Persecution and Religious Liberty,
Then and Now

No aspect of William Penn’s career is more widely appreciated today than his contribution to the achievement of religious freedom. For this at least his anniversary deserves attention beyond any local or sectarian bounds. Indeed in his own lifetime his labors for this cause served not only his fellow Quakers but other groups as well, including the Roman Catholics, and not only in the provinces of West Jersey and Pennsylvania where he had some authority but in England itself where to some degree all colonial standards were determined.

Just because of this merited recognition no restatement of the familiar facts is here necessary. In addition to older summaries we have of late chapters by Hull on “The Protagonist of Toleration,” by Beatty on “Crusader for Religious Toleration,” and by Comfort on “The Apostle of Toleration,” to which I am happy to refer the reader. However, a few observations may be in order about Penn’s relation to his own times in this matter with some comparison of the issues of our own day.

The questions which Penn faced were not new to his sect or generation. For more than a century toleration had been a central problem in English politics and political theory. Nearly every method had been tried and nearly everything worth saying had been said bearing on this problem even before William Penn became a Quaker. President W. K. Jordan concludes his monumental four-volume work on The Development of Religious Toleration in England at the year 1660


2 Harvard University Press, Cambridge, Massachusetts, 1933, 1936, 1938, 1940. For background I acknowledge my debt especially to his shorter and more recent Men of Substance (Chicago, 1942).
and wonders why after that the British government launched again on a policy of persecution when it sat so secure. The Conventicle Acts of 1664 and 1670 were unnecessary. Probably they were due to the bogey of Catholicism, but they fell most heavily upon the sects, especially the Quakers. England had had experience of Catholic persecution. The name of Bonner was a byword still in Protestant circles as the Quakers suggest by comparing their opponents to him, but Protestants had persecuted Catholics as bitterly and even had persecuted each other. The Commonwealth and Protectorate had moved from the area of a single dominant recognized church towards a policy of alliance between Anglicans and Presbyterians, and even of considerable toleration at least for the sects. From 1660 to 1689, the period of Penn's creative thinking and writing, 3 the enforcement of the Clarendon Code marked the return to an earlier intolerance.

The experience and the discussion that preceded William Penn almost certainly was formative in his mind. Some influences can be definitely traced. Jeremy Taylor's *Liberty of Prophesying* is a book he quoted often himself and specifically recommended to a young nobleman converted to Quakerism. 4 The recurrent lists of historic precedents for toleration were scarcely compiled by Penn himself at first hand though I do not know the florilegium that preceded him. Richard Richardson who in some cases collaborated with Penn was doubtless asked to search for the classical precedents. We know that George Fox used Richardson for such research. That most of the arguments adopted or opposed by Penn were in the air we can assume from the extent to which they got on paper. Indeed Penn's own repetitions show a stereotyping of the issues not due entirely to the processes of his own mind, although Penn would be the last to claim originality. The circumstances under which some of his pieces were written were not favorable to working up the question *de novo* from books. They represent the facile composition of a mind steeped in the thought of the age. 5

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3 Essays for toleration—anonymous for the most part—are assigned to Penn from as early as 1668 and 1670. He became a Quaker no earlier than 1666, though he had suffered for non-conformity while a student at Oxford before he was eighteen years old.


5 The number of published essays by Penn on this general subject is underestimated usually by reason of the frequent use of anonymity or pseudonymity and because they were many of them not reprinted in his collected works, even in the fullest collection of those works (London, 2 vols. folio, 1726).
Penn's experience of persecution and attitude to it was affected by the group to which he belonged. Though he became in this field of writing the Quaker spokesman *par excellence*, he was not the first Friend either to suffer for his faith or to formulate a protest. With surprising speed William Penn, for all his different background, became identified with "the suffering seed" in Quakerism. After he threw in his lot with the despised Quakers he became their champion by word and writing. His Irish Journal shows him in 1669-1670 at once going to visit the Quaker prisoners at Cork, interceding repeatedly for them and for those at Dublin, and writing for the press *The Great Case of Liberty of Conscience Debated and Defended*. I find it impossible to differentiate from the general Quaker views on religious freedom anything unique or individual in the writings or behavior of William Penn. Anonymous and pseudonymous Quaker pieces of the time tend to be attributed to him if they deal with this subject. They may very well be the work of others.

In extant editions of the tract last cited Penn defined liberty of conscience as "the free and uninterrupted exercise of our consciences in that way of worship we are most clearly persuaded God requires us to serve Him" and he further indicates that this is not "a mere liberty of the mind" but "the exercise of ourselves in a visible way of worship." He further names three forms of coercion as imposition, restraint and persecution. But the problems of his day as of ours extend much further than that. We may think of persecution as including the interference with persons of other beliefs on the part of citizens or crowds without any cover of law, and we may think of legislative or executive action on the part of the state which brings conscientious individuals into opposition in areas not connected at all with formal worship. The Friends suffered a great deal because they persisted both in holding their own meetings and in absenting themselves from the national worship. But their sufferings for conscience sake included their refusal to take oaths or to bear arms.

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6 He received a copy of this at Dublin on June 24, 1670 (Pennsylvania Magazine of History and Biography, XL (1916), 83). Possibly this is not any of the editions known to bibliographers, for these have a preface signed by him when a prisoner at Newgate, and a title with the words "once more" before "Debated and Defended," and they profess to be an "Epitome of no larger a Tract than fourteen Sheets" (Works (1726), I, 447), being themselves only seven or seven and a half sheets. W. C. Braithwaite otherwise explains the data in The Second Period of Quakerism, 74n.
with the consequent legal penalties, their refusal to pay tithes with the consequent distraints by the church authorities, and the public violence or abuse inflicted without authority of the law. Conflicts of all these kinds are familiar also today. Usual also then as now was the invoking of irrelevant or at least non-religious laws either because they caught the Quakers at some point of their own scruples or because they could be used as an instrument against almost any innocent person.

In the perspective of history modern scholars, as we have said, find it difficult to explain why the government of Restoration England went in so vigorously for religious conformity. Charles II appears now to have been securely seated on the throne. Parliament represented largely those English groups who in the Commonwealth and Protectorate should have learned from experience the advantages of toleration. The Civil War had been fought and won to insure liberty of conscience. The Clarendon Code looks like a throwback. It must be explained by the persistence of older prejudices and fears.

First among these fears is the bogey of Roman Catholicism. Even if a successful Catholic revolution was improbable in England, fears of it were kept alive by real or imagined Popish plots and by the possibility of military assistance to the rebels from beyond seas. Penn's own experiences illustrate this dread. It was a political rather than a religious motive, for anti-Catholic precaution was the fear that a Catholic government would oppress Protestants in turn. A more general motive was the phobia against dissent. The conception of the state as a Christian Society remained even when by the silent revolution of the time the state was assuming the responsibility for other aspects of the citizen's security and welfare. All dissent appeared to be heresy on the religious side and on the political side treason. The anxiety for political safety not only for the individual but for the nation remained for long an instinctive if not a conscious or an intelligent reason for persecution.

It may be doubted whether seventeenth-century persecutors really expected to convert their victims, though our own contemporary behavior suggests that such illusory expectations can exist in otherwise intelligent minds. At least the persecutor could hope to frighten non-conformists into inactivity or even into exile and to dissuade other persons from joining them. The creation of new loyal conform-
ists was not thus to be achieved, and would not concern a Christian-
ity that had lost all missionary motive. One of Penn’s recurrent
arguments is the futility of persecution to gain converts.

Penn also appealed to the constitutional privileges which the per-
secutor violated. “Liberty and property” appears to be the combina-
tion of words that usually expressed this notion for him and his con-
temporaries. The title of what is now probably his rarest tract runs:
The Excellent Privilege of Liberty and Property being the Birthright of
the Freeborn Subjects of England. Though this was published in
America in 1687 when Penn might well have regarded his personal
interest to be less that of subject than of ruler, it echoes his earlier
reliance on Magna Charta and his pride as an Englishman. At the
famous trial of Penn and Meade in 1670 civil rather than religious
liberty was obviously at stake, but Penn was always glad to make
the latter a corollary of the former. In all this as has recently been
remarked he “remained an Englishman.” Such citizenship meant to
him much what it meant to an earlier religious sufferer, the Apostle
Paul, to be able to cry “Civis Romanus sum.” Other British Quakers
made the most of their loyal patriotism, and even though present
pacifists they called attention to their past sufferings and service in
battle. In Penn’s case the appeal in argument to the hard-won privi-
leges of Englishmen is made with evident pride in the name, as well
as with the statesman’s anxiety for “an inviolable and impartial
maintenance of English rights.” The pseudonyms that he employed,
“Phil 'anglus” and “Philo-Britannicus,” are not mere window
dressing.

The argument for toleration that had the most practical appeal in
the seventeenth century was the economic and political one. This
also Penn used. The Quakers knew only too well that what they
suffered reduced their own productivity and income and thereby
reduced the public wealth and welfare. Many of them had, like Penn,
first-hand contacts with Holland, and the prosperity of that little
country they attributed in part to its capacity to reduce internal
political anarchy by federation and in part to its policy of religious
toleration. This attracted foreigners to settle. It contributed to the
national wealth, no citizen being persecuted for matters of religion.
It also contributed to political stability. A people whose government
tolerates them all in their several churches have every reason to be
unanimous in support of that government. Against an external foe they naturally make common cause. Pacifist though he was Penn is willing to point out to non-pacifists the military advantages of a state united by its freedom from religious dissensions.

These are only a few of the arguments which Penn repeatedly and eloquently presented in his many pamphlets for the general public. Their value and influence are very hard to appraise. Other voices were being raised in the same cause, of which some were influential in one quarter and some in another. The stable victory of toleration could come to England under the later Stuarts only when it had support of both King and Parliament. Often only the one or the other was favorable to the Quaker’s plea. Probably since he was a Quaker Penn’s endorsement carried little advantage to the cause. The anonymity he often practiced may show that he recognized this. His printed pleas had to commend themselves by the merits of their arguments rather than by the authority of their author. Even more damaging than Penn’s Quakerism was his close association with James, who both before and after his accession to the throne was not unnaturally believed to wish to exalt Catholicism. Yet it is not impossible that personally and privately and by word of mouth Penn contributed to the education of individuals, including those of highest position, so that the ultimate toleration in England owed more to him in this way than to his pen.

To such personal achievements must be added even more personal service to the cause. All religious groups have at one time or another suffered for their faith, and religious freedom in a general way is acknowledged to owe much to such sufferers. Can one indicate any peculiarity of the Quakers to justify the emphasis often put upon this side of history’s debt to them? Certainly other martyrs were just as brave (or obstinate). Perhaps the significance of Penn and his fellow sufferers is due to a fortunate timing. Their experience fell just at the crucial climax of a long evolution and in a little country that has had great influence in the world. At another time or place equal courage might not have proved so fruitful. One ought not to claim for the Quakers credit which humanly speaking is due merely to the accidents or conjunctions of history.

It would, however, be fair to say that the Quakers’ sufferings both in quantity and in quality make an impressive record. For their
extent it is sufficient to refer merely to the voluminous *Collection* by Penn’s early editor and biographer, Joseph Besse. Of their manner it is known that when they violated law they did it openly, and this freedom from subterfuge and from secrecy coupled with indomitable patience simply wore down their adversaries in a kind of non-military war of attrition. The frequent Quaker use of “out wear” and “out last” are evidences that they understood this technique. Their spirit is defined by James Nayler in some well-known words as one “that delights to do no evil nor to revenge any wrong, but delights to endure all things, in hope to enjoy its own in the end. Its hope is to outlive all wrath and contention, and to weary out all exaltation and cruelty, or whatever is of a nature contrary to itself.” Again and again their persecutors surrendered because of the sheer perseverance of their victims. A questionnaire prepared by Penn asks, as if expecting a positive answer, for a report of cases where persecutors “have repented and loved Friends, and Friends have contributed to their wants doing good for evil.” Such experiences, when generalized, provided an argument against the vigorous prosecution of religious conformity upon dissenters since “their very sufferings beget that compassion in the multitude, which rarely misses of making many friends, and proves often a preparation for not a few proselytes. So much more reverend is suffering than making men suffer for religion.”

Though Penn was not himself involved in the many frequent petty difficulties of some of his coreligionists, perhaps because of his respected social station, he had his share of imprisonments and his complete identification of himself with their sufferings justifies one in crediting him with a share in producing the beneficial effects.

Penn’s contribution to religious liberty through the colonial constitutions which he established seems to out-weigh all other services that he rendered. The several documents beginning with his *Preamble of Concessions and Agreements . . . of West New Jersey* in 1676 and continued from 1681 to 1701 with no less than eight constitutions for Pennsylvania consistently proclaim and provide religious toleration. They differ in detail and in some respects move in the direction of conservatism. The limitations with which in his own Pennsylvanias

7 MS Letter Book, 1667-1675, p. 106.
8 *Works* (1726), i, 673.
he hedged what he called "the first fundamental of the government of my province" excepted the use of Christian liberty for licentiousness or the destruction of others, excluded atheists and malefactors from freedom of worship, and excluded all non-Christians, for example Jews, from voting and office-holding. But Catholics and Jews as well as Protestants of all sects had full political and economic equality with entire freedom to worship God according to the dictates of their own conscience.

There are several of the American colonies for which is claimed either priority or maximum extent of religious freedom. This somewhat partisan debate one need not enter to recognize that it was the Quaker colonies alone that had no state church, and that the temper of the Friends was not to seek primarily for themselves a freedom which they would deny to others. One should speak with respect of Roger Williams' comparative liberalism in pre-Quaker Rhode Island and of the liberal Catholic settlement in Maryland and of the generous provisions of the earlier constitution of Carolina drawn up by John Locke. Penn's own position speaks for itself. It is probably correct to say that in no other colony than Pennsylvania could the Presbyterian Church have organized as a denomination. There was a time when even a Charles Carroll looked wistfully from Maryland to Pennsylvania as to a land providing more liberty for a Catholic. In 1733 when the erection of the first Catholic church in Philadelphia was protested, appeal was successfully made to the charter of William Penn. In 1739 Andrew Hamilton, retiring from the office of Speaker of the Pennsylvania Assembly, used these words:

By many years' experience we find that an equality among religious bodies, without distinguishing one sect with greater privileges than another is the most effective method to discourage hypocrisy, promote the practice of moral virtues and prevent the plagues and mischiefs that always attend religious discussion. This is our Constitution, and this Constitution was framed by the wisdom of Mr. Penn.

Fifty years later when another Constitution was in the making for thirteen colonies instead of for one the same principles were renewed to play a wider and more enduring role. How far they are to be traced to William Penn one cannot precisely define. Here at least his influence was lasting. The man who suffered so tragically at the hand of friend and foe in other matters, in his stand for religious liberty was loyally imitated for generations by Quakers and non-Quakers of his Commonwealth.
Both before and after Penn reached the Delaware in the ship Welcome religious liberty was a motive of escape from the Old World to the New. The Mayflower of 1620 from England and the Restaurationen from Norway in 1825 are but two examples of the flight of the persecuted from intolerant state churches like the Anglican and the Lutheran. They all sought freedom for themselves but not all sought freedom for others too. Penn had already enunciated the principle of giving to others the liberty we ask. Addressing a committee of Parliament in 1678 in answer to an accusation of being a Papist he said:

I am far from thinking it fit that Papists should be whipped for their consciences, because I exclaim against the injustice of whipping Quakers for Papists . . . . We must give the liberty we ask and cannot be false to our principles though it were to relieve ourselves, for we have good-will to all men and would have none suffer for a truly sober and conscientious dissent on any hand.  

When therefore Penn himself had the whip hand he provided in Pennsylvania the reverse of that usual pattern by which religious freedom meant, if not freedom only for those in control, at least religious and political advantage for them.

Very early in his province he had to resist the tendency to an imposed or established church. As a result of the zeal of Governor Fletcher of New York, an ardent Anglican, when he replaced Penn for a couple of years as Governor of Pennsylvania, a move had made some headway to impose an established Church on the province. In arguing against this Penn could quote from actual experience the Quaker type of toleration. Writing to Lord Somers he says:

I hope Lord Somers with other great and just men will easily think that it was never intended that Pennsylvania should be a Church Plantation, or that we that have made it for the accommodation of our own circumstances can think ourselves well used to have Churchmen put upon us that came hither at all hazards to improve a wilderness upon the publick faith of enjoying our government as well as our labours, short of which nothing could have been a prevailing motive for such an enterprize,—the soil being the natives' to give or sell it as they pleas'd, so it were to the subjects of the discoverers. We take leave therefore under the King or Crown of England to call it our Country where all people owning a God may live and those that confess to Jesus Christ the Saviour of the world may be employed, so that Churchmen not only have their liberty but may and actually have a share of the Government.

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10 Works, I, 118-119.
He proceeds to document the last point by reviewing the personnel then in office. In three of the six counties not three of the seven justices were of "another persuasion" than Anglican, while in the capital only one of all the officers (the Master of Rolls) was not a Churchman. This complaint based upon the original and majority colonists' efforts at freedom begins by running parallel to the complaint made in Massachusetts against the intruding Quakers, but the Puritans' intention to exclude the Quakers not only from holding office but even from living in the colony makes an interesting contrast.

As one compares the modern scene with William Penn and his times likenesses and differences emerge to view. Now as then much that appears like religious persecution is not to be attributed to religious grounds. Concern for the souls of the unorthodox is and was less conspicuous than other motives. Prison and torture implement political fears, economic jealousies and many subconscious individual and social drives. There is the fear that the dissidents are in alliance with a foreign foe, or that they represent internal forces that threaten the established or coveted power of the persecutors. Modern anti-semitism is much more racial than religious. In the seventeenth century the disabilities of the Jews, which ranged all the way from their mere exclusion from franchise in Penn's colony to a treatment under the Inquisition in Spain that falls little short of what Hitler represents, were imposed for sincere if misguided religious grounds. Today the Church and synagogue represent to the jealous totalitarian rival institutions rather than rival philosophies. In other cases an ambitious secular party uses a totalitarian church as tool or ally to its claim. Even in Protestant countries the civil government has found the churches an all too willing rubber stamp to its policies involving imperialism, power politics and war. The shallowness of its toleration is for this reason less evident. Penn believed that in his day it was usually the clergy who egged on the secular arm to persecute dissenters. Today it is sometimes the state who uses the church as its agent, or tries to do so.

Now as then persecution has been unofficial—the result of public prejudice rather than of law. And without specific laws against them the unpopular group has suffered by involving laws intended for
other purposes. The Jehovah's Witnesses in America are in much the same plight as were the early Quakers in England. They have been found to be persistent on conscientious grounds in matters which are regarded generally as purely secular. At this point Penn's insistence on civil rights—the disentanglement of property and liberty from opinion—is parallel to the worthy effort of those who no more share the views of the Witnesses than Penn shared the views of Jesuits. In his time and in ours the long respected tradition of a Magna Charta or of a Bill of Rights is an ally to defend the innocent and a privilege which it is to the interest of all to defend. As he often contended, persecution or injustice to men of any faith threatens the safety of all even of those who temporarily seem quite secure. A little non-conformity here or there often gives a serious and useful warning that eternal vigilance is the price of our liberty. It simply is not true that what happens in enemy lands "can't happen here."

The toleration that Penn advocated and practiced differs in some respects from what goes under that name today. He was not himself indifferent about religion. He was deeply concerned for it, without any of that popular fuzzy notion that it does not matter what a man believes. Penn had disciplined himself to combine with his own assured and stable convictions an objective policy of tolerating what seemed to him error, but of doing so in the higher interests of truth. While he urged the separation of Church and State for the sake of the State, he urged it also for the sake of religion. He recognized that imposed or even conventional religion cannot be strong. It must rest upon free choice, and it must imply responsibility. It must replace bigotry or sectarianism or indifference with an opportunity for voluntary cooperation and mutual trust.

As a Quaker Penn knew full well that religious freedom must be served also by suffering—even voluntary suffering. Unavoidable suffering is not without utility but deliberate conscientious disobedience is a tool of social change with a most respectable ancestry. Many who are willing to argue for religious freedom and to embody it in law are unwilling to suffer for it. They would rather fight for it. Penn sums up the Quaker policy as "not fighting but suffering." In the long crusade for toleration again and again it has made a difference how the victims of persecution take it, how they strive to return good for evil, how they maintain their integrity to the end. This difference
was much better appreciated by William Penn and the early Friends than by many of those who admire him today.

Finally Penn’s devotion to religious freedom was part of a fuller inclusive bent of life and character. It fits his relative freedom from racial prejudice, his revolutionary attitude towards the treatment of crime, and his characteristic Quaker pacifism. Coercion and violent resistance to coercion were no more justified for him between nations than between churches. He was aware of the futility of ideological compulsion or defense in both spheres. His Essay towards the Present and Future Peace of Europe and his practice in dealing with the Indians merely carried into political realms the reasons and the spirit of his argument and practice respecting religious toleration. It is no accident that the motto that appears on the title page of that remarkable program for international government should appear also on the title page of his Good Advice to the Church of England Roman Catholic and Protestant Dissenter. In both it is Beati Pacifici. Those were the days of religious wars. The Quaker knew that war was often the result of religious intolerance and was with it equally to be condemned. John Bellers, another pioneer Quaker internationalist and the contemporary of William Penn, in Some Reasons for an European State included “a proposal for a General Council or Convocation of all the different religious persuasions in Christendom (not to dispute what they differ about, but) to settle the General Principles they agree in: by which it will appear that they may be good subjects and neighbors, though of different apprehensions of the way to Heaven. In order to prevent broils and wars at home, when foreign wars are ended.” The sequence of anticipated success seems to us peculiar. We assume that religious civil wars are already things of the past while political international wars remain and must remain. In the seventeenth century nations of different religious faiths had found it possible to live in harmony with each other before they took the step of permitting and protecting a variety of faiths within the confines of each state. Whatever the historical sequence the elimination of intolerance and of war are twin tasks. For Penn and the Quakers both evils were equally blameworthy. No matter how right they believed themselves they would neither fight nor per-

\[12\] Cf. Jordan, Men of Substance (1942), 133, where a pamphlet written by Henry Robinson in 1644 is being summarized.
secute the opponents. To both matters the same considerations alike applied, whether practical, rational or moral. "Force," wrote Penn, "never yet made either a Good Christian or a Good Subject." And we may fairly extend to his political philosophy the message he sent the King from his imprisonment in the Tower of London that "the Tower was the worst argument in the world to convince me, for whoever was in the wrong, those who used force for religion never could be in the right." Obviously Penn would have little sympathy with those who today attempt to combine belief in religious liberty with acquiescence in war, even in war professedly waged for freedom of conscience.

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13 Works, 1, 455.