ESSAY REVIEW

The William Penn Papers, Volume II


The second volume of _The Papers of William Penn_, as brilliant, heavy, and handsome as the proprietor himself, provides a fascinating documentary record of the founding of Pennsylvania. As the editors, Richard S. Dunn and Mary Maples Dunn point out, it is the first comprehensive presentation of documents concerning the founding of Penn's colony since Samuel Hazard's _Annals of Pennsylvania_, published more than 130 years ago. Nearly all colonial scholars will want this volume in their library, for it sets forth in luxurious documentary detail, accompanied by wonderfully clear and informative introductions and headnotes, the record of seventeenth-century society building in England's mid-Atlantic colonies. The volume is doubly valuable for historians of Quakerism, of course, because it records so much of the Friends' early history in Pennsylvania.

Whereas the first volume of _The Papers of William Penn_ covered the first thirty-four years of the founder's life, the second volume concerns only the five years from 1680 to 1684. But what a half decade this was. The editors believe it was "the most creative, and on the whole the most productive" period in Penn's life. This seems a fair assessment. In his late thirties, Penn threw himself into the exhilarating (if sometimes frustrating and often disheartening) work of planning, promoting, leading, and defending a new colony of 45,000 square miles, carved out of the last significant piece of relatively uncolonized territory on the eastern edge of the continent.

The volume is divided into ten chronological sections, "designed to articulate the principal stages through which William Penn passed as he planned and supervised the settlement of Pennsylvania." This sensible organizational scheme allows the reader to follow Penn through the various steps that most colony-builders had to pass: negotiating a charter, planning and promoting the enterprise, framing a government, launching the first wave of immigrants, implementing settlement plans upon arrival, negotiating with the Indian possessors of the land, and reconciling early differences among contentious early planters.
Merely to consider these various stages, and to read the documents relevant to each, is to gain new understanding into the awful complexities of founding a colony in the New World. Even when the colonists were largely co-religionists abandoning a persecuting home society, even then they were fired by an annealing ethos that stressed family, peaceable relations with outsiders, and relative equality, they could squabble fiercely among themselves, niggle with a leader whom most professed to admire greatly, and sometimes respond to the opportunities that the new land seemed to offer in unbecoming ways.

The scholarly craftsmanship of the editors—assisted by Scott M. Wilds, Richard A. Ryerson, Jean R. Soderlund, and Ned C. Landsman—continues to match the high standard set in the first volume. The documents are admirably footnoted to provide the reader with the necessary identification of characters and places, Biblical and classical allusions, the context of obscure matters mentioned in the documents, and cross references to other relevant documents in the volume. Anyone who has worked in the history of this period will recognize the large contribution the footnotes make simply in identifying the hundreds of persons in Penn’s circle of friends, opponents, and contacts. Four valuable appendices reproduce a number of petitions to Penn from early settlers in Pennsylvania and Delaware, extracts from a Lord Baltimore letter to his agent in London about the Maryland-Pennsylvania border dispute, and a comprehensive list of 589 “first purchasers” (those who bought land directly from Penn between July 1681 and March 1685), embellished with data on their occupation, geographical origins, and amount of land purchased. This latter appendix considerably corrects John E. Pomfret’s calculations on the First Purchasers.

In any selective edition the choice of documents to be presented is a crucial consideration. The Dunns have chosen 217 of the 584 documents found for this period, of which only 105 have been previously published. All 584 documents are calendared in an appendix and keyed to the microfilm edition of the Penn Papers, which is available for purchase from the Historical Society of Pennsylvania. These documents reveal much less of the inner man than those in the first volume. But they show, in a quite remarkable way, the man of thought in action—arguing, negotiating, cajoling, remonstrating, and compromising in order to launch his colony.

One puzzling omission is the Frame of 1683—the revised system of government under which the colonists actually lived after the Frame of 1682, devised in England, had been voted down, much to Penn’s chagrin, by a ratifying convention that convened at Chester in December 1682. Penn had expected the forty-two elected delegates to endorse his Frame of Government as well as about ninety laws that he had drafted as a basic civil and criminal code.
But they rejected nineteen of the laws and the Frame of 1682 over which Penn had labored so long. In 1683, the General Assembly had to devise a substitute constitutional apparatus. The result was a frame of government (under which the colonists would live until 1696) that very considerably altered the distribution of political power among proprietor, council, and assembly as provided for in the Frame of 1682.

It is disappointing that this important chapter of early settlement and political tension receives so little attention in this volume. Admittedly, the documentation is very thin for the period at the end of 1682 and the beginning of 1683. Almost no letters from Penn to family or associates in England survive. But something of the record can be constructed from the minutes of the general assemblies that rejected the Frame of 1682 and passed the Frame of 1683 and from later letters that refer to this reformulation of basic law at the outset of the Holy Experiment.

In contrast to the omitted Frame of 1683, which became the fundamental law of Pennsylvania, much attention is lavished on the Frame of 1682, which the first General Assembly relegated to the dustbin of historical artifacts. In England between March 1681 and April 1682, Penn and his advisers made many drafts of the frame of government, and ten of them, along with two criticisms of the final product by Benjamin Furly, are printed in this volume. These documents, along with the editors' introductory notes, allow the reader to witness the fascinating process by which Penn evolved what he hoped would be the best government ever constructed in the English-speaking world.

This awesome power—and opportunity—to construct a government from scratch is not ordinarily given to a single man, and this partially accounts for the scholarly interest that Penn's Frame of 1682 has attracted for years. A focus of this interest has been the severe pruning of popular sovereignty that occurred after the first drafts were reconsidered and the subsequent enlargement of the proprietor's power and that of his council. This led to some harsh criticism of Penn's final product, including a famous overblown statement of Penn's friend, the radical Algernon Sidney, that Penn had devised "the basest laws in the world, not to be endured or lived under," and that even the Sultan of Turkey (the model of absolute power for Englishmen of the era) "had not more absolute power than Penn." The criticisms of Benjamin Furly, the Rotterdam merchant, were more temperate and more detailed, and they are published along with the various drafts.

The editors make a case that Thomas Rudyard, the Quaker solicitor and long-time associate of Penn, worked side by side with the proprietor in devising a more conservative frame of government. Contrary to what I have argued (that Penn shifted to a constitutional arrangement that centered power
in the proprietor and his council because leading investors in his colony probably opposed the liberal draft of government and insisted on a greater concentration of political power within the elite), the editors speculate that Penn moved in a conservative direction simply because he was convinced by Rudyard's critique of the more liberal draft that it was impractical.

This is to return the discussion of how Pennsylvania's articles of government were fashioned to the purely ideological realm. It is to argue that while promoting his colony and trying to attract major investors as well as common immigrants to it, Penn labored with Rudyard on the frame of government quite oblivious to what men of substance, who would be expected to play a leading role in the colony once in America, might have been saying.

Critics of Penn's revised frame at the time might not have found this argument convincing. "I wonder who should put thee upon altering them [an early draft of the frame of government called the "Fundamentall Consti- tuations"] for these [the final frame]," queried Benjamin Furly, "and as much how thou couldst ever yield to such a thing. . . . Who has turned you aside from these good beginnings to establish things unsavory and unjust?" Fourteen years later, an answer was given by William Markham, Penn's trusted cousin and his first lieutenant governor, who came to the colony among the first shipload of settlers and remained an important officeholder for years. "I knew very well," wrote Markham of the final frame of government, that "it was forced on him by friends who unless they received all that they demanded would not settle the country." The impractical features of Penn's more liberal drafts of government, I would argue, could have been remedied without the major redivision of political power in the frame of government that Penn finally approved, only to have it considerably amended by the ratifying assembly at Chester.

Scholarly arguments such as these will be profitably fueled by this and succeeding volumes of The Papers of William Penn. It should be noted, finally, that the editors have not only produced a wonderfully rich edition of the papers of an important figure of the Anglo-American world but have done so with a modest budget and on a schedule that puts to shame many similar editing projects. Though their principles would keep Penn and the Quakers from joining in, we can say "Hats off" to the editorial staff of the Penn Papers.

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