

On two separate days in 1841—the 24th of February and the 1st of March—74-year-old John Quincy Adams (a former President of the U.S.) argued to the Supreme Court on behalf of the *Amistad* captives.

The position he took was contrary to that of the federal government, as specifically set forth by the sitting President (Martin van Buren).

Justice Story, author of the opinion which freed the captives, told his wife that Adams' argument was "extraordinary."

In this clip, from the *Amistad* film, Anthony Hopkins delivers one segment of Adams' lengthy argument. It is a brilliant example of how to effectively use rhetoric in an emotionally charged setting.

Move the video forward—to 4:45—to hear Adams deliver a compelling argument still relevant today (given the unrest and uprisings around the world). Men and women—he asserts—will do what they must do to be free ... free of slavery, free of governmental control, free of unwanted and restrictive ties which bind them.

The case is entitled *United States, Appellants, vs. Cinque, and Others, Africans, Captured in the Schooner Amistad*. The following are other highlights of Adams' lengthy, but powerful speech, in which he urged the Justices to declare the *Amistad* captives were free men, not slaves:

...I appear here on the behalf of thirty-six individuals, the life and liberty of every one of whom depend on the decision of this Court... Three or four of them are female children, incapable, in the judgment of our laws, of the crime of murder or piracy, or, perhaps, of any other crime. Yet, from the day when the vessel was taken possession of by one of our naval officers, they have all been held as close prisoners, now for the period of eighteen long months...

...The Constitution of the United States recognizes the slaves, held within some of the States of the Union, only in their capacity of persons—persons held to labor or service in a State under the laws thereof—persons constituting elements of representation in the popular branch of the National Legislature persons, the migration or importation of whom should not be prohibited by Congress prior to the year 1808. The Constitution nowhere recognizes them as property. The words slave and slavery are studiously excluded from the Constitution. Circumlocutions are the fig-leaves under which the parts of the body politic are decently concealed. Slaves, therefore, in the Constitution of the United States are persons, enjoying rights and held to the performance of duties...

The persons aforesaid, described as slaves, are Negroes and persons of color, who have been transported from Africa in violation of the laws of the United States... The Court should enable the United States to send the Negroes home to Africa...in pursuance of the law of Congress passed March 3, 1829, entitled "An act in addition to the acts prohibiting the slave-trade."...

The President...signed [an] order for the delivery of MEN to the control of an officer of the navy to be carried beyond sea.... The District Judge, contrary to all [the] anticipations of the Executive, decided that the thirty-six Negroes...brought before the Court...were FREEMEN; that they had been kidnapped in Africa; that they did not own...Spanish names;...that they were not correctly described in the passport, but were new Negroes...fully entitled to their liberty.

Well was it for the country—well was it for the President of the United States himself that he paused before stepping over this Rubicon! [This is a reference to Julius Caesar crossing the Rubicon.] ... The indignation of the freemen of Connecticut, might not tamely endure the sight, of thirty-six free persons, though Africans, fettered and manacled in their land of freedom, to be transported beyond the seas, to perpetual hereditary servitude or to death, by the servile submission of an American President to the insolent dictation of a foreign minister...

[President Van Buren informed his subordinates that] *if the decree of the Judge should be in our favor, and you can steal a march upon the Negroes by foreclosing their right of appeal, ship them off without mercy and without delay; and if the decree should be in their favor, fail not to enter an instantaneous appeal to the Supreme Court where the chances may be more hostile to self-emancipated slaves.*

Was ever such a scene of Lilliputian trickery enacted by the rulers of a great, magnanimous, and Christian nation? Contrast it with that act of self-emancipation, by which the savage, heathen barbarians Cinque and Grabeau liberated themselves and their fellow suffering countrymen from

Spanish slave traders, and which the Secretary of State...denominates lawless violence... Cinque and Grabeau are uncooth and barbarous names. Call them Harmodius and Aristogiton, and go back for moral principle three thousand years to the fierce and glorious democracy of Athens. They too resorted to lawless violence, and slew the tyrant to redeem the freedom of their country...

I said, when I began this plea, that my final reliance for success in this case was on this Court as a court of JUSTICE; and in the confidence this fact inspired, that, in the administration of justice, in a case of no less importance than the liberty and the life of a large number of persons, this Court would not decide but on a due consideration of all the rights, both natural and social, of everyone of these individuals... I have avoided, purposely avoided...a recurrence to those first principles of liberty which might well have been invoked in the argument of this cause. I have shown that [the Amistad's crew members]...were acting at the time in a way that is forbidden by the laws of Great Britain, of Spain and of the United States, and...that these Negroes were free and had a right to assert their liberty...

On the 7th of February, 1804, now more than thirty-seven years past, my name was entered, and yet stands recorded, on both the rolls, as one of the Attorneys and Counsellors of this Court... I stand before the same Court, but not before the same judges—nor aided by the same associates—nor resisted by the same opponents. As I cast my eyes along those seats of honor and public trust, now occupied by you, they seek in vain for one of those honored and honorable persons whose indulgence listened then to my voice. Marshall—Cushing—Chase—Washington—Johnson—Livingston—Todd—Where are they?...Gone! Gone! All gone!... In taking, then, my final leave of this Bar, and of this Honorable Court, I can only ejaculate a fervent petition to Heaven, that every member of it may go to his final account with as little of earthly frailty to answer for as those illustrious dead...

Adams—who died six years after making this argument—convinced the Supreme Court that the Africans should be freed. Private donors provided for their passage back to Sierra Leone.

Once freed, the *Amistad* captives gave John Quincy Adams a gift, in appreciation for all he had done for them. Adams sent a letter of thanks to Lewis Tappan, who had been so instrumental in helping the captives. This is the text of that letter:

Lewis Tappan, Esq. New York

Dear Sir,—I received and accept with thanks the elegant Bible, presented me by Cinque, Kinna, Kale and the thirty-two other Mendians, who are indebted to you, and your benevolent associates, probably for their lives, certainly for their deliverance from unjust prosecution, and long protracted imprisonment and finally for the means of returning to their own country....[I] hope for the consummation of your kindness to them in the accomplishment of their restoration in freedom and safety to their native land.

*I am, with great respect, dear sir, faithfully yours,
JOHN QUINCY ADAMS*

Of the thirty-five survivors who made the return trip, only one—Sarah—came back to the States. (She attended Oberlin College.)

Cinque died in 1879. He had lived to old age and was buried at the mission.

Credits:

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The film features Djimon Hounsou (Cinque), Morgan Freeman (Theodore Joadson), Anthony Hopkins (John Quincy Adams) and Matthew McConaughey (Baldwin). Cinematography by Janusz Kaminski.

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/John-Quincy-Adams-Argument-in-Amistad-Case>

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