



## Congressional debate over an anti-slavery petition (1790)

*The first US Congress to meet after the ratification of the Constitution received two anti-slavery petitions: one submitted by Quakers, the other by an abolitionist society led by famed white revolutionary Benjamin Franklin. The petition from Franklin's organization is excerpted here, along with portions of the debate about it that was held in the House of Representatives. The representatives whose remarks appear here are Thomas Tucker, of South Carolina; Thomas Scott, of Pennsylvania (Franklin's home state); and James Jackson, of Georgia. All three men were white.*

*At the time that Congress debated Franklin's anti-slavery petition, only North Carolina and Georgia still participated in the international slave trade. Five states, Pennsylvania among them, had gone farther, abolishing not only the slave trade but slavery itself. The Constitution stated that Congress had no power to ban the international slave trade until 1808 but that Congress could impose on traders a tax of up to 10 dollars for each enslaved person brought into the United States to be sold. Congress never imposed such a tax. However, starting in 1794, Congress passed laws that incrementally restricted US citizens' involvement in the international slave trade, culminating in a complete ban in 1808, as soon as the Constitution allowed. The domestic slave trade **within** the United States continued—indeed, increased—for decades to come.*

The following memorial of the Pennsylvania Society for Promoting the Abolition of Slavery [...] was presented and read:

[...F]rom a regard for the happiness of mankind, an association was formed several years since in this state by a number of her citizens, of various religious denominations, for promoting the abolition of slavery and for the relief of those unlawfully held in bondage. A just and acute conception of the true principles of liberty, as it spread through the land, produced accessions to their numbers, many friends to their cause, and a legislative cooperation with their views, which, by the blessing of Divine Providence, have been successfully directed to the relieving from bondage a large number of their fellow-creatures of the African race. They have also the satisfaction to observe that, in consequence of that spirit of philanthropy and genuine liberty which is generally diffusing its beneficial influence, similar institutions are forming at home and abroad.

That mankind are all formed by the same Almighty Being, alike objects of his care and equally designed for the enjoyment of happiness, the Christian religion teaches us to believe, and the political creed of Americans fully coincides with the position. Your memorialists, particularly engaged in attending to the distresses arising from slavery, believe it their indispensable duty to present this subject to your notice. They have observed, with real satisfaction, that many important and salutary powers are vested in you for "promoting the welfare and securing the blessings of liberty to the people of the United States"; and as they conceive that these blessings ought rightfully to be administered, without distinction of color, to all descriptions of people, so they indulge themselves in the pleasing expectation that nothing which can be done for the relief of the unhappy objects of their care will be either omitted or delayed.

From a persuasion that equal liberty was originally the portion, and is still the birthright, of all men, and influenced by the strong ties of humanity and the principles of their institution, your memorialists conceive themselves bound to use all justifiable endeavors to loosen the bands of slavery and promote a general enjoyment of the blessings of freedom. Under these impressions, they earnestly entreat your serious attention to the subject of slavery; that you will be pleased to countenance the restoration of liberty to those unhappy men who, alone in this land of freedom, are degraded into perpetual bondage and who, amidst the general joy of surrounding freemen, are groaning in servile subjection; that you will devise means for removing this inconsistency from the character of the American people; that you will promote mercy and justice towards this distressed race; and that you will step to the very verge of the power vested in you for discouraging every species of traffic in the persons of our fellowmen.

BENJ. FRANKLIN, President  
Philadelphia, February 3, 1790

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Mr. TUCKER [...] was surprised to see [a] memorial on [this] subject, and that signed by a man who ought to have known the Constitution better. He thought it a mischievous attempt as it respected the persons in whose favor it was intended. It would buoy them up with hopes without a foundation; and as they could not reason on the subject as more enlightened men would, they might be led to do what they would be punished for, and the owners of them, in their own defense, would be compelled to exercise over them a severity they were not accustomed to. Do these men expect a general emancipation of slaves by law? This would never be submitted to by the southern states without a civil war. Do they mean to purchase their freedom? He believed their money would fall short of the price. But how is it they are more concerned in this business than others? Are they the only persons who possess religion and morality? If the people are not so exemplary, certainly they will admit the clergy are; why, then, do we not find them uniting in a body, praying us to adopt measures for the promotion of religion and piety or any moral object? They know it would be an improper interference; and to say the best of this memorial, it is an act of imprudence, which he hoped would receive no countenance from the House. [...]

Mr. SCOTT — I cannot entertain a doubt but the memorial is strictly agreeable to the Constitution; it respects a part of the duty particularly assigned to us by that instrument, and I hope we may be inclined to take it into consideration. We can, at present, lay our hands upon a small duty of ten dollars; I would take this, and if it is all that we can do, we must be content. But I am sorry that the framers of the Constitution did not go further and enable us to interdict the traffic entirely; for I look upon the slave trade to be one of the most abominable things on earth, and if there was neither God nor devil, I should oppose it upon the principles of humanity and the law of nature. I cannot, for my part, conceive how any person can be said to acquire a property in another. Is it by virtue of conquest? What are the rights of conquest? [...T]he petitioners view the subject in a religious light, but I do not stand in need of religious motives to induce me to reprobate the traffic in human flesh; other considerations weigh with me to support [...] every constitutional measure likely to bring about its total abolition. Perhaps, in our legislative capacity, we can go no further than to impose a duty of ten dollars. But I do not know

how far I might go, if I was one of the judges of the United States and those people were to come before me and claim their emancipation; but I am sure I would go as far as I could.

Mr. JACKSON differed with the gentleman last up [...] The gentleman said he did not stand in need of religion to induce him to reprobate slavery, but if he is guided by that evidence upon which the Christian system is founded, he will find that religion is not against it. He will see, from Genesis to Revelations, the current setting strong that way. There never was a government on the face of the earth but what permitted slavery. The purest sons of freedom in the Grecian republics, the citizens of Athens and Lacedæmon, all held slaves. On this principle, the nations of Europe are associated; it is the basis of the feudal system. But suppose all this to have been wrong; let me ask the gentleman if it is good policy to bring forward a business, at this moment, likely to light up the flame of civil discord, for the people of the southern states will resist one tyranny as soon as another. The other parts of the continent may bear them down by force of arms, but they will never suffer themselves to be divested of their property without a struggle. The gentleman says if he was a federal judge, he does not know to what length he would go in emancipating these people. But I believe his judgment would be of short duration in Georgia; perhaps even the existence of such a judge might be in danger.

**Source:** U.S. Congress, *Annals of Congress*, House of Representatives, 1st Cong., 2nd sess., vol. 2, 1197-1200 (February 12, 1790), [https://hdl.handle.net/2027/uc1.\\$c227000](https://hdl.handle.net/2027/uc1.$c227000). Public domain, Google-digitized.

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