



THE ROBERT H. SMITH
CENTER FOR THE CONSTITUTION

Slavery & the Constitution

Slavery and the Constitution traces the intricate and often painful history of slavery and the Constitution: how the institution of slavery influenced the Constitution and how the Constitution influenced the institution of slavery. It begins with a broad history of slavery in the American colonies and how the institution became a matter left to the superintendence of each state. It describes the inhuman experience of slavery as it developed in different parts of the country, and the inconsistencies of holding some people as property in a country that declared all men to be free and equal. And it explores the concomitant problem of racism, which made American slavery both more virulent than many historic forms of enslavement and also more difficult to eradicate. The course is enriched with sidebar material that explores the lives of the slaves at Montpelier and the world they inhabited, integrating research from Montpelier's Archaeology and Curatorial Departments.

The course dwells in particular on the clauses in the Constitution that directly relate to slavery—such as the three-fifths clause, the twenty-year compromise, and the fugitive slave clause—in order to explain why these provisions were included in the Constitution and what effect they had on the history of slavery in America. However, the course also examines other provisions, those which were originally formed with little or no reference to slavery and which would ultimately serve the abolitionist or the pro-slavery cause, depending on how they were interpreted or exercised. These volatile clauses included: the power to “make all needful rules and regulations” in the territories, the guarantee of a republican form of government in the states, the power to admit new states into the union, the power to suppress insurrections, the commander-in-chief powers of the president, and the right to amend the Constitution. The course explores Lincoln's attempts to wrestle with the problem of slavery within the boundaries of the Constitution, showing why he came to believe that the Civil War was ultimately fought to resolve the problem of slavery in this country—even if none of its combatants entered the fray with that intention. Finally, the course guides students through a brief survey of the legacy left by slavery in the United States: Reconstruction, exploitative labor models in the South, Jim Crow and the segregation and disenfranchisement of African Americans, and continuing issues of racial inequities and discrimination.