

Slavery in the Constitution

How Did the Constitution Protect the System of Slavery?

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Grade Level	8th Grade	**Time Frame**	2 class period(s)
Subject	Social Studies	**Duration**	100 minutes
Course	U.S. History		

Essential Question

In what ways did the Framers create and structure the Constitution to protect and continue the system of slavery?

Summary

Students will listen to a New York Times podcast discussing how the Constitution protected both freedom and slavery. Working in collaborative groups, students will summarize four provisions of the Constitution—the Three-Fifths Clause, the Fugitive Slave Clause, the Slave Trade Clause, and the Electoral College Clause—and determine how these clauses protected slavery in the United States. To extend their knowledge, students will connect these provisions to the development of American history and their influence on the United States today. This lesson includes optional modifications for distance learning. Resources for use in Google Classroom are included.

Snapshot

Engage

Students listen to an excerpt of a podcast, then evaluate the relationship between slavery and the creation of the new U.S. Constitution.

Explore

Students work in collaborative groups to analyze and summarize four excerpts from the Constitution that protected slavery.

Explain

Students use the Jigsaw and Categorical Highlighting strategies to analyze transcript excerpts from the *Teaching Hard History* podcast and explain how four constitutional provisions maintained and protected slavery.

Extend

Students analyze historical documents surrounding the Fugitive Slave Act and the potential growth of slavery as the United States expanded.

Evaluate

Students summarize their learning using the What? So What? Now What? Strategy.

Standards

ACT College and Career Readiness Standards - English (6-12)

ORG 302: Provide a simple conclusion to a paragraph or essay (e.g., expressing one of the essay's main ideas)

ACT College and Career Readiness Standards - Reading (6-12)

CLR401: Locate important details in somewhat challenging passages
CLR403: Draw simple logical conclusions in more challenging passages

ACT College and Career Readiness Standards - Writing (6-12)

I&A 301: Understanding the task and writing with purpose. A score in this range indicates that the writer is able to: -Generate a somewhat clear thesis that establishes a perspective on a contemporary issue -Respond to other perspectives on the issue

Oklahoma Academic Standards SOCIAL STUDIES (Grade 8)

8.C.3.2: Analyze the significance of the Constitutional Convention on the formation of a new organization for national government.

Attachments

- 1619 Podcast Excerpt—Slavery in the Constitution.docx
- 1619 Podcast Excerpt—Slavery in the Constitution.pdf
- Four Clauses Chart—Slavery in the Constitution.docx
- Four Clauses Chart—Slavery in the Constitution.pdf
- Historical Poster and Map—Slavery in the Constitution.docx
- Historical Poster and Map—Slavery in the Constitution.pdf
- How Did the Constitution Protect Slavery—Slavery in the Constitution.docx
- How Did the Constitution Protect Slavery—Slavery in the Constitution.pdf
- Lesson Slides—Slavery in the Constitution.pptx
- U.S. Constitution Excerpts—Slavery in the Constitution.docx
- U.S. Constitution Excerpts—Slavery in the Constitution.pdf

Materials

- Lesson Slides (attached)
- 1619 Podcast Excerpt (attached; one per student)
- U.S. Constitution Excerpts (attached; one per student)
- How Did the Constitution Protect Slavery? (attached; one assigned excerpt per student)
- Four Clauses Chart (attached; one per student)
- Historical Poster and Map handout (attached; one per student)

15 minutes

Engage

Teacher's Note: Lesson Preparation

Prior to teaching the lesson, cue the 1619 podcast to play at 17:08. Students will listen to the segment until 19:08.

Use the attached **Lesson Slides** to guide the lesson. Begin by introducing students to the essential question on **slide 3** and the learning objective on **slide 4**.

Display **slide 5** and pass out the attached **1619 Podcast Excerpt** handout to each student. Tell students they will listen to a two-minute segment from a podcast. As they listen, ask students to identify evidence that answers the following question: "What point is the speaker making about the relationship between slavery and the creation and structure of the new Constitution?" Play the two-minute segment of the podcast.

Teacher's Note: 1619 podcast

The New York Times created the 1619 Project to commemorate the 400th anniversary of the arrival of the first recorded enslaved Africans in the English colony of Virginia

After the segment is played, display **slide 6** and have students draw an I Think/We Think chart on the back of their handout. Provide time for students to answer the question on the slide. Encourage students to review the podcast excerpt and their annotations to formulate their answers. Have students write their answer in the "I Think" column of the chart.

Place students in pairs or groups of three. Ask students to share their "I Think" response to the question in their group. Ask students to reach a consensus on the best response and record it in the "We Think" column. Have a spokesperson from each group share their "We Think" response.

Possible Student Responses

Students may note that the speaker describes the choice facing the Framers: protect the rights and equality of all people or preserve slavery under the new government. By creating a government that allowed slavery to continue, the Framers compromised the nation's principles of equality and freedom from the beginning.

Conclude the brief discussion by explaining that, throughout the lesson, students will examine how the Constitution promoted freedom and equality while also protecting and perpetuating the system of slavery.

20 minutes

Explore

Distribute the attached **U.S. Constitution Excerpts** handout to each student. Move to **slide 7** and ask students to work with their groups to analyze each of the four excerpts from the Constitution. Have students read each excerpt and write a group summary before moving to the next excerpt. Repeat this process until all excerpts are summarized.

Once all groups have completed their summaries, ask each group to share one of their four summaries with the class. As each excerpt is shared, move through **slides 8–11**, which provide summaries.

30 minutes

Explain

Inform students that they will examine how four provisions of the Constitution protected and perpetuated slavery. Display **slide 12**. Using the Jigsaw strategy, assign one constitutional provision to each group. Distribute the attached **How Did the Constitution Protect Slavery?** handout, giving each student only the excerpt that corresponds with their assigned provision.

Introduce the Categorical Highlighting strategy. Have students highlight lines from their assigned excerpt that explain how the constitutional provision protected or perpetuated slavery.

After groups have read and highlighted their excerpts, distribute the attached **Four Clauses Chart** to each student. Have students write a three- to four-sentence response in the section of the chart that corresponds with their assigned provision.

Have each group share its response. As groups present, display **slides 13–16**, which provide explanations and additional information about each provision. Have students use the group presentations and class discussion to complete the remaining sections of their charts.

25 minutes

Extend

Distribute the attached **Historical Poster and Map** handout to each student. Display **slide 17**. Provide time for groups to examine the historical poster and map and work together to answer the questions. Facilitate a whole-class discussion about the historical sources, using the questions to guide the discussion.

Possible Student Responses

Poster Questions:

1. This image relates to the Fugitive Slave Clause in the Constitution. This clause allowed for the capture of people who had escaped from slavery, which made the situation in the poster legal.
2. According to the poster, police officers in Boston had the power to legally capture Black people and sell them into slavery.

Map Questions:

1. Much of the new territory in the West would eventually be made into states. Whether or not these territories would become slave states or free states would impact who had more power, in terms of representatives in Congress, and thus who could better influence the laws and policies of the national government. This especially included laws related to slavery.
2. If a new state were deemed a slave state, it would be able to count three-fifths of its slave population toward its total population due to the Three-Fifths Clause. This would give the state greater representation and political influence.
3. The authors of the map argue that the slave states have disproportionate political power because of the Three-Fifths Clause. Because of the way the Three-Fifths Clause inflated the representation slave states had in Congress, they were able to continue making laws to protect slavery. This included keeping the national government from limiting or abolishing slavery until the end of the Civil War in 1865.

10 minutes

Evaluate

Move to **slide 18** and introduce students to the What? So What? Now What? strategy. On notebook paper or the back of a handout, have students answer the questions on the slide. Collect students' responses to assess their understanding of the lesson content.

Resources

- The New York Times. (2019, August 23). *The fight for true democracy* [Audio podcast episode]. In *1619*. https://www.nytimes.com/2019/08/23/podcasts/1619-slavery-anniversary.html
- Anderson, L., Tobin, L., & Chow, L. (2019, August 23). *The fight for true democracy* [Audio podcast episode transcript]. In *1619*. The New York Times. https://www.nytimes.com/2019/08/23/podcasts/1619-slavery-anniversary.html
- K20 Center. (n.d.). Categorical highlighting. Strategies. https://learn.k20center.ou.edu/strategy/192
- K20 Center. (n.d.). I think/we think. Strategies. https://learn.k20center.ou.edu/strategy/141
- K20 Center. (n.d.). Jigsaw. Strategies. https://learn.k20center.ou.edu/strategy/179
- K20 Center. (n.d.). What? So What? Now What? Strategies. https://learn.k20center.ou.edu/strategy/95
- John C. Frémont Campaign. (2017, April 14). *Freedom and slavery, and the coveted territories*. Cornell University, PJ Mode Collection of Persuasive Cartography. https://digital.library.cornell.edu/catalog/ss:19343669
- Teaching Tolerance. (n.d.). *Poster warning Blacks in Boston: Kidnappers*. https://www.tolerance.org/classroom-resources/texts/hard-history/poster-warning-blacks-in-boston-kidnappers
- Teaching Tolerance. (n.d.). *Map from "Freedom and slavery, and the coveted territories" text-dependent questions*. https://www.tolerance.org/classroom-resources/texts/hard-history/map-from-freedom-and-slavery-and-the-coveted-territories