Fugitive Slave Act Lesson Plan

8th Grade US History

**Unit Essential Question:** Was the Civil War a war for freedom?

**Guiding Question(s):** Is it wrong to disobey an unjust law?

**Objective(s):**

Students will be able to evaluate the morality of the Fugitive Slave Act of 1850.

Students will apply their understanding of the Fugitive Slave Act of 1850 to modern events, such as Executive Order 13768.

**AR Curriculum Frameworks**

Era4.1.8.2 Analyze the development of regional tensions prior to the Civil War using a variety of primary and secondary sources

Era4.1.8.5 Evaluate actual and proposed laws as a means of addressing the issue of slavery prior to the Civil War

Era4.1.8.6 Evaluate the historical significance of individuals, groups, and events

Era5.2.8.5 Evaluate the legacy of the Civil War on the nation

**Teacher Background information:**

The Fugitive Slave Act of 1850 was a law passed by congress as part of a larger package of compromise bills to appease the slave-holding states of the South after the Mexican-American War. After the war, the Wilmot Proviso attempted to outlaw salvery in the territories acquired from Mexico, but this was harshly criticized by slave-holding states.

While slavery was made legal by Article 1, Section 2 of the US Constitution, there was no mechanism to enforce the return of slaves who escaped to free areas. In 1793, the first Fugitive Slave Law was passed, which stated that a person who was suspected of being a slave could be arrested and brought before a judge who would determine whether or not the person was, in fact, a runaway slave. This caused great hostility in the free states of the North, which responded by simply not following the law and, in some cases, even helping slaves escape from the South (the Underground Railroad).

The Fugitive Slave Act of 1850 expanded the power of special commissioners to capture suspected runaway slaves and levied heavy fines to anyone who refused (up to $1,000--equal to roughly $33,000 today). Furthermore, it ordered all citizens to help in the recapture of fugitive slaves, with punishments for failing to do so up to $1,000 in fines and up to 6 months in prison. It further denied any person accused of being a fugitive slave the ability to testify on their own behalf and paid the magistrates who oversaw the proceedings money for each case they adjudicated, with a bonus if the person was found to be a runaway slave. This led to many free blacks being kidnapped and “returned” to slavery, but it also stoked the fire of abolition in the North.

This is directly relevant to today because in 2016 President Trump passed an executive order empowering State and local law enforcement agencies to act as immigration enforcement agents (in addition to federal ICE agents) and punished State and local jurisdictions who failed to comply with the requirements set forth by the executive order. Similarly, aliens accused of entering the country illegally could be tried by special courts without a jury. This caused outcry amongst those who support undocumented immigrants’ rights, and has led to massive civil disobedience and disruption to the order.

**Materials needed:**

History journal

Slideshow: <https://docs.google.com/presentation/d/1Zu7EXo0QrBuD7yegkT-M0oC289MIA6m5C0hiRueQDDE/edit?usp=sharing>

**“Do Now”/ Hook/ Opening activity**:

(**Slide 1)**

**5 minutes:** Students will read Article 1, Section 2 of the Constitution of the United States and answer the following questions in their history journals:

1. Who does the Constitution mean when it says a “Person held to Service or Labour”?
2. In your own words, explain what this section of the Constitution says.
3. Would you follow this law? Why or why not?

**Activities**:

1. **(Slide 2)**

**1-2 minutes:** Introduce today’s lesson.

1. **(Slide 3)**

**7 minutes:** Have students watch the following video for background information on the Fugitive Slave Act of 1850: <https://www.youtube.com/watch?v=JkHK8qDrTTM> (choose play speed .75)

Ask the following questions to gauge student understanding:

Q1: Why was the Fugitive Slave Act of 1850 written?

A1: To appease Southern slave owners, to shut down the underground railroad

Q1: What were its main provisions?

A1: Escaped enslaved persons could be captured no matter where they were found and returned to their slave owners. Any person who refused to help could be fined or jailed. Accused persons could not testify in their hearings and were not allowed juries.

1. **(Slide 4)**

**3 minutes:** Have students go to one side of the room or the other, depending on whether or not they would have obeyed the Fugitive Slave Act of 1850. If the sides are uneven, distribute students more evenly. Once the groups are established, assign a student “scribe”. Explain to the scribe they should write down the names of all individuals in the group, as well as the answers of the group to the prompt.

1. **10 minutes:** Students should list reasons why they would or would not have obeyed this law.

**1 minute:** After the timer has sounded, have each group select one student to present their main reasons to the class.

1. **(Slide 5)**

**10 Minutes:** Each representative will summarize his or her group’s position for the class, 5 minutes per speaker.

1. **(Slide 6)**

**5-10 minutes:** Teacher will lead a guided reading tying the Fugitive Slave Act to modern events, particularly the concept of “Sanctuary Cities”.

“We learned in the video that the Fugitive Slave Act was repealed by the 13th amendment so, why is this important today? In 2016 President Trump passed an executive order empowering State and local law enforcement agencies to act as immigration enforcement agents (in addition to federal ICE agents) and punished State and local jurisdictions who failed to comply with the requirements set forth by the executive order. Similar to those accused under the Fugitive Slave Act, aliens accused of entering the country illegally could be tried by special courts without a jury. This caused outcry amongst those who support undocumented immigrants’ rights, and has led to wide-spread civil disobedience.”

**Closing:**

Students will police their areas and return their history journals to the designated area.

Student scribes will turn in the list with the group members’ names and answers to the yes/no activity.

**Assessment:**

Formative: “Do-now” responses

Summative: Yes/No activity responses

**Modifications:**

The youtube video will be played at .75 speed for hearing-impaired students. If required by 501 plan, an ASL interpreter will interpret video for deaf student(s).

**Resources:**

Video:

<https://www.youtube.com/watch?v=JkHK8qDrTTM>

Fugitive Slave Act background information: <https://www.history.com/topics/black-history/fugitive-slave-acts#section_4>

US Constitution, Article 1, Section 2 (with background information):

<https://www.heritage.org/constitution/#!/articles/4/essays/124/fugitive-slave-clause>

Powerpoint presentation:

<https://docs.google.com/presentation/d/1Zu7EXo0QrBuD7yegkT-M0oC289MIA6m5C0hiRueQDDE/edit?usp=sharing>

Executive Order 13768: <https://www.whitehouse.gov/presidential-actions/executive-order-enhancing-public-safety-interior-united-states/>