

The Amistad Case

Brief Narrative of the *Amistad* Incident

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In June 1839, four months after they had been forcibly enslaved and illegally shipped to Cuba, 53 African captives revolted as they were being transported on the schooner *Amistad* from Havana to Guanaja, Cuba. By day, at the Africans' orders, two surviving whites sailed the slave ship east toward Africa. But at night, the whites, who had purchased the rebels, altered the ship's course to the northwest. Following this zigzag course for weeks, the *Amistad* eventually anchored off eastern Long Island, where it was seized by a U.S. naval brig. A hearing was held in New London, Connecticut. The Africans were arrested, charged with mutiny, murder, and piracy and sent to New Haven where they were jailed, to await trial.

Abolitionists quickly took up the cause of the *Amistad* rebels. Legal battles raged for two years. In 1841, former President John Quincy Adams argued the prisoners' case before the U.S. Supreme Court which, at last, set them free.

The *Amistad* affair took place at a critical moment in the history of the Atlantic slave system. In 1833, Britain emancipated 800,000 colonial blacks; at the same time, the British navy was also engaged in an expensive campaign to suppress the African slave trade. Yet in Cuba and the American South, slavery was continuing to expand. During the 1830s, while Spain was shaken by civil war, Cuba illegally imported approximately 181,600 slaves from Africa. Many American slaveholders coveted Cuba and feared that Britain might seize the Spanish colony on the pretext of violations of slave trade treaties.

To understand the *Amistad* affair's historical significance, it is essential to locate the case in its proper political context. President Martin Van Buren, who was politically weakened by the disastrous economic Panic of 1837, feared that the *Amistad* case would undermine his political support in the South and damage his bid for reelection. His administration attempted to subvert the judicial system and deprive the rebels of their right to due process.

By 1839, the abolitionists had failed in their efforts to end slavery through moral suasion. Northern mobs, often instigated by "gentlemen of property and standing," disrupted

abolitionist meetings and printing presses. The House of Representatives had adopted the "gag rule," automatically tabling antislavery petitions. Desperately, abolitionists sought a way to dramatize the horrors of slavery. The Amistad case seemed to provide a providential opportunity to illustrate the federal government's complicity with slavery and the discrepancy between slavery American ideals of natural rights. The affair played a pivotal role in shifting the abolitionist movement away from the tactics of moral suasion to new methods of political and legal agitation, which would arouse substantial numbers of Northerners against the immoralities of slavery.

Prior to the Dred Scott decision, the Amistad case was, arguably, the single most important legal case involving slavery during the nineteenth century. The Amistad case raised critical issues of law and justice. The central issue raised by the case was whether enslaved people had the right to rise up against their captors in rebellion. Do people who are held illegally have a right to self-defense?

Another key set of issues involved international law regarding treaty obligations, property rights, and the legality of the international slave trade. Was the U.S. government obligated to return the rebels to Cuba under 1795 and 1819 treaties with Spain, which provided for the return of property rescued from pirates on the high seas? Was the United States obligated to respect Spanish claims that the rebels were legal slave property or did it have an independent obligation to ascertain the accuracy of those claims?