



## William Penn Was America's First Great Champion for Liberty and Peace

Jim Powell

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*Nothing is so contagious as example; and we never do any great good or evil which does not produce its like.* — Francois de la Rochefoucauld (1613-1680).

Heroes for liberty are not particular to any region of the world or to a particular time period or to one sex. They hail from all nationalities, races, faiths, and creeds. They inspire others to a noble and universal cause—that all people should be free to live their lives in peace so long as they do no harm to the equal rights of others. They are passionate not solely for their own liberty, but for that of others as well.

In my last book, *Real Heroes: Inspiring True Stories of Courage, Character and Conviction*, I wrote about 40 individuals whose views, decisions, and actions served this cause in various ways. That book planted the seed for this new weekly series to be published each Thursday at FEE.org. But this time, others from around the world will do the writing, and I'll be content to do the editing while keeping that to a minimum to preserve the author's voice. It is my hope that when all is said and done some months from now, the literature of liberty will be greatly complemented by this collection of short biographies. The authors will be writing about heroes for liberty who are (or were) citizens of each author's own country. Each week's installment will be added to the collection here.

The subject of this seventeenth essay in the series is a man whom every American reader should know whether or not you've ever been to my native state of Pennsylvania. William Penn was a giant of colonial America—politically and intellectually. This essay by the Cato Institute's Jim Powell was first published by FEE in October 1995.

--- Lawrence W. Reed, President, Foundation for Economic Education

William Penn was the first great hero of American liberty. During the late 17th century, when Protestants persecuted Catholics, Catholics persecuted Protestants, and both persecuted Quakers and Jews, Penn established an American sanctuary which protected freedom of conscience. Almost everywhere else, colonists stole land from the Indians, but Penn traveled unarmed among the Indians and negotiated peaceful purchases. He insisted that women deserved equal rights

with men. He gave Pennsylvania a written constitution which limited the power of government, provided a humane penal code, and guaranteed many fundamental liberties.

For the first time in modern history, a large society offered equal rights to people of different races and religions. Penn's dramatic example caused quite a stir in Europe. The French philosopher Voltaire, a champion of religious toleration, offered lavish praise.

“William Penn might, with reason, boast of having brought down upon earth the Golden Age, which in all probability, never had any real existence but in his dominions.”

Penn was the only person who made major contributions to liberty in both the New World and the Old World. Before he conceived the idea of Pennsylvania, he became the leading defender of religious toleration in England. He was imprisoned six times for speaking out courageously. While in prison, he wrote one pamphlet after another, which gave Quakers a literature and attacked intolerance. He alone proved capable of challenging oppressive government policies in court—one of his cases helped secure the right to trial by jury. Penn used his diplomatic skills and family connections to get large numbers of Quakers out of jail. He saved many from the gallows.

Despite the remarkable clarity of Penn's vision for liberty, he had a curious blind spot about slavery. He owned some slaves in America, as did many other Quakers. Anti-slavery didn't become a widely shared Quaker position until 1758, 40 years after Penn's death. Quakers were far ahead of most other Americans, but it's surprising that people with their humanitarian views could have contemplated owning slaves at all.

### **Early Life**

There were just two portraits of Penn painted during his lifetime, one depicting him as a handsome youth, the other as a stout old man. A biographer described young Penn's

“oval face of almost girlish prettiness but with strong features, the brusqueness of the straight, short nose in counterpoint to the almost sensuous mouth. What gives the face its dominant character are the eyes, burning with a dark, luminous insistence ... it is known from verbal descriptions that Penn was fairly tall and athletic. Altogether, the young man must have been both handsome and impressive.”

William Penn was born on October 14, 1644, in London. The most specific description of his mother, Margaret, came from a neighbor, the acid-tongued diarist Samuel Pepys who described her as a “well-looking, fat, short old Dutch woman, but one who hath been heretofore pretty handsome.” She did the child-rearing, since her husband, William Penn Sr., was seldom at home. He was a much sought-after naval commander because he knew the waters around England, could handle a ship in bad weather and get the most from his crew. Admiral Penn had a good personal relationship with the Stuart kings and for a while served their most famous adversary, the Puritan Oliver Cromwell.

Left mostly to himself, young William became interested in religion. He was thrilled to hear a talk by Thomas Loe, a missionary for the Society of Friends—derisively known as Quakers.

Founded in 1647 by the English preacher George Fox, Quakers were a mystical Protestant sect emphasizing a direct relationship with God. An individual's conscience, not the Bible, was the ultimate authority on morals. Quakers didn't have a clergy or churches. Rather, they held meetings where participants meditated silently and spoke up when the Spirit moved them. They favored plain dress and a simple life rather than aristocratic affectation.

After acquiring a sturdy education in Greek and Roman classics, Penn emerged as a rebel when he entered Oxford University. He defied Anglican officials by visiting John Owen, a professor dismissed for advocating tolerant humanism. Penn further rebelled by protesting compulsory chapel attendance, for which he was expelled at age 17.

His parents sent him to France where he would be less likely to cause further embarrassment and he might acquire some manners. He enrolled at *l'Académie Protestante*, the most respected French Protestant university, located in Saumur. He studied with Christian humanist Mose Amyraut, who supported religious toleration.

Penn's quest for spiritual peace led him to attend Quaker meetings even though the government considered this a crime.

Back in England by August 1664, Penn soon studied at Lincoln's Inn, the most prestigious law school in London. He learned the common law basis for civil liberties and gained some experience with courtroom strategy, which was fortunate; he was going to need it.

Admiral Penn, assigned to rebuilding the British Navy for war with the Dutch, asked that his son serve as personal assistant. Young William must have gained a valuable inside view of high command. Admiral Penn also used his son as a courier delivering military messages to King Charles II. Young William developed a cordial relationship with the King and his brother, the Duke of York, the future King James II.

Penn's quest for spiritual peace led him to attend Quaker meetings even though the government considered this a crime. In September 1667, police broke into a meeting and arrested everyone. Since Penn looked like a fashionable aristocrat rather than a plain Quaker, the police released him. He protested that he was indeed a Quaker and should be treated the same as the others.

Penn drew on his legal training to prepare a defense. Meanwhile, in jail, he began writing about freedom of conscience. His father disowned him, and young Penn lived in a succession of Quaker households. He learned that the movement was started by passionate preachers who had little education. There was hardly any Quaker literature. He resolved to help by applying his scholarly knowledge and legal training. He began writing pamphlets, which were distributed through the Quaker underground.

"My prison shall be my grave before I will budge a jot; for I owe my conscience to no mortal man."

In 1668, one of his hosts was Isaac Penington, a wealthy man in Buckinghamshire. Penn met his stepdaughter Gulielma Springett, and it was practically love at first sight. Poet John Milton's literary secretary Thomas Ellwood noted her "innocently open, free and familiar Conversation,

springing from the abundant Affability, Courtesy and Sweetness of her natural Temper.” Penn married Gulielma on April 4, 1672. She was to bear seven children, four of whom died in infancy.

Meanwhile, Penn attacked the Catholic/Anglican doctrine of the Trinity, and the Anglican bishop had him imprisoned in the notorious Tower of London. Ordered to recant, Penn declared from his cold isolation cell: “My prison shall be my grave before I will budge a jot; for I owe my conscience to no mortal man.”

By the time he was released seven months later, he had written pamphlets defining the principal elements of Quakerism. His best-known work from this period: *No Cross, No Crown*, which presented a pioneering historical case for religious toleration.

### **The Conventicle Act**

He wasn’t free for long. To curb the potential power of Catholics, notably the Stuarts, Parliament passed the Conventicle Act, which aimed to suppress religious dissent as sedition. But the law was applied mainly against Quakers, perhaps because few were politically connected. Thousands were imprisoned for their beliefs. The government seized their properties, including the estate of Penn's wife’s family.

He decided to challenge the Conventicle Act by holding a public meeting on August 14, 1670. The Lord Mayor of London arrested him and his fellow Quakers as soon as he began expressing his nonconformist religious views. At the historic trial, Penn insisted that since the government refused to present a formal indictment—officials were concerned the Conventicle Act might be overturned—the jury could never reach a guilty verdict. He appealed to England’s common-law heritage:

If these ancient and fundamental laws, which relate to liberty and property, and which are not limited to particular persuasions in matters of religion, must not be indispensably maintained and observed, who then can say that he has a right to the coat on his back? Certainly our liberties are to be openly invaded, our wives to be ravished, our children slaved, our families ruined, and our estates led away in triumph by every sturdy beggar and malicious informer—as their trophies but our forfeits for conscience’s sake.”

The jury acquitted all defendants, but the Lord Mayor of London refused to accept this verdict. He hit the jury members with fines and ordered them held in brutal Newgate prison. Still, they affirmed their verdict. After the jury had been imprisoned for about two months, the Court of Common Pleas issued a writ of habeas corpus to set them free. Then they sued the Lord Mayor of London for false arrest. The Lord Chief Justice of England, together with his 11 associates, ruled unanimously that juries must not be coerced or punished for their verdicts. It was a key precedent protecting the right to trial by jury.

Penn had become a famous defender of liberty who could attract several thousand people for a public talk. He traveled in Germany and Holland to see how Quakers there were faring. Holland made a strong impression because it was substantially free. It was a commercial center where

people cared mainly about peaceful cooperation. Persecuted Jews and Protestants flocked to Holland. Penn began to form a vision of a community based on liberty.

He resolved to tap his royal connections for his cause. With the blessing of King Charles II and the Duke of York, Penn presented his case for religious toleration before Parliament. They would have none of it because they were worried about the Stuarts imposing Catholic rule on England, especially since the Duke of York had converted to Roman Catholicism and married a staunch Catholic.

### **The Founding of Pennsylvania**

Penn was most concerned about developing a legal basis for a free society.

Penn became convinced that religious toleration couldn't be achieved in England. He went to the King and asked for a charter enabling him to establish an American colony. Perhaps the idea seemed like an easy way to get rid of troublesome Quakers. On March 4, 1681, Charles II signed a charter for territory west of the Delaware River and north of Maryland, approximately the present size of Pennsylvania, where about a thousand Germans, Dutch, and Indians lived without any particular government.

The King proposed the name "Pennsylvania" which meant "Forests of Penn"—honoring Penn's late father, the Admiral. Penn would be proprietor owning all the land, accountable directly to the King. According to traditional accounts, Penn agreed to cancel the debt of 16,000 pounds which the government owed the Admiral for back pay, but there aren't any documents about such a deal. At the beginning of each year, Penn had to give the King two beaver skins and a fifth of any gold and silver mined within the territory.

Penn sailed to America on the ship *Welcome* and arrived November 8, 1682. With assembled Friends, he founded Philadelphia—he chose the name, which means "city of brotherly love" in Greek. He approved the site between the Delaware and Schuylkill rivers. He envisioned a 10,000-acre city, but his more sober-minded Friends thought that was overly optimistic. They accepted a 1,200-acre plan. Penn named major streets including Broad, Chestnut, Pine, and Spruce.

Penn was most concerned about developing a legal basis for a free society. In his *First Frame of Government*, which Penn and initial land purchasers had adopted on April 25, 1682, he expressed ideals anticipating the Declaration of Independence:

"Men being born with a title to perfect freedom and uncontrolled enjoyment of all the rights and privileges of the law of nature ... no one can be put out of his estate and subjected to the political view of another, without his consent."

Penn provided that there would be a governor—initially, himself—whose powers were limited. He would work with a Council (72 members) which proposed legislation and a General Assembly (up to 500 members) which either approved or defeated it. Each year, about a third of members would be elected for three-year terms. As governor, Penn would retain a veto over proposed legislation.

His *First Frame of Government* provided for secure private property, virtually unlimited free enterprise, a free press, trial by jury and, of course, religious toleration. Whereas the English penal code specified the death penalty for some 200 offenses, Penn reserved it for just two—murder and treason. As a Quaker, Penn encouraged women to get an education and speak out as men did. He called Pennsylvania his “Holy Experiment.”

Penn insisted on low taxes. A 1683 law established a low tax on cider and liquor, a low tariff on imports and on exported hides and furs. To help promote settlement, Penn suspended all taxes for a year. When the time came to reimpose taxes he encountered fierce resistance and had to put it off.

Penn’s *First Frame of Government* was the first constitution to provide for peaceful change through amendments. A proposed amendment required the consent of the governor and 85 percent of the elected representatives. Benevolent though Penn was, people in Pennsylvania were disgruntled about his executive power as proprietor and governor. People pressed to make the limitations more specific and to provide stronger assurances about the prerogatives of the legislature. The constitution was amended several times. The version adopted on October 28, 1701, endured for three-quarters of a century and then became the basis for Pennsylvania’s state constitution, adopted in 1776.

From the very beginning, he acquired Indian land through peaceful, voluntary exchange.

Collecting rent due to Penn as proprietor was always a headache. He never earned enough from the colonies to offset the costs of administration which he paid out of his personal capital. Toward the end of his life, he complained that Pennsylvania was a net loss, costing him some 30,000 pounds.

Penn’s practices contrasted dramatically with other early colonies, especially Puritan New England which was a vicious theocracy. The Puritans despised liberty. They made political dissent a crime. They whipped, tarred, and hanged Quakers. The Puritans stole what they could from the Indians.

Penn achieved peaceful relations with the Indians—Susquehannocks, Shawnees, and Leni-Lenape. Indians respected his courage because he ventured among them without guards or personal weapons. He was a superior sprinter who could out-run Indian braves, and this helped win him respect. He took the trouble to learn Indian dialects, so he could conduct negotiations without interpreters.

From the very beginning, he acquired Indian land through peaceful, voluntary exchange. Reportedly, Penn concluded a “Great Treaty” with the Indians at Shackamaxon, near what is now the Kensington district of Philadelphia. Voltaire hailed this as “the only treaty between those people [Indians and Christians] that was not ratified by an oath, and that was never infringed.” His peaceful policies prevailed for about 70 years, which has to be some kind of record in American history.

## **Defending Pennsylvania**

Penn faced tough challenges defending Pennsylvania back in England. There was a lot at stake because Pennsylvania had become the best hope for persecuted people in England, France, and Germany. Charles II tried to establish an intolerant absolutism modeled after that of the French King Louis XIV. Concerned that Pennsylvania's charter might be revoked, Penn turned on his diplomatic charm.

Behind the scenes, Penn worked as a remarkable diplomat for religious toleration. Every day, as many as 200 petitioners waited outside Holland House, his London lodgings, hoping for an audience and help. He intervened personally with the King to save scores of Quakers from a death sentence. He got Society of Friends founder George Fox out of jail. He helped convince the King to proclaim the Acts of Indulgence which released more than a thousand Quakers—many of whom had been imprisoned for over a dozen years.

Penn's fortunes collapsed after a son was born to James II in 1688. A Catholic succession was assured. The English rebelled and welcomed the Dutch King William of Orange as William III, who overthrew the Stuarts without having to fire a shot. Suddenly, Penn's Stuart connections were a terrible liability.

He was arrested for treason. The government seized his estates. Though he was cleared by November 1690, he was marked as a traitor again. He became a fugitive for four years, hiding amidst London's squalid slums. His friend John Locke helped restore his good name in time to see his wife, Guli, die on February 23, 1694. She was 48.

Harsh experience had taken its toll on Penn. As biographer Hans Fantel put it,

“he was getting sallow and paunchy. The years of hiding, with their enforced inactivity, had robbed him of his former physical strength and grace. His stance was now slightly bent, and his enduring grief over the death of Guli had cast an air of listless abstraction over his face.”

His spirits revived two years later when he married 30-year-old Hannah Callowhill, the plain and practical daughter of a Bristol linen draper.

But he faced serious problems because of his sloppy business practices. Apparently, he couldn't be bothered with administrative details, and his business manager, fellow Quaker Philip Ford, embezzled substantial sums from Penn's estates. Worse, Penn signed papers without reading them. One of the papers turned out to be a deed transferring Pennsylvania to Ford who demanded rent exceeding Penn's ability to pay.

After Ford's death in 1702, his wife, Bridget, had Penn thrown in debtor's prison, but her cruelty backfired. It was unthinkable to have such a person govern a major colony, and in 1708 the Lord Chancellor ruled that “the equity of redemption still remained in William Penn and his heirs.”

In October 1712, Penn suffered a stroke while writing a letter about the future of Pennsylvania. Four months later, he suffered a second stroke.

While he had difficulty speaking and writing, he spent time catching up with his children whom he had missed during his missionary travels. He died on July 30, 1718. He was buried at Jordans, next to Guli.

With an atmosphere of liberty, Philadelphia emerged as an intellectual center.

Long before his death, Pennsylvania ceased to be a spiritual place dominated by Quakers. Penn's policy of religious toleration and peace—no military conscription—attracted all kinds of war-weary European immigrants. There were English, Irish, and Germans, Catholics, Jews, and an assortment of Protestant sects including Dunkers, Huguenots, Lutherans, Mennonites, Moravians, Pietists, and Schwenkfelders. Liberty brought so many immigrants that by the American Revolution, Pennsylvania had grown to some 300,000 people and became one of the largest colonies. Pennsylvania was America's first great melting pot.

Philadelphia was America's largest city with almost 18,000 people. It was a major commercial center—sometimes more than a hundred trading ships anchored there during a single day. People in Philadelphia could enjoy any of the goods available in England. Merchant companies, shipyards, and banks flourished. Philadelphia thrived as an entrepôt between Europe and the American frontier.

With an atmosphere of liberty, Philadelphia emerged as an intellectual center. Between 1740 and 1776, Philadelphia presses issued an estimated 11,000 works including pamphlets, almanacs, and books. In 1776, there were seven newspapers reflecting a wide range of opinions. No wonder Penn's "city of brotherly love" became the most sacred site for American liberty, where Thomas Jefferson wrote the Declaration of Independence, and delegates drafted the Constitution.

By creating Pennsylvania, Penn set an enormously important example for liberty. He showed that people who are courageous enough, persistent enough, and resourceful enough can live free. He went beyond the natural right theories of his friend John Locke and showed how a free society would actually work. He showed how individuals of different races and religions can live together peacefully when they mind their own business. He affirmed the resilient optimism of free people.

*Jim Powell, senior fellow at the Cato Institute, is an expert in the history of liberty. He has lectured in England, Germany, Japan, Argentina and Brazil as well as at Harvard, Stanford and other universities across the United States. He has written for the New York Times, Wall Street Journal, Esquire, Audacity/American Heritage and other publications, and is author of six books.*