

ASSEMBLY AND PETITION: PRIMARY SOURCES

Primary Sources:

- Petition from the Pennsylvania Society for the Abolition of Slavery to the First Congress (1790)
- The Gag Rules Debate (1835–1840)
- Seneca Falls Declaration (1848)
- Proceedings of the State Convention of Colored People, Held at Albany, New York (1851)
- Frederick Douglass, *Plea for Freedom of Speech in Boston* (1860)

PETITION FROM THE PENNSYLVANIA SOCIETY FOR THE ABOLITION OF SLAVERY TO THE FIRST CONGRESS (1790)

In February 1790, the Pennsylvania Society for the Abolition of Slavery—headed by Benjamin Franklin—submitted an anti-slavery petition to the First Congress. The Society was the first abolitionist society in the United States, founded by the Quakers in 1775. A decade later, Franklin was elected the Society's president. Franklin turned to the abolitionist cause late in life. He had befriended anti-slavery activists during his time in Britain and France, and he had long been exposed to the abolitionist views of the Quakers in Philadelphia. Following the ratification of the U.S. Constitution, Franklin became an outspoken critic of slavery, publishing several essays calling for slavery's abolition. In his final public act, he sent this petition to the First Congress. In it, the Society urged Congress to pay "serious attention to the subject of slavery" and to "step to the very verge" of its powers to end both the international slave trade and the institution of slavery itself. The petition was introduced in the House and the Senate—sparking our nation's first debates over slavery within Congress. Franklin died two months later.

Excerpt:

To the Senate & House of Representatives of the United States,

The Memorial of the Pennsylvania Society for promoting the Abolition of Slavery, the relief of free Negroes unlawfully held in bondage, & the Improvement of the Condition of the African Races.

Respectfully Sheweth,

The anti-slavery movement is growing in early America. That from 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 & for the relief of those unlawfully held in bondage. A just & accurate Conception of the true Principles of

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liberty, as it spread through the land, produced accessions to their numbers, many friends to their Cause, & a legislative Co-operation 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 & genuine liberty which is generally diffusing its beneficial Influence, similar Institutions are gradually forming at home & abroad.

All people are formed by God; this is consistent with the Declaration of Independence; and slavery runs against both God and America's Founding creed. That mankind are all formed by the same Almighty being, alike objects of his Care & equally designed for the Enjoyment of Happiness the Christian Religion teaches us to believe & the Political Creed of America fully coincides with the Position.

Congress has broad powers; they should be used to help African Americans. 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 great Satisfaction that many important & salutary Powers are vested in you for "promoting the Welfare & 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 Colour, 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.

Our goal is to abolish slavery and promote freedom; Congress should push for the same goal; only then will America live up to the promise of the Declaration of Independence. From a persuasion that equal liberty was originally the Portion, It is still the Birthright of all men, & influenced by the strong ties of Humanity & the Principles of their Institution, your Memorialists conceive themselves bound to use all justifiable endeavours to loosen the bounds 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, & that you will Step to the very verge of the Powers vested in you for discouraging every Species of Traffick in the Persons of our fellow men.

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THE GAG RULES DEBATE (1835–1840)

Infuriated by the anti-slavery petitions by groups like the American Anti-Slavery Society, pro-slavery members of the House of Representatives adopted rules prohibiting the House from officially receiving (and considering) any petition calling for the abolition of slavery. The rule, ultimately abandoned in 1840, prompted members including former President John Quincy Adams to accuse slavery advocates of violating the federal Bill of Rights and the First Amendment's declared right to petition government for redress of grievance. The episode had the effect of making Northern Americans increasingly aware that slavery was no longer an issue confined to the South, but increasingly affected the rights of all citizens of the United States, rights enumerated in the federal Bill of Rights.

Excerpt

Pinckney was an advocate of slavery. The House resumed the consideration of the report of Mr. Pinckney, from the select committee on the subject of abolition. . . .

The preamble and third resolution were then read as follows:

And whereas it is extremely important and desirable that the agitation of this subject should be finally arrested, for the purpose of restoring tranquility to the public mind, your committee respectfully recommend the adoption of the following additional resolution, viz:

This resolution would prevent the discussion of any anti-slavery petitions in Congress. *Resolved, That all petitions, memorials, resolutions, propositions, or papers, relating in any way, or to any extent whatever, to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon.*

. . .

Mr. PHILLIPS then moved to lay the preamble and third resolution on the table.

The resolution survived. Mr. GRENELL asked for the yeas and nays, which were ordered, and the motion to lay on the table was negatived—yeas 69, nays 118.

The question recurring upon the adoption of the preamble and third resolution, the Clerk proceeded to call the roll.

John Quincy Adams opposed the resolution, arguing that it violated the First Amendment. When the name of Mr. Adams was called, that gentleman rose and said: I hold

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the resolution to be a direct violation of the Constitution of the United States, the rules of this House, and the rights of my constituents.

Members of Congress yelled at Adams. Mr. A. resumed his seat amid loud cries of “Order!” from all parts of the Hall.

Congress passed the Gag Rule resolution. The third resolution was then agreed to—yeas 117, nays 68.

SENECA FALLS DECLARATION (1848)

The first American Women’s Rights Convention was held in Seneca Falls, New York, on July 19–20, 1848. Over the course of two days, convention members discussed and ultimately adopted a “Declaration of Sentiments,” which described the unjust and unequal treatment of women and presented 12 “resolutions” demanding legal and cultural reform. Initially drafted by Elizabeth Cady Stanton, the Declaration echoed the language and cadence of the Declaration of Independence. It then included a long list of grievances: the restrictions that coverture placed on married women; the denial of other rights, particularly the vote, to all women, be they married or unmarried; and structural inequalities that limited women’s opportunities generally. Most of these inequalities were not addressed until the 1900s. Although Black suffrage was secured by the adoption of the 15th Amendment in 1870, women’s suffrage would not be obtained until the passage of the 19th Amendment in 1920. The 14th Amendment’s protections of civil rights did not extend to questions involving discrimination on the basis of sex or gender until the 1970s. Even then, the long history of legal restrictions noted in the Declaration of Sentiments continued to shape women’s claims to constitutional protections.

Excerpt

This is a rewriting of the Declaration of Independence to support women’s rights. When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one to which the laws of nature and of nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course. We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established

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should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled.

Women have been abused by men over time; and here's the evidence. The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world.

. . .

Man denies her civil rights and the right to vote. He has withheld from her rights which are given to the most ignorant and degraded men—both natives and foreigners. Having deprived her of this first right of a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides. He has made her, if married, in the eye of the law, civilly dead.

. . .

She has no property rights or rights to her wages. He has taken from her all right in property, even to the wages she earns.

. . .

She can't pursue many professions, and she is paid poorly. He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration.

. . .

He has degraded her and made her dependent on him. He has endeavored, in every way that he could to destroy her confidence in her own powers, to lessen her self-respect, and to make her willing to lead a dependent and abject life.

. . .

Women are entitled to the rights and privileges an American citizenship. Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation,—in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we

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insist that they have immediate admission to all the rights and privileges which belong to them as citizens of these United States.

PROCEEDINGS OF THE STATE CONVENTION OF COLORED PEOPLE, HELD AT ALBANY, NEW YORK (1851)

Even as Northern states abolished slavery in the decades following the Revolution and the abolition movement gained momentum, the legal status of free blacks remained uncertain and, in key instances, deteriorated. It was not just federal legislation, such as the Fugitive Slave Act. States and localities enacted restrictions on free Blacks and, in the process, made race (white or black) as important as status (slave or free). In response, Black men and women organized, gathering to strategize in meetings advertised as “Colored Conventions.” The attendees of this meeting in Albany, New York, were concerned about an array of restrictions at all levels of government: the Fugitive Slave Act of 1850; voting restrictions that had been written into New York’s state constitution in 1821 and reaffirmed in 1846; and local measures that barred Black children from attending schools. They were also concerned about the American Colonization Society, which sought to resettle Black Americans in Africa. Once billed as a way to remove Black Americans from racism, colonization had fallen out of favor with Black activists, who saw it as accommodating the goals white supremacy: denying Black Americans claims to citizenship, forcing them from their own country, and leaving racial inequalities in place, instead of addressing them. The debates at these conventions defined and shaped issues that ultimately found their way into the U.S. Constitution, through the Reconstruction Amendments, which granted the federal government the authority to address the kinds of restrictions at the state and local level that concerned these conference attendees.

Excerpt

We are exercising our assembly right to chart a path forward for the African American community. The paramount object of this Convention is, to assemble the disfranchised and aggrieved portion of the people of the State of New-York, to deliberate upon, and propose, then and there, the course to be pursued in the future and onward prosecution of our interests and rights.

The discrimination we face conflicts with the Declaration of Independence. And most solemnly are we impressed with this truth also, that the denial of our rights is the overthrow of the rock foundation principles of the country; for the Declaration of Independence, in the language of the late and lamented John Quincy Adams, recognizes no despotism, monarchical, aristocratic, or democratic, declares that individual man is possessed of rights which no government can deprive him.

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We are concerned about a range of issues: the Fugitive Slave Act of 1850, the push to send African Americans back to Africa, efforts to keep our children out of the schools.

With this view and understanding, two great questions present themselves for adjustment, the first of which is the recent edict enacted and sent forth by Congress, called the “Fugitive Slave Law;” and the second in character is the coercive and barbarous Colonization Scheme; either of questions is characterized with infamy sufficient to libel christianity or sink a nation. There are other questions of local and State character that demand our immediate attention, viz: “the School-Questions;” a system of law of the State for the general education of all classes of children, without distinction or proscription. This philanthropic and far-seeing law has been suspended in its natural and defined course, and hundreds of children are thereby violently ejected from schools, and this in open violation of the law, and for no reason save that of God’s giving them a different complexion from those in power.

We are also concerned about restrictions on African American voting rights. A second subject for consideration, but first in importance, is the “Suffrage Question.” A special law of the State requires every colored voter to be in possession of two hundred and fifty dollars worth of real estate as a qualification. These local and general subjects require the people to act with promptness, union and energy, to effect the desire ends.

Their goals. NO PROSCRIPTION—NO SLAVES—UNION—FREEDOM AND EQUALITY !!

FREDERICK DOUGLASS, PLEA FOR FREEDOM OF SPEECH IN BOSTON (1860)

On December 3, 1860, Frederick Douglass and a group of fellow abolitionists met at the Tremont Temple Baptist Church in Boston for a discussion centered around the following question: “How Can Slavery Be Abolished?” They scheduled this meeting on the one-year anniversary of John Brown’s death. It occurred at a time of great peril for the nation. One month earlier, Abraham Lincoln was elected as the first anti-slavery president in American history. But following Lincoln’s election, South Carolina quickly declared its intention to secede from the Union. And many assumed that other Southern states would soon follow suit. In this context, the Boston abolitionist meeting was greeted by a violent mob. The mob took the stage and shut down the meeting. Six days later, Douglass delivered a previously scheduled lecture at Boston’s Music Hall. Following his prepared remarks, Douglass ended with an admonition to his audience—and to the nation—about the importance of free speech and the exchange of ideas in a democratic society.

Excerpt:

Even in an enlightened city like Boston, mob violence threatens abolitionist assemblies.

Boston is a great city and Music Hall has a fame almost as extensive as that of Boston. Nowhere more than here have the principles of human freedom been expounded. But for the circumstances already mentioned, it would seem almost presumption for me to say anything

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here about those principles. And yet, even here, in Boston, the moral atmosphere is dark and heavy. The principles of human liberty, even if correctly apprehended, find but limited support in this hour of trial. The world moves slowly, and Boston is much like the world. We thought the principle of free speech was an accomplished fact. Here, if nowhere else, we thought the right of the people to assemble and to express their opinion was secure. Dr. Channing had defended the right, Mr. Garrison had practically asserted the right, and Theodore Parker had maintained it with steadiness and fidelity to the last.

Mob violence takes away our free speech rights. But here we are to-day contending for what we thought we gained years ago. The mortifying and disgraceful fact stares us in the face, that though Faneuil Hall and the Bunker Hill Monument stand, freedom of speech is struck down. No lengthy detail of facts is needed. They are already notorious; far more so than will be wished ten years hence.

A mob closed down our meeting, and the mayor didn't protect us; it wasn't a mob of the lowly, but instead a mob of gentlemen. The world knows that last Monday a meeting assembled to discuss the question: "How Shall Slavery Be Abolished?" The world also knows that that meeting was invaded, insulted, captured by a mob of gentlemen, and thereafter broken up and dispersed by the order of the mayor, who refused to protect it, though called upon to do so. If this had been a mere outbreak of passion and prejudice among the baser sort, maddened by rum and hounded on by some wily politician to serve some immediate purpose, – a mere exceptional affair, – it might be allowed to rest with what has already been said. But the leaders of the mob were gentlemen. They were men who pride themselves upon their respect for law and order.

Slavery conflicts with free speech and assembly rights. These gentlemen brought their respect for the law with them and proclaimed it loudly while in the very act of breaking the law. Theirs was the law of slavery. The law of free speech and the law for the protection of public meetings they trampled under foot, while they greatly magnified the law of slavery. . . .

The Founders valued free speech above all; it is the key to making society better, preventing tyranny, and ending slavery. No right was deemed by the fathers of the Government more sacred than the right of speech. It was in their eyes, as in the eyes of all thoughtful men, the great moral renovator of society and government. Daniel Webster called it a homebred right, a fireside privilege. Liberty is meaningless where the right to utter one's thoughts and opinions has ceased to exist. That, of all rights, is the dread of tyrants. It is the right which they first of all strike down. They know its power. Thrones, dominions, principalities, and powers, founded in injustice and wrong, are sure to tremble, if men are allowed to reason of righteousness, temperance, and of a judgment to come in their presence. Slavery cannot tolerate free speech. Five years of its exercise would banish the auction block and break every chain in the South. They will have none of it there, for they have the power. But shall it be so here?

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Some attack our meeting as poorly timed and unwise. Even here in Boston, and among the friends of freedom, we hear two voices: one denouncing the mob that broke up our meeting on Monday as a base and cowardly outrage; and another, deprecating and regretting the holding of such a meeting, by such men, at such a time. We are told that the meeting was ill-timed, and the parties to it unwise.

We need to defend free speech rights now (and firmly). Why, what is the matter with us? Are we going to palliate and excuse a palpable and flagrant outrage on the right of speech, by implying that only a particular description of persons should exercise that right? Are we, at such a time, when a great principle has been struck down, to quench the moral indignation which the deed excites, by casting reflections upon those on whose persons the outrage has been committed? After all the arguments for liberty to which Boston has listened for more than a quarter of a century, has she yet to learn that the time to assert a right is the time when the right itself is called in question, and that the men of all others to assert it are the men to whom the right has been denied?

Free speech rights are for everyone, not just the elite. It would be no vindication of the right of speech to prove that certain gentlemen of great distinction, eminent for their learning and ability, are allowed to freely express their opinions on all subjects – including the subject of slavery. Such a vindication would need, itself, to be vindicated. It would add insult to injury. Not even an old-fashioned abolition meeting could vindicate that right in Boston just now. There can be no right of speech where any man, however lifted up, or however humble, however young, or however old, is overawed by force, and compelled to suppress his honest sentiments.

Free speech violations don't just harm the speaker, but also the listener. Equally clear is the right to hear. To suppress free speech is a double wrong. It violates the rights of the hearer as well as those of the speaker. It is just as criminal to rob a man of his right to speak and hear as it would be to rob him of his money. I have no doubt that Boston will vindicate this right. But in order to do so, there must be no concessions to the enemy. When a man is allowed to speak because he is rich and powerful, it aggravates the crime of denying the right to the poor and humble.

Again, free speech rights are for everyone. The principle must rest upon its own proper basis. And until the right is accorded to the humblest as freely as to the most exalted citizen, the government of Boston is but an empty name, and its freedom a mockery. A man's right to speak does not depend upon where he was born or upon his color. The simple quality of manhood is the solid basis of the right – and there let it rest forever.

***Bold sentences give the big idea of the excerpt and are not a part of the primary source.**