

## Media Coverage and the *Amistad* Proceedings—A Primary Sources Activity

*For use in conjunction with “Amistad: The Federal Courts and the Challenge to Slavery,” by Bruce A. Ragsdale, available at <http://www.fjc.gov/history/home.nsf>. A unit in the Teaching Judicial History Project, developed by the Federal Judicial Center in partnership with the American Bar Association’s Division for Public Education.*

### Activity Objectives

Students will examine documents to gain insight into the popular interest in the court proceedings involving the Mende captives aboard the *Amistad*, the efforts of the abolitionists to use the case to promote their goal of ending slavery, and the impact of this publicity on the court proceedings.

### Essential Questions

- How did the abolitionists mobilize public opinion in support of their efforts to win freedom for the Mende captives from the *Amistad*?
- What effect, if any, did publicity and media attention have on the court proceedings related to the *Amistad* captives?
- Did the legal campaign to win freedom for the *Amistad* captives establish a precedent for legal challenges to slavery in the United States?

### Legal Issues Raised by the *Amistad* Case

The court proceedings related to claims for property on the *Amistad* offered abolitionists the opportunity to represent alleged slaves as parties in a federal court case. The courts needed to decide if the Africans possessed the rights to be represented in court, to testify in district court, and, ultimately, to win their freedom.

### Estimated Time Frame

Three 50-minute class periods.

### Recommended Prep Work

Prior to examining the primary sources in this lesson, students should be familiar with the background and court procedures of the *Amistad* case. Read and review “The *Amistad* Case: A Brief Narrative” (pp. 1–6); “The Federal Courts and Their Jurisdiction” (pp. 7–8); and “The Judicial Process: A Chronology” (pp. 9–12).

(*Note:* All page numbers refer to the PDF version of “*Amistad: The Federal Courts and the Challenge to Slavery*,” by Bruce A. Ragsdale, available online at <http://www.fjc.gov/history/home.nsf>.)

Prepare copies of the following documents for examination by students. Separate the historical documents from the introductory explanations.

- Lewis Tappan “To the Committee on behalf of the African Prisoners,” *New York Journal of Commerce*, Sept. 10, 1839 (pp. 45–46)
- Cinques, *The Colored American*, Oct. 19, 1839 (pp. 46–47)
- “Keep Cool,” *The Colored American*, Nov. 2, 1839 (pp. 48–49)
- “The Captured Africans,” *New York Morning Herald*, Sept. 17, 1839, New Haven Sept. 13 (pp. 47–48)
- Justice Smith Thompson’s Remarks in the U.S. Circuit Court, Sept. 23, 1839 (pp. 59–60)

### Description of the Activity

Suggested pacing: Day 1—introduction and group work; Day 2—reporting out and discussing documents; Day 3—wrap-up and any additional assignments.

#### *Introduction*

Begin by reviewing the background information provided in “Media Coverage and Public Debates” (pp. 41–42). Be certain that students understand the extent of public interest in the *Amistad* case and the opportunity it presented for the abolitionists’ cause.

As a whole class, examine the pictures depicting the slave trade, Cinque, and the Mende. Copies of pages 42–44 may be distributed or you may wish to project the images and analyze them with the students before sharing the accompanying explanatory material.

Questions for discussion:

- Who are the people on board the ship? What does this convey about Cinque?
- What impression of the Mende and Cinque were these pictures meant to convey?
- What do the pictures tell viewers about the slave trade?
- How widely disseminated were these kinds of portrayals of the Mende, Cinque, and slavery?
- How effective would such images be as anti-slavery tools?

#### *Group Work*

Divide the class into four small groups, each of which will analyze one of the newspaper articles using the worksheets below.

When all groups have completed their analysis, have Groups One and Two start the presentations. Follow the same procedure for each group: Prior to the presentation, distribute a copy of the article to all students. After providing time

for students to read the article, the group should present their analysis, receiving any feedback from their classmates. When both groups have reported and discussed their articles, spend a little time comparing the two documents.

Tell the students that the next two groups have studied documents that demonstrate the kinds of conflict that occurred between the abolitionists and those who opposed their efforts. Begin with Group Three and distribute copies of the *Morning Herald* article for the rest of the students to read. Warn students about the strong language in this piece. Have Group Three give their report first, receiving any feedback from their classmates.

Immediately after Group Three has reported, distribute copies of the “Keep Cool” article from *The Colored American* for all students to read. Have Group Four give their report, receiving feedback from their classmates.

### Debrief and Wrap-up

What do all these documents indicate about public sentiment regarding the Mende and slavery? Probe for student understanding of the divisions that existed. How long before the question of slavery was settled in this country?

Distribute copies of Justice Smith Thompson’s Remarks in the U.S. Circuit Court, September 23, 1839 (pp. 59–60), and discuss:

1. What is the impact of the media on Thompson’s remarks?
2. What obligation to the public does Thompson recognize?
3. How might media attention and public interest interfere with the judicial process?

### Assessment

Collect the responses to the questions in the group assignments.

Complete a document analysis worksheet available at the National Archives website (<http://www.archives.gov/education/lessons/worksheets/>).

Assign student essays describing abolitionists’ efforts on behalf of the Mende.

### Alternative Modalities and Enrichment Activities

Ask students to review Judson’s decision and Story’s opinion and to discuss how these judges were concerned about public understanding of their decisions.

Ask students to explore the newspapers or popular media on Mystic Seaport’s *Amistad* website (<http://amistad.mysticseaport.org/>) and to select documents that further illuminate popular coverage of the court proceedings.

## Involving a Judge

Invite a judge to discuss how courts today deal with highly controversial or publicized trials. Do judicial opinions ever address public audiences?

## Standards Addressed

### *U.S. History Standards (Grades 5–12)*

#### Era 4—Expansion and Reform (1801–1861)

*Standard 4:* The sources and character of cultural, religious, and social reform movements in the antebellum period.

- A. The student understands the abolitionist movement.

### *Standards in Historical Thinking*

#### *Standard 2:* Historical Comprehension

- A. Identify the author or source of the historical document or narrative and assess its credibility.
- C. Identify the central question(s) the historical narrative addresses.
- D. Differentiate between historical facts and historical interpretations.

#### *Standard 3:* Historical Analysis and Interpretation

- A. Compare and contrast differing sets of ideas, values, etc.
- B. Consider multiple perspectives.
- E. Distinguish between unsupported expressions of opinion and informed hypotheses grounded in historical evidence.

#### *Standard 5:* Historical Issues-Analysis and Decision-Making

- A. Identify issues and problems in the past and analyze the interests, values, perspectives, and points of view of those involved in the situation.
- D. Evaluate alternative courses of action, keeping in mind the information available at the time, in terms of ethical considerations, the interests of those affected by the decision, and the long- and short-term consequences of each.
- F. Evaluate the implementation of a decision by analyzing the interests it served; estimating the position, power, and priority of each player involved; assessing the ethical dimensions of the decision; and evaluating its costs and benefits from a variety of perspectives.

## Group Assignments

### Analyzing Primary Sources

#### Group One

Lewis Tappan, “To the Committee on behalf of the African Prisoners,” *New York Journal of Commerce*, September 10, 1839

- What is this document? To whom is it addressed? Where was it published?
- What was occurring in the courts about this time?
- Who is Tappan’s target audience (or audiences)?
- What adjectives are used to characterize the Mende?
- What lessons can be learned from Cinque’s story?
- What is Tappan’s central argument or point?

#### Group Two

“Cinques,” *The Colored American*, October 19, 1839

- What is this document?
- What was occurring in the courts about this time?
- Who is the target audience?
- What is the writer’s main point or argument?
- What adjectives are used to characterize Cinque?
- How does this article use Cinque to appeal for the abolishment of all slavery?

The article refers to several historical figures. Research each one to complete the following:

#### **Napolian** [sic]

Full name:

Who he was:

Writer’s likely purpose in referring to him:

#### **Webster**

Full name:

Who he was:

Writer’s likely purpose in referring to him:

**“Old Marshall”**

Full name:

Who he was:

Writer’s likely purpose in referring to him:

**Nelson**

Full name:

Who he was:

Writer’s likely purpose in referring to him

How does reference to these historical figures enhance the writer’s argument?

*Group Three*

“The Captured Africans,” *New York Morning Herald*, September 17, 1839

- What is this document?
- What was occurring in court about this time?
- Who is the target audience?
- What does this writer say about public interest in the Amistad case?
- What side is the writer taking regarding the case?
- How does the writer characterize the abolitionists? What adjectives does the writer use?
- What effect does the writer say the abolitionists’ hope will happen to the country?
- How does the writer feel about “the Africans” and black people in general? How would you characterize the language used to describe these people?
- What effect do you think newspaper articles such as this would have?

*Group Four*

“Keep Cool,” *The Colored American*, November 2, 1839

- What is this document?
- What was occurring in the courts about this time?
- What is the central theme of this article?
- What newspapers does the writer praise and why? What adjectives are used to describe them?
- What newspapers does the writer criticize and why? What adjectives are used to describe them?
- How does this writer feel about the *Amistad* case and the issue of slavery?