

Against Extending Slavery

Rufus King



OVERVIEW

The Missouri Territory asked to be admitted to the Union in 1819 as a slave state. A debate largely based on sectional differences followed in Congress. Senator Rufus King of New York argued against extending slavery in the territory. *Niles' Weekly Register* published the substance of two of his 1819 speeches, and selections of that article follow.

GUIDED READING As you read, consider the following questions:

- Why did King refer to the Constitution in his argument against slavery?
 - According to King, how does slavery lessen the security of a state?
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THE THE CONSTITUTION DECLARES "that Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory and other property of the United States." . . .

The power to make all needful regulations includes the power to determine what regulations are needful; and if a regulation prohibiting slavery within any territory of the United States be, as it has been, deemed needful, Congress possess the power to make the same, and, moreover, to pass all laws necessary to carry this power into execution.

The territory of Missouri is a portion of Louisiana, which was purchased of France, and belongs to the United States in full dominion; in the language of the Constitution, Missouri is their territory, or property, and is subject, like other territories of the United States, to the regulations and temporary government which has been, or shall be, prescribed by Congress. . . .

The Constitution further provides, that "new states may be admitted by Congress into the Union." . . .

When admitted by Congress into the Union, whether by compact or otherwise, the new state becomes entitled to the enjoyment of the same rights, and bound to perform the like duties, as the other states, and its citizens will be entitled to all privileges and immunities of citizens in the several states.

The citizens of each state possess rights and owe duties that are peculiar to and arise out of the constitution and laws of the several states. These rights and duties differ from each other in the different states, and among these differences, none is so remarkable or important as that which proceeds from the constitution and laws of the several states respecting slavery; the same being permitted in some states, and forbidden in others.

The question respecting slavery in the old thirteen states had been decided and settled before the adoption of the Constitution, which grants no power to

Congress to interfere with or to change what had been previously settled. The slave states, therefore, are free to continue or to abolish slavery. . . .

Although Congress possess the power of making the exclusion of slavery a part or condition of the act admitting a new state into the Union, they may, in special cases, and for sufficient reasons, forbear to exercise this power. Thus, Kentucky and Vermont were admitted as new states into the Union without making the abolition of slavery the condition of their admission. . . .

If Congress possess the power to exclude slavery from Missouri, it still remains to be shown that they ought to do so. . . .

The present House of Representatives consists of 181 members, which are apportioned among the states in a ratio of 1 representative for every 35,000 federal members, which are ascertained by adding to the whole number of free persons three-fifths of the slaves. According to the last census, the whole number of slaves within the United States was 1,191,364, which entitled the states possessing the same to 20 representatives and 20 presidential electors, more than they would be entitled to were the slaves excluded. By the last census, Virginia contained 582,104 free persons and 392,518 slaves. In any of the states where slavery is excluded, 582,104 free persons would be entitled to elect only 16 representatives, while in Virginia, 582,104 free persons, by the addition of three-fifths of her slaves, become entitled to elect, and do in fact elect, 23 representatives, being 7 additional ones on account of her slaves. Thus, while 35,000 free persons are requisite to elect 1 representative in a state where slavery is prohibited, 25,559 free persons in Virginia may, and do, elect a representative—so that 5 free persons in Virginia have as much power in the choice of representatives to Congress, and in the appointment of presidential electors, as 7 free persons in any of the states in which slavery does not exist.

This inequality in the apportionment of representatives was not misunderstood at the adoption of the Constitution, but as no one anticipated the fact that the whole of the revenue of the United States would be derived from indirect taxes (which cannot be supposed to spread themselves over the several states, according to the rule for the apportionment of direct taxes), but it was believed that a part of the contribution to the common treasury would be apportioned among the states by the rule for the apportionment of representatives. The states in which slavery is prohibited, ultimately, though with reluctance, acquiesced in the disproportionate number of representatives and electors that was secured to the slaveholding states. The concession was, at the time, believed to be a great one, and has proved to have been the greatest which was made to secure the adoption of the Constitution.

Great, however, as this concession was, it was definite, and its full extent was comprehended. It was a settlement between the thirteen states. The considerations arising out of their actual condition, their past connection, and the obligation which all felt to promote a reformation in the federal government were peculiar to the time and to the parties, and are not applicable

to the new states, which Congress may now be willing to admit into the Union.

The equality of rights, which includes an equality of burdens, is a vital principle in our theory of government, and its jealous preservation is the best security of public and individual freedom; the departure from this principle in the disproportionate power and influence, allowed to the slaveholding states, was a necessary sacrifice to the establishment of the Constitution. The effect of this Constitution has been obvious to the preponderance it has given to the slaveholding states over the other states. Nevertheless, it is an ancient settlement, and faith and honor stand pledged not to disturb it. But the extension of this disproportionate power to the new states would be unjust and odious. The states whose power would be abridged, and whose burdens would be increased by the measure, cannot be expected to consent to it; and we may hope that the other states are too magnanimous to insist on it.

The existence of slavery impairs the industry and the power of a nation; and it does so in proportion to the multiplication of its slaves: where the manual labor of a country is performed by slaves, labor dishonors the hands of freemen.

If her laborers are slaves, Missouri may be able to pay money taxes, but will be unable to raise soldiers or to recruit seamen; and experience seems to have proved that manufactures do not prosper where the artificers are slaves. In case of foreign war or domestic insurrection, misfortunes from which no states are exempt, and against which all should be seasonably prepared, slaves not only do not add to but diminish the faculty of self-defense; instead of increasing the public strength, they lessen it, by the whole number of free persons whose place they occupy, increased by the number of freemen that may be employed as guards over them. . . .

Slavery cannot exist in Missouri without the consent of Congress; the question may, therefore, be considered, in certain lights, as a new one, it being the first instance in which an inquiry respecting slavery, in a case so free from the influence of the ancient laws and usages of the country, has come before the Senate.

The territory of Missouri is beyond our ancient limits, and the inquiry whether slavery shall exist there is open to many of the arguments that might be employed had slavery never existed within the United States. It is a question of no ordinary importance. Freedom and slavery are the parties which stand this day before the Senate; and upon its decision the empire of the one or the other will be established in the new state which we are about to admit into the Union.

If slavery be permitted in Missouri, with the climate and soil and in the circumstances of this territory, what hope can be entertained that it will ever be prohibited in any of the new states that will be formed in the immense region west of the Mississippi? Will the coextensive establishment of slavery and of new states throughout this region lessen the danger of domestic

insurrection or of foreign aggression? Will this manner of executing the great trust of admitting new states into the Union contribute to assimilate our manners and usages, to increase our mutual affection and confidence, and to establish that equality of benefits and burdens which constitutes the true basis of our strength and union? Will the militia of the nation, which must furnish our soldiers and seamen, increase as slaves increase; will the actual disproportion in the military service of the nation be thereby diminished—a disproportion that will be, as it has been, readily borne, as between the original states, because it arises out of their compact of union, but which may become a badge of inferiority, if required for the protection of those who, being free to choose, persist in the establishment of maxims; the inevitable effect of which will deprive them of the power to contribute to the common defense, and even of the ability to protect themselves?

There are limits within which our federal system must stop; no one has supposed that it could be indefinitely extended—we are now about to pass our original boundary; if this can be done without affecting the principles of our free government, it can be accomplished only by the most vigilant attention to plant, cherish, and sustain the principles of liberty in the new states that may be formed beyond our ancient limits. With our utmost caution in this respect, it may still be justly apprehended that the general government must be made stronger as we become more extended.

But if, instead of freedom, slavery is to prevail and spread as we extend our dominion, can any reflecting man fail to see the necessity of giving to the general government greater powers; to enable it to afford the protection that will be demanded of it; powers that will be difficult to control and which may prove fatal to the public liberties?