

The District of Columbia

Notes that a direct assault on the institution was possible for the abolitionists in the nation's capitol . . . Washington was "the Congo of America." . . . The great slave trading center whence coffles of slaves from Texas to Alabama were driven in to be sold.

Slavery existed there by Northern consent, since the District was the common property of the nation . . .

Conclusion: Antislavery Origins

Congressional Debates over the Fourteenth

This amendment was framed so as to place the Constitutionality of the Freedman's Bureau and the Civil Rights act beyond doubt.

To place beyond the reach of shifting Congressional majorities. Broek sees this as the guiding motivation of all Republicans who voted for the Amendment. . .

The framers of the 14th Amendment were taking no chances that the authority of nationalizing citizenship as under the civil rights act would be challenged. So therefore the civil rights provisions were framed into an amendment.

To all this must be added another batch of evidence . . . showing that the protection ~~extended~~ intended was not merely against the state. He refers to the hearings before the Joint Committee on Reconstruction. Here the record was carefully laid down by close questioning about the violations of the rights of blacks and southern loyalists. The need for continued protection by the military and the Freedman's Bureau was apparent from the great burden of collected evidence by the Committee. Evidence was piled upon evidence of general hostility and occasional cruelty. . . . Witness after witness spoke of beatings, woundings, burnings and killings. . . . as well as the deprivations of property, earning, and the splitting up or interference with family relations. The evidence of individual invasions of the rights of blacks and loyal unionists was laid on for a specific purpose. . . . There can be little doubt that the Committee was aware of these individual violations and took great pains to get them into the record. . . .

He argues that the debates reveal that it was the intention of the framers of the Amendment and the Republican majorities who passed it in the Congress (and then later in the states) that the 14th was to nationalize the civil rights and liberties (or natural rights) of all men . . . even against the intervention of the state or in opposition to the states and the claim that this was revolutionizing federalism. . . .

It is a howling irony, that after three times adopting a program to nationalize the natural rights of men--twice by a solemn constitutional amendment, and once by legislative enactment over a presidential veto, that the nation should then--particularly through the instrumentality of the Supreme Court--without benefit of formal ~~Appeal~~ repeal. . . ~~refuse~~ adopt the objection and reject the program by a refusal to carry it out. . .