

Frederick Douglass, the Constitution, and Slavery: A Classroom Debate

Vanessa Rodriguez

As a seventh grade social studies teacher, I have a chance to teach students about the U.S. Constitution in a way that captures their attention. As I approached this key subject, I thought back to my student days, and I recalled how boring the Constitution seemed because teachers and books described it as if it were perfect. This kind of self-congratulatory “celebration” cuts off critical thinking. I wish that my teacher had taken the founding fathers off their pedestals long enough to provoke critical reflection on the compromises that they made in the original document of 1787.

Within two generations, the compromises that were made in the Constitution on the issue of slavery were undermining the very republic that the founding fathers had struggled so hard to launch. We can study the problematic passages of the Constitution through the words of the great orator and African American abolitionist Frederick Douglass. Studying quotes from his antebellum speeches is intriguing for students because Douglass argued that the Constitution was a pro-slavery document until 1851, when he very publicly changed his opinion, announcing that the Constitution could serve very well as an anti-slavery document in a nation of free men and women. Which opinion was correct? Was the Constitution a pro-slavery or an anti-slavery document? This is the question that students grapple with in the activities below.

A Lesson Plan

I teach this lesson after students have argued over whether the Articles of Confederation (adopted in 1781), and the Constitutional Convention (held in

1787), solved, ignored, or made worse the problems facing the new nation. I use two 90-minute periods for this lesson, but it is described below as an activity using four 45-minute periods. The lesson involves reading, class discussion, small group discussion and planning, a debate, and a writing assignment. These are key points of information that I expect students will learn during this activity:

1. Slavery affected the young nation in many ways. Citizens and politicians debated issues related to slavery, and conflicts grew until the Civil War began in 1861.
2. Supporters of slavery used four passages in the Constitution to uphold their political power and sustain the institution of slavery.
3. The meaning of these passages was, however, open to debate. The words “slave” and “slavery” do not appear in the Constitution, so the meaning of the passages was ambiguous.

4. Frederick Douglass, a leading abolitionist, at first decried the U.S. Constitution as a pro-slavery document, but beginning in 1851, he argued that it was an anti-slavery document.

Day One: Introduction and Reading

Introduce a great American, Frederick Douglass, to your class by summarizing his biography.¹ As a young man, Douglass escaped from slavery in Maryland and became a leading orator (speaker), author, and newspaper editor in the abolitionist movement during the antebellum period.² Douglass began his abolitionist career with the support of William Lloyd Garrison, a white man and a radical fighter for the abolitionist cause. Garrison shocked the nation by burning a copy of the Constitution because it was a document that supported slavery, he said. He also published writings by Frederick Douglass in his newspaper *The Liberator*.

Having escaped from slavery, Douglass was, of course, always fiercely opposed to slavery. But in 1851, he began to distance himself from Garrison by declaring that he (Douglass) now thought that the Constitution was an anti-slavery document!³

Distribute Frederick Douglass’s statements about specific passages in the Constitution to the students, one page

per student. [HANDOUTS 1-5] There are five different pages, each with five statements by Douglass concerning a specific passage in the Constitution. I tell students that tonight each of them will be reading only one passage from the Constitution, but that all five passages will be part of classroom discussion the following days.

Consider each student's ability when assigning these readings. Handouts 2-4 are easier to read (Suppressing Insurrection, Returning Fugitive Slaves, and Ending the Slave Trade). Handout 1 (the Pre-ambule) is moderately difficult. Handout 5 (The Three-Fifths Clause) is harder to read and comprehend.

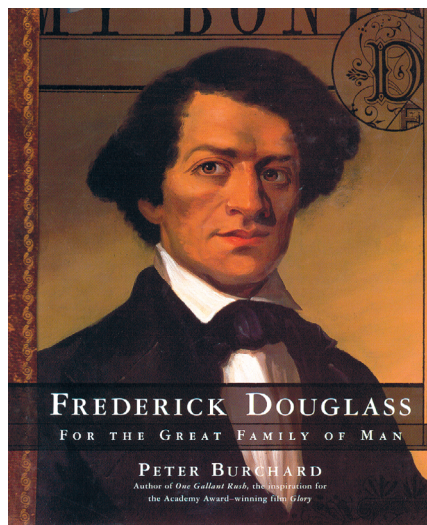
Distribute handouts evenly so that there is a balance of students receiving each item within the Constitution. Ask students to read their handouts. Their homework assignment is to begin preparing for the debate by using the information in their handouts to answer the question: "Is the Constitution a Pro- or Anti-Slavery Document?" They must find evidence within the handout to support their opinion, and be prepared to discuss and defend their opinion.

Day Two: Preparing for Debate

Briefly recap earlier lessons. (5 minutes) Some problems with the Articles of Confederation were solved by the Constitution, but other problems were not.⁴ Problems associated with slavery grew worse in the decades that followed 1787, especially the conflicts over whether slavery would be allowed in new territories (and new states) in the West and whether enslaved men, women, and children who had escaped to free states should be forcibly returned to slavery.

Review the passages from the Constitution that were involved in the issue of slavery. (5 minutes)

Ask students to vote, by a show of hands, on whether each passage of the Constitution was pro- or anti-slavery, and record their votes on a chart that lists the five passages under discussion. Take time to read each passage (they appear on Handouts 1-5) and discuss its meaning before taking a vote. (5 minutes)



This exercise serves as a way for each student to learn about the whole set of five passages in the Constitution relating to slavery (since each student read only one passage for homework earlier). This polling activity also sets the stage for the coming debate. Form debate teams. (5 minutes)

Have students gather in two clusters based on their answer to the homework question: "Is the Constitution a Pro- or Anti-Slavery document?" Two large groups will be formed, representing pro- and anti-slavery perspectives. Take care to try and make the groups about the same size; students who may be undecided can join the smaller team.

Distribute "A Debate about Slavery and the Constitution" [HANDOUT 6] to each student. The upper part describes the format of the debate. Each student should be prepared to speak during the debate "as an expert" on the passage from the Constitution that they read for homework. All students should prepare arguments about the passages from the Constitution that they read for homework. Students can form smaller working groups based on these passages. They should consider how their specific knowledge (about Article 1, section 9, for example) could be used in the overall debate. They should use statements by Frederick Douglass as evidential support in their arguments. (10 minutes)

Student groups can then rehearse their presentations with other groups on the same side of the issue. This can be done in

a jigsaw format, with 5 minutes assigned each passage from the Constitution. (20 min.) The lower part of HANDOUT 6 has space for students to take notes on their debate strategy. Tell students that, while they are working, they should also take notes on this Debate Organizer about the other passages under discussion. This means listening carefully to classmates who read different handouts for their homework. These notes will be useful to each student for completing a future assignment.

Finally, each large group (half the class: one pro, one con) should select one member who will present the opening argument of 2 to 3 minutes, and a different student to present a closing argument.

Day Three: Debating the Issue

Clear away the desks and set up chairs so that the pro and anti groups will face each other (for example, in concentric half-circles or opposing rows). The teacher, serving as moderator (and time keeper) of the debate, gives an introduction. (3 minutes) Administer the debate as described on HANDOUT 6. (38 minutes) Afterwards, encourage students to share their reactions to the debate and any final thoughts on the topic: the Constitution as a pro- or anti-slavery document. (5 minutes)

Just before the end of class, explain tonight's new homework task (or it could be tomorrow's classroom writing assignment), "Arguing with Frederick Douglass" [HANDOUT 7]. Students should use their Debate Organizer Handout 6 to complete this writing assignment. [HANDOUTS 1-4] (2 minutes)

Day Four: Debriefing and Reflecting

Invite a few volunteers to read aloud the dialog they wrote for the homework assignment, and allow other students to comment politely. This is a tough assignment that involves blending historical information and creative writing. (10 minutes)

Today, the teacher gives the students a page with excerpts from a speech that Frederick Douglass gave in 1860. [HANDOUT 8] In this speech,



In the classroom of Vanessa Rodriguez, seventh grade students debate whether the Constitution is a pro- or anti-slavery document.



Douglass explained why he changed his view of the Constitution. These passages are powerful when read aloud. The teacher should read the text, as the meaning is clearest if the reader has rehearsed and uses careful phrasing, taking time to pause between the paragraphs. Students can follow along by reading the handout. (5 minutes)

Can students decipher Douglass's metaphor about pirates? Read that paragraph again for the class after reading the whole text. Douglass is saying that Northerners who would split up the nation by leaving the slave-holding South are like a healthy young man who would escape from pirates by leaving them—and his fellow passengers—behind. The young man ought to help his fellow passengers resist the pirates! In a similar way, Douglass argues that the abolitionists in the North should use the Constitution and all the powers of the federal government to bring an end to the institution of slavery.

Invite students to reflect on these excerpts and on the whole lesson. Does Douglass's change of opinion over time

make sense to them? Do students think that Douglass argued his points well (from either perspective)? Were all of the powers of the legislative, executive, and judicial branches of government being used to end slavery before 1861, as Douglass was advocating? What historical examples can students cite to answer that question? (30 minutes)

The teacher can foreshadow upcoming lessons about Reconstruction by asking students how the four passages from the Constitution might be improved. How could the Constitution be amended so that American society of that era would better reflect one of the ideals asserted in the Constitution's Preamble—that we should strive to “secure the blessings of liberty to ourselves and our posterity”? 🌐

Notes

1. Biographies are available at different levels of reading difficulty. Easiest: Elisabeth P. Myers, *Frederick Douglass: Young Defender of Human Rights* (Young Patriot Series) (Carmel, IN: Patria Press, 2002), 114 pages. This book tells the life of young Douglass up through 1841, includes a brief timeline and glossary for the basic reader. More advanced: Peter Burchard, *Frederick Douglass: For the Great Family of Man*

(New York: Atheneum, 2003), 226 pages with notes on sources, bibliography, and index. Some students may be ready to read Frederick Douglass's autobiography, *The Narrative of the Life of Frederick Douglass* (Kindle Edition) (indypublish. com, 2006), 96 pages. This edition, with notes, reading pointers, and vocabulary, will help students get the most out of this classic. Douglass's *Narrative* can be downloaded free at sunsite.berkeley.edu/Literature/Douglass/Autobiography/.

2. This might be a good moment in these lessons to explain that the period before the Civil War is known as the “antebellum period.” The Latin word “ante” means “before” and “bellum” means war, as in the words “belligerent” and “bellicose.”
3. Frederick Douglass, “Change of Opinion Announced,” *The Liberator* (May 23, 1851); F. Douglass, “The Constitution of the United States: Is it Pro-Slavery or Anti-Slavery?” Speech delivered in Glasgow, Scotland, March 26, 1860. Both items are free online at the Ashbrook Center for Public Affairs at Ashland University in Ohio, www.teachingamericanhistory.org/library.
4. James Oakes, *The Radical and the Republican: Frederick Douglass, Abraham Lincoln, and the Triumph of Antislavery Politics* (New York: W. W. Norton, 2007).

The author thanks Professor Robert Cohen, chair of the Department of Teaching and Learning at New York University, for contributions and encouragement.

VANESSA RODRIGUEZ wrote this article while teaching seventh grade social studies at the Salk School of Science in New York, NY.

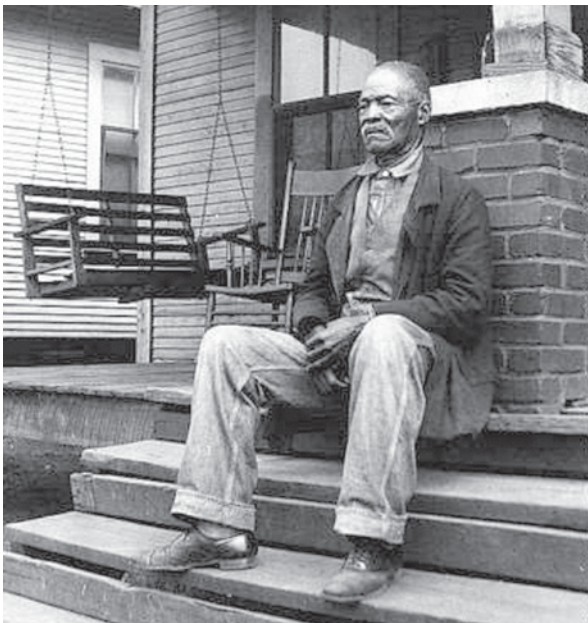
The Preamble

The Preamble to the Constitution reads:

We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Below are arguments that abolitionist Frederick Douglass made at different times before the Civil War. He was always against slavery. At first, Douglass argued that the Constitution supported slavery. But then, between 1851 and 1861, he argued that the Constitution was an anti-slavery document.

What do you think? Be prepared to defend your opinion using arguments from this handout.

The Constitution is Pro-Slavery	The Constitution is Anti-Slavery
<ul style="list-style-type: none"> • The 1859 Supreme Court verdict in the case of Dred Scott stated that the founders could not possibly have meant for “We the People” to include blacks. • All of the Founding Fathers in 1789 were white, so “we” meant “whites.” • The political community that chose the Founders was also white. • Few blacks could vote at this time, even in the North. • Slavery existed in 8 of the 13 original states in 1789 	<ul style="list-style-type: none"> • Look at the six goals that the Constitution framed and adopted and see if slavery is one of them. • The six goals outlined in the preamble included “union, defense, welfare, tranquility, justice, and liberty” all of which are “good”. Having slavery is the opposite of these goals of the country. • Its language is all inclusive: “we the people;” not we the white people, not even we the citizens, not we the privileged class, not we the high, not we the low, but we the people; and if Negroes are people, they are included in the benefits for which the Constitution of the United States of America was ordained and established. • I refuse to allow white Americans to wash out African Americans from the Constitution. I insist that blacks are covered by the rights and liberties it lays down. We are “people,” and therefore we are included. • There are no words in that preamble that can be found that contradict my reading of it <p>Simon Walker was interviewed as part of the Ex-Slaves Narratives project in 1937, sponsored by the federal government’s Works Progress Administration (WPA). Walker’s generation saw the end of slavery. (See Paul Horton, “The WPA Slave Narratives: Teaching with Oral Histories”, <i>Middle Level Learning</i> 13 (January/February 2002): 3-8.</p>

Suppressing Insurrection

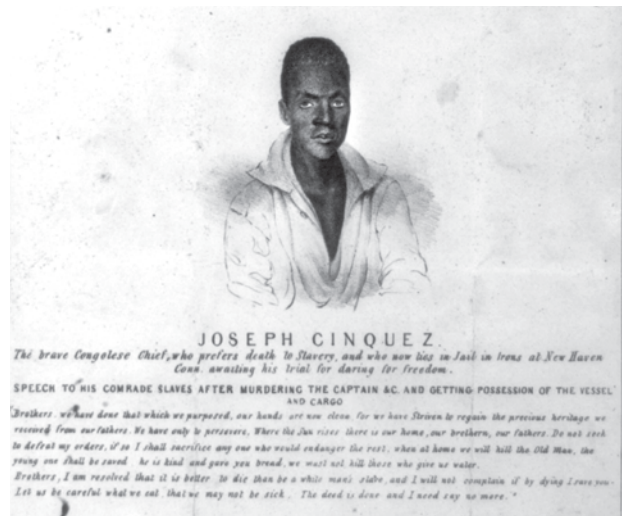
Article I, Section 8 (paraphrased): Congress has the power to call forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

Below are arguments that abolitionist Frederick Douglass made at different times before the Civil War. He was always against slavery. At first, Douglass argued that the Constitution supported slavery. But then, between 1851 and 1861, he argued that the Constitution was an anti-slavery document.

What do you think? Be prepared to defend your opinion using arguments from this handout.

The Constitution is Pro-Slavery	The Constitution is Anti-Slavery
<ul style="list-style-type: none"> • This clause gave Congress the power to use the military to put down slave revolts. It gave the federal government power to crush rebellions. • Every man who pledges himself to raise his hand in support of the ... constitution ... swears the slaves shall either remain slaves or die. • This clause of the Constitution "changes every white man into an enemy of the black man in this land that preaches of liberty. Every bayonet, sword, musket, and cannon is aimed at the chest of the Negro: 3,000,000 of the colored race are lying there under the heels of 17,000,000 of their white fellow creatures." 	<ul style="list-style-type: none"> • Let us imagine that an anti-slavery man is President of the United States and he has the power of holding back slave rebellions. This clause would put an end to slavery because he could decide how to end the slave rebellion. He could decide that slavery should end so that there wouldn't be any more slave rebellions. • If there is no safety from the rebellions of slaves, then it would be best to obey the Constitution by putting an end to slavery so you could keep the people safe from slave rebellions.

Joseph Cinquez, leader of a revolt among African slaves aboard the Spanish ship *Amistad* en route to Cuba in June 1839. This portrait was commissioned by the New York *Sun* newspaper in 1839. (Library of Congress)



Is the Constitution a Pro- or Anti-Slavery Document?

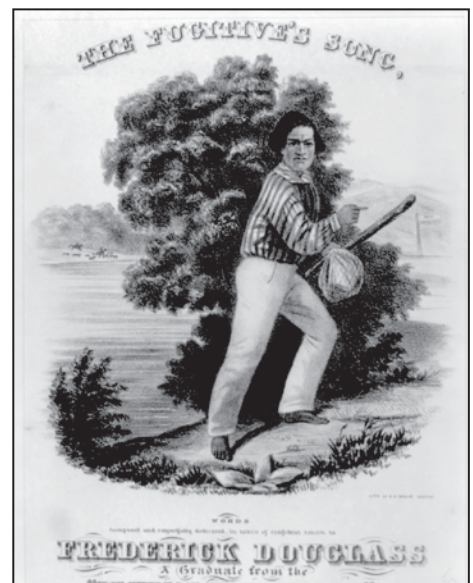
Returning Fugitive Slaves

Article IV, Section 2 (paraphrased): If a person held in service (or labor) escapes to another state, the escaped person will not be freed from service, but will be given back to the person who held him in service.

Below are arguments that abolitionist Frederick Douglass made at different times before the Civil War. He was always against slavery. At first, Douglass argued that the Constitution supported slavery. But then, between 1851 and 1861, he argued that the Constitution was an anti-slavery document.

What do you think? Be prepared to defend your opinion using arguments from this handout.

The Constitution is Pro-Slavery	The Constitution is Anti-Slavery
<ul style="list-style-type: none"> • The fugitive slave clause is morally embarrassing in every way; it forces the whole country to return slaves to their owners. • This clause of the American Constitution makes this whole land one huge hunting ground for men. • It gives the slaveholder the right at any moment to set his bloodhounds on the track of the poor fugitive; hunt him down like a wild beast and hurl him back into the jaws of slavery from which he had briefly escaped. • The fugitive slave clause secures slave owners their property in slaves because it forces people to deliver fugitive slaves and servants like criminals. 	<ul style="list-style-type: none"> • This passage is not a fugitive slave clause because it never mentions slavery. • This clause states that a person held in service or labor in one state who flees to another must be returned to his owners. This applies to a very large group of people, including escaped prisoners and indentured servants. • After the Constitutional Convention in 1789, southern delegates originally introduced an article to recapture fugitive slaves. It included specific language about the returning of persons being held to "servitude." But these slave-owning delegates quickly learned that the language of their Fugitive Slave clause was too pro-slavery. Other delegates quickly rejected such wording.



Sheet music cover from 1845 illustrated with a portrait of Frederick Douglass as a runaway slave. (Library of Congress)

Ending the Slave Trade

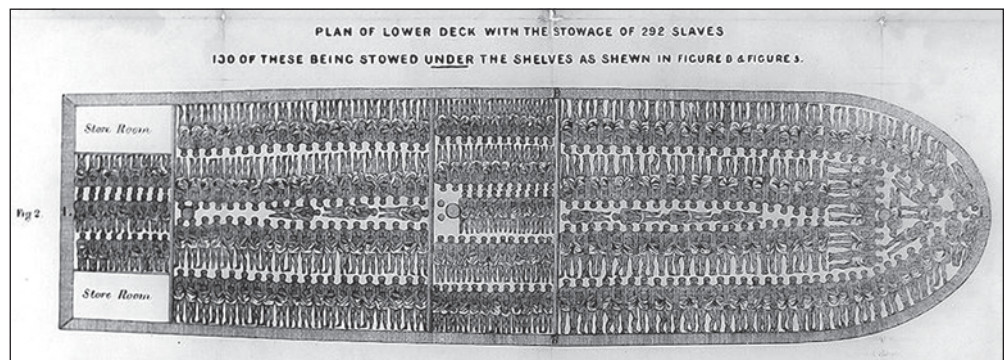
Article I, Section 9 (written in 1789, paraphrased): Congress may not stop the migration or importation of people before the year 1808. A tax can be charged on the importation, but it cannot exceed ten dollars per person.

Below are arguments that abolitionist Frederick Douglass made at different times before the Civil War. He was always against slavery. At first, Douglass argued that the Constitution supported slavery. But then, between 1851 and 1861, he argued that the Constitution was an anti-slavery document.

What do you think? Be prepared to defend your opinion using arguments from this handout.

The Constitution is Pro-Slavery	The Constitution is Anti-Slavery
<ul style="list-style-type: none"> • This clause allowed the inhumane traffic of enslaved Africans to continue through 1807, supporting massive enslavement and a booming slave trade that strengthened the institution of slavery in the United States. • The Constitutional Convention of 1789 chose not to pass the strongest anti-slavery act, which would be immediately abolishing the slave trade. It didn't even order the abolishment of slavery twenty years later in 1807; it just said that Congress could decide in 20 years if it wanted to abolish it. It empowered the Congress, but did not require it, to abolish the slave trade after two decades. • Southern delegates like Charles C. Pinckney of South Carolina went home and promoted ratification of the Constitution by telling his pro-slavery supporters that "we have secured an unlimited importation of negroes for twenty years and nowhere in that document is it declared that the importation shall be then stopped." 	<ul style="list-style-type: none"> • At the time that the Constitution was written it was obvious that ending the slave trade would bring "the certain death of slavery." • If you "cut off the stream, the pond would dry up." This part of the Constitution "makes the Constitution anti-slavery... because it said to the slave-states that the price they would have to pay for coming into the American Union was that the slave trade would be put to an end in twenty years." The slave trade could have carried on indefinitely if they stayed out of the Union. • This clause in the Constitution gave the federal government a power that it didn't have with the Articles of Confederation—the power to abolish the slave trade. • The fact that it agreed to wait 20 years was not as important as the fact that the slave trade would end.

This detailed drawing of the slave ship *Brookes*, showing how 482 people were to be packed onto the decks, was distributed by the Abolitionist Society in England in 1789 in its campaign against the slave trade.



The year 2008 marks the 200th anniversary of the end of the U.S. slave trade, the importation of enslaved persons to the United States. Learn more at the PBS website "Traces of the Trade: A Story from the Deep North," at www.pbs.org/previews/pov-tracesofthetrade/.

Is the Constitution a Pro- or Anti-Slavery Document?

The Three-Fifths Clause

Article I, Section 2 (paraphrased): The number of representatives and taxes that each state gets will be calculated according to its population. The population will be determined by adding the number of free persons, including those bound to service for a set number of years, and three fifths ($\frac{3}{5}$) of all other persons. (Indians are excluded because they are not taxed).

Below are arguments that abolitionist Frederick Douglass made at different times before the Civil War. He was always against slavery. At first, Douglass argued that the Constitution supported slavery. But then, between 1851 and 1861, he argued that the Constitution was an anti-slavery document.

What do you think? Be prepared to defend your opinion using arguments from this handout.

The Constitution is Pro-Slavery	The Constitution is Anti-Slavery
<ul style="list-style-type: none"> • The majority of slavers were in the South, and since slaves could not vote but were still being counted as if they represented $\frac{3}{5}$ of a vote, this meant that slave-owners were politically rewarded for owning their slaves. • Adding $\frac{3}{5}$ of a vote per slave (for millions of slaves) for representational purposes gave slave-owners and the white South huge political power. At the same time, enslaved African American men could not vote. • Five of the first seven presidents were slaveholders. • The powerful office of the speaker of the House was held by a slaveholder for 28 of the nation's first 30 years. • The leader of the Senate had always been a slaveholder. • The majority of cabinet members and justices on the Supreme Court were slaveholders. • If Georgians and South Carolinians were to go to the Coast of Africa, and tear away their fellow human beings from their loved ones only to damn them to the cruelest slavery, should they be allowed to have more votes in government? Should we reward them for this behavior? 	<ul style="list-style-type: none"> • By counting each slave only $\frac{3}{5}$ of a vote for representation in federal elections, the Constitution gave the slaveholding States a disability; it took away their power to have a whole vote for each of their slaves. • A black man in a free state is worth two-fifths more than a black man in a slave state. Thus, more power is given to the non-slaveholding states. • Instead of encouraging slavery, the Constitution encourages ending slavery by giving an increase of "two-fifths" political power to free states. • Slaves are referred to in the $\frac{3}{5}$ clause as "other persons," which at least does recognize their humanity. • Southern states ought to realize that freeing their slaves would give them more power. Each freed slave would be worth one whole vote, rather than $\frac{3}{5}$ of a vote. • Nowhere does the Constitution forbid a black man to vote.

A Classroom Debate

Debate Steps: This is how we will conduct the debate in the classroom. There are five passages from the Constitution that will be discussed during the debate.

1. Opening Statements: One member of each team provides an overview of the group’s position in this matter. Use passion to convince everyone that your group’s opinion is correct, but don’t give specific evidence, at least not yet!
 - Team One (2 minutes)
 - Team Two (2 minutes)
2. Best Argument: Members of Team 1 start with their strongest arguments, based on the passage from the Constitution that best supports their position. Both teams limit their examples to this one passage of the Constitution during this round of the debate. Both teams give evidence throughout, drawing from Douglass’s words spoken at different times in his life.
 - Team One (argument, 3 minutes)
 - Team Two (rebuttal, 2 minutes)
 - Team One (final word, 1 minute)
3. Best Counter-Argument: In this round, members of Team 2 respond with their strongest arguments, based on the passage from the Constitution that best supports their position. Both teams limit their examples to this one passage of the Constitution during this round. Both teams give evidence throughout, drawing from Douglass’s words.
 - Team Two (argument, 3 minutes)
 - Team One (rebuttal, 2 minutes)
 - Team Two (final word, 1 minute)
4. Continuing Arguments: Repeat steps 2 and 3 for each of the remaining three passages from the Constitution, alternating which team gives the opening argument. (6 minutes X 3 remaining rounds = 18 minutes)
5. Closing Statements: One member from each team gives a brief, but moving final appeal. (2 minutes for each closing. Total time for the whole debate is 38 minutes)

Debate Organizer: Copy the following chart onto a sheet of paper, and use it to take down notes about your team’s debate strategy. You will use these notes again later for a written homework assignment: “Arguing with Frederick Douglass.”

Constitution Passage	My Team’s Argument	Opponent’s Likely Argument	My Team’s Rebuttals
Preamble			
Suppressing Insurrection			
Returning Slaves			
Ending the Slave Trade			
The Three-fifths Clause			
Our Opening Statement:	Our Closing Statement:		

Student Writing Assignment

Arguing with Frederick Douglass

Create a short dialogue in which you pretend to argue with Frederick Douglass about this question: "Is the U.S. Constitution a pro- or anti-slavery document?"

You may choose to argue against Douglass as he stood in 1850, when he was arguing that the Constitution was a pro-slavery document and ought to be discarded...

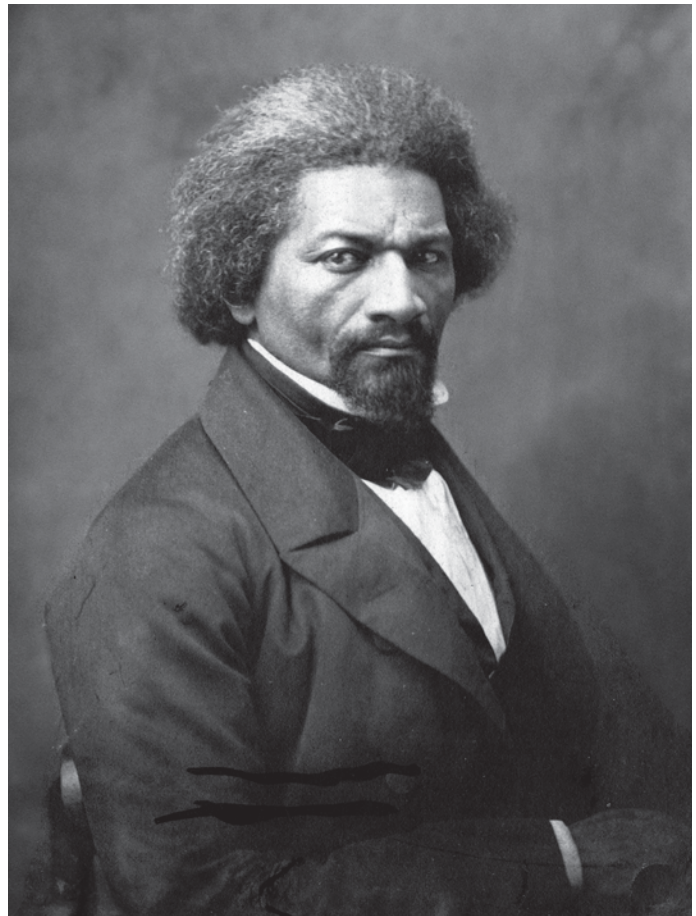
Or you may choose to argue against Douglass as he stood in 1860, when he argued that the Constitution was an instrument of freedom for all.

You do not have to hold to the position that you were assigned in today's debate.

Use material from the homework sheets and, if you wish, the arguments from the classroom debate.

Mention at least two passages from the Constitution to support your argument.

Remember that you are writing at a time in American life when the institution of slavery was hotly debated. In some states, the danger of arguments breaking out into violent conflicts was very real. It is okay, in this moot debate, to argue against Mr. Douglass with passion!



New York Historical Society

Portrait of Frederick Douglass

Samples of Student Writing: “Arguing with Frederick Douglass”

In these excerpts, four different seventh grade students argue with Frederick Douglass about the meaning of the U.S. Constitution. Douglass was always against slavery. At first, he argued that the Constitution supported slavery. But then, between 1851 and 1861, he argued that the Constitution was an anti-slavery document.

In this writing exercise, students chose “which Douglass” they would debate with, and then they argued with passion! These excerpts are examples of what seventh grade students are capable of. This page is not a handout for students. [Editor’s additions are in brackets.]

Arguing with Frederick Douglass *before* 1851

Me: I have heard that you, as brilliant as you are, feel as if the Constitution is pro-slavery. Is it rumor or truth?

Douglass: The Constitution is a pro-slavery document.

Me: I dare say you are wrong, Mr. Douglass, and I for one can prove it. Let’s start from the first line, “We the People” of the USA. We is he and I, you and I, they and I, us. It’s not we the whites. Or we the privileged, wealthy, fortunate, beautiful. It is “We the People.” ... Don’t you agree that if they wanted to promote slavery, they would say “except for the colored” or “besides the slaves, the negroes”?

.....

“Douglass, I disagree with you!!!” I nearly yelled.
“And why is that, I ask?” He inquired.
“Because you say that the United States Constitution is a Pro-Slavery document!” I retorted.
“And is it not true?” He asked calmly.
“Of course not!” I answered, flabbergasted.
“Really? Care to explain why it is not true?” He said.
“Well for starters the Three Fifths Compromise, it stated that slaves were only amounted as $\frac{3}{5}$ of a person, yes?” I said.
“Right.” He replied.
“Okay then, $\frac{3}{5}$ is still better than nothing and defiantly [sic] more that nothing. And if you read it carefully and analyze it more thoroughly, you’ll come to realize that the Constitution is actually encouraging Anti-Slavery. You know that the more people a state has, then the more power they get? Well, the Constitution is suggesting that if they release all their slaves, then that $\frac{3}{5}$ of a person would become $\frac{5}{5}$ of a whole person or rather a whole.” I said.

.....

Arguing with Frederick Douglass *after* 1851

Douglass: So you believe the Constitution was a pro-slavery document? Are you serious?

Me: Yes. You said so yourself.

Douglass: That was before. Besides, how can you look at the Preamble and read “We the People” and not think that includes slaves?

Me: That is your strongest argument. However, look at the Three Fifths Compromise! They are saying that slaves are not a whole person. They aren’t equal to everyone else!

Douglass: But when you look at it, it’s really an incentive to end slavery. When you free the slaves then [you] get $\frac{5}{5}$ political power and the state over all gets more power. Besides, 60% is a lot.

Me: But the slaveholders might not free the slaves because if they do then they don’t have the power to tell the slaves who to vote for!

.....

Me: The Constitution states that the slave trade can be abolished 20 years later. This only means that it can [— not that it necessarily will be abolished].

Douglass: If you “cut off the stream, the pond would dry up.” It’s anti-slavery because in the American Union, people will end the slave trade in 20 years.

Me: If you cut off the stream, the pond [may] find a way not to dry up. When it rains, it refills. There are many other ways that [slavery] could continue.

Douglass: It’s still anti-slavery because the Constitution gave the federal government the power to abolish [the] slave trade.

Is the Constitution a Pro- or Anti-Slavery Document?

“My Position Now is One of Reform”

by Frederick Douglass

*It was not just southern states that were threatening to break up the Union. Some abolitionists wanted the Northern states to secede—to break away from the slave-holding South. Frederick Douglass argued against these abolitionists who wanted secession in a speech he gave in Glasgow, Scotland, on March 26, 1860.**

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...

If a man were on board of a pirate ship, and in company with others had [been] robbed and plundered, his whole duty would not be preformed simply by taking the longboat and singing out, “No union with pirates.” His duty would be to restore the stolen property. The American people in the Northern States have helped to enslave the black people. Their duty will not have been done till they give them back their plundered rights...

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. If 350,000 slaveholders have, by devoting their energies to that single end, been able to make slavery the vital and animating spirit of the American [nation] for the last 72 years, now let the freemen of the North, who have the power in their own hands, and who can make the American Government just what they think fit, resolve to blot out forever the foul and haggard crime, which is the blight and mildew, the curse and the disgrace of the whole United States...

Where would be the advantage of a written constitution, if, instead of seeking its meaning in its words, we had to seek them in the secret intentions of individuals who may have had something to do with writing the paper? What will the people of America a hundred years hence care about the intentions of the scribes who wrote the Constitution? These men are already gone from us, and in the course of nature were expected to go from us. They were for a generation, but the Constitution is for ages.

Visit the Frederick Douglass webpages of the Teaching with Museum Collections, hosted by the U.S. National Park Service, at www.nps.gov/history/museum/exhibits/douglass/. American Memory at the Library of Congress has a collection of documents about Frederick Douglass at memory.loc.gov/ammem/today/sep03.html.



* The complete text of this 1860 speech, as well as “Change of Opinion Announced” of 1851, is free online at the Ashbrook Center for Public Affairs at Ashland University in Ohio, www.teachingamericanhistory.org/library