On February 11, 1790, two Quakers entered the House of Representatives, which was then meeting in New York. They respectfully submitted a petition to the government for a redress of rights. This was a traditional practice reaching far back into English constitutional history. The content of the petition, however, sparked a fierce debate on the floor of the First Congress. The people who signed the petition were calling on the federal government to ban the African slave trade.

Southern representatives angrily rose to their feet to denounce the petition and question the patriotism of the pacifist Quakers who had refused to fight in the War for Independence. James Jackson of Georgia and William Loughton Smith of South Carolina attacked the petition and cited Article I, Section 9, Clause 1 of the Constitution, which specifically banned Congress from interfering with the slave trade until 1808. They also articulated a biblical defense of slavery and argued for the economic necessity of slave labor. Jackson feared that, “if through the interference of the general government, the slave trade was abolished, it would evince to the people a general disposition toward a total emancipation.” He did not know how correct he was.

In many ways, the American Revolution introduced natural rights principles of liberty and equality that eroded the institution of slavery in the new republic. After 1776, several northern states, some of which had a considerable percentage of slaves, either freed their slaves outright or started gradual emancipation schemes. In 1782, Virginia allowed slave-owners to manumit (voluntarily emancipate) their slaves, and thousands were freed. In 1787, Congress passed the Northwest Ordinance, which banned slavery in the new states north of the Ohio River that were created out of the Northwest Territory.

Benjamin Franklin was in his eighties when the new constitutional government first met. He was a renowned scientist and statesman who had achieved fame throughout the Western World as a man of the Enlightenment. He had fought for the liberties, independence, and nationhood of Americans for decades, and supported universal principles in an age of reason. Although he had held a few African servants over the years, he was an advocate of human liberty and came to see slavery as a great moral evil. He dedicated the end of his life to eradicating the institution in the United States. He was joined by a few Quakers, who were compelled by their religious principles, in the cause of justice and humanity for the over 690,000 African slaves living in the new nation who were denied their equal right to life, liberty, and the pursuit of happiness.
The following day, a petition arrived from the Pennsylvania Society for Promoting the Abolition of Slavery and its president, Benjamin Franklin. The octogenarian Franklin had accepted the presidency of the society shortly after returning from Europe, where he negotiated the peace treaty ending the Revolutionary War. Franklin was approaching the end of his long life, during which time he had always been a keen observer and often satirical commentator on human nature and society. He had dedicated his lifetime of public service to the cause of liberty and civic virtue, and had become a convert to the cause of opposing slavery. The year before, he wrote that slavery was “an atrocious debasement of human nature.” He had almost presented a petition from the society to the Constitutional Convention in the summer of 1787 but withheld it. Now, he was courageously opening the question of slavery at the dawn of the new nation.

The petition was a model of equality and justice, stating, “Mankind are all formed by the same Almighty Being, alike objects of his care, and equally designed for the enjoyment of happiness.” All people were entitled to the “blessings of liberty...without distinction of color,” it argued. It noted the contradiction of slavery and freedom in the American experiment by seeking the means “for removing this inconsistency from the character of the American people” and called on Congress to grant “liberty to those unhappy men who alone in this land of freedom are degraded into perpetual bondage.” It advocated not only the end of the slave trade as the Quaker petition had the day before, but the end of slavery.

The petition was on solid grounds of justice, but weaker on constitutional support for its case. Finding no clauses authorizing Congress to ban slavery, the society argued that Congress had the general grant of power in the General Welfare and Necessary and Proper clauses. The House voted overwhelmingly to refer the petitions to a committee over the objections of the South Carolina and Georgia delegations.

On March 16, the committee submitted its report to the House. Representative Jackson jumped to his feet and launched into a day-long harangue against the petitions. He thundered that “the southern states must be left to themselves on this subject” and reiterated the arguments he had previously made. Smith followed him the next day with a two-hour speech. Both personally attacked the Quakers’ character and assailed Franklin as a senile fool.

Jackson and Smith also argued that African Americans were ill-suited for freedom and citizenship. They warned of intermarriage between the races if slaves were freed. Franklin anticipated these prejudiced arguments and reasoned that slavery debased the slaves and ruined their natural intellectual equality. “The galling chains that bind his body do also fetter his intellectual faculties and impair the social affections of his heart.” Therefore, Franklin advocated a plan of education for free blacks to train them in knowledge and virtue for good citizenship. It would “instruct, to advise, to qualify those who have been restored to freedom, for the exercise and enjoyment of civil liberty...[to] promote the public good, and the happiness of these our hitherto much neglected fellow [humans].”
On March 23, the House voted on the resolutions contained in the committee report. Among the resolutions was one that prevented Congress from interfering with slavery where it already existed in the South, making explicit the silence of the Constitution on the issue. The humane petitions to end the slave trade and slavery had been received, but ended with Congress endorsing slavery's protected status in the new nation. The question was hardly settled, however, and seven decades of fierce debate over slavery and its expansion would ensue.

Franklin responded to the conclusion of the controversy in his typical manner—he wrote a biting satire. He wrote a fictional speech by Muslim Sidi Mehemet Ibrahim of Algiers, who defended piracy and enslaving Christians. The logic used by Ibrahim mirrored the southern arguments. For example, Ibrahim argued, “If we cease our cruises against the Christians, how shall we be furnished with the commodities their countries produce, and which are so necessary? … Let us then hear no more of this detestable proposition, the manumission of Christian slaves.”

The eighty-four-year-old Franklin died only a few weeks later. He had spent a lifetime in service to the republic and to the universal ideal that all humans were created free and equal. His last act on the public stage was to submit a petition for the end of slavery and the slave trade, and promote justice for slaves. It was a cause that would be taken up by many other courageous individuals who questioned the institution of owning human beings.