

Law and Slave Identity in Dred and Pudd'nhead Wilson

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What is a slave? A slave, according to many of the laws in the individual slave states during the 19th century, was an article of property, a thing, and an object not human. However, according to another, the 3/5 Compromise of 1787, a [slave](#) was worth 3/5 of a white man. The population of the Southern states was heavily African, and this compromise enabled them to count those slaves as 3/5 of a citizen in order to get more representation in Congress. What does that mean for interpretations of the law? Can a 'thing' be tried for murder, or is a slave a man who has committed only 3/5 of the crime? Unfortunately, laws often have an ambiguity that allows them to be misinterpreted. In the case of American slave laws, the ambiguity was such that the [identity](#) of the slave could be misinterpreted or even manipulated to serve unjust social practices.

Furthermore, one of the interpretations of the slave's identity is as a child under the guardianship of the slave master. If this translation were correct, however, the slave should have the right of protection under the law. But as said before, state law claims that a slave is a thing and therefore warrants no protection. The laws of slavery in the 19th century were ambiguous to the point that no one legal definition of a slave or a slave's

rights could be made according to the law. Both Harriet Beecher Stowe and Mark Twain experimented with this ambiguity of identity and the laws surrounding it in their novels Dred and Pudd'nhead [Wilson](#).

The lawyers in Dred and Pudd'nhead Wilson are Edward Clayton and David (Pudd'nhead) Wilson. Both of these lawyers are given the opportunity to interpret the identity of the slave during trial...

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...ecting themselves from the bite.

"If you pick up a starving dog and make him prosperous, he will not bite you. This is the principal difference between a dog and a man. – Pudd'nhead Wilson's Calendar." (Twain 99)

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