Politics versus Convictions:

Martin Van Buren, Roger Sherman Baldwin, and the Trials of Mutinous Slaves

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In much of politics, there is a very fine distinction between one’s personal beliefs and the opinions they must have in order to fulfill the demands of their role. In some cases, one might be put in place because of the strong personal convictions they hold and are able to work at will for what they will attempt to accomplish. Yet, in other positions one must put their personal opinions aside and fill the role they are in. There is a very fine line in distinguishing when someone is acting based on each role especially when attempting to interpret the actions of those in the past. The Amistad trials from 1839-41 provide an excellent example of two men performing in specialized roles, one able to work along with his personal convictions, another constrained by his political position. Martin Van Buren was president at the time of the Amistad events, while Roger Sherman Baldwin acted as lead defense attorney for the African captives. Van Buren was required to act as President Van Buren, and not simply himself, due to the powerful position representing the desires of many different entities at the time. Baldwin was able to work with his personal desires providing the impetus for his dedication. These two men are essential to look at when studying the Amistad trial as they filled these two roles accordingly, showing the effects of acting along one’s placement in the case.

Fundamentally, Roger Sherman Baldwin and Martin Van Buren were the most important actors in shaping the significance of the Amistad affair and each man’s handling of the case was shaped by distinct personal and political patterns in their pre-Amistad lives, leading to them filling the roles of politics versus convictions.

In order to show the importance, this work will focus on in the exact actions and involvement each man had throughout the case. Also, in order to understand exactly how these men acted in the case, backgrounds of each man are provided demonstrating the exact patterns that they had developed that were present in their handling of the Amistad
case. These pieces serve to prove the integral role that each man filled and the constraints, and lack thereof, that affected the outcome of the case. Also included are additional questions and conjectures based on present knowledge of the possible affect that the Amistad trials had in each man’s professional lives post-Amistad. These are not meant to state that the case affected either man directly, but to show the possibility of the magnitude of the case that each man affected so greatly.

The Events on the Amistad

In April of 1839, slaves were continually loaded onto vessels to head west from Africa. At this point, a group of 500 were placed aboard the Tecora in Lomboko by Portugese slave traders. The crew then sailed for two months to Cuba. During the trip, one-third of the captured Africans would die due to the awful conditions they lived under. These Africans were put up for sale in Cuba and in June of 1839, Spaniards Pedro Montes and Jose Ruiz purchased fifty-three captives and loaded them onto the ship Amistad. Montes and Ruiz secured fake passports for the captives in attempts to claim that the Africans were actually of Spanish heritage.¹

On June 28, 1839, the two Spaniards along with the ship’s captain, Ramon Ferrer, two sailors, a cabin boy, and a cook, along with the slaves left Havana. Days later, the crew was awoken and the captives had escaped the hold of the ship. The captives killed took over the ship, killing the crew, and leaving only Montes and Ruiz alive to sail the ship. Through signals, they instructed the Spaniards to sail them back home to Africa,

¹ Roger S. Baldwin, Argument of Roger S. Baldwin of New Haven, Before the Supreme Court of the United States, In the Case of the United States, Appellants, Cinque, and Others, Africans of the Amistad (New York: S.W. Benedict, 1841), microfilm.
however, Montes and Ruiz kept the ship moving north towards America and along the coast hoping that a patrol ship would come upon them retake the ship.²

The Amistad moved along the coast for two months and was seen by other vessels starting rumors on the mainland. Eventually, the USS Washington came upon the ragged ship and Lieutenants Thomas Gedney and Richard Meade took control of the ship and its cargo off the coast of New London, Connecticut. The captives were then arrested and no one was certain what exactly was to take place to determine the fate of the ship and captives.³

After the initial questions and statements from Ruiz and Montes were taken, Federal District Court Judge Andrew T. Judson was summoned to the ship to rule on the jurisdiction, referring it to the US Circuit Court. Ruiz and Montes made a claim on the Africans stating that the Africans were still the Spaniards property. Also, Lieut. Gedney claimed salvage for the fact that he had taken in the ship and its cargo, feeling entitled to something for him and his crew’s efforts.⁴ Also, the Spanish government stepped in requesting that the ship, cargo, and slaves be returned to Cuba where they would stand trial for murder at sea. Finally, many prominent abolitionists began to work in defense of the captives stating that they were free people and were simply defending themselves and should be free to go as they pleased. At this point, the efforts of Baldwin and Van Buren

began. However, in order to understand exactly what took place, it is essential to look at the background of Baldwin and Van Buren to show how they handled the case.

**Rising in Politics: Martin Van Buren’s Early Years**

When Martin Van Buren became President of the United States in 1837, he had many years of political experience. The lawyer from Kinderhook, New York, had accumulated years of government service everywhere from legislative positions to diplomatic ones. Van Buren had truly become a prominent and hard working politician by the time he became president. The path that his political career took was important in showing his rise to prominence and the respect that he garnered from those around him, leading to a successful political career.

Van Buren’s introduction to electoral politics came in 1812 when he won the position of state senator in New York’s middle district in a very close battle. He held his seat there until 1821. During this time period, Van Buren’s duties were complicated when he was appointed Attorney General of the State of New York from 1815 until 1819. In this position Van Buren became more powerful in New York politics, which saw him undertake important leadership responsibilities that would remain throughout the rest of his political career. This leadership was summed up well by historian Joel H. Silbey who stated that “none of this advancement came without a great deal of effort. As early as his initial appearance in the state senate, Van Buren was fully engaged at all levels of

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6 Exploring Amistad at Mystic Seaport.


political activity … on behalf of the Republican cause." Van Buren began developing patterns throughout his political life that shaped his role in politics. Van Buren was noted for his work ethic and ability to change course if necessary for his political gain. These two initial patterns would remain with him in the aftermath of the Amistad trials many years in the future.

Van Buren eventually made his rise to the national level in 1821 when he was elected to the United States Senate representing his home state. Moving to the national level as a Democratic-Republican was only the next step in his rise to the top. Van Buren set his goals high and sought to “restore the two-party system,” as he had done in New York. He intended to “find answers that would satisfy enough sections and enough interests to pull a new party together.” These lofty goals showed the true desires of Martin Van Buren to better national politics by way of his own work and made him a prominent figure even in his early national political career. Another significant note that took place in his early years in Washington D.C., was that Van Buren developed many personal alliances with Southern representatives. Initially John Calhoun and Andrew Jackson were some of the Southern politicians that Van Buren fell into favor with and these relationships established a framework that affected Van Buren’s policy decisions twenty years later, during the trials surrounding the Amistad captives.

Coincidentally, one of the early issues that Van Buren faced in the Senate was slavery. He wavered on the issue throughout his career and at this point was siding with the antislavery groups. In 1822, national politics were looking at the issues raised by setting up Florida as a territory. Located on the southern edge of the country, it became a

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9 Ibid, 16.
hotbed for debate about how slavery would fit in. Initially, great restrictions were placed upon importing slaves and Van Buren ended up siding with the antislavery encampment, as he was from New York. However, historian Donald Cole points out that “Van Buren was not a committed opponent of slavery.” It seemed that overall, Van Buren was not interested in becoming involved in the issue or setting slaves free.

Van Buren went on to have a successful political career during his eight-year tenure in the Senate while working on national policies instead of only those of New York. Furthermore, the relationships he made with southern leaders during that time went a long way in shaping the agenda that he would retain as President years later.

Martin Van Buren was elected governor of New York in 1828 but departed this position quickly as he was offered a higher role. This departure was brief and no fault of Van Buren as he had taken up President Andrew Jackson on his offer of the position of Secretary of State. During this highly factious time, Van Buren was interested in monitoring the public’s reactions to the moves of the new president. Van Buren, known for his managerial skills, maintained a keen interest in what people thought about the policies and the subsequent implementation of them by Jackson.

Another pattern developed in Van Buren’s career was his interest in foreign relations. Van Buren spent some of his time in the cabinet dealing with the issues regarding France and increasing trade with Europe. The Secretary of State had his way when it came to relations with Europe. Some of his accomplishments were highlighted by Donald Cole who stated that Van Buren “opened the Indies, made a start toward

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12 Ibid, 110.
13 Silbey, 62.
settling the French claims, and directed Poinsett toward the acquisition of Texas."¹⁴ Van Buren had varying goals and showed tact in accomplishing amicable and successful foreign relations. These relationships became his focus and specialty. Once Van Buren left the State Department, Jackson continued where Van Buren left off and found Van Buren’s work to be to Jackson’s liking.¹⁵ Martin Van Buren truly cared how the United States appeared to foreign nations and did what he could to maintain beneficial communication. This tactic of pleasing other nations was just another one of the patterns that Van Buren established in his early political career that carried over into his handling of the Amistad trials years later.

In 1832, Martin Van Buren continued to ascend higher in US national politics when he was elected Vice President on the Democratic ticket with Andrew Jackson.¹⁶ In this position, Van Buren learned by example how to operate under great national scrutiny as he would later on during his own presidency. President Jackson was faced with an array of problems during his administration and Van Buren became used to drawing fire from many different directions. It was also during this time that Van Buren developed the ability to act in the middle ground not taking extreme positions on divisive issues, which would resurface during the Amistad years. Maintaining this neutral position between North and South, Jackson and Calhoun, and political parties, was essential for his political success. Van Buren knew whom to back in order to gain the most favor and worked on further building up his alliances.

¹⁴ Cole, 203.
¹⁵ Ibid, 203.
Some of Van Buren’s most important work during his vice presidential term was actually laying the groundwork for his own presidential run in the upcoming 1836 election. It was at this point that this “professional politician”\(^\text{17}\) began recognizing his strengths and weaknesses and noticed why his opposition said what they did about him.

An important part of his campaign focused upon Van Buren’s view on slavery. Despite many years in a multitude of political positions, Van Buren had never been clear about his standing on the issue. This came into play as he became the heir apparent for the Presidency, and in line with paying attention to the public opinion, Van Buren could see that no one knew where he stood. Southerners saw him as too Northern, and vice versa.

Ted Widmer, a Van Buren biographer, stated that:

> Many were angry that Van Buren seemed too Southern, and appeared to cosset slavery every chance he got. Many others were upset that he seemed too Northern, had opposed slavery’s expansion at key moments, [and stated that]… “I am an abolitionist.”\(^\text{18}\)

This middle ground became a problem for Van Buren when he needed to take a stance.

Upon being elected the eighth president of the United States, Van Buren had established a long political legacy. From looking at his actions from state senator all the way to Vice President, one can see many patterns remained with him in his Presidency and became major characteristics of how he handled the *Amistad* trials. His wavering positions, dependence on pleasing the electorate, emphasis on maintaining good foreign relations, and ambiguous stance on slavery all affected his actions and decisions regarding the mutineers standing trial. These characteristics of his handling of various situations were very important in understanding why Van Buren made the decisions he did and further complicate the personal fallout following his Presidency.

\(^\text{18}\) Widmer, 89.
Family Traits: Roger Baldwin’s Formative Years

Another prominent man involved in the Amistad case was Roger Sherman Baldwin, a politician and lawyer from New Haven, Connecticut. Whereas President Van Buren influenced the case from the afar through policy decisions, Baldwin was directly involved with the Africans as their counsel throughout the judicial process. In looking at Baldwin’s upbringing and early career, it is clear that he was very intelligent and would fit well within the legal and political communities. Baldwin’s great service and dedication to the Amistad Africans on trial also portrayed his moral positioning on the issue of slavery. Throughout Baldwin’s early career, he developed two character traits that would remain with him throughout the trials as well as during his post-trial political career. Baldwin was exceptionally skilled with law and his academic and early pursuits developed this talent. He also maintained an antislavery attitude and used his position in law to work against slavery in the courts when he could find the opportunities. Both of these attributes would be present in his entrance into the Amistad trials as well as in his life afterwards.

Baldwin was born in 1793, in New Haven, Connecticut, the site of the initial Amistad trials. Baldwin came from a family of influential people. His father, Simeon Baldwin, was a lawyer who came to New Haven to study at Yale College. Simeon Baldwin became a successful lawyer who also maintained many governmental positions. Throughout his career, he served as the mayor of New Haven, a representative in Congress, and a Superior Court Judge.19 It is important to look at Simeon Baldwin due to the fact that Roger S. Baldwin was highly influenced by his father’s career as well as by

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his personal opinions. It is also important for his development that Roger Baldwin came from a law and government service background with some prestige. However, it was not only his father that influenced Roger Baldwin’s development. His grandfather, Roger Sherman, after whom he was named, was also a very highly regarded politician and lawyer. Sherman was a very well respected political figure and signer of the Declaration of Independence.\textsuperscript{20} With this lineage tracing back to important lawyers and politicians, it can be seen that Roger S. Baldwin continued on with the legacy of his family as “on both sides, he was descended from the very best New England stock.”\textsuperscript{21}

The young intellectual who had “read large portions of Virgil before reaching the age of ten,”\textsuperscript{22} entered Yale College at the age of fourteen and graduated in 1811 as a distinguished scholar. He then proceeded to work in a law office for a year and then entered the Litchfield Law School, known as the first law school in the United States, one which produced many politicians. Just as he had been at Yale, Baldwin was one of the leading students at Litchfield.\textsuperscript{23} During his schooling, Baldwin paid much attention to “rhetoric and elocution,”\textsuperscript{24} skills that would be beneficial while addressing the courts where he garnered a reputation for being a skilled orator.

After his schooling was over in 1814, Roger Baldwin, like his predecessors, was admitted to the bar in the city of New Haven, while his father was a judge in the Supreme

\textsuperscript{22} Norton, 195.
\textsuperscript{24} Norton, 195.
Baldwin then set up a private practice and began his professional career. He was very busy working throughout the local courts of Connecticut. His practice was very successful, as Baldwin was recognized as one of the best lawyers in the region, as his inclusion in the *Great American Lawyers Series* would indicate. Baldwin maintained his law practice for many years, during which he established himself as one fighting for causes that he personally believed in. He utilized his oratorical and law skills to win over juries, getting them to follow his example based on whatever case he was arguing.  

One of the causes that Roger Baldwin fought against was slavery. This can be somewhat attributed to the beliefs of his father. Simeon Baldwin was a founder of the Connecticut Society for the Promotion of Freedom as well as the Relief of Persons Unlawfully Held in Bondage. These principles were evident in Baldwin’s own career as a lawyer. One of Baldwin’s cases was as the representative for a slave who had escaped from famed politician Henry Clay, showing his willingness to confront a prominent politician. Baldwin argued a writ of habeas corpus for the slave, a practice he would do throughout his career and in the *Amistad* case. He eventually got the slave released, and this demonstrated both his strategy and use of law as well as his moral stance on slavery early on in his career. Roger S. Baldwin would continue to work for the rights of slaves throughout his life as a lawyer as it led to his involvement in taking the *Amistad* trials.

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26 Lewis, ed., 497.
27 Ibid, 493.
28 Lewis, ed., 497.
While practicing as a lawyer, Roger Baldwin took on various positions in city government, but his first introduction to state level government came in 1837. Baldwin was elected to the Connecticut Senate as a member of the Whig party for one term. This was Baldwin’s highest political office prior to taking on the *Amistad* case. He maintained his law practice and eventually found himself in a perfect position to argue for the Africans being charged in New Haven. Baldwin’s patterns of being an exceptionally skilled lawyer with the abilities necessary to handle a case of such importance were necessary. The complex case came with issues dealing with property, foreign treaties and multiple claims on the Africans. Secondly, Baldwin’s strong feelings against slavery gave him a personal investment in setting a strong precedent for black people in the country that would become a nationally recognized decision. These two important factors regarding Roger Baldwin’s placement at the time were perfect for his eventual entrance into the *Amistad* trials. In addition to these longstanding patterns, a certain amount of what brought Baldwin in was also the fact that, of all the places that the ship could arrive, the *Amistad* happened to arrive near Baldwin’s hometown of New Haven. The *Amistad* Africans were fortunate to end up in the capable hands of the man with the best skills to set them free.

**Direct Involvement: Baldwin’s Importance to the Case**

After the captured Africans had been jailed, the opposing sides began to mobilize their teams of people who were to try the case. Abolitionists saw this as a great opportunity to advance their beliefs regarding slavery and attempted to fight the case for

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the cause, making it more than just the facts of the particular situation. Roger Baldwin seemed to be a perfect fit due to his abilities as a lawyer, beliefs and location in regards to situation. Through the desires of prominent abolitionist Lewis Tappan as well as a local abolitionist Dwight Janes of New London, they knew that they must intervene or else the trial and cause would never reach the national level. Janes wrote to Roger Baldwin to come and take the case and act as the lead lawyer for the Africans. It seems that Baldwin was pursued by many people for the case, from nationally known abolitionists to prominent local businessmen. Eventually, he agreed to fill the role as lead defense attorney, and Roger Baldwin was officially the legal council for the Amistad Africans.

Baldwin was completely focused on the legal arguments involved but steered clear of the other practices of the abolitionists. An Amistad Committee was involved in raising money and advertising in order to spread the story throughout the northern part of the nation. Baldwin remained entirely focused on the duties of being the captive’s lawyer. He also took on a team of legal counsel during the early stages of the circuit court proceedings, but none would remain to follow through the entire process as Baldwin led the proceedings from the District Court through the US Supreme Court.

Early on in the Circuit Court proceeding, Baldwin began arguing the case for the Africans. His first argument was based upon the fact that the court lacked jurisdiction in the matter due to the fact that the Africans should be seen as free people of another country defending themselves on the seas. Furthermore, he pushed that Montes and Ruiz had no standing in the matter as they had illegally purchased the Africans. Baldwin also added that the claim of the Spanish minister had no role in the matter. At the court,

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31 Jones, 34-37.
Baldwin established his overall case by providing the arguments that would remain fundamental to his case. He also delivered his address in a very “elaborate” manner, something he would be known for, as he would continue to have very long and complex arguments.32

During the initial trial at the Circuit Court, Baldwin continued to push for a writ of habeas corpus, which would allow the Africans to either face a jury trial or be released. The Africans would be formally charged and they could proceed with the case or the decision would allow for them to go free, as it would have not been deemed a matter for the court. As Baldwin was unable to get the case thrown out over arguments of jurisdiction, they proceeded on with their attempts for the writ. The circuit court proceedings were not about finding the Africans guilty of crimes at sea or attempting to show whose property they were. It was simply confined to the jurisdiction and what and where the next step would be. On September 20, 1839, Baldwin addressed the court, calling for the case to stay within the State of Connecticut rather than involving foreign or federal courts, where outside interests would outweigh the law. Furthermore, he felt it would be more difficult to get the captives set free at the federal level. Baldwin spoke for two and a half hours with his speech described as “powerful, elaborate, and energetic,” as he “prayed for their [the Africans] discharge. He said they would be taken care of by the State of Connecticut.”33 Furthermore, Baldwin attacked Lt. Gedney for attempting to claim salvage. According to the Colored American:


He spoke with great severity of the conduct of Lt. Gedney in claiming salvage for the “meritorious service” of aiding the Spanish gentlemen in reducing persons found in a free state of helpless bondage.\(^{34}\)

However, Baldwin’s arguments were unsuccessful and the case was referred to the District Court for the case itself to be tried. In looking at Baldwin, one can see the contempt he had for slavery and those taking advantage of it as well as the great skills he had as a lawyer combining his oratorical abilities with an intellectual wit.

The District Court was presided over by Judge Andrew Judson. Baldwin would have to deal with the Van Buren appointee, a well-known racist, due to his involvement in the Prudence Crandall case and overall anti-black ideals, presiding over the case.\(^{35}\)

The scope of the trial had now shifted to an argument over whether the Africans were property or not. If Baldwin could convince the judge that the Africans were not slaves, they would show that “both Lieutenant Gedney and the United States marshal in Connecticut would have acted illegally and the Spaniards would have no legitimate claims.”\(^{36}\)

One of Baldwin’s early strategies was an attempt to get the case moved to New York, claiming that Lt. Gedney had come across the Amistad in the waters of New York and therefore the case should have gone to trial there.\(^{37}\) This may have simply been an attempt to get the case away from Judge Judson.

After many legal discussions, Baldwin dropped the attempt and focused on his fundamental arguments. Baldwin utilized much of the rhetoric from his earlier speech in front of the Circuit Court. He reiterated that the Amistad Africans were free people taken against their will from their homes and had come to the United States through illegal


\(^{35}\)Jones, 96.

\(^{36}\)Ibid, 80.

\(^{37}\)Ibid, 100-1.
means. As the trial moved to New Haven, Connecticut, at the order of Judge Judson, Roger Baldwin remained dedicated to his stance. After listening to many questions based on technicalities in attempt to circumvent the real facts of the case, Baldwin stated that “if the gentlemen hope to avoid a hearing on the merits of the case, by interposing these technical objections, they will find themselves mistaken. They must and will be discussed, and the courts of this country must hear them. They cannot avoid it.”

Roger Baldwin had decided he was going to argue this case on principles and use language that presented the case as a fundamental question of human rights.

Roger Baldwin’s impassioned speeches and carefully crafted arguments utilizing a complex reading of the law eventually were shown to work, as Judge Judson found the Africans free to return to Africa. This decision came with a caveat, however, and the Africans were to return under presidential supervision. Despite this, Baldwin’s arguments and presentation had led to the Africans being ruled free, and therefore as people not property. The case on appeal would go to the Circuit Court and the decision that Baldwin had secured was upheld. But it was not over, as the Circuit Court passed on the case to have it tried again in front of the United States Supreme Court. Roger S. Baldwin had nine months to prepare for his appearance, and he kept working to shore up his case for the appearance in front of the highest court in the land.

On February 22, 1841, the Amistad case came before the Supreme Court. Baldwin had been working sixteen months on the case, putting much time and energy

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38 Ibid, 103.
40 Jones, 103.
41 Ibid, 133.
42 Exploring Amistad at Mystic Seaport.
into researching and otherwise working the case. It was at this during this period that the whole matter came to its most crucial moments, as the decision of the Supreme Court would be final. Leading up to the trial, many of the abolitionists involved in the case became quite nervous and repeatedly wrote to Baldwin, seemingly letting him know what he already was aware of, that this was of paramount importance to the cause. When Baldwin began presenting to the Court, he spent a great deal of time retelling the story of the captives, giving them a personal identity as people. Through his telling of events Baldwin told how at each step of the way “two governments,” the United States and Spain, had been against the Africans. Baldwin further discussed what he felt that the highest court in the land should do with the appeal before them. He covered thoroughly the court process to date in order to help the justices understand each detail. One recurring theme throughout the expansive arguments was an attack on the role of the executive branch in attempting to use its influence over the courts. He asked, “What clause in the Constitution or what law confers on the Executive the right of appearing as a suitor in the courts of the United States to prosecute claims to property?”

Questioning Executive involvement became the cornerstone of Baldwin’s four hours of speaking. During this time, Baldwin combined an effective use of treaties and laws to establish the technicalities involved, while at the same time using rhetoric that would incite the passions of freedom for all. Roger Baldwin was indeed providing remarkable assistance to the Amistad Africans as he had finally concluded his work as the defense lawyer for the imprisoned people.

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Throughout the long court process, Roger Sherman Baldwin had made a name for himself nationally with his outstanding defense of the Amistad Africans. It was his combination of an intellectual command of the law as well as his strong personal feelings against slavery that enabled him to provide such counsel. With his work from start to finish utilizing these traits that he had long since established, Baldwin was able to secure freedom for the group of slaves that owed much of their liberation to his work.

**Playing the Game: Van Buren’s Effect on the Trials**

There was nothing smooth about Martin Van Buren’s term as president and the trials surrounding the Amistad only added to the problems being faced by the administration. The actions that Martin Van Buren and his cabinet took did nothing to help Van Buren’s public image, even though bolstering his support was at the core of his policies. Van Buren’s actual role regarding the trial is a very complex one. He certainly was not as directly involved as Baldwin but still played a very important role from Washington.

Some have argued that Van Buren was not at the helm of the administration’s decision making, but this was not the case. Much of this confusion stems from the fact that when the slaves were first taken in by the US Navy under direction of Lt. Gedney, Van Buren was out campaigning in his home state of New York.45 This left Van Buren’s Secretary of State, John Forsyth, a Georgian slaveholder, to begin the process of working out the position of the administration. This included maintaining contact with the foreign minister from Spain, A. Calderon De La Barca, who contacted Forsyth attempting to

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receive the ship, Montes and Ruiz, as well as all of the property, including the slaves.\textsuperscript{46} With this correspondence the debate really began. Van Buren historian John Niven claimed that “When the President returned to Washington, he was more impressed with the research and the arguments of the defense counsel,”\textsuperscript{47} and this seemed to truly bring Van Buren into a more direct role.

One issue that grabbed Van Buren was the timing of the incident. The African group’s sail along the coast came to an end on August 25, 1839. Martin Van Buren also found himself up for reelection in 1840 and not very popular after the economic panic of 1837.\textsuperscript{48} While the panic stemmed mostly from Jacksonian economic policies, Van Buren was burdened with fixing it. Furthermore, this was another problem that the Whigs could use to rally around. Therefore, at the time of the \textit{Amistad} trials, Van Buren did not need anything else to go wrong under his watch if he had any hopes of reelection. With such a divisive issue, Van Buren could not simply step around the problem and had to choose which side of the argument he would join. Van Buren’s actions would fall in line with patterns established throughout his political career.

Before the election of 1840, Van Buren knew he would need the support of the South in order to have a chance. Van Buren was a northerner and probably hoped that he would be stronger in this area. In order to please the southern electorate during this period of slavery, Van Buren would need to work against the African group. If Van Buren took on the attitude that the Africans were property with no rights, then he could

\textsuperscript{47} Niven, 467.
\textsuperscript{48} Major L. Wilson, \textit{The Presidency of Martin Van Buren} (Lawrence, KS: University Press of Kansas, 1984), 43.
curry favor with southern racist slaveholders. This is exactly what he did as his desire to please the South took precedent.

President Van Buren also desired to please the Spanish, with whom his administration had been in contact working on their own solution to the problems at hand. The Spanish government requested the following conditions be met:

That the vessel be immediately delivered up to her owner, together with every article found on board at the time of her capture by the Washington, without any payment being exacted on the score of salvage…that it be declared that no tribunal in the United States has the right to institute proceedings against, or to impose penalties upon, the subjects of Spain…[and] that the negroes be conveyed to Havana.\(^{49}\)

Van Buren was interested in pleasing the Spanish government. Some argue that this correspondence between Forsyth and Calderon De La Barca proves that Van Buren was not involved in making these decisions, but Forsyth reveals in his response that it was indeed Van Buren who was finalizing and developing the administrations position. Forsyth stated in response that “Your [Spanish minister] letter was immediately forwarded to the President of the United States for his consideration.”\(^{50}\) So now that Van Buren was in charge, he had to establish his plan.

Van Buren instructed Forsyth to designate an American naval ship to sit in the harbor of New Haven, while the court proceeding was carried out. Van Buren assumed that Judge Andrew T. Judson, a Van Buren appointee, would find that the Africans were slaves and thus, the property of the Spanish. Van Buren’s plan was to have the Africans and all other cargo from the *Amistad* loaded onto the ship and taken to Cuba immediately following the trial. This would take care of the problem of a possible appeal by the


\(^{50}\) Hon. J. Forsyth to A Calderon de la Barca, *The Correspondence In Relation to the Captured Africans*, 16 September 1839 (Washington D.C., 1840). Microfilm, HT871 .S55 ST5.
abolitionists and others supporting the Africans, as once they left the country it would be out of the jurisdiction of the United States. This would please the Spanish government greatly as Forsyth stated that the President would be “animated by that spirit of accommodation and reciprocal convenience which the President is anxious should ever characterize the relations between the two Governments.”

Therefore, at the request of the president, the ship the *Grampus*, a United States naval ship commanded by John Paine, set sail for New Haven’s harbor and sat there waiting for the court proceedings to end.

President Van Buren’s plan to remove the Africans from the country stemmed from his desire to please both the foreign officials as well as the southerners by “supporting” the institution of slavery. However, this plan did much more, as Van Buren clearly overstepped the political authority of the Presidency by attempting to supersede the power of the courts and showed that he would use any means necessary to get what he wanted. It was a complicated situation because the Africans were being tried in the US court system, therefore providing them the rights to “due process” afforded by the Constitution. However, if Van Buren intended to supersede this right by shipping off the Africans and not allowing them to have a full trial, he would be stepping outside of his jurisdiction. But Van Buren desired to please the southerners and the foreign officials led him to cross the line. With the election coming up, Van Buren felt that he needed to garner any support he could. Local newspapers of the time saw Van Buren’s decision-making in this affair as blatantly illegal and even state that “this ill-considered approach

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by the White House resulted more from anxiety over the approaching election than from illegal intentions."\(^{53}\)

But it certainly was not just the historians that saw the illegality and possible problems stemming from this policy of Van Buren’s. By looking at newspapers at the time one could see the fact that it was public knowledge and that the newspaper writers were not pleased with the actions taken by the president. The president had done more than setup an escape route hoping to overrule the judicial power. In an article published in the *Hartford Courant* an unnamed author wrote about Van Buren’s intervention with the use of the *Grampus* to take the slaves back to Cuba. The writer stated that a prominent man from New Haven had noted that Van Buren had written a letter to Judge Judson “recommending and urging him to order the Africans to be taken back to Havana…to be sold there as slaves.”\(^{54}\) The author found both actions of Van Buren to be tyrannical and assailed the President for them, arguing that any man should take issue with the lack of leadership. An excerpt shows the anger of the author:

> Surely Martin Van Buren is playing the part of tyrant with a high hand—else why this tampering with our courts of justice, this Executive usurpation, and this heartless violation of the inalienable rights of man?

Writings about Van Buren’s actions were not limited to the *Hartford Courant*. The *New London Gazette* felt the need to make the people aware of the possible foul play. The unnamed author discussed Van Buren’s assumption of universal power, not something provided with the office. The author wrote disapprovingly on how Van Buren had attempted to keep the matter out of the court system and under his power. Furthermore,

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\(^{53}\) Jones, 114.

they expressed a fear that this usurpation of judicial power by the President had taken away the “liberties” of the people and the presence of the Grampus led to “a painful suspicion of foul play.”

Overall, President Van Buren’s decisions attempting to influence the case and whisking away the Africans came down to his desire to please two parties. The first was the southerners, who he attempted to please by influencing the case so that their view of slaves as property would be upheld. This was in large part due to his lack of popularity heading into the election of 1840. Secondly, Van Buren followed another pattern by attempting to please foreign nations, in this case Spain, by adhering to their requests. As discussed earlier, Van Buren’s final pattern was one of taking the middle ground and using great organization and planning to never take a full stance, as the slaves could ultimately be set free while not at his fault. Van Buren sided against the captives pleasing southerners, but if the courts found them free, it was not really his fault and he could escape blame. The policy that Van Buren took in his involvement in the Amistad case enabled him to adhere to all of these patterns through one idea. His actions would lead one to think that Van Buren felt that this one policy could be beneficial to him on all fronts.

**Shifting Policies: Van Buren’s Attempted Comeback**

From looking at his involvement, one can see the effect that Martin Van Buren had on the Amistad trials. But one of the most interesting aspects of Van Buren is the path that his life took after his involvement, and how the trials affected it. Van Buren, a prominent politician known for his attempts to please foreign nations, maintain good

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relations with Southerners, and taking a middle ground on various issues, expressed a complex view of slavery. Indeed, Van Buren owned a slave and looked at the Africans as property, giving no credence to their rights as people. But in looking at the political life of Martin Van Buren after the *Amistad* trials, his position either turned around greatly, or he fleshed out his true feelings instead of playing the middle ground.

While the appeals process from District Court ruling began, Martin Van Buren was in election mode. The election of 1840 came and Van Buren could do nothing to save his position in the executive branch. Many factors were working against Van Buren including the passions of the opponents, with the Whig party running their first Presidential candidate. Van Buren worked to shore up the Southern base and keeping the slaveholders happy was a priority. This could be seen in the party platform which included, “an explicit rejection of abolitionism, and an endorsement of the gag rule (which prevented debate in Congress over petitions calling for the abolition of slavery in DC).”

Van Buren’s attempts showed that at least politically he saw the need for slavery in order to keep Southerners happy. The timing, though, coming from election work as campaigning and platforming was just beginning to take off, still left room for Van Buren to take the middle ground on a personal level regarding the institution.

The election took place and the people were finished with the Van Buren administration. While it seems that the President had successfully avoided a complete collapse, there were still too many negative issues to ignore. Van Buren was trounced in the election by William Henry Harrison. Harrison took 234 electoral votes to Van Buren’s 60, as Harrison took all but six states including Van Buren’s home state of New

57 Widmer, 139
York.\textsuperscript{58} Still, the popular vote showed that Van Buren wasn’t just an afterthought but was close behind Harrison, something the electoral vote did not show. Van Buren lost by a 52 to 47 percent margin and after spending years climbing to the top of the political ladder, he would never again hold an elected office.\textsuperscript{59}

Following the election, Martin Van Buren was faced with the question of what exactly he should do to fill up his time. His first step was to return to New York, a state that still embraced him (despite not voting for him) as a man who had represented the interests of the state from the most prestigious position in the nation. Van Buren returned to his hometown of Kinderhook, a very small town much different from the big city of Washington DC. The situation was difficult, as Van Buren faced the unknown. To put it bluntly, “At the beginning of 1841, he was directing a powerful economy, taking steps to avert foreign conflict…A few months later, he was watching his potatoes grow and wondering about crop rotation.”\textsuperscript{60} However, in keeping with the fact that politics had been the constant in his life, Van Buren would not be gone for long.

Martin Van Buren began making political noise in the years leading up to the 1844 election. After traveling and enjoying his time of relaxation, Van Buren began to analyze his chances of garnering the Democratic nomination. One of the largest hindrances to Van Buren’s chances at the nomination came in the form of John Calhoun, a former friend whose relationship with Van Buren had long since deteriorated into a bitter rivalry. After winning multiple state conventions, Van Buren seemed to be in control of his return to politics. In fact, other politicians took note of Van Buren’s rise and attempted to thwart his chances, including Calhoun taking Southern support by

\textsuperscript{58} Ibid, 140
\textsuperscript{60} Widmer, 145
introducing the debate of the annexation of Texas. They felt that Van Buren would now side with the Northerners in order to maintain their votes in this election, a certain change in political ideals. However, this shift of support to the North was nothing compared to the fundamental policy change that would later show the change in Van Buren policy.\textsuperscript{61}

Along with the Texas debate came two issues that Van Buren had certainly encountered throughout his entire political career, slavery and diplomacy. Calhoun was using Texas to garner Southern support, as he desired it to enter as a slave state. Congressman William Hammet of Mississippi had written Van Buren on the issue regarding the annexation of Texas. Martin Van Buren replied in support of maintaining the position of his predecessor, Andrew Jackson. In the letter, dated April 20, 1844, in the year of the election, Van Buren wrote that he would initially oppose bringing Texas into the Union. Affirming longstanding patterns of policy, Van Buren felt that annexation would be seen as an “act of aggression against Mexico that would damage the United States’ reputation for ‘reason and justice.’”\textsuperscript{62} Also in the letter came the fundamental change, the biggest change in his politics post-\textit{Amistad}. Van Buren also opposed the annexation due to the fact that he was now against the “Slave Power,” and the inefficiencies the slave system created. This turnaround in policy, while beneficial in gaining northern votes, also played a part in his new principle. Could it have been that Van Buren had changed his moral view on the subject? Possibly, but he remained difficult to associate with any personal views and it was more likely that he now saw the institution of slavery as poor for the country. Either way, his position had changed.

After pleasing the south with his proslavery rhetoric for years, attempting to illegally

\textsuperscript{61} Cole, 392.
\textsuperscript{62} Ibid, 393.
authorize turning over Amistad Africans to sure slavery, Martin Van Buren had now changed his stance. Despite the pride that many followers felt after seeing their leader utilize possible morality in his policy, this also seemed to doom the Van Buren run for Presidency. Despite the use of over eight ballots at the national convention due to Van Buren’s lack of a majority, James K. Polk became the next Democratic nominee for President. Despite his political loss, Van Buren had shifted his policy shift and the patterns of Van Buren politics were no longer based around the proslavery rhetoric, even though he maintained the practices that had worked for him for many years. Once again Van Buren left politics for only a short time.63

Van Buren made one more run at the Presidency in the 1848 election. While in New York, Van Buren began writing the Barnburner Manifesto, outlining the argument that slavery should not be a part of expanding territory. This served to create even more questions about the Van Buren personal versus political position regarding slave expansion, and leaves open the idea that Van Buren’s personal stance on slavery itself could have changed. When he was invited to run for a new party, Van Buren wavered on whether or not to get back into politics. Furthermore, Van Buren continued to write and began to back up his condemnation on expansion of slave territories, stating that “Congress had the power to limit its [slavery’s] spread…and that having the power, it should use it.”64 From this response, a group forming the new party nominated Van Buren to run for President for the Free Soil Party. Many colleagues of Van Buren from his many years in politics felt that Van Buren was nothing but a hypocrite. Martin Van Buren had made a change of position and was now backing up this stance against the

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63 Ibid, 397-8.
64 Widmer, 153.
expansion of slavery. Van Buren obviously had little chance of winning and took only ten percent of the vote in that election, but he had made his voice heard.\textsuperscript{65}

Thus, with the loss, Martin Van Buren’s political career was over. It was far from an unsuccessful one though. The major question is, what made Van Buren change his views on expansions of slavery, and possibly the institution itself? For years, he had operated with a policy of maintaining slavery and viewing black people as property, no matter what their point of origin. But then suddenly, he was running for President twice touting the need for the government to get rid of expansion, an obviously strategic change. Sandwiched in between these two periods in his life were the \textit{Amistad} trials. While there is not concrete proof from Van Buren’s personal writings that this event changed him, one must wonder what affect the \textit{Amistad} trials had on his professional and personal opinions.

\textbf{Upward Movement: Baldwin’s Rise Into Higher Politics}

Due to the fact that there were over nine months between the District Court hearing and the appearance in front of the Supreme Court, Roger Baldwin was able to spend time running for political office. Baldwin took a seat in the Connecticut State House of Representatives. However, it was after the \textit{Amistad} trial that Baldwin became more involved in higher-level politics. Overall, Baldwin would continue in politics as well as continue to represent causes that he felt strongly for as a lawyer in New Haven. He continued a respectable life until 1863, when the elder statesmen passed away.\textsuperscript{66}

In 1843, Roger Baldwin ran for governor of Connecticut. Baldwin lost the gubernatorial race to Chauncey Cleveland in a very close race. However, the very next

year Baldwin and Cleveland faced off again, and a much larger majority elected Baldwin. Roger Baldwin would be a very busy governor from 1844-1846. As expected, he continued to bring up his antislavery feelings. It was difficult for Baldwin to get anything done in this regard due to the fact that the “assembly did not share to any extent in Governor Baldwin’s abolition sentiments.”  

Baldwin had lofty goals for the northern state that still was technically a slave state at the time, including pushing through suffrage for the black people.  

It became difficult for a man who had just had success in garnering freedom for African people from the highest court in the land to accept the lack of antislavery desires from the state legislator of his own state.

During his time as governor, Baldwin’s attentions expanded to more state issues including those of education and economic policy. In these areas, Baldwin had early successes that the legislature passed very quickly. The irony is that oftentimes Baldwin’s arguments were crafted in a way as if he was still working for the Africans. At the time, there was an issue barring students from attaining residence in the area of their study so they could not vote in the new district. Despite the fact that this was nothing of national prominence, Baldwin wished to strike it down. Baldwin saw this law as picking out a specific grouping of people and limiting their rights. He made a question of voting rights into a call for freedom and equality. 

Baldwin was still interested in these causes of equality even if they were in a much different vein than his previous work.

It could be seen that his mind was still on the issue of slavery. With his position as governor, Baldwin sought to erase the language in which men could be viewed as

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68 Norton, 310.  
69 Lewis, ed., 503.
property. Another desire was to increase the position of the freed black people residing in Connecticut at the time. Once again, Baldwin was more interested in the idea and left it to the assembly to develop and enforce legal changes. Law and slavery were cornerstones of the first term for Governor Baldwin.\textsuperscript{70}

Also, in 1845, Baldwin made his opinion known on the possibility of annexing Texas. Baldwin was against this and he let it be known. Baldwin argued that annexation of Texas would violate the treaty with Texas and that Congress would be using a “power never delegated by the people, but denied by the solemn resolutions at different periods of nine of the thirteen original states.”\textsuperscript{71} Throughout his time as governor, Baldwin utilized arguments of law and used his high position and standing to urge the assembly to comply with his antislavery beliefs.

The next step in Roger Baldwin’s life came as he took a step into national level politics. Baldwin was initially appointed to the United States Senate to fill the seat of Jabez Huntington who had died while serving. Baldwin had not been elected but he assumed great power in the Senate. While there until 1851 (as he had been reelected for another term), Baldwin displayed his great intellectual and oratorical skills he had throughout his life when speaking and arguing in front of the Senate. Baldwin became quickly involved in discussion including that of admitting Oregon as a territory as well as in debate in discussion of the Fugitive Slave Law.\textsuperscript{72}

In 1848, the Senate was debating the bill regarding bringing Oregon in as a territory. The legislature for Oregon at the time had stated that their territory would never allow slavery in the area. Some were questioning whether or not this was allowed under

\begin{itemize}
\item \textsuperscript{70} Ibid, 511.
\item \textsuperscript{71} Ibid, 513.
\item \textsuperscript{72} Norton, 198.
\end{itemize}
the law. Roger Baldwin made one of his earliest appearances before the Senate and gave a speech full of complex Constitutional law as well as historical analysis. Baldwin agreed that Congress could pass the bill with this notation and stated that “Congress must judge what laws are necessary and proper for the government of the Territory, according to the spirit of the Constitution, and most conducive to the general welfare and interests of the people of the United States.”73 Baldwin also became a major voice in the Senate with this issue truly bringing him to prominence. When a senator from Virginia attacked Baldwin via comments on the place of Connecticut in the United States, Baldwin went right after him with a strong response. Baldwin made his presence know in the Senate and “this spirited and off-hand defense of his state brought him warm plaudits.”74 Roger Baldwin was leaving the comforts of an intellectual lawyer and getting involved in the political process.

Roger Baldwin’s political career wound down in 1851 when he was not reelected to the Senate. While Baldwin could have taken on many different prominent political positions, he turned them down in order to return to his law practice and rededicate his life to the arena that had brought him into the *Amistad* case and further respect.75 Baldwin’s great skills were in high demand as he returned to practicing law and this afforded him the ability to take the cases that he desired, areas where he could use his knowledge to better a cause. During the ten years following his political career Baldwin not only worked in the courts but also was consulted often for his opinion in other cases he was not handling. The success brought him great financial wealth as well as he brought in over $10,000 a year. His biographer believes that “he was the first

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73 Ibid, 516.
74 Ibid, 520.
75 Ibid, 199.
Connecticut lawyer who ever received so large an annual professional income.” This success truly came from his great intellectual abilities and furthermore the success that he had developed since entering large scale political life without sacrificing his personal convictions.

One needs only to look at the address given at the funeral of Roger S. Baldwin to see the great respect and reverence that those who knew him had and how influential he was. Reverend Samuel Dutton summed up the combination between intellectual lawyer and love of the right way.

Governor Baldwin was earnestly devoted to the right. He had an ardent love and conscientious regard for that of which law is designed to be the expression and application, justice. He would indeed, as in fidelity bound, present the strongest view of his client’s case, for he regarded himself not as a judge but as an advocate; yet never in violation of the truth.

Roger Baldwin’s knowledge of the law, combined with his desire for what was “right” and correct for the people, led him into the Amistad trial and brought him to prominence in a very noteworthy, yet understudied political career. It can truly be said that Roger S. Baldwin had a profound effect on the Amistad trial and his subsequent career and its success could have been affected by his involvement in the high profile case, after looking at the timing of his rise to political power.

**Playing the Role: President and Attorney**

Martin Van Buren and Roger Sherman Baldwin effectively filled their roles in the Amistad trials. Van Buren was entrenched in his role as President and shaped his policy towards the case for what he felt was best on many levels. Baldwin’s position as the attorney enabled him to utilize his personal convictions as the drive behind his work as

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76 Lewis, ed., 525.
77 Dutton, 7.
the attorney. As it could be seen in how each man handled the case, they had the most
affect on the landmark outcome for the antislavery cause. Now this is not to take
anything away from the captives themselves, as there would be no trial without their
rebellion in attempts for freedom. However, without Baldwin and the attempts of Van
Buren the case would not have gone so well. Without the court case this case would not
have received the attention of the country and would have lacked the effects it had for the
abolitionist cause. In the greater scheme of United States political history, this
fascinating case and subsequent handling shows the delicate roles that the important
political actors faced throughout major policy and legal issues.
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