



Bound by Law: Exploring Civil Rights in Early Florida



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Abstract

The implications of legal precedent are a very important part of any society. Many people are affected by every law that is passed or overturned. Examining the laws of our past is an incredible way to ensure that new legal precedent does not repeat the same mistakes as that of our ancestors as well as put our perception of history into more accurate context. It is important to revisit and see what, if any, landmark advancements have been made in important legal areas.

This research examines civil/human rights via exploration of historical primary documents such as letters, legal records from warrants to supreme court rulings, and secondary documents like existing peer-reviewed journal articles discussing the civil rights records of the time to obtain an accurate understanding and description of how legal frameworks and precedents in early Florida shaped civil rights and addressed issues such as slavery.

These results indicate that early Florida legislature contained countless examples of prejudice and represented the ideology of Floridians at the time regarding African Americans. which was that they should not be equally represented in legal proceedings. Though lingering issues still arise nowadays, it is important to recognize our societal progress and fully comprehend our history.

Background Information:

- In early America, especially in the southern states like Florida, things we'd consider civil rights violations were accepted and perpetuated by authority.
- This ideology manifested itself in legal proceedings of the time.
- Some rights slaves were deprived of include carrying firearms, serving on juries, providing any evidence in a case they are not a party of, assembly, or testifying against white people.
- For example, if a slave is to carry a firearm, they were forced to renew a weekly license from their owner. (An Act Concerning Slaves, 1824)
- Neither slaves nor free blacks were permitted to provide any evidence, in cases that did not directly involve them even if they were an important witness. The act states, "no negro, mulatto, or Indian, shall be permitted to give evidence in any suit in this Territory, only in cases where negroes, mulattos, or Indians are parties to the suit." (An Act Regulating Civil Proceedings, 1822)
- This history is well-documented, but I believe it is important for our modern society to reflect and be aware of the specific details of the past lives of our ancestors.
- Many people may have an idea of the legal obstacles that slaves had to face, but most do not understand or grasp the full extent of these laws.
- Therefore, I set out to discover how legal frameworks and precedents in early Florida shaped civil rights, specifically addressing the issue of slavery.



Results:

Exploring historical documents and legal cases reveals the intricate tapestry of early Florida laws and their impact on slave rights. Examining specific statutes and court analyses, such as those found in the records of State v. Charles and State v. Luke, as well as articles discussing the slavery controversy in early Florida, provides valuable insights into the complexities of the antebellum legal system and its relationship to slavery.

These sources highlight the deliberate crafting of the Florida Constitution to uphold and perpetuate the institution of slavery. Provisions within the Constitution, such as the sweeping denials of legislative authority for emancipation, as described in Stephanie D. Moussali's article entitled, "Florida's Frontier Constitution: The Statehood, Banking & Slavery Controversies" which discusses the controversy over slavery in Early Florida, highlight the concerted efforts to protect slaveholders' interests while maintaining the status quo.

Furthermore, as stated in the same article, the incorporation of the federal ratio into legislative apportionment gave slave-owning minorities disproportionate political influence, consolidating their power and reinforcing society's hierarchical structure.

Examining specific statutes and precedent, such as those present in legislative records like Florida Supreme Court rulings and Acts of the Legislative Council of Florida, provides insight into the mechanisms of control used by slaveholders over enslaved individuals. These statutes regulated movement, labor, legal status, and basic human rights highlighting the systemic dehumanization inherent in slavery.

Legal cases such as State v. Charles and State v. Luke highlight the consistent and repeated injustices experienced by enslaved people in the legal system. The procedural complexities and discriminatory practices highlighted in these cases such as Luke being convicted for following the bidding of his owner and shooting a mule, reveal the systemic biases embedded in the court system, in which enslaved people were frequently denied basic rights and subjected to arbitrary judgments.

To summarize, the combination of historical sources and legal analyses provides a nuanced understanding of the complexities of early Florida laws and slavery. By confronting the legacies of slavery and investigating the historical realities of the antebellum period, we can better address systemic injustices and promote justice, equity, and reconciliation in modern society.

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