

8.7 Issue: How Should Slaves Be Counted?

The Great Compromise kept the framers working together. But having agreed to base representation in one house of Congress on state population, they faced a new and difficult question. As Gouverneur Morris of Pennsylvania put it, "Upon what principle shall the slaves be computed in the representation?"

People or Property? By the time of the convention, nine tenths of the slaves lived in the South. Like everyone else, southerners wanted as many representatives in the House as

possible. They argued that slaves should be counted the same as any other people in determining representation.

Delegates from the North challenged this idea. Were slaves to be considered people with a right to be represented in Congress? Or were they property?

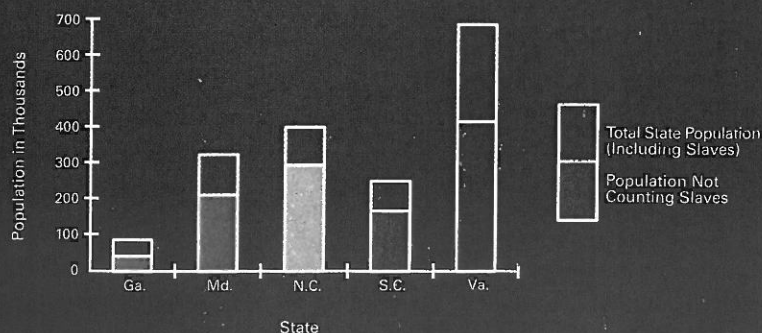
"Blacks are property and are used to the southward as horses and cattle to the northward," argued Elbridge Gerry of Massachusetts. Most northern delegates agreed. Slaves should be counted only as property that could be taxed like any other property. If slaves were to be counted as people in determining representation in Congress, said Morris, "then make them citizens and let them vote."

New Thinking on Slavery This argument signaled a growing division over slavery among white Americans. As you read in Chapter 7, the Declaration of Independence and the Revolutionary War forced many whites to reexamine their views on slavery. Some became active in trying to end what they now saw as a great evil. Benjamin Franklin, for example, became president of an antislavery society in 1787. In the North, this new thinking led one state after another to pass laws ending slavery.

Although many southerners were uneasy about slavery, they were not yet ready to abolish it. The South's economy was still too dependent on the labor of enslaved African Americans. But some southern states did pass laws making it easier for owners to free their slaves.

The question facing the framers was how far they could take this new thinking in a nation that was becoming half-slave and half-free.

Comparative Population Counts for Southern States, 1790



How would representatives from the states shown in this chart want slaves to be counted? Would they want slaves to be counted as population for determining representation in Congress, or would they want slaves to be counted as property that could be taxed?

8.8 Resolution: The Three-Fifths Compromise

After a bitter debate, Madison proposed a compromise. Count each slave as three fifths of a person, he suggested, when determining a state's population. The delegates approved this idea, known as the *three-fifths compromise*.

The three-fifths compromise made a mockery of the statement in the Declaration of Independence that "all men are created equal." Still, the delegates adopted the compromise because it seemed the only way to keep the convention moving forward.

The Slave Trade A dispute over trade raised another question about slavery. To help business in the North, northern delegates favored giving Congress broad power to control trade between the states and other countries. This proposal made southern delegates nervous. They worried that Congress might try to tax southern export crops such as rice and tobacco. Southerners also worried that Congress would use its power over trade to outlaw the slave trade—the importing of slaves from Africa.

Southerners had reason to be fearful. By 1787, several states had outlawed the slave trade within their boundaries. And a majority of the convention's delegates favored ending the slave trade completely.

South Carolina and Georgia, however, objected that their economies

would collapse without a constant supply of fresh slaves. Neither state would agree to any constitution that threatened the slave trade.

Again, the delegates settled on a compromise. Congress would have the power to control trade, but with two limitations. First, Congress could not place any tax on exports going to other countries. Second, Congress could not interfere with the slave trade for 20 years, or until 1808.

To satisfy southerners, the delegates also agreed to a provision known as the "fugitive slave clause." This clause said that escaped slaves had to be

returned to their owners, even if they were caught in a free state.

Without such compromises, the states might never have come together in a single union. Still, the compromises only postponed the day when Americans would have to resolve the terrible contradiction between slavery and the ideals of liberty and equality. Meanwhile, generations of African Americans would spend their lives in bondage.

Northern and southern delegates agreed to a compromise regarding the slave trade. Congress could control trade but could not tax exports or interfere with the slave trade for 20 years.



Map, Billie and child, and Bill, Sold at public Sale in May 12th Christiansburg, Montgomery County.