

Slavery used legal, religious, and economic arguments to defend the institution e...

[Sociology](#), [Slavery](#)



Throughout the history of the United States, there have always been conflicts between the North and the South. Basically throughout the 1900s, the North and South acted somewhat childishly towards each other about different topics. As the North became more industrialized and self sufficient, the South stayed behind and depended heavily on other countries for manufactured goods in exchange for cotton. The North felt superior to the South, and the South was not pleased about that. Although most Northerners didn't care much for slavery, there were handfuls that were abolitionists and attacked the South on their " backwards" economy that depended on slavery . In the South, not everyone was a slaveholder as one may think; there were actually more non slaveholders than slaveholders simply because slaves were expensive " property that only the wealthier Southerners could afford. Although many Southerners didn't own slaves, they still did not attack the institution of slavery. Why? The answer is simple, many non-slaveholders hoped to become slaveholders one day. They also accepted the racist ways on which slavery was based. Both Southern slaveholders and non-slaveholders didn't like the idea of emancipation simply because they feared that blacks might believe themselves equal with whites and back then, that seemed ridiculous . They concluded that emancipation would cause a race war and were therefore against any sort of abolition of slavery . This is why the supporters of slavery used legal, religious, and economic-2-arguments to defend the institution, they were simply accustomed to the lifestyle slavery provided for them and they weren't going to let it go without a fight.

The supporters of slavery knew how to defend the institution well, especially when it came to legal rights. How could they protect the institution of slavery in their favor while using something that was common ground with the North as well? Southerners used the common ground of the constitution and used one of the amendments, the 5th amendment, to protect their institution. The 5th amendment states:” No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

“ The Southerners used a strict interpretation of the law and argued that slaves were their property and that abolitionists could not emancipate their slaves because it would be in violation of the 5th amendment. Even though slaveholders would be offered because of the compensation, they felt that it would not be enough in return for them having to free their slaves because their whole way of life depended on slavery, since they were nowhere near as industrialized as the South. The only compensation the Southerners could think of was colonizing the slaves in Africa, because then they wouldn’t have to worry about the slaves thinking they were the same as whites. The problem with this was of course that it was unrealistic in the sense that there were millions of slaves and many of them had never been to Africa so it

wouldn't make sense to send them there. Since supporters of slavery saw this as the only valid compensation, and since it wasn't possible, they kept defending the institution.

Another way they used a legal argument to protect slavery was during the Dred Scott vs. Sandford case. Dred Scott was a slave that sued for his freedom, arguing that since he had been in both a free state and a free territory he had become legally free, and could not have afterwards gone back to being a slave. He claimed that it was illegal for him to become a slave again because it violated the Missouri Compromise and the Northwest Ordinance. This of course would be true if Scott had been a citizen but according to the decision of the Supreme Court, all blacks, slaves or not, could never be citizens of the United States therefore Scott's argument wasn't legitimate. The second part of the ruling stated that Congress did not have the authority to prohibit slavery in federal territories.

As one can see, the ruling came out in favor of the protectors of slavery because even if Scott had a legitimate argument, he would not have won the case either way because the Missouri Compromise (which prohibited slavery in the Wisconsin Territory) was unconstitutional. It reverted back to stating that the compromise violated the 5th amendment, which was the protection of property, which if interpreted strictly would include slaves. This was a smart tactic to use in protecting slavery because both the North and the South had to comply with the Constitution, by interpreting it strictly, the South claimed to have a right of keeping their slaves because they were property.

-4-Another way supporters of slavery used a common ground to defend the institution was through religion. Both the North and the South had established churches and since they all had the same teachings, they could argue that slavery was a holy right due to the fact that it is referred to as so in the Bible. They used arguments from the book of St. Paul and made references to Abrahamic tradition. They used a reference from St. Paul that clearly stated that slavery was a divine thing and that slaves were put on this earth to obey their masters because it was their holy right. The other argument used was the Abrahamic tradition and how slaves were immovable pieces of property.

They stated that slave holding wasn't condemned in the Bible and master-slave relationships were superior to the Northern free labor system of employer-employee relationships. Supporters of slavery argued God recognized the relation between a slave and his master; therefore slavery could not be sinful. Slaves were simply divine property and supporters came up with ridiculous arguments involving religion to protect it. By using Biblical references, they stated that Abraham was God's favorite patriarch that was a great slaveholder. Since religion was something that could not be messed with, abolitionists knew better than to question the Bible because it would make them look bad and un-American.

Going back to how the North was more industrialized than the South, the supporters found a way to shoot the North down. Since the Northerners felt superior to the South because they were industrialized, the Southerners found a way to shoot them off their high horse and made flaws in their

industrialization visible to the public. More specifically, they made the institution of slavery seem luxurious compared to how free workers were being treated in the North. The supporters made references to wage slavery, which described Northern workers. This term simply meant that Northern workers were legally voluntarily employed but were basically slaves, except the Southerners ensured that slavery was seen as better than wage slavery.

They argued that because slaves were property, they were treated better than the average Northern worker because even in old age the master would feed and clothe his slave while the Northern worker could be fired and discarded at any time simply because they weren't property and the employer could care less about what happened to them.

As one can clearly see, the supporters of slavery found devious ways to defend their institution. By using common ground like the Constitution and religion, the supporters used them to their advantage because the North could not argue against things they both complied with. The Constitution was the supreme law of the land and if strictly interpreted, was a great advantage to the South. Religion was also to the South's advantage because it was a great power throughout the land as well and the common teachings couldn't be changed because they were printed in the Bible which was the supreme law of religion.

By comparing their institution to the North's institution of free-labor, the South made slavery look good by stating that masters took care of their

property because it was their legal right as stated in the 5th amendment, unlike the North that could seemingly care less about their hard working employees. In a sense, the pro-slavery Southerners made it practically impossible for the abolitionists to find a solid argument against slavery. Without the Constitution and Religion, they couldn't use the-6-argument of slavery being unconstitutional or morally wrong. They also could not state that it was horrible because the masters made it seem as if their slaves were treated well on a day to day basis.

Bibliography

1. Eaton, Clement. *The Growth of Southern Civilization, 1790-1860*. 19612. Heyrman, Christine Leigh. *Southern Cross: The Beginnings of the Bible Belt*. 19973. Kolchin, Peter. *American Slavery, 1619-1877*. 19934. Information on South Search (Google). Online, Internet at <http://docsouth.unc.edu/browse/subject/c.html>5. Boyer, Clark, Kett, Salisbury, Sitkoff, Woloch. *The Enduring Vision*. Houghton-Mifflin. 2004.
6. Dred Scott Case Search (Yahoo). Online, Internet at <http://library.wustl.edu/vlib/dredscott/>7. The Fifth Amendment Search (Google). Online, Internet at <http://www.law.cornell.edu/constitution/constitution.billofrights.html>8. Wage Slavery Search (Dictionary). Online, Internet at <http://dictionary.reference.com/browse/wage%20slavery>