will support your essay. Remember that these documents will defend your thesis in the three body paragraphs of your essay.

Thesis Development & Road Map

On the chicken foot below, write your thesis and road map. Your thesis is always an opinion that answers the major question for this DBQ. (Did the framers of the Constitution want everyone to be equal?) The road map should be created using the documents you believe best support your thesis.

