THESE TRUTHS

a History of the United States

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CONTENTS ★ ★ ★ ★

Introduction

THE QUESTION STATED

THE COURSE OF HISTORY IS UNPREDICTABLE, AS IRREGULAR as the weather, as errant as affection, nations rising and falling by whim and chance, battered by violence, corrupted by greed, seized by tyrants, raided by rogues, addled by demagogues. This was all true until one day, Tuesday, October 30, 1787, when readers of a newspaper called the *New-York Packet* found on the front page an advertisement for an almanac that came bound with tables predicting the "Rising and Setting of the Sun," the "Judgment of the Weather," the "Length of Days and Nights," and, as a bonus, something entirely new: the Constitution of the United States, forty-four hundred words that attempted to chart the motions of the branches of government and the separation of their powers as if these were matters of physics, like the transit of the sun and moon and the comings and goings of the tides.[1] It was meant to mark the start of a new era, in which the course of history might be made predictable and a government established that would be ruled not by accident and force but by reason and choice. The origins of that idea, and its fate, are the story of American history.

The Constitution entailed both toil and argument. Knee-breeched, sweat-drenched delegates to the constitutional convention had met all summer in Philadelphia in a swelter of secrecy, the windows of their debating hall nailed shut against eavesdroppers. By the middle of September, they'd drafted a proposal written on four pages of parchment. They sent that draft to printers who set the type of its soaring preamble with a giant W, as sharp as a bird's claw:

> We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

As summer faded to fall, the free people of the United States, finding the Constitution folded into their newspapers and almanacs, were asked to decide whether or not to ratify it, even as they went about baling hay, milling corn, tanning leather, singing hymns, and letting out the seams on last year's winter coats, for mothers and fathers grown fatter, and letting down the hems, for children grown taller.

They read this strange, intricate document, and they debated its plan. Some feared that the new system granted too much power to the federal government—to the president, or to Congress, or to the Supreme Court, or to all three. Many, like sixty-one-year-old George Mason of Virginia, a delegate who'd refused to sign it, wanted the Constitution to include a bill of rights. ("A bill might be prepared in a few hours," Mason had begged at the

convention, to no avail.)[2] Others complained about this clause or that, down to commas. It was not an easy thing to read. A few suggested scrapping it and starting all over again. "Cannot the same power which called the late convention, call another?" one citizen wondered. "Are not the people still their own masters?"[3]

Much of what they said is a matter of record. "The infant periods of most nations are buried in silence, or veiled in fable," James Madison once remarked.[4] Not the United States. Its infancy is preserved, like baby teeth kept in a glass jar, in the four parchment sheets of the Constitution, in the pages of almanacs that chart the weather of a long-ago climate, and in hundreds of newspapers, where essays for and against the new system of government appeared alongside the shipping news, auction notices, and advertisements for the return of people who never were their own masters—women and children, slaves and servants—and who had run away, hoping to ordain and establish, for themselves and their posterity, the blessings of liberty.

The season of ratification was an autumn of ordinary bustle and business. In that October 30, 1787, issue of the *New-York Packet*, a schoolmaster announced that he was offering lessons in "reading, writing, arithmetic, and merchants' accounts" in rooms near city hall. The estate of Gearey, Champion, and Co., consisting chiefly of "a large and general Assortment of Drugs and Medicines," was to be auctioned. Many-masted sailing ships from London and Liverpool and trim schooners from St. Croix, Baltimore, and Norfolk had dropped anchor in the depths of the harbor; sloops from Charleston and Savannah had tied their painters to the docks. A Scotsman offered a reward for the return of his stolen chestnut-colored mare, fourteen hands high, "lofty carriage, trots and canters very handsome." A merchant with a warehouse on Peck Slip wanted readers to know that he had for sale dry codfish, a quantity of molasses, ground ginger in barrels, York rum, pickled codfish, writing paper, and men's shoes. And the *Columbian Almanack* was for sale, with or without the Constitution as an appendix, at the printers' shop, where New Yorkers might also inquire after two people, for a price:

> TO BE SOLD. A LIKELY young NEGRO WENCH, 20 years of age, she is healthy and had the small pox, she has a young male child.

The mother was said to be "remarkably handy at housework"; her baby was "about 6 months old," still nursing. Their names were not mentioned.[5] They were not ruled by reason and choice. They were ruled by violence and force.

Between the everyday atrocity of slavery and the latest news from the apothecary there appeared on page 2 of that day's *New-York Packet* an essay titled THE FEDERALIST No. 1. It had been written, anonymously, by a brash thirty-year-old lawyer named Alexander Hamilton. "You are called upon to deliberate on a new Constitution for the United States of America," he told his readers. But more was at stake, too, he insisted; the wrong decision would result in "the general misfortune of mankind." The United States, he argued, was an experiment in the science of politics, marking a new era in the history of government:

> It seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on

accident and force.[6]

This was the question of that autumn. And, in a way, it has been the question of every season since, the question of every rising and setting of the sun, on rainy days and snowy days, on clear days and cloudy days, at the clap of every thunderstorm. Can a political society really be governed by reflection and election, by reason and truth, rather than by accident and violence, by prejudice and deceit? Is there any arrangement of government—any constitution—by which it's possible for a people to rule themselves, justly and fairly, and as equals, through the exercise of judgment and care? Or are their efforts, no matter their constitutions, fated to be corrupted, their judgment muddled by demagoguery, their reason abandoned for fury?

This question in every kind of weather is the question of American history. It is also the question of this book, an account of the origins, course, and consequences of the American experiment over more than four centuries. It is not a simple question. I once came across a book called *The Constitution Made Easy*.[7] The Constitution cannot be made easy. It was never meant to be easy.

The American experiment rests on three political ideas—"these truths," Thomas Jefferson called them—political equality, natural rights, and the sovereignty of the people. "We hold these truths to be sacred & undeniable," Jefferson wrote in 1776, in a draft of the Declaration of Independence:

> that all men are created equal & independent, that from that equal creation they derive rights inherent & inalienable, among which are the preservation of life, & liberty, & the pursuit of happiness; that to secure these ends, governments are instituted among men, deriving their just powers from the consent of the governed.

The roots of these ideas are as ancient as Aristotle and as old as Genesis and their branches spread as wide as the limbs of an oak. But they are this nation's founding principles: it was by declaring them that the nation came to be. In the centuries since, these principles have been cherished, decried, and contested, fought for, fought over, and fought against. After Benjamin Franklin read Jefferson's draft, he picked up his quill, scratched out the words "sacred & undeniable," and suggested that "these truths" were, instead, "self-evident." This was more than a quibble. Truths that are sacred and undeniable are God-given and divine, the stuff of religion. Truths that are self-evident are laws of nature, empirical and observable, the stuff of science. This divide has nearly rent the Republic apart.

Still, this divide is nearly always overstated and it's easy to exaggerate the difference between Jefferson and Franklin, which, in those lines, came down, too, to style: Franklin's revision is more forceful. The real dispute isn't between Jefferson and Franklin, each attempting, in his way, to reconcile faith and reason, as many have tried both before and since. The real dispute is between "these truths" and the course of events: Does American history prove these truths, or does it belie them?

Before the experiment began, the men who wrote the Declaration of Independence and the Constitution made an extraordinarily careful study of history. They'd been studying history all their lives. Benjamin Franklin was eighty-one years old, hunched and crooked,

when he signed the Constitution in 1787, with his gnarled and speckled hand. In 1731, when he was twenty-five, straight as a sapling, he'd written an essay called "Observations on Reading History," on a "little Paper, accidentally preserv'd."[8] And he'd kept on reading history, and taking notes, asking himself, year after year: What does the past teach?

The United States rests on a dedication to equality, which is chiefly a moral idea, rooted in Christianity, but it rests, too, on a dedication to inquiry, fearless and unflinching. Its founders agreed with the Scottish philosopher and historian David Hume, who wrote, in 1748, that "Records of Wars, Intrigues, Factions, and Revolutions are so many Collections of Experiments."[9] They believed that truth is to be found in ideas about morality but also in the study of history.

It has often been said, in the twenty-first century and in earlier centuries, too, that Americans lack a shared past and that, built on a cracked foundation, the Republic is crumbling.[10] Part of this argument has to do with ancestry: Americans are descended from conquerors and from the conquered, from people held as slaves and from the people who held them, from the Union and from the Confederacy, from Protestants and from Jews, from Muslims and from Catholics, and from immigrants and from people who have fought to end immigration. Sometimes, in American history—in nearly all national histories—one person's villain is another's hero. But part of this argument has to do with ideology: the United States is founded on a set of ideas, but Americans have become so divided that they no longer agree, if they ever did, about what those ideas are, or were.

I wrote this book because writing an American history from beginning to end and across that divide hasn't been attempted in a long time, and it's important, and it seemed worth a try. One reason it's important is that understanding history as a form of inquiry—not as something easy or comforting but as something demanding and exhausting—was central to the nation's founding. This, too, was new. In the West, the oldest stories, the *Iliad* and the *Odyssey*, are odes and tales of wars and kings, of men and gods, sung and told. These stories were memorials, and so were the histories of antiquity: they were meant as monuments. "I have written my work, not as an essay which is to win the applause of the moment," Thucydides wrote, "but as a possession for all time." Herodotus believed that the purpose of writing history was "so that time not erase what man has brought into being." A new kind of historical writing, less memorial and more unsettling, only first emerged in the fourteenth century. "History is a philosophical science," the North African Muslim scholar Ibn Khaldun wrote in 1377, in the prologue to his history of the world, in which he defined history as the study "of the causes and origins of existing things."[11]

Only by fits and starts did history become not merely a form of memory but also a form of investigation, to be disputed, like philosophy, its premises questioned, its evidence examined, its arguments countered. Early in the seventeenth century, Sir Walter Ralegh began writing his own *History of the World*, from a prison in the Tower of London where he was allowed to keep a library of five hundred books. The past, Ralegh explained, "hath made us acquainted with our dead ancestors," but it also casts light on the present, "by the comparison and application of other men's fore-passed miseries with our own like errors and ill deservings."[12] To study the past is to unlock the prison of the present.

This new understanding of the past attempted to divide history from faith. The books of world religions—the Hebrew Bible, the New Testament, and the Quran—are pregnant with mysteries, truths known only by God, taken on faith. In the new history books, historians aimed to solve mysteries and to discover their own truths. The turn from reverence to

inquiry, from mystery to history, was crucial to the founding of the United States. It didn't require abdicating faith in the truths of revealed religion and it relieved no one of the obligation to judge right from wrong. But it did require subjecting the past to skepticism, to look to beginnings not to justify ends, but to question them—with evidence.

"I offer nothing more than simple facts, plain arguments, and common sense," Thomas Paine, the spitfire son of an English grocer, wrote in *Common Sense*, in 1776. Kings have no right to reign, Paine argued, because, if we could trace hereditary monarchy back to its beginnings—"could we take off the dark covering of antiquity, and trace them to their first rise"—we'd find "the first of them nothing better than the principal ruffian of some restless gang." James Madison explained Americans' historical skepticism, this deep empiricism, this way: "Is it not the glory of the people of America, that, whilst they have paid a decent regard to the opinions of former times and other nations, they have not suffered a blind veneration for antiquity, for custom, or for names, to overrule the suggestions of their own good sense, the knowledge of their own situation, and the lessons of their own experience?"[13] Evidence, for Madison, was everything.

"A new era for politics is struck," Paine wrote, his pen aflame, and "a new method of thinking hath arisen."[14] Declaring independence was itself an argument about the relationship between the present and the past, an argument that required evidence of a very particular kind: historical evidence. That's why most of the Declaration of Independence is a list of historical claims. "To prove this," Jefferson wrote, "let facts be submitted to a candid world."

Facts, knowledge, experience, proof. These words come from the law. Around the seventeenth century, they moved into what was then called "natural history": astronomy, physics, chemistry, geology. By the eighteenth century they were applied to history and to politics, too. *These truths:* this was the language of reason, of enlightenment, of inquiry, and of history. In 1787, then, when Alexander Hamilton asked "whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force," that was the kind of question a scientist asks before beginning an experiment. Time alone would tell. But time has passed. The beginning has come to an end. What, then, is the verdict of history?

This book attempts to answer that question by telling the story of American history, beginning in 1492, with Columbus's voyage, which tied together continents, and ending in a world not merely tied together but tangled, knotted, and bound. It chronicles the settlement of American colonies; the nation's founding and its expansion through migration, immigration, war, and invention; its descent into civil war; its entrance into wars in Europe; its rise as a world power and its role, after the Second World War, in the establishment of the modern liberal world order: the rule of law, individual rights, democratic government, open borders, and free markets. It recounts the nation's confrontations with communism abroad and discrimination at home; its fractures and divisions, and the wars it has waged since 2001, when two airplanes crashed into the two towers of the World Trade Center eight blocks from the site of a long-gone shop where the printers of the *New-York Packet* had once offered for sale a young mother and her six-month old baby and the *Columbian Almanack,* bound with the Constitution, or without.

With this history, I've told a story; I've tried to tell it fairly. I have written a beginning and I have written an ending and I have tried to cross a divide, but I haven't attempted to

tell the whole story. No one could. Much is missing in these pages. In the 1950s, the historian Carl Degler explained the rule he'd used in deciding what to leave in and what to leave out of his own history of the United States, a lovely book called *Out of Our Past*. "Readers should be warned that they will find nothing here on the Presidential administrations between 1868 and 1901, no mention of the American Indians or the settlement of the seventeenth-century colonies," Degler advised. "The War of 1812 is touched on only in a footnote."[15] I, too, have had to skip over an awful lot. Some very important events haven't even made it into the footnotes, which I've kept clipped and short, like a baby's fingernails.

In deciding what to leave in and what to leave out, I've confined myself to what, in my view, a people constituted as a nation in the early twenty-first century need to know about their own past, mainly because this book is meant to double as an old-fashioned civics book, an explanation of the origins and ends of democratic institutions, from the town meeting to the party system, from the nominating convention to the secret ballot, from talk radio to Internet polls. This book is chiefly a political history. It pays very little attention to military and diplomatic history or to social and cultural history. But it does include episodes in the history of American law and religion, journalism and technology, chiefly because these are places where what is true, and what's not, have sometimes gotten sorted out.

Aside from being a brief history of the United States and a civics primer, this book aims to be something else, too: it's an explanation of the nature of the past. History isn't only a subject; it's also a method. My method is, generally, to let the dead speak for themselves. I've pressed their words between these pages, like flowers, for their beauty, or like insects, for their hideousness. The work of the historian is not the work of the critic or of the moralist; it is the work of the sleuth and the storyteller, the philosopher and the scientist, the keeper of tales, the sayer of sooth, the teller of truth.

What, then, of the American past? There is, to be sure, a great deal of anguish in American history and more hypocrisy. No nation and no people are relieved of these. But there is also, in the American past, an extraordinary amount of decency and hope, of prosperity and ambition, and much, especially, of invention and beauty. Some American history books fail to criticize the United States; others do nothing but. This book is neither kind. The truths on which the nation was founded are not mysteries, articles of faith, never to be questioned, as if the founding were an act of God, but neither are they lies, all facts fictions, as if nothing can be known, in a world without truth. Between reverence and worship, on the one side, and irreverence and contempt, on the other, lies an uneasy path, away from false pieties and petty triumphs over people who lived and died and committed both their acts of courage and their sins and errors long before we committed ours. "We cannot hallow this ground," Lincoln said at Gettysburg. We are obliged, instead, to walk this ground, dedicating ourselves to both the living and the dead.

A last word, then, about storytelling, and truth. "I have begun this letter five times and torn it up," James Baldwin wrote, in a letter to his nephew begun in 1962. "I keep seeing your face, which is also the face of your father and my brother." His brother was dead; he meant to tell his nephew about being a black man, about the struggle for equality, and about the towering importance and gripping urgency of studying the past and reckoning with origins. He went on,

I have known both of you all your lives, have carried your Daddy in my arms and on

> my shoulders, kissed and spanked him and watched him learn to walk. I don't know if you've known anybody from that far back; if you've loved anybody that long, first as an infant, then as a child, then as a man, you gain a strange perspective on time and human pain and effort. Other people cannot see what I see whenever I look into your father's face, for behind your father's face as it is today are all those faces which were his.[16]

No one can know a nation that far back, from its infancy, with or without baby teeth kept in a jar. But studying history is like that, looking into one face and seeing, behind it, another, face after face after face. "Know whence you came," Baldwin told his nephew.[17] The past is an inheritance, a gift and a burden. It can't be shirked. You carry it everywhere. There's nothing for it but to get to know it.

THESE TRUTHS

John Durand painted the precocious six-year-old New Yorker Jane Beekman in 1767, holding a book and seized with inspiration.

Part One

THE IDEA

★ ★ ★ ★

1492–1799

In the beginning, all the World was America.

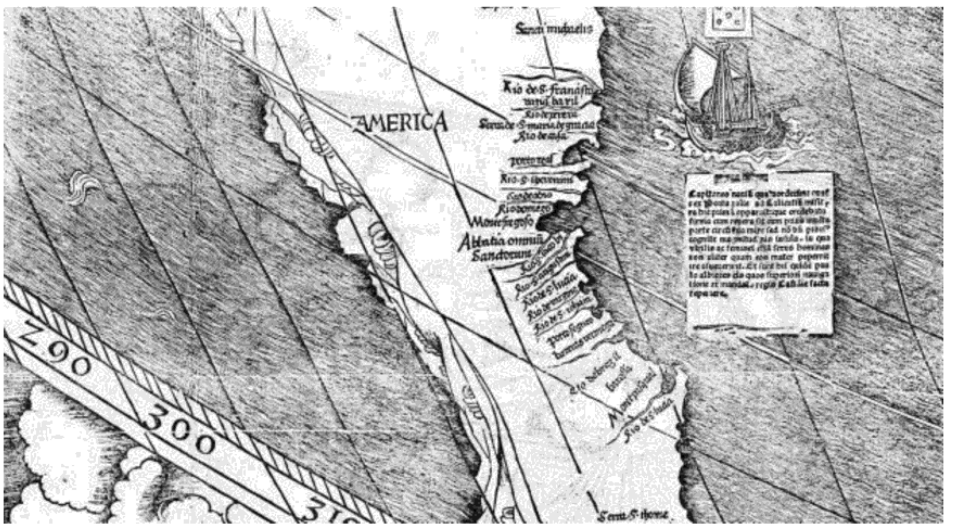
—John Locke,

Second Treatise on Government,

1689

One

THE NATURE OF THE PAST



"America" first appeared as the name of an undefined land mass on a map of the world made in 1507.

"WE SAW NAKED PEOPLE," A BROAD-SHOULDERED SEA captain from Genoa wrote in his diary, nearing land after weeks of staring at nothing but blue-black sea. Or, at least, that's what Christopher Columbus is thought to have written in his diary that day in October 1492, ink trailing across the page like the line left behind by a snail wandering across a stretch of sand. No one knows for sure what the sea captain wrote that day, because his diary is lost. In the 1530s, before it disappeared, parts of it were copied by a frocked and tonsured Dominican friar named Bartolomé de Las Casas. The friar's copy was lost, too, until about 1790, when an old sailor found it in the library of a Spanish duke. In 1894, the widow of another librarian sold to a duchess parchment scraps of what appeared to be Columbus's original—it had his signature, and the year 1492 on the cover. After that, the widow disappeared, and, with her, whatever else may have been left of the original diary vanished.[1]

On an ink-splotched sketch of northwest Haiti, Columbus labeled "la española," Hispaniola, "the little Spanish island."

All of this is unfortunate; none of it is unusual. Most of what once existed is gone. Flesh decays, wood rots, walls fall, books burn. Nature takes one toll, malice another. History is the study of what remains, what's left behind, which can be almost anything, so long as it survives the ravages of time and war: letters, diaries, DNA, gravestones, coins, television broadcasts, paintings, DVDs, viruses, abandoned Facebook pages, the transcripts of congressional hearings, the ruins of buildings. Some of these things are saved by chance or accident, like the one house that, as if by miracle, still stands after a hurricane razes a town. But most of what historians study survives because it was purposely kept—placed in a box and carried up to an attic, shelved in a library, stored in a museum, photographed or recorded, downloaded to a server—carefully preserved and even catalogued. All of it, together, the accidental and the intentional, this archive of the past—remains, relics, a repository of knowledge, the evidence of what came before, this inheritance—is called the historical record, and it is maddeningly uneven, asymmetrical, and unfair.

Relying on so spotty a record requires caution. Still, even its absences speak. "We saw naked people," Columbus wrote in his diary (at least, according to the notes taken by Las Casas). "They were a people very poor in everything," the sea captain went on, describing the people he met on an island they called Haiti—"land of mountains"—but that Columbus called Hispaniola—"the little Spanish island"—because he thought it had no name. They lacked weapons, he reported; they lacked tools. He believed they lacked even a faith: "They appear to have no religion." They lacked guile; they lacked suspicion. "I will take six of them from here to Your Highnesses," he wrote, addressing the king and queen of Spain, "in order that they may learn to speak," as if, impossibly, they had no language.[2] Later, he admitted the truth: "None of us understands the words they say."[3]

Two months after he reached Haiti, Columbus prepared to head back to Spain but, off the coast, his three-masted flagship ran aground. Before the ship sank, Columbus's men salvaged the timbers to build a fort; the sunken wreckage has never been found, as lost to history as everything that the people of Haiti said the day a strange sea captain washed up on shore. On the voyage home, on a smaller ship, square-rigged and swift, Columbus

wondered about all that he did not understand about the people he'd met, a people he called "Indians" because he believed he had sailed to the Indies. It occurred to him that it wasn't that they didn't have a religion or a language but that these things were, to him, mysteries that he could not penetrate, things beyond his comprehension. He needed help. In Barcelona, he hired Ramón Pané, a priest and scholar, to come along on his next voyage, to "discover and understand . . . the beliefs and idolatries of the Indians, and . . . how they worship their gods."[4]

Pané sailed with Columbus in 1493. Arriving in Haiti, Pané met a man named Guatícabanú, who knew all of the languages spoken on the island, and who learned Pané's language, Castilian, and taught him his own. Pané lived with the natives, the Taíno, for four years, and delivered to Columbus his report, a manuscript he titled *An Account of the Antiquities of the Indians*. Not long afterward, it vanished.

The fates of old books are as different as the depths of the ocean. Before *An Account of the Antiquities of the Indians* disappeared, Columbus's son Ferdinand, writing a biography of his father, copied it out, and even though Ferdinand Columbus's book remained unpublished at his death in 1539, his copy of Pané's extraordinary account had by then been copied by other scholars, including the learned and dogged Las Casas, a man who never left a page unturned. In 1570, a scholar in Venice was translating Pané's *Antiquities* into Italian when he died in prison, suspected of being a spy for the French; nevertheless, his translation was published in 1571, with the result that the closest thing to the original of Pané's account that survives is a poor Italian translation of words that had already been many times translated, from other tongues to Guatícabanú's tongue, and from Guatícabanú's tongue to Castilian and then, by Pané, from Castilian.[5] And yet it remains a treasure.

"I wrote it down in haste and did not have sufficient paper," Pané apologized. He'd collected the Taíno's stories, though he'd found it difficult to make sense of them, since so many of the stories seemed, to him, to contradict one another. "Because they have neither writing nor letters," Pané reported, "they cannot give a good account of how they have heard this from their ancestors, and therefore they do not all say the same thing." The Taíno had no writing. But, contrary to Columbus's initial impressions, they most certainly did have a religion. They called their god Yúcahu. "They believe that he is in heaven and is immortal, and that no one can see him, and that he has a mother," Pané explained. "But he has no beginning." Also, "They know likewise from whence they came, and where the sun and the moon had their beginning, and how the sea was made, and where the dead go."[6]

People order their worlds with tales of their dead and of their gods and of the origins of their laws. The Taíno told Pané that their ancestors once lived in caves and would go out at night but, once, when some of them were late coming back, the Sun turned them into trees. Another time, a man named Yaya killed his son Yayael and put his bones in a gourd and hung it from his roof and when his wife took down the gourd and opened it the bones had been changed into fish and the people ate the fish but when they tried to hang the gourd up again, it fell to the earth, and out spilled all the water that made the oceans.

The Taíno did not have writing but they did have government. "They have their laws gathered in ancient songs, by which they govern themselves," Pané reported.[7] They sang their laws, and they sang their history. "These songs remain in their memory rather than in books," another Spanish historian observed, "and this way they recite the genealogies of the caciques, kings, and lords they have had, their deeds, and the bad or good times they had."[8]

In those songs, they told their truths. They told of how the days and weeks and years

after the broad-shouldered sea captain first spied their island were the worst of times. Their god, Yúcahu, had once foretold that they "would enjoy their dominion for but a brief time because a clothed people would come to their land who could overcome them and kill them."[9] This had come to pass. There were about three million people on that island, land of mountains, when Columbus landed; fifty years later, there were only five hundred; everyone else had died, their songs unsung.

I.

STORIES OF ORIGINS nearly always begin in darkness, earth and water and night, black as doom. The sun and the moon came from a cave, the Taíno told Pané, and the oceans spilled out of a gourd. The Iroquois, a people of the Great Lakes, say the world began with a woman who lived on the back of a turtle. The Akan of Ghana tell a story about a god who lived closer to the earth, low in the sky, until an old woman struck him with her pestle, and he flew away. "In the beginning, God created the heaven and the earth," according to Genesis. "And the earth was without form, and void; and darkness was upon the face of the deep."

Darkness was on the face of the deep in geological histories, too, whose evidence comes from rocks and bones. The universe was created about fourteen billion years ago, according to the traces left behind by meteors and the afterlives of stars, glowing and distant, blinking and dim. The earth was formed about four billion years ago, according to the sand and rocks, sea floors and mountaintops. For a very long time, all the lands of the earth were glommed together until, about three hundred million years ago, those glommed-together lands began breaking up; parts broke off and began drifting away from one another, like the debris of a sinking ship.

Evidence of the long-ago past is elusive, but it survives in the unlikeliest of places, even in the nests of pack rats, mammals that crept up in North America sixty million years ago. Pack rats build nests out of sticks and stones and bones and urinate on them; the liquid hardens like amber, preserving pack rat nests as if pressed behind glass. A great many of the animals and plants that lived at the time of ancient pack rats later became extinct, lost forever, saved only in pack rat nests, where their preserved remains provide evidence not only of evolution but of the warming of the earth. A pack rat nest isn't like the geological record; it's more like an archive, a collection, gathered and kept, like a library of old books and long-forgotten manuscripts, a treasure, an account of the antiquities of the animals and plants.[10]

The fossil record is richer still. Charles Darwin called the record left by fossils "a history of the world imperfectly kept." According to that record, *Homo sapiens*, modern humans, evolved about three hundred thousand years ago, in East Africa, near and around what is now Ethiopia. Over the next hundred and fifty thousand years, early humans spread into the Middle East, Asia, Australia, and Europe.[11] Like pack rats, humans store and keep and save. The record of early humans, however imperfectly kept, includes not only fossils but also artifacts, things created by people (the word contains its own meaning—*art* + *fact*—an *artifact* is a fact made by art). Artifacts and the fossil record together tell the story of how, about twenty thousand years ago, humans migrated into the Americas from Asia when, for a while, the northwestern tip of North America and the northeastern tip of Asia were

attached when a landmass between them rose above sea level, making it possible for humans and animals to walk between what is now Russia and Alaska, a distance of some six hundred miles, until the water rose again, and one half of the world was, once again, cut off from the other half.

In 1492, seventy-five million people lived in the Americas, north and south.[12] The people of Cahokia, the biggest city in North America, on the Mississippi floodplains, had built giant plazas and earthen mounds, some bigger than the Egyptian pyramids. In about 1000 AD, before Cahokia was abandoned, more than ten thousand people lived there. The Aztecs, Incas, and Maya, vast and ancient civilizations, built monumental cities and kept careful records and calendars of exquisite accuracy. The Aztec city of Tenochtitlán, founded in 1325, had a population of at least a quarter-million people, making it one of the largest cities in the world. Outside of those places, most people in the Americas lived in smaller settlements and gathered and hunted for their food. A good number were farmers who grew squash and corn and beans, hunted and fished. They kept pigs and chickens but not bigger animals. They spoke hundreds of languages and practiced many different faiths. Most had no written form of language. They believed in many gods and in the divinity of animals and of the earth itself.[13] The Taíno lived in villages of one or two thousand people, headed by a cacique. They fished and farmed. They warred with their neighbors. They decorated their bodies; they painted themselves red. They sang their laws.[14] They knew where the dead went.

In 1492, about sixty million people lived in Europe, fifteen million fewer than lived in the Americas. They lived and were ruled in villages and towns, in cities and states, in kingdoms and empires. They built magnificent cities and castles, cathedrals and temples and mosques, libraries and universities. Most people farmed and worked on land surrounded by fences, raising crops and cattle and sheep and goats. "Be fruitful, and multiply, and replenish the earth, and subdue it," God tells Adam and Eve in Genesis, "and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth." They spoke and wrote dozens of languages. They recorded their religious tenets and stories on scrolls and in books of beauty and wonder. They were Catholic and Protestant, Jewish and Muslim; for long stretches of time, peoples of different faiths managed to get along and then, for other long stretches, they did not, as if they would cut out one another's hearts. Their faith was their truth, the word of their God, revealed to their prophets, and, for Christians, to the people, through the words spoken by Jesus—the *good-spell*, or "good news"—their Gospel, written down.

Before 1492, Europe suffered from scarcity and famine. After 1492, the vast wealth carried to Europe from the Americas and extracted by the forced labor of Africans granted governments new powers that contributed to the rise of nation-states.

A nation is a people who share a common ancestry. A state is a political community, governed by laws. A nation-state is a political community, governed by laws, that, at least theoretically, unites a people who share a common ancestry (one way nation-states form is by violently purging their populations of people with different ancestries). As nation-states emerged, they needed to explain themselves, which they did by telling stories about their origins, tying together ribbons of myths, as if everyone in the "English nation," for instance, had the same ancestors, when, of course, they did not. Very often, histories of nation-states are little more than myths that hide the seams that stitch the nation to the state.[15]

The origins of the United States can be found in those seams. When the United States

declared its independence in 1776, plainly, it was a state, but what made it a nation? The fiction that its people shared a common ancestry was absurd on its face; they came from all over, and, having waged a war against England, the very last thing they wanted to celebrate was their Englishness. In an attempt to solve this problem, the earliest historians of the United States decided to begin their accounts with Columbus's voyage, stitching 1776 to 1492. George Bancroft published his *History of the United States from the Discovery of the American Continent to the Present* in 1834, when the nation was barely more than a half-century old, a fledgling, just hatched. By beginning with Columbus, Bancroft made the United States nearly three centuries older than it was, a many-feathered old bird. Bancroft wasn't only a historian; he was also a politician: he served in the administrations of three U.S. presidents, including as secretary of war during the age of American expansion. He believed in manifest destiny, the idea that the United States was fated to cross the continent, from east to west. For Bancroft, the nation's fate was all but sealed the day Columbus set sail. By giving Americans a more ancient past, he hoped to make America's founding appear inevitable and its growth inexorable, God-ordained. He also wanted to celebrate the United States, not as an offshoot of England, but instead as a pluralist and cosmopolitan nation, with ancestors all over the world. "France contributed to its independence," he observed, "the origin of the language we speak carries us to India; our religion is from Palestine; of the hymns sung in our churches, some were first heard in Italy, some in the deserts of Arabia, some on the banks of the Euphrates; our arts come from Greece; our jurisprudence from Rome."[16]

Yet the origins of the United States date to 1492 for another, more troubling reason: the nation's founding truths were forged in a crucible of violence, the products of staggering cruelty, conquest and slaughter, the assassination of worlds. The history of the United States can be said to begin in 1492 because the idea of equality came out of a resolute rejection of the idea of inequality; a dedication to liberty emerged out of bitter protest against slavery; and the right to self-government was fought for, by sword and, still more fiercely, by pen. Against conquest, slaughter, and slavery came the urgent and abiding question, "By what right?"

To begin a history of the United States in 1492 is to take seriously and solemnly the idea of America itself as a beginning. Yet, so far from the nation's founding having been inevitable, its expansion inexorable, the history of the United States, like all history, is a near chaos of contingencies and accidents, of wonders and horrors, unlikely, improbable, and astonishing.

To start with, weighing the evidence, it's a little surprising that it was western Europeans in 1492, and not some other group of people, some other year, who crossed an ocean to discover a lost world. Making the journey required knowledge, capacity, and interest. The Maya, whose territory stretched from what is now Mexico to Costa Rica, knew enough astronomy to navigate across the ocean as early as AD 300. They did not, however, have seaworthy boats. The ancient Greeks had known a great deal about cartography: Claudius Ptolemy, an astronomer who lived in the second century, had devised a way to project the surface of the globe onto a flat surface with near-perfect proportions. But medieval Christians, having dismissed the writings of the ancient Greeks as pagan, had lost much of that knowledge. The Chinese had invented the compass in the eleventh century, and had excellent boats. Before his death in 1433, Zheng He, a Chinese Muslim, had explored the coast of much of Asia and eastern Africa, leading two hundred ships and twenty-seven

thousand sailors. But China was the richest country in the world, and by the late fifteenth century no longer allowed travel beyond the Indian Ocean, on the theory that the rest of the world was unworthy and uninteresting. West Africans navigated the coastline and rivers that led into a vast inland trade network, but prevailing winds and currents thwarted them from navigating north and they seldom ventured into the ocean. Muslims from North Africa and the Middle East, who had never cast aside the knowledge of antiquity and the calculations of Ptolemy, made accurate maps and built sturdy boats, but because they dominated trade in the Mediterranean Sea, as well as overland trade with Africa, for gold, and with Asia, for spices, they didn't have much reason to venture farther.[17]

It was somewhat out of desperation, then, that the poorest and weakest Christian monarchs on the very western edge of Europe, fighting with Muslims, jealous of the Islamic world's monopoly on trade, and keen to spread their religion, began looking for routes to Africa and Asia that wouldn't require sailing across the Mediterranean. In the middle of the fifteenth century, Prince Henry of Portugal began sending ships to sail along the western coast of Africa. Building forts on the coast and founding colonies on islands, they began to trade with African merchants, buying and selling people, coin for flesh, a traffic in slaves.

Columbus, a citizen of the bustling Mediterranean port of Genoa, served as a sailor on Portuguese slave-trading ships beginning in 1482. In 1484, when he was about thirty-three years old, he presented to the king of Portugal a plan to travel to Asia by sailing west, across the ocean. The king assembled a panel of scholars to consider the proposal but, in the end, rejected it: Portugal was committed to its ventures in West Africa, and the king's scholars saw that Columbus had greatly underestimated the distance he would have to travel. Better calculated was the voyage of Bartolomeu Dias, a Portuguese nobleman, who in 1487 rounded the southernmost tip of Africa, proving that it was possible to sail from the Atlantic to the Indian Ocean. Why sail west, across the Atlantic, when a different way to sail to the East had already been found?

Columbus next brought his proposal to the king and queen of Spain, who at first rejected it; they were busy waging wars of religion, purging their population of people who had different ancestors and different beliefs. Early in 1492, after the last Muslim city in Spain fell to the Spanish crown, Ferdinand and Isabella ordered that all Jews be expelled from their realm and, confident that their pitiless Inquisition had rid their kingdom of Muslims and Jews, heretics and pagans, they ordered Columbus to sail, to trade, and to spread the Christian faith: to conquer, and to chronicle, to say what was true, and to write it down: to keep a diary.

TO WRITE SOMETHING down doesn't make it true. But the history of truth is lashed to the history of writing like a mast to a sail. Writing was invented in three different parts of the world at three different moments in time: about 3200 BCE in Mesopotamia, about 1100 BCE in China, and about AD 600 in Mesoamerica. In the history of the world, most of the people who have ever lived either did not know how to write or, if they did, left no writing behind, which is among the reasons why the historical record is so maddeningly unfair. To write something down is to make a fossil record of a mind. Stories are full of power and force; they seethe with meaning, with truths and lies, evasions and honesty. Speech often has far more weight and urgency than writing. But most words, once spoken, are forgotten, while writing lasts, a point observed early in the seventeenth century by an English vicar named

Samuel Purchas. Purchas, who had never been more than two hundred miles from his vicarage, carefully studied the accounts of travelers, because he proposed to write a new history of the world.[18] Taking stock of all the differences between the peoples of all ages and places, across continents and centuries, Purchas was most struck by what he called the "literall advantage": the significance of writing. "By writing," he wrote, "Man seems immortall."[19]

A new chapter in the history of truth—foundational to the idea of truth on which the United States would one day stake and declare its independence—began on Columbus's first voyage. If any man in history had a "literall advantage," that man was Christopher Columbus. In Haiti in October 1492, under a scorching sun, with two of his captains as witnesses, Columbus (according to the notes taken by Las Casas) declared that "he would take, as in fact he did take, possession of the said island for the king and for the queen his lords." And then he wrote that down.[20]

This act was both new and strange. Marco Polo, traveling through the East in the thirteenth century, had not claimed China for Venice; nor did Sir John Mandeville, traveling through the Middle East in the fourteenth century, attempt to take possession of Persia, Syria, or Ethiopia. Columbus had read Marco Polo's *Travels* and Mandeville's *Travels*; he seems to have brought those books with him when he sailed.[21] Unlike Polo and Mandeville, Columbus did not make a catalogue of the ways and beliefs of the people he met (only later did he hire Pané to do that). Instead, he decided that the people he met had no ways and beliefs. Every difference he saw as an absence.[22] Insisting that they had no faith and no civil government and were therefore infidels and savages who could not rightfully own anything, he claimed possession of their land, by the act of writing. They were a people without truth; he would make his truth theirs. He would tell them where the dead go.

Columbus had this difference from Marco Polo and Mandeville, too: he made his voyages not long after Johannes Gutenberg, a German blacksmith, invented the printing press. Printing accelerated the diffusion of knowledge and broadened the historical record: things that are printed are much more likely to last than things that are merely written down, since printing produces many copies. The two men were often paired. "Two things which I always thought could be compared, not only to Antiquity, but to immortality," wrote one sixteenth-century French philosopher, are "the invention of the printing press and the discovery of the new world."[23] Columbus widened the world, Gutenberg made it spin faster.

But Columbus himself did not consider the lands he'd visited to be a new world. He thought only that he'd found a new route to the old world. Instead, it was Amerigo Vespucci, the venturesome son of a notary from Florence, Italy, who crossed the ocean in 1503 and wrote, about the lands he found, "These we may rightly call a new world." The report Vespucci brought home was soon published as a book called *Mundus Novus*, translated into eight languages and published in sixty different editions. What Vespucci reported discovering was rather difficult to believe. "I have found a continent more densely peopled and abounding in animals than our Europe or Asia or Africa," he wrote.[24] It seemed a Garden of Eden, a place only ever before imagined. In 1516, Thomas More, a counselor to England's king, Henry VIII, published a fictional account of a Portuguese sailor on one of Vespucci's ships who had traveled just a bit farther, to an island where he found a perfect republic, named Utopia (literally, no place)—the island of nowhere.[25]

What did it mean to find someplace where nowhere was supposed to be? The world had long seemed to consist of three parts. In the seventh century, the Archbishop Isidore of

Seville, writing an encyclopedia called the *Etymologiae* that circulated widely in manuscript—as many as a thousand handwritten copies survive—had drawn the world as a circle surrounded by oceans and divided by seas into three bodies of land, Asia, Europe, and Africa, inhabited by the descendants of the three sons of Noah: Shem, Japheth, and Ham. In 1472, *Etymologiae* became one of the very first books ever to be set in type and the archbishop's map became the first world map ever printed.[26] Twenty years later, it was obsolete.

Discovering that nowhere was somewhere meant work for mapmakers, another kind of writing that made claims of truth and possession. In 1507, Martin Waldseemüller, a German cartographer living in northern France who had in his hands a French translation of *Mundus Novus,* carved onto twelve woodblocks a new map of the world, a Universalis Cosmographia, and printed more than a thousand copies. People pasted the twelve prints together and mounted them like wallpaper to make a giant map, four feet high by eight feet wide. Wallpaper fades and falls apart: only a single copy of Waldseemüller's map survives. But one word on that long-lost map has lasted longer than anything else Waldseemüller ever wrote. With a nod to Vespucci, Waldseemüller, inventing a word, gave the fourth part of the world, that unknown utopia, a name: he labeled it "America."[27]

A drawing originally made in the seventh century by Isidore of Seville became, in 1472, the first printed map

of the world; twenty years later, it was obsolete.

This name stuck by the merest accident. Much else did not last. The Taíno story about the cave, the Iroquois story about the turtle, the Akan story about the old woman with the pestle, the Old Testament story of Adam and Eve—these stories would be unknown, or hardly known, if they hadn't been written down or recorded. That they lasted mattered. Modernity began when people fighting over which of these stories was true began to think differently about the nature of truth, about the nature of the past, and about the nature of rule.

II.

In 1493, when Columbus returned from his unimaginable voyage, a Spanish-born pope granted all of the lands on the other side of the ocean, everything west of a line of longitude some three hundred miles west of Cape Verde, to Spain, and granted what lay east of that line, western Africa, to Portugal, the pope claiming the authority to divvy up lands inhabited by tens of millions of people as if he were the god of Genesis. Unsurprisingly, the heads of England, France, and the Netherlands found this papal pronouncement absurd. "The sun shines for me as for the others," said the king of France. "I should like to see the clause of Adam's will which excludes me from a share of the world."[28] Nor did Spain's claim go uncontested on the other side of the world. A Taíno man told Guatícabanú that the Spanish "were wicked and had taken their land by force."[29] Guatícabanú told that to Ramón Pané, who wrote it down. Ferdinand Columbus copied that out. And so did a scholar in a prison in Venice. It was as if that Taíno man had taken down from his roof a gourd full of the bones of his son and opened it, spilling out an ocean of ideas. The work of conquest involved pretending that ocean could be poured back into that gourd.

Artists working for the sixteenth-century mestizo Diego Muñoz Camargo illustrated the Spanish punishment for native converts who abandoned Christianity.

An ocean of ideas not fitting into a gourd, people in both Europe and the Americas groped for meaning and wondered how to account for difference and sameness. They asked new questions, and they asked old questions more sharply: Are all peoples one? And if they are, by what right can one people take the land of another or their labor or, even, their lives?

Any historical reckoning with these questions begins with counting and measuring. Between 1500 and 1800, roughly two and a half million Europeans moved to the Americas; they carried twelve million Africans there by force; and as many as fifty million Native Americans died, chiefly of disease.[30] Europe is spread over about four million square miles, the Americas over about twenty million square miles. For centuries, geography had constrained Europe's demographic and economic growth; that era came to a close when

Europeans claimed lands five times the size of Europe. Taking possession of the Americas gave Europeans a surplus of land; it ended famine and led to four centuries of economic growth, growth without precedent, growth many Europeans understood as evidence of the grace of God. One Spaniard, writing from New Spain to his brother in Valladolid in 1592, told him, "This land is as good as ours, for God has given us more here than there, and we shall be better off."[31] Even the poor prospered.

The European extraction of the wealth of the Americas made possible the rise of capitalism: new forms of trade, investment, and profit. Between 1500 and 1600 alone, Europeans recorded carrying back to Europe from the Americas nearly two hundred tons of gold and sixteen thousand tons of silver; much more traveled as contraband. "The discovery of America, and that of a passage to the East Indies by the Cape of Good Hope, are the two greatest and most important events recorded in the history of mankind," Adam Smith wrote, in *The Wealth of Nations*, in 1776. But the voyages of Columbus and Dias also marked a turning point in the development of another economic system, slavery: the wealth of the Americas flowed to Europe by the forced labor of Africans.[32]

Slavery had been practiced in many parts of the world for centuries. People tended to enslave their enemies, people they considered different enough from themselves to condemn to lifelong servitude. Sometimes, though not often, the status of slaves was heritable: the children of slaves were condemned to a life of slavery, too. Many wars had to do with religion, and because many slaves were prisoners of war, slaves and their owners tended to be people of different faiths: Christians enslaved Jews; Muslims enslaved Christians; Christians enslaved Muslims. Since the Middle Ages, Muslim traders from North Africa had traded in Africans from below the Sahara, where slavery was widespread. In much of Africa, labor, not land, constituted the sole form of property recognized by law, a form of consolidating wealth and generating revenue, which meant that African states tended to be small and that, while European wars were fought for land, African wars were fought for labor. People captured in African wars were bought and sold in large markets by merchants and local officials and kings and, beginning in the 1450s, by Portuguese sea captains.[33]

Columbus, a veteran of that trade, reported to Ferdinand and Isabella in 1492 that it would be the work of a moment to enslave the people of Haiti, since "with 50 men all of them could be held in subjection and can be made to do whatever one might wish."[34] In sugar mines and gold mines, the Spanish worked their native slaves to death while many more died of disease. Soon, they turned to another source of forced labor, Africans traded by the Portuguese.

Counting and keeping accounts on the cargo of every ship, Europeans found themselves puzzled by an extraordinary asymmetry. People moved from Europe and Africa to the Americas; wealth moved from the Americas to Europe; and animals and plants moved from Europe to the Americas. But very few people or animals or plants moved from the Americas to Europe or Africa, at least not successfully. "It appears as if some invisible barrier existed preventing passage Eastward, though allowing it Westward," a later botanist wrote.[35] The one-way migration of people made self-evident sense: people controlled the ships and they carried far more people west than east, bringing soldiers and missionaries, settlers and slaves. But the one-way migration of animals and plants was, for centuries, until the late nineteenth-century age of Darwin and the germ theory of disease, altogether baffling, explained only by faith in divine providence: Christians took it as a sign that their conquest

was ordained by God.

The signs came in abundance. When Columbus made a second voyage across the ocean in 1493, he commanded a fleet of seventeen ships carrying twelve hundred men, and another kind of army, too: seeds and cuttings of wheat, chickpeas, melons, onions, radishes, greens, grapevines, and sugar cane, and horses, pigs, cattle, chickens, sheep, and goats, male and female, two by two. Hidden among the men and the plants and the animals were stowaways, seeds stuck to animal skins or clinging to the folds of cloaks and blankets, in clods of mud. Most of these were the seeds of plants Europeans considered to be weeds, like bluegrass, daisies, thistle, nettles, ferns, and dandelions. Weeds grow best in disturbed soil, and nothing disturbs soil better than an army of men, razing forests for timber and fuel and turning up the ground cover with their boots, and the hooves of their horses and oxen and cattle. Livestock eat grass; people eat livestock: livestock turn grass into food that humans can eat. The animals that Europeans brought to the New World—cattle, pigs, goats, sheep, chickens, and horses—had no natural predators in the Americas but they did have an abundant food supply. They reproduced in numbers unfathomable in Europe. Cattle populations doubled every fifteen months. Nothing, though, beat the pigs. Pigs convert one-fifth of everything they eat into food for human consumption (cattle, by contrast, convert one-twentieth); they feed themselves, by foraging, and they have litters of ten or more. Within a few years of Columbus's second voyage, the eight pigs he brought with him had descendants numbering in the thousands. Wrote one observer, "All the mountains swarmed with them."[36]

Meanwhile, the people of the New World: They died by the hundreds. They died by the thousands, by the tens of thousands, by the hundreds of thousands, by the tens of millions. The isolation of the Americas from the rest of the world, for hundreds of millions of years, meant that diseases to which Europeans and Africans had built up immunities over millennia were entirely new to the native peoples of the Americas. European ships, with their fleets of people and animals and plants, brought along, unseen, battalions of diseases: smallpox, measles, diphtheria, trachoma, whooping cough, chicken pox, bubonic plague, malaria, typhoid fever, yellow fever, dengue fever, scarlet fever, amoebic dysentery, and influenza, diseases that had evolved alongside humans and their domesticated animals living in dense, settled populations—cities—where human and animal waste breeds vermin, like mice and rats and roaches. Most of the indigenous peoples of the Americas, though, didn't live in dense settlements, and even those who lived in villages tended to move with the seasons, taking apart their towns and rebuilding them somewhere else. They didn't accumulate filth, and they didn't live in crowds. They suffered from very few infectious diseases. Europeans, exposed to these diseases for thousands of years, had developed vigorous immune systems, and antibodies particular to bacteria to which no one in the New World had ever been exposed.

The consequence was catastrophe. Of one hundred people exposed to the smallpox virus for the first time, nearly one hundred became infected, and twenty-five to thirty-three died. Before they died, they exposed many more people: smallpox incubates for ten to fourteen days, which meant that people who didn't yet feel sick tended to flee, carrying the disease as far as they could go before collapsing. Some people who were infected with smallpox could have recovered, if they'd been taken care of, but when one out of every three people was sick, and a lot of people ran, there was no one left to nurse the sick, who died of thirst and grief and of being alone.[37] And they died, too, of torture: already weakened by disease, they

were worked to death, and starved to death. On the islands in the Caribbean, so many natives died so quickly that Spaniards decided very early on to conquer more territory, partly to take more prisoners to work in their gold and silver mines, as slaves.

Spanish conquistadors first set foot on the North American mainland in 1513; in a matter of decades, New Spain spanned not only all of what became Mexico but also more than half of what became the continental United States, territory that stretched, east to west, from Florida to California, and as far north as Virginia on the Atlantic Ocean and Canada on the Pacific.[38] Diseases spread ahead of the Spanish invaders, laying waste to wide swaths of the continent. It became commonplace, inevitable, even, first among the Spanish, and then, in turn, among the French, the Dutch, and the English, to see their own prosperity and good health and the terrible sicknesses suffered by the natives as signs from God. "Touching these savages, there is a thing that I cannot omit to remark to you," one French settler wrote: "it appears visibly that God wishes that they yield their place to new peoples." Death convinced them at once of their right and of the truth of their faith. "The natives, they are all dead of small Poxe," John Winthrop wrote when he arrived in New England in 1630: "the Lord hathe cleared our title to what we possess."[39]

Europeans craved these omens from their God, because otherwise their title to the land and their right to enslave had little foundation in the laws of men. Often, this gave them pause. In 1504, the king of Spain assembled a group of scholars and lawyers to provide him with guidance about whether the conquest "was in agreement with human and divine law." The debate turned on two questions: Did the natives own their own land (that is, did they possess "dominion"), and could they rule themselves (that is, did they possess "sovereignty")? To answer these questions, the king's advisers turned to the philosophy of antiquity.

Under Roman law, government exists to manage relations of property, the king's ministers argued, and since, according to Columbus, the natives had no government, they had no property, and therefore no dominion. Regarding sovereignty, the king's ministers turned to Aristotle's *Politics*. "That some should rule and others be ruled is a thing not only necessary, but expedient," Aristotle had written. "From the hour of their birth, some are marked out for subjection, others for rule." All relations are relations of hierarchy, according to Aristotle; the soul rules over the body, men over animals, males over females, and masters over slaves. Slavery, for Aristotle, was not a matter of law but a matter of nature: "he who is by nature not his own but another's man, is by nature a slave; and he may be said to be another's man who, being a human being, is also a possession." Those who are by nature possessions are those who have a lesser capacity for reason; these people "are by nature slaves," Aristotle wrote, "and it is better for them as for all inferiors that they should be under the rule of a master."[40]

An Aztec artist rendered the Spanish conquistadors, led by Cortés, invading Mexico.

The king was satisfied: the natives did not own their land and were, by nature, slaves. The conquest continued. But across the ocean, a trumpet of protest was sounded from a pulpit. In December 1511, on the fourth Sunday of Advent, Antonio de Montesinos, a Dominican priest, delivered a sermon in a church on Hispaniola. Disagreeing with the king's ministers, he said the conquistadors were committing unspeakable crimes. "Tell me, by what right or justice do you hold these Indians in such cruel and horrible slavery? By what right do you wage such detestable wars on these people who lived mildly and peacefully in their own lands, where you have consumed infinite numbers of them with unheard of murders and desolations?" And then he asked, "Are they not men?"[41]

Out of this protest came a disquieting decision, in 1513: the conquistadors would be required to read aloud to anyone they proposed to conquer and enslave a document called the Requerimiento. It is, in brief, a history of the world, from creation to conquest, a story of origins as justification for violence.

"The Lord our God, Living and Eternal, created the Heaven and the Earth, and one man and one woman, of whom you and we, all the men of the world, were and are descendants, and all those who come after us," it begins. It asks that any people to whom it was read

"acknowledge the Church as the Ruler and Superior of the whole world, and the high priest called Pope, and in his name the King and Queen." If the natives accepted the story of Genesis and the claim that these distant rulers had a right to rule them, the Spanish promised, "We in their name shall receive you in all love and charity, and shall leave you your wives, and your children, and your lands, free without servitude." But if the natives rejected these truths, the Spanish warned, "we shall forcibly enter into your country, and shall make war against you in all ways and manners that we can, and shall subject you to the yoke and obedience of the Church and of their Highnesses; we shall take you and your wives and your children, and shall make slaves of them."[42]

With the Requerimiento in hand, with its promises of love and charity and its threats of annihilation and devastation, the Spanish marched across the North American continent. In 1519, determined to ride to glory, Hernán Cortés, mayor of Santiago, Cuba, led six hundred Spaniards and more than a thousand native allies thundering across the land with fifteen cannons. In Mexico, he captured Tenochtitlán, a city said to have been grander than Paris or Rome, and destroyed it without pity or mercy. His men burned the Aztec libraries, their books of songs, their histories written down, a desolation described in a handful of surviving *icnocuicatl*, songs of their sorrow. One begins,

Broken spears lie in the roads;
we have torn our hair in our grief.
The houses are roofless now, and their walls
are red with blood.[43]

In 1540, a young nobleman named Francisco Vásquez de Coronado led an army of Spaniards who were crossing the continent in search of a fabled city of gold. In what is now New Mexico, they found a hive of baked-clay apartment houses, the kind of town the Spanish took to calling a pueblo. Dutifully, Coronado had the Requerimiento read aloud. The Zuni listened to a man speaking a language they could not possibly understand. "They wore coats of iron, and warbonnets of metal, and carried for weapons short canes that spit fire and made thunder," the Zuni later said about Coronado's men. Zuni warriors poured cornmeal on the ground, and motioned to the Spanish they dare not cross that line. A battle began. The Zuni, fighting with arrows, were routed by the Spaniards, who fought with guns.[44]

The conquest raged on, and so did the debate, even as the lines between the peoples of the Americas, Africa, and Europe blurred. The Spanish, unlike later English colonizers, did not travel to the New World in families, or even with women: they came as armies of men. They seized and raped women and they loved and married them and raised families together. La Malinche, a Nahua woman who was given to Cortés as a slave and who became his interpreter, had a son with him, born about 1523, the freighted symbol of a fateful union. In much of New Spain, the mixed-race children of Spanish men and Indian women, known as mestizos, outnumbered Indians; an intricate caste system marked gradations of skin color, mixtures of Europeans, Native Americans, and Africans, as if skin color were like dyes made of plants, the yellow of sassafras, the red of beets, the black of carob. Later, the English would recognize only black and white, a fantasy of stark and impossible difference, of nights without twilight and days without dawns. And yet both regimes of race, a culture of mixing or a culture of pretending not to mix, pressed upon the brows of every person of the least

curiosity the question of common humanity: Are all peoples one?

Bartolomé de Las Casas had been in Hispaniola as a settler in 1511, when Montesinos had preached and asked, "Are they not men?" Stirred, he'd given up his slaves and become a priest and a scholar, a historian of the conquest, which is what led him, later, to copy parts of Columbus's diary and Pané's *Antiquities*. In 1542, Las Casas wrote a book called *Brevísima Relación de la Destrucción de las Indias*, history not as justification but as a cry of conscience. With the zeal of a man burdened by his own guilt, he asked, "What man of sound mind will approve a war against men who are harmless, ignorant, gentle temperate, unarmed, and destitute of every human defense?"[45] Eight years later, a new Spanish king summoned Las Casas and other scholars to his court in the clay-roofed city of Valladolid for another debate. Were the native peoples of the New World barbarians who had violated the laws of nature by, for instance, engaging in cannibalism, in which case it was lawful to wage war against them? Or were they innocent of these violations, in which case the war was unlawful?

Mexican casta, *or caste, paintings purported to chart sixteen different possible intermarriages of Spanish, Indian, and African men and women and their offspring.*

Las Casas argued that the conquest was unlawful, insisting that charges of cannibalism were "sheer fables and shameless nonsense." The opposing argument was made by Juan Ginés de Sepúlveda, Spain's royal historian, who had never been to the New World. A translator of Aristotle, Sepúlveda cited Aristotle's theory of natural slavery. He said that the

difference between the natives and the Spaniards was as great as that "between apes and men." He asked, "How are we to doubt that these people, so uncultivated, so barbarous, and so contaminated with such impiety and lewdness, have not been justly conquered?"[46]

The judges, divided, failed to issue a decision. The conquest continued. Broken spears clattered to the ground and the walls ran red with blood.

III.

To all of this, the English came remarkably late. The Spanish had settled at Saint Augustine, Florida, in 1565 and by 1607 were settling the adobe town of Santa Fe, nearly two thousand miles away. The French, who made their first voyages in 1534, were by 1608 building what would become the stone city of Quebec, a castle on a hill. The English sent John Cabot across the Atlantic in 1497, but he disappeared on his return voyage, never to be seen again, and the English gave barely any thought to sending anyone after him. The word "colony" didn't even enter the English language until the 1550s. And although England chartered trading companies—the Muscovy Company in 1555, the Turkey Company, in 1581, and the East India Company, in 1600—all looked eastward, not westward. About America, England hesitated.

In 1584, Elizabeth, the fierce and determined queen of England, asked one of her shrewdest ministers, Richard Hakluyt, whether she ought to found her own colonies in the Americas. She had in mind the Spanish and their idolatries, and their cruelties, and their vast riches, and their tyranny. By the time Elizabeth began staring west across the ocean, Las Casas's pained history of the conquest had long since been translated into English, lavishly illustrated with engravings of atrocities, often under the title *Spanish Cruelties* and, later, as *The Tears of the Indians*. The English had come to believe—as an article of faith, as a matter of belonging to the "English nation"—that they were nobler than the Spanish: more just, wiser, gentler, and dedicated to liberty. "The Spaniards governe in the Indies with all pride and tyranie," Hakluyt reminded his queen, and, as with any people who are made slaves, the natives "all yell and crye with one voice *Liberta, liberta*."[47] England could deliver them.

Elizabeth rests her hand on a globe, laying claim to North America.

England's notion of itself as a land of liberty was the story of the English nation stitched to the story of the English state. The Spanish were Catholic, but, while conquistadors had been building a New Spain, the English had become Protestant. In the 1530s, Henry VIII had established the Church of England, defiantly separate from the Church of Rome. Occupied with religious and domestic affairs, England had been altogether tentative in venturing forth to the New World. When Henry VIII died, in 1547, his son Edward became king, but by 1552, Edward was mortally ill. Hoping to avoid the ascension of his half-sister Mary, who was a Catholic, Edward named as his successor his cousin Lady Jane Grey. But when Edward died, Mary seized power, had Jane beheaded, and became the first ruling queen of England. She attempted to restore Catholicism and persecuted religious dissenters, nearly three hundred of whom were burned at the stake. Protestants who opposed her rule on religious grounds decided to argue that she had no right to reign because she was a woman, claiming that for the weak to govern the strong was "the subversion of good order." Another of Mary's Protestant critics complained that her reign was a punishment from God, who "haste set to rule over us an woman whom nature hath formed to be in subjeccion unto man." Mary's Catholic defenders, meanwhile, argued that, politically speaking, Mary was a man, "the Prince female."

When Mary died, in 1558, Elizabeth, a Protestant, succeeded her, and Mary's supporters, who tried to argue against Elizabeth's right to rule, were left to battle against their own earlier arguments: they couldn't very well argue that Elizabeth couldn't rule because she was a woman, when they had earlier insisted that her sex did not bar Mary from the throne. The debate moved to new terrain, and clarified a number of English ideas about the nature

of rule. Elizabeth's best defender argued that if God decided "the female should rule and govern," it didn't matter that women were "weake in nature, feable in bodie, softe in courage," because God would make every right ruler strong. In any case, England's constitution abided by a "rule mixte," in which the authority of the monarch was checked by the power of Parliament; also, "it is not she that ruleth but the lawes." Elizabeth herself called on yet another authority: the favor of the people.[48] A mixed constitution, the rule of law, the will of the people: these were English ideas that Americans would one day make their own, crying, "Liberty!"

Elizabeth eyed Spain, which had been warring with England, France, and a rebelling Netherlands (the Dutch did not first achieve independence from Spain until 1609). She set out to fight Spain on every field. On the question of founding colonies in the Americas, Hakluyt submitted to Elizabeth a report that he titled "A particular discourse concerning the greate necessitie and manifold comodyties that are like to growe to this Realme of Englande by the Western discoveries lately attempted." How much the queen was animated by animosity to Spain is nicely illustrated in the title of a report submitted to her at the very same time by another adviser: a "Discourse how Her Majesty may annoy the King of Spain."[49]

Hakluyt believed the time had come for England to do more than attack Spanish ships. Establishing colonies "will be greately for the inlargement of the gospell of Christe," he promised, and "will yelde unto us all the commodities of Europe, Affrica, and Asia." And if the queen of England were to plant colonies in the New World, word would soon spread that the English "use the natural people there with all humanitie, curtesie, and freedome," and the natives would "yielde themselves to her government and revolte cleane from the Spaniarde."[50] England would prosper; Protestantism would conquer Catholicism; liberty would conquer tyranny.

Elizabeth was unpersuaded. She was also distracted. In 1584, she'd expelled the Spanish ambassador after discovering a Spanish plot to invade England by way of Scotland. She liked the idea of an English foothold in the New World, but she didn't want the Crown to cover the cost. She decided to issue a royal patent—a license—to one of her favorite courtiers, the dashing Walter Ralegh, writer, poet, and spy, granting him the right to land in North America south of a place called Newfoundland: A new-found-land, a new world, a utopia, a once-nowhere.

Ralegh was an adventurer, a man of action, but he was also a man of letters. Newly knighted, he launched an expedition in 1584. He did not sail himself but sent out a fleet of seven ships and six hundred men, providing them with a copy of Las Casas's "book of Spanish crueltyes with fayr pictures," to be used to convince the natives that the English, unlike the Spanish, were men of mercy and love, liberty and charity. Ralegh may well also have sent along with his expedition a copy of a new book of essays by the French philosopher Michel de Montaigne. Like William Shakespeare, Ralegh was deeply influenced by Montaigne, whose 1580 essay "Of Cannibals" testifies to how, in one of the more startling ironies in the history of humanity, the very violence that characterized the meeting between one half of the world and the other, which sowed so much destruction, also carried within it the seeds of something else.[51]

"Barbarians are no more marvelous to us than we are to them, nor for better cause," Montaigne wrote. "Each man calls barbarism whatever is not his own practice."[52] They are to us as we are to them, each true: out of two truths, one.

Ralegh's men made landfall on an island on the Outer Banks of what is now North Carolina, sweeping beaches edged with seagrass and stands of pine trees and palms. The ships sailed away, leaving behind 104 men with very little by way of supplies; the supply ship had been damaged, nearly running aground on the shoals. The site had been chosen because it was well hidden and difficult to reach. It may have been a good hideout for pirates, but it was a terrible place to build a colony. The settlers planned to wait out the winter, awaiting supplies they hoped would arrive in the spring. Meanwhile, they intended to look for gold and for a safer, deeper harbor. They built a fort, surrounded by palisades. They aimed its guns out over the wide water, believing their enemy to be Spain. They built houses outside the protection of the fort. They had very little idea that the people who already lived in the Outer Banks might pose a danger to them.

They sent home glowing reports of a land of ravishing beauty and staggering plenty. Ralph Lane, the head of the expedition, wrote that "all the kingdoms and states of Christendom, their commodities joined in one together, do not yield either more good or more plentiful whatsoever for public use is needful, or pleasing for delight." Yet when the supply ship was delayed, the colonists, in the midst of plenty, began to starve. The natives, to whom the colonists had been preaching the Gospel, began telling them, "Our Lord God was not God, since he suffered us to sustain much hunger." In June, a fleet arrived, commanded by Sir Francis Drake, a swashbuckler who'd sailed across the whole of the globe. He carried a cargo of three hundred Africans, bound in chains. Drake told the colonists that either he could leave them with food, and with a ship to look for a safer harbor, or else he could bring them home. Every colonist opted to leave. On Drake's ships, they took the places of the Africans, people that Drake may have simply dumped into the cobalt sea, unwanted cargo.

Another expedition sent in 1587 to what had come to be called Roanoke fared no better. John White, an artist and mapmaker who had carefully studied the reports of the first expedition, aimed to establish a permanent colony not on the island but in nearby Chesapeake Bay, in a city to be called Ralegh. Instead, one blunder followed another. White sailed back to England that fall, in hopes of securing supplies and support. His timing could hardly have been less propitious. In 1588, a fleet of 150 Spanish ships attempted to invade England. Eventually, the armada was defeated. But with a naval war with Spain raging, White had no success in scaring up more ships to sail to Roanoke, leaving the settlement marooned.

Any record of the fate of the English colony at Roanoke, like most of what has ever happened in the history of the world, was lost. When White finally returned, in 1590, he found not a single Englishman, nor his daughter, nor his grandchild, a baby named Virginia, after Elizabeth, the virgin queen. Nearly all that remained of the settlement were the letters "CRO" carved into the trunk of a tree, a sign that White and the colonists had agreed upon before he left, a sign that they'd packed their things and headed inland to find a better site to settle. Three letters, and not one letter more. They were never heard from again.

"We found the people most gentle, loving and faithful, void of all guile and treason and such as lived after the manner of the Golden Age," Arthur Barlowe, one of Ralegh's captains, had earlier written home, describing Roanoke as a kind of Eden.[53] The natives weren't barbarians; they were ancestors, and the New World was the oldest world of all.

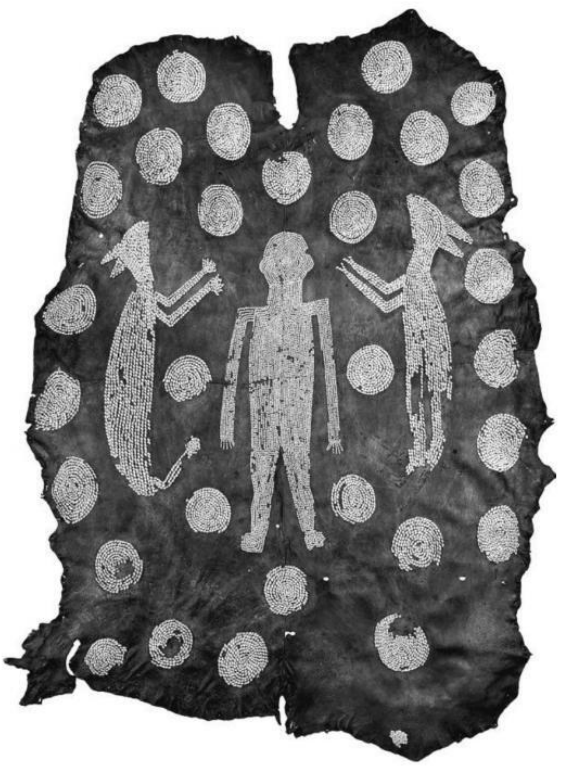
In the brutal, bloody century between Columbus's voyage and John White's, an idea was born, out of fantasy, out of violence, the idea that there exists in the world a people who live

in an actual Garden of Eden, a state of nature, before the giving of laws, before the forming of government. This imagined history of America became an English book of genesis, their new truth.

"In the beginning," the Englishman John Locke would write, "all the world was America." In America, everything became a beginning.

Two

THE RULERS AND THE RULED



This deerskin cloak, likely worn by Powhatan, was by the middle of the seventeenth century housed in a museum in Oxford, England.

THEY SKINNED THE DEER WITH KNIVES MADE OF STONE and scraped the hides of flesh and fat with a rib bone. They soaked the hides in wood ash and corn mash and stretched them on a frame of sticks before sewing them together with thread made of tendons, twisted. Onto these stitched and tanned hides, they embroidered hundreds of tiny shells of seashore snails, emptied and dried, into the pattern of a man, flanked by a white-tailed deer and a mountain lion in a field of thirty-four circles.

This man was their ruler, the animals his spirits, and the circles the villages over which he ruled. One of his names was Wahunsunacock, but the English called him Powhatan. He may have worn the deerskin as a cloak; he may have used it to honor his ancestors. He may have given it to the English as a gift, in 1608, when their king, James, sent to him the gift of a scarlet robe, one robe for another. Or, the English might have stolen it. Somehow, someone carried it to England on a ship. In 1638, an Englishman who saw it in a museum in England, called the sinew-stitched deerskin decorated with shells "the robe of the King of Virginia."

But if it was Powhatan's cloak, it also served as a map of his realm.[1]

The English called Powhatan "king," for the sake of diplomacy, but it was the king of England who claimed to be the king of Virginia: James considered Powhatan among his subjects. The nature and history of the two kings' reigns casts light on matters with which England's colonists would wrestle for more than a century and a half: Who rules, and by what right?

Powhatan was born about 1545. At the death of his father, he inherited rule over six neighboring peoples; in the 1590s, he'd begun expanding his reign. On the other side of the ocean, James was born in 1566; the next year, when his mother died, he became king of Scotland. In 1603, after the death of his cousin Elizabeth, James was crowned king of England. The separation of the Church of England from the Church of Rome had elevated the monarchy, since the king no longer answered to the pope, and James believed that he, like the pope, was divinely appointed by God. "As to dispute what God may doe is Blasphemie," he wrote, in a treatise called *The True Law of Free Monarchies*, "so is it Sedition in subjects to dispute what a King may do"—as if he were both infallible and above the rule of law.[2]

James, a pope-like king, proved more determined to found a colony in the New World than Elizabeth had been. In 1606, he issued a charter, granting to a body of men permission to settle on "that parte of America commonly called Virginia," land that he claimed as his property, since, as the charter explained, these lands were "not now actually possessed by any Christian Prince or People" and the natives "live in Darkness," meaning that they did not know Christ.[3]

Unlike the Spanish, who set out to conquer, the English were determined to settle, which is why they at first traded with Powhatan, instead of warring with him. James granted to the colony's settlers the right to "dig, mine, and search for all Manner of Mines of Gold, Silver, and Copper," the very kind of initiatives taken by Spain, but he also urged them to convert the natives to Christianity, on the ground that, "in propagating of Christian Religion to such People," the English and Scottish might "in time bring the Infidels and Savages, living in those parts, to human Civility, and to a settled and quiet Government."[4] They proposed, he insisted, to bring not tyranny but liberty.

James's charter, like Powhatan's deerskin, is also a kind of map. ("Charter" has the same Latin root as "chart," meaning a map.) By his charter, James granted land to two corporations, the Virginia Company and the Plymouth Company: "Wee woulde vouchsafe unto them our licence to make habitacion, plantacion and to deduce a colonie . . . at any Place upon the said-Coast of Virginia or America, where they shall think fit and convenient."[5] Virginia, at the time, stretched from what is now South Carolina to Canada: all of this, England claimed.

England's empire would have a different character than that of either Spain or France. Catholics could make converts by the act of baptism, but Protestants were supposed to teach converts to read the Bible; that meant permanent settlements, families, communities, schools, and churches. Also, England's empire would be maritime—its navy was its greatest strength. It would be commercial. And, of greatest significance for the course of the nation that would grow out of those settlements, its colonists would be free men, not vassals, guaranteed their "English liberties."[6]

At such a great distance from their king, James's colonists would remain his subjects but they would rule themselves. His 1606 charter decreed that the king would appoint a

thirteen-man council in England to oversee the colonies, but, as for local affairs, the settlers would establish their own thirteen-man council to "govern and order all Matters and Causes." And, most importantly, the colonists would retain all of their rights as English subjects, as if they had never left England. If the king meant his guarantee of the colonists' English liberties, privileges, and immunities as liberties, privileges, and immunities due to them if they were to return to England, the colonists would come to understand them as guaranteed in the colonies, a freedom attached to their very selves.[7]

Over the course of the seventeenth and early eighteenth centuries, the English established more than two dozen colonies, founding a sea-born empire of coastal settlements that stretched from the fishing ports of Newfoundland to the rice fields of Georgia and, in the Caribbean, from Jamaica and Antigua to Bermuda and Barbados. Beginning with the Virginia charter, the idea of English liberties for English subjects was planted on American soil and, with it, the king's claim to dominion, a claim that rested on the idea that people like Powhatan and his people lived in darkness and without government, no matter that the English called their leaders kings.

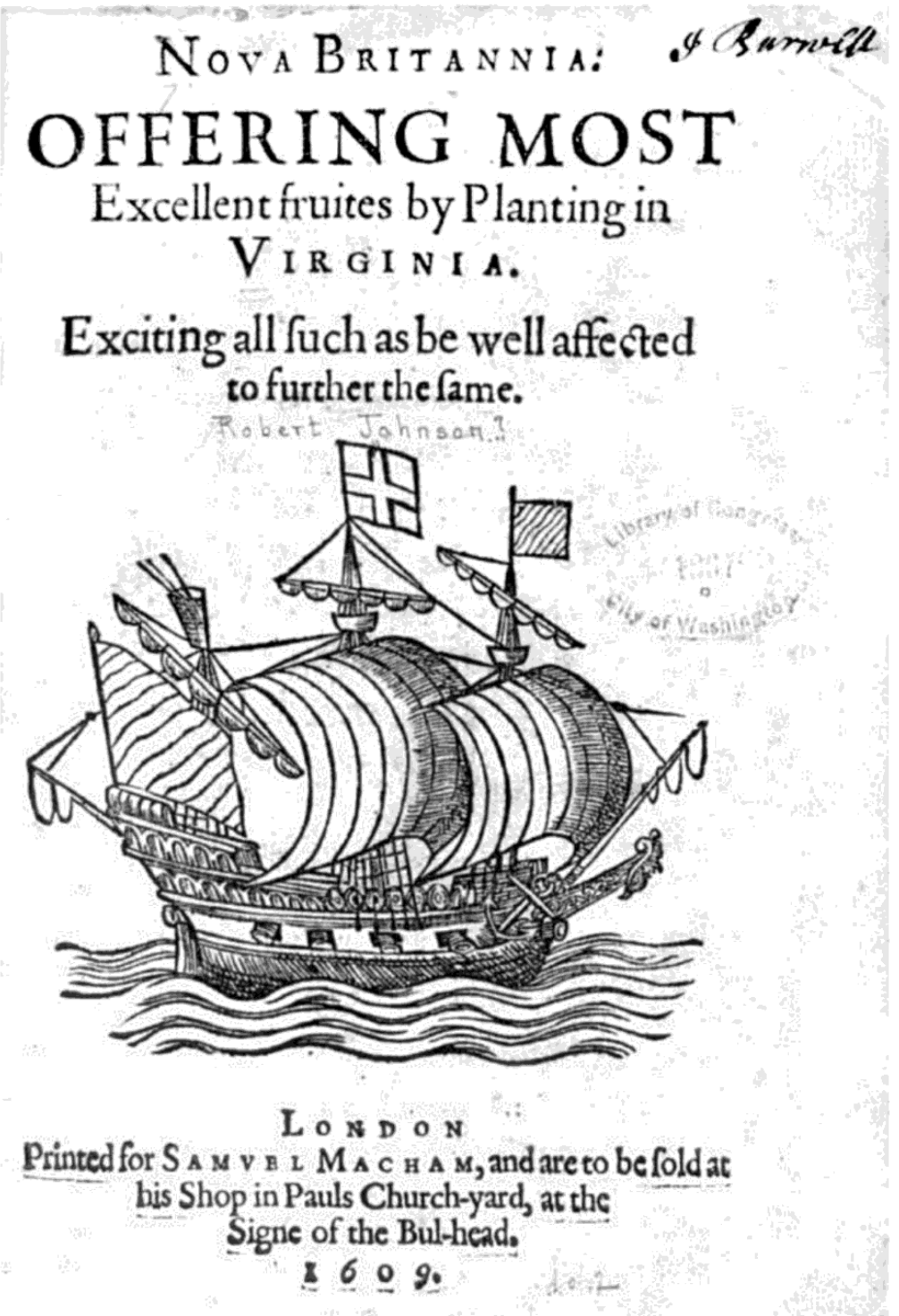
And yet England's own political order was about to be toppled. At the beginning of English colonization, the king's subjects on both sides of the ocean believed that men were created unequal and that God had granted to their king the right to rule over them. These were their old truths. At the end of the seventeenth century, John Locke, imagining an American genesis and borrowing from Christian theology, would argue that all men were born into a state "of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another," each "equal to the greatest, and subject to no body."[8] By 1776, many of the king's subjects in many of his colonies so wholly agreed with this point of view that they accepted Thomas Paine's "plain truth," that, "all men being originally equals," nothing was more absurd than the idea that God had granted to one person and his heirs the right to rule over all others. "Nature disapproves it," Paine insisted, "otherwise she would not so frequently turn it into ridicule by giving mankind an ass for a lion."[9] These became their new truths.

What had happened between the Virginia charter and the Declaration of Independence to convince so many people that all men are created equal and that governments derive their just powers from the consent of the governed? The answer lies in artifacts as different as a deerskin cloak and a scarlet robe and in places as far from one another as the ruins of ancient castles and the hulls of slave ships, each haunted by the rattling of iron-forged chains.

I.

Virginia's first charter was prepared in the office of Attorney General Edward Coke, a sour-tempered man with a pointed chin, a systematic mind, and an ungovernable tongue. Coke, who invested in the Virginia Company, was the leading theorist of English common law, the body of unwritten law established by centuries of custom and cases, to which Coke sought to apply the precepts of rationalism. "Reason is the life of the law," Coke wrote, and "the common law itself is nothing else but reason." In 1589, when he was thirty-seven, Coke became a member of Parliament. Five years later, Elizabeth appointed him attorney general.

In 1603, after James threw Sir Walter Ralegh in the Tower of London, Coke prosecuted Ralegh for treason, for plotting against the king. "Thou viper," Coke said to Ralegh in court, "thou hast an English face, but a Spanish heart." Ralegh languished in prison for thirteen years, writing his history of the world, before he was beheaded. Meanwhile, his conviction freed the right to settle Virginia—a right Elizabeth had granted to Ralegh—to be newly issued by James, under Coke's watchful eye. Two months after issuing the colony's charter, James appointed Coke chief justice of the court of common pleas.[10]


NOVA BRITANNIA:

OFFERING MOST

Excellent fruites by Planting in

VIRGINIA.

Exciting all such as be well affected

to further the same.

LONDON

Printed for SAMVEL MACHAM, and are to be sold at his Shop in Pauls Church-yard, at the Signe of the Bul-head.

1609.

The Virginia Company recruited colonists with advertisements that lavishly promised an Eden-like bounty.

To settle the new colony, the Virginia Company rounded up men who were eager to make their own fortunes, along with soldiers who'd fought in England's religious wars against Catholics and Muslims. Burly and fearless John Smith, all of twenty-six, had already fought the Spanish in France and in the Netherlands and, with the Austrian army, had battled the Turks in Hungary. Captured by Muslims, he'd been sold into slavery, from which he'd eventually escaped. Engraved on his coat of arms, with three heads of Turks, was his motto, *vincere est vivere*: to conquer is to live.[11] George Sandys, Virginia's treasurer, had traveled by camel to Jerusalem and had written at length about Islam; William Strachey, the colony's secretary, had traveled in Istanbul. Much like the Spanish, these men and their investors wanted to found a colony in the New World to search for gold to fund wars to defeat Muslims in the Old World, even as they pledged not to inflict "Spanish cruelties" on the American natives.[12]

In December 1606, 105 Englishmen—and no women—boarded three ships, carrying a box containing a list of the men appointed by the Virginia Company to govern the colony, "not to be opened, nor the governours knowne until they arrived in Virginia." During the voyage, Smith was confined belowdecks, shackled and in chains, accused of plotting a mutiny to "make himselfe king."[13] In May 1607, when the expedition finally landed on the banks of a brackish river named after their king, the box was opened, and it was discovered that Smith, though still a prisoner, was on that list.[14] Unclapped came his chains.

Whatever "quiet government" the company's merchants had intended, the colonists proved ungovernable. They built a fort and began looking for gold. But a band of soldiers and gentlemen-adventurers proved unwilling to clear fields or plant and harvest crops; instead, they stole food from Powhatan's people, stores of corn and beans. Smith, disgusted, complained that the company had sent hardly any but the most useless of settlers. He counted one carpenter, two blacksmiths, and a flock of footmen, and wrote the rest off as "Gentlemen, Tradesmen, Servingmen, libertines, and such like, ten times more fit to spoyle a Commonwealth, than either begin one, or but helpe to maintaine one."[15]

In 1608, Smith, elected the colony's governor, made a rule: "he who does not worke, shall not eat."[16] By way of diplomacy, he staged an elaborate coronation ceremony, crowning Powhatan "king," and draping upon his shoulders the scarlet robe sent by James. Whatever this gesture meant to Powhatan, the English intended it as an act of their sovereignty, insisting that, in accepting these gifts, Powhatan had submitted to English rule: "Powhatan, their chiefe King, received voluntarilie a crown and a scepter, with a full acknowledgment of dutie and submission."[17] And still the English starved, and still they raided native villages. In the fall of 1609, the colonists revolted—auguring so many revolts to come—and sent Smith back to England, declaring that he had made Virginia, under his leadership, "a misery, a ruine, a death, a hell."[18]

The real hell was yet to come. In the winter of 1609–10, five hundred colonists, having failed to farm or fish or hunt and having succeeded at little except making their neighbors into enemies, were reduced to sixty. "Many, through extreme hunger, have run out of their naked beds being so lean that they looked like anatomies, crying out, we are starved, we are starved," wrote the colony's lieutenant governor, George Percy, the eighth son of the earl of Northumberland, reporting that "one of our Colline murdered his wife Ripped the Childe outt of her woambe and threwe it into the River and after Chopped the Mother in pieces and salted her for his food."[19] They ate one another.

Word of this dire state of affairs soon reached England. Like nearly everything else

reported from across the ocean, it set minds alight. The philosopher Thomas Hobbes, who served on the board of the Virginia Company, eyed the descent of the colony into anarchy with more than passing interest. In 1622, four years after Powhatan's death, the natives rose up in rebellion and tried to oust the English from their land, killing hundreds of new immigrants in what the English called the "Virginia massacre." Hobbes, working out a theory of the origins of civil society by deducing an original state of nature, pondered the violence in Virginia. "The savage people in many places of America . . . have no government at all, and live at this day in that brutish manner," he would later write, in *The Leviathan*, a treatise in which he concluded that the state of nature is a state of war, "of every man against every man."[20]

Miraculously, the colony recovered; its population grew and its economy thrived with a new crop, tobacco, a plant found only in the New World and long cultivated by the natives.[21] With tobacco came the prospect of profit, and a new political and economic order: the colonists would rule themselves and they would rule over others. In July 1619, twenty-two English colonists, two men from each of eleven parts of the colony, met in a legislative body, the House of Burgesses, the first self-governing body in the colonies. One month later, twenty Africans arrived in Virginia, the first slaves in British America, Kimbundu speakers from the kingdom of Ndongo. Captured in raids ordered by the governor of Angola, they had been marched to the coast and boarded the *São João Bautista,* a Portuguese slave ship headed for New Spain. At sea, an English privateer, the *White Lion,* sailing from New Netherlands, attacked the *São João Bautista,* seized all twenty, and brought them to Virginia to be sold.[22]

Twenty Englishmen were elected to the House of Burgesses. Twenty Africans were condemned to the house of bondage. Another chapter opened in the American book of genesis: liberty and slavery became the American Abel and Cain.

II.

Waves slapped against the hulls of ships like the pounding of a drum. Mothers lulled children to sleep while men wailed, singing songs of sorrow. "It frequently happens that the negroes, on being purchased by the Europeans, become raving mad," wrote one slave trader. "Many of them die in that state." Others took their own lives, throwing themselves into the sea, hoping that the ocean would carry them to their ancestors.[23]

The English who crossed the ocean endured the hazards of the voyage under altogether different circumstances, but the perils of the passage left their traces on them, too, in memoirs and stories, and in their bonds to one another. In the summer of 1620, a year after the *White Lion* landed off the coast of Virginia, the *Mayflower*, a 180-ton, three-masted, square-rigged merchant vessel, lay anchored in the harbor of the English town of Plymouth, at the mouth of the river Plym. It soon took on its passengers, some sixty adventurers, and forty-one men—dissenters from the Church of England—who brought with them their wives, children, and servants. William Bradford, the dissenters' chronicler, called them "pilgrims."[24]

Bradford, who would become governor of the colony the dissenters would found, became, too, its chief historian, writing, he said, "in a plain style, with singular regard unto the simple truth in all things." Ten years before, Bradford explained, the pilgrims had left

England for Holland, where they'd settled in Leiden, a university town known for learning and for religious toleration. After a decade in exile, they'd decided to make a new start someplace else. "The place they had thoughts on was some of those vast and unpeopled countries of America," Bradford wrote, "which are fruitful and fit for habitation, being devoid of all civil inhabitants, where there are only savage and brutish men which range up and down, little otherwise than the wild beasts." Though fearful of the journey, they placed their faith in a providential God, and set sail for Virginia. "All being compact together in one ship," Bradford wrote, "they put to sea again with a prosperous wind."

During the treacherous, sixty-six-day journey over what Bradford called the "vast and furious ocean," one man was swept overboard, saved only by grasping a halyard; the ship leaked; a beam split; and one of the masts bowed and nearly cracked. For two days, the wind grew so fierce that everyone on board had to crowd into the hull, huddled under rafters. When the storm quieted, the crew caulked the decks, fortified the masts, and raised the sails once more. Elizabeth Hopkins gave birth on the swaying ship; she named her son Oceanus. The ship, blown severely off course, dropped anchor not in Virginia but off the windswept coast of Cape Cod. Unwilling to risk the ocean again, the pilgrims rowed ashore to found what they hoped would be a new and better England, another beginning. And yet, wrote Bradford, "what could they see but a hideous and desolate wilderness, full of wild beasts and wild men"? They fell to their knees and praised God they were alive. The day they arrived, having sailed what Bradford described as a "sea of troubles," in a ship they imagined as a ship of state—the whole body of a people, in the same boat—they signed a document in which they pledged to "covenant and combine ourselves together into a civil body politic."[25] They named their agreement after their ship. They called it the Mayflower Compact.

The men who settled Virginia had been granted a charter by the king. But the men, women, and children who settled in what they called a New England had no charter; they'd fled the king, bridling against his rule. Religious dissent in seventeenth-century England was also a form of political dissent. It was punishable by both imprisonment and execution. But if James's divine right to rule was questioned by dissenters who fled his authority, it was being questioned, too, on the floor of Parliament. The battle between the king and Parliament would send tens of thousands more exiles across the vast and furious ocean, seeking political freedom in the colonies. It would also foster in them a deep and abiding spirit of rebellion against arbitrary rule.

Even as dissenters in New England struggled to survive their first winter in a settlement they named Plymouth, members of Parliament were beginning to challenge the tradition by which Parliament met only when summoned by the king. In 1621, Edward Coke, who, after Ralegh's beheading in 1618 had emerged as James's most cunning adversary, claimed that Parliament had the right to debate on all matters concerning the Commonwealth. The king had Coke arrested, confined him to the Tower of London, and dissolved Parliament. Ralegh had written a history of the world while in prison; Coke would write a history of the law.

To build his case against the king, Coke dusted off a copy of an ancient and almost entirely forgotten legal document, known as Magna Carta (literally, the "great charter"), in which, in the year 1215, King John had pledged to his barons that he would obey the "law of the land." Magna Carta wasn't nearly as important as Coke made it out to be, but by arguing for its importance, he made it important, not only for English history, but for American history, too, tying the political fate of everyone in England's colonies to the strange doings

of a very bad king from the Middle Ages.

King John, born in 1166, was the youngest son of Henry II. As a young man, he'd studied with his father's chief minister, Ranulf de Glanville, who had dedicated himself to preparing one of the earliest commentaries on the English law, in which he had attempted to address the rather delicate question of whether a law can be a law if no one had ever written it down.[26] It would be "utterly impossible for the laws and rules of the realm to be reduced to writing," Glanville admitted. That said, unwritten laws are still laws, he insisted; they are a body of custom and precedent that together constitute "common law."[27]

Glanville's ruminations had led him to another and even more delicate question: If the law isn't written down, and even if it is, by what argument or force can a king be constrained to obey it? Kings had insisted on their right to rule, in writing, since the sixth century BC.[28] And, at least since the ninth century AD, they'd been binding themselves to the administration of justice by taking oaths.[29] In 1100, in the Charter of Liberties, Henry I, the son of William the Conqueror, promised to "abolish all the evil customs by which the kingdom of England has been unjustly oppressed," which, while not a promise that he kept, set a precedent that Glanville might have expected would act to restrain Henry I's great-grandson King John.[30]

Unfortunately, King John proved a tyrant, heedless of the Charter of Liberties. He levied taxes higher than any king ever had before and either carried so much coin outside his realm or kept so much of it in his castle that it was difficult for anyone to pay him with money. When his noblemen fell into his debt, he took their sons hostage. He had one noblewoman and her son starved to death in a dungeon. Rumor had it that he ordered one of his clerks crushed to death.[31]

In 1215, barons rebelling against the king captured the Tower of London.[32] When John agreed to meet with them to negotiate a peace and they gathered at Runnymede, a meadow by the Thames, the barons presented him with a very long list of demands, which were rewritten as a charter, in which the king granted "to all free men" in his realm—that is, not to the people, but to noblemen—"all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs."[33] This was the great charter, the Magna Carta.

Magna Carta had been revoked almost immediately after it was written, and it had become altogether obscure by the time of King James and his battles with the ungovernable Edward Coke. But Coke, as brilliant a political strategist as he was a legal scholar, resurrected it in the 1620s and began calling it England's "ancient constitution." When James insisted on his sovereignty—an ancient authority, by which the monarch is above the law—Coke, countering with his ancient constitution, insisted that the law was above the king. "Magna Carta is such a fellow," Coke said, "that he will have no sovereign."[34]

Coke's resurrection of Magna Carta explains a great deal about how it is that some English colonists would one day come to believe that their king had no right to rule them and why their descendants would come to believe that the United States needed a written constitution. But Magna Carta played one further pivotal role, the role it played in the history of truth—a history that had taken a different course in England than in any other part of Europe.

The most crucial right established under Magna Carta was the right to a trial by jury. For centuries, guilt or innocence had been determined, across Europe, either by a trial by ordeal—a trial by water, for instance, or a trial by fire—or by trial by combat. Trials by ordeal and combat required neither testimony nor questioning. The outcome was, itself, the evidence,

the only admissible form of judicial proof, accepted because it placed judgment in the hands of God. Nevertheless, the practice was easily abused—priests, after all, could be bribed—and, in 1215, the pope banned trial by ordeal. In Europe, it was replaced by a new system of divine judgment: judicial torture. But in England, where there existed a tradition of convening juries to judge civil disputes—like disagreements over boundaries between neighboring freeholds—trial by ordeal was replaced not by judicial torture but by trial by jury. One reason this happened is because, the very year that the pope abolished trial by ordeal, King John pledged, in Magna Carta, that "no free man is to be arrested, or imprisoned . . . save by the lawful judgment of his peers or by the law of the land."[35] In England, truth in either a civil dispute or criminal investigation would be determined not by God but by men, and not by a battle of swords but by a battle of facts.

This turn marked the beginning of a new era in the history of knowledge: it required a new doctrine of evidence and new method of inquiry and eventually led to the idea that an observed or witnessed act or thing—the substance, the *matter*, of fact—is the basis of truth. A judge decided the law; a jury decided the facts. Mysteries were matters of faith, a different kind of truth, known only to God. But when, during the Reformation, the Church of England separated from the Roman Catholic Church, protesting the authority of the pope and finding truth in the Bible, the mysteries of the church were thrown open, the secrets of priests revealed. The age of mystery began to wane, and, soon, the culture of fact spread from law to government.[36]

In seventeenth-century England, the meat of the matter between the king and Parliament was a dispute over the nature of knowledge. King James, citing divine right, insisted that his power could not be questioned and that it lay outside the realm of facts. "That which concerns the mystery of the king's power is not lawful to be disputed," he said.[37] To dispute the divine right of kings was to remove the king's power from the realm of mystery, the realm of religion and faith, and place it in the realm of fact, the realm of evidence and trial. To grant to the colonies a charter was to establish law on a foundation of fact, a repudiation of government by mystery.

By what right did the king rule? And how might Parliament constrain him? After James died, in 1625, his son, Charles, was crowned king, but Charles, too, believed in the divine right of kings. Three years later, Coke, now seventy-six, and having returned to Parliament, objected to Charles's exerting his royal prerogative to billet soldiers in his subjects' homes and to confine men to jail, without trial, for refusing to pay taxes. Coke claimed that the king's authority was constrained by Magna Carta.[38] At Coke's suggestion, Parliament then prepared and delivered to King Charles a Petition of Right, which cited Magna Carta to insist that the king had no right to imprison a subject without a trial by jury. If Coke had been successful, England's American colonies would have been less so. Instead, in 1629, the king, having forbidden Coke from publishing his study of Magna Carta, dissolved Parliament. It was this act that led tens of thousands of the king's subjects to flee the country and cross the ocean, vast and furious.

Between 1630 and 1640, the years during which King Charles ruled without Parliament, a generation of ocean voyagers, some twenty thousand dissenters, fled England and settled in New England. One of these people was John Winthrop, a stern and uncompromising man with a Vandyke beard and a collar of starched ruffles, who decided to join a new expedition to found a colony in Massachusetts Bay. Unlike Bradford's pilgrims, who wanted to separate from the Church of England, Winthrop was one of a band of dissenters known as Puritans—

because they wanted to purify the Church of England—who lost their positions in court after the dissolution of Parliament. In 1630, Winthrop, who would become the first governor of Massachusetts, wrote an address called "A Model of Christian Charity" to his fellow settlers. The *Mayflower* compact had described the union of Plymouth's settlers into a body politic, but Winthrop described the union of his people in the body of Christ, held together by the ligaments of love. "All the parts of this body being thus united are made so contiguous in a special relation as they must needs partake of each other's strength and infirmity, joy and sorrow, weal and woe," he said, citing 1 Corinthians 12. "If one member suffers, all suffer with it; if one be in honor, all rejoice with it." In this, their New England, he said, they would build a city on a hill, as Christ had urged in his Sermon on the Mount (Matthew 5:14): "A city that is set on a hill cannot be hid."[39]

Colonies sprouted along the Atlantic coast like cattails along the banks of a pond. Roger Williams, once Coke's stenographer, joined the mission to Massachusetts Bay, although for his commitment to religious toleration he was banished in 1635. The next year, he founded Rhode Island. In 1624, the Dutch had settled New Amsterdam (which later became New York); in 1638, Swedish colonists settled New Sweden, a colony that straddled parts of latter-day New Jersey, Pennsylvania, and Delaware. Even colonies that weren't Puritan were founded by dissenters of one kind or another. Maryland, named after Charles I's Catholic wife, Henrietta Maria, started in 1634 as a sanctuary for Catholics. Connecticut, like Rhode Island, was founded in 1636, New Haven in 1638, New Hampshire in 1639.

In 1629, Massachusetts Bay adopted a colony seal that, by way of justifying settlement, pictured a nearly naked Indian, begging the English to "Come Over and Help Us."

English migrants often came as families and they sometimes came as whole towns, hoping to found a Christian commonwealth, a religious community bound to the common wealth of all, public good over private gain. "The care of the public must oversway all private respects," Winthrop said. "For it is a true rule that particular estates cannot subsist in the ruin of the public." They expected the world to be watching. "The eyes of all people are upon us," Winthrop said. Theirs was an ordered world, a world of hierarchy and deference. They considered the family a "little commonwealth," the father its head, just as a minister is the head of a congregation and the king is the head of his people. They built towns around commons—lands owned in common, for pasturing animals. They did not consider a commitment to the public good, the common weal, to be at odds with the desire for prosperity. They believed in providence: everything happened for a reason, ordained by God.

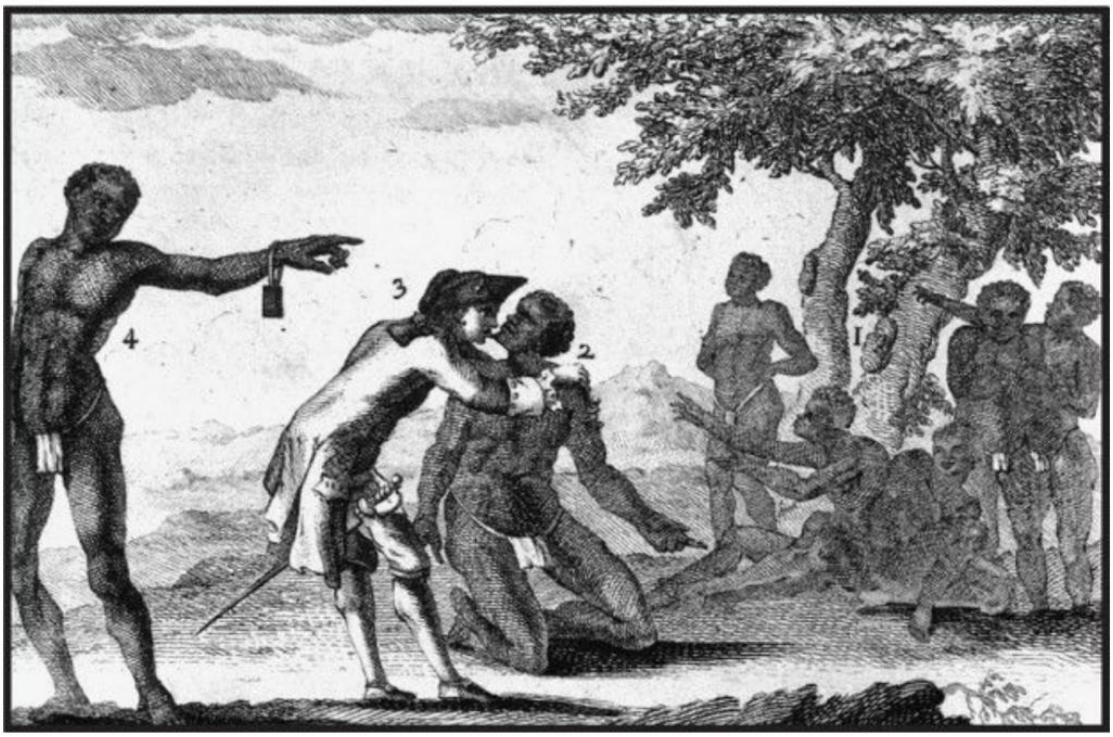
Wealth was a sign of God's favor, its accretion for its own sake a great sin. New Englanders expected to thrive by farming and by trade. "In America, religion and profit

jump together," wrote Edward Winslow, of Plymouth.[40] They governed themselves through town meetings. Their lives centered on their churches, or meetinghouses: they built more than forty of them in their first two decades. In England, they'd raised money by promising to "propagate the Gospel," that is, to convert the Indians to Christianity. Massachusetts adopted as a colony seal a drawing of a nearly naked Indian mouthing the words "Come Over and Help Us," a reference to the biblical Macedonians, awaiting Christ. In 1636, New England Puritans founded a school in Cambridge for educating "English and Indian youth": Harvard College. The next year, in Connecticut, war broke out between the colonists and the Pequot Indians. At the end of the war, the colonists decided to turn captured Indians into slaves and to sell them to the English in the Caribbean. In 1638, the first African slaves in New England arrived in Salem, on board a ship called the *Desire* that had carried captured Pequots to the West Indies, where they'd been traded, as Winthrop noted in his diary, for "some cotton and tobacco, and negroes." There would never be very many Africans in New England, but New Englanders would have slave plantations, on the distant shores. Nearly half of colonial New Englanders' wealth would come from sugar grown by West Indian slaves.[41]

The English in the colonies understood their rights as "free men" as deriving from an "ancient constitution" that guaranteed that even kings were subject to the "laws of the land." These same people sold Indians and bought Africans. By what right did they rule them, in their city on a hill?

III.

England's America was disproportionately African. England came late to founding colonies and it came late to trafficking in slaves, but nearly as soon as it entered that trade, it dominated it. One million Europeans migrated to British America between 1600 and 1800 and two and a half million Africans were carried there by force over that same stretch of centuries, on ships that sailed past one another by day and by night.[42] Africans died faster, but as a population of migrants, they outnumbered Europeans two and a half to one.



European slave traders inspecting people for purchase sometimes licked their skin, believing it possible to determine whether they were healthy or sick by the taste of their sweat.

Much as the English had told lurid tales of "Spanish cruelties" in the Americas, they had long condemned the Portuguese for trading in Africans. An English trader named Richard Jobson told a Gambian man who tried to sell him slaves in 1621 that the Portuguese "were another kinde of people different from us." The Portuguese bought and sold people, like animals, but the English, Jobson said, "were a people, who did not deale in any such commodities, neither did wee buy or sell one another, or any that had our owne shapes."[43]

But in the 1640s, when English settlers in Barbados began planting sugar, they set these long-held reservations aside. Growing sugar takes more work than growing tobacco. To grow this difficult but wildly profitable new crop, Barbadian planters bought Africans from the Spanish and the Dutch and, soon enough, from the English. In 1663, not long after the English entered the slave trade, they founded the Company of Royal Adventurers of England Trading with Africa. In the last twenty-five years of the seventeenth century, English ships, piloted by English sea captains, crewed by English sailors, carried more than a quarter of a million men, women, and children across the ocean, shackled in ships' holds.[44] Theirs was not a ship of state crossing a sea of troubles, another *Mayflower*, their bond a covenant. Theirs was a ship of slavery, their bonds forged in fire. They whispered and wept; they screamed and sat in silence. They grew ill; they grieved; they died; they endured.

Many of the Africans bought by English traders were Bantu speakers and came from the area around what is now Senegambia; some were Akan speakers, from what is now Ghana; others spoke Igbo, and came from what is now Nigeria. During the march to the coast, on the journey across the Atlantic, on islands in the Caribbean, on the continent, and above all on board those ships, they died in staggering numbers. They believed that they lived after death. *Nyame nwu na mawu*, they said, in Akan: "God does not die, so I cannot die."[45]

By what right did the English hold these people as their slaves? They looked to the same ancient authorities as had Juan Sepúlveda, in his debate with Bartolomé de Las Casas at

Valladolid in 1550—and found them insufficient. Under Roman law, all men are born free and can only be made slaves by the law of nations, under certain narrow conditions—for instance, when they're taken as prisoners of war, or when they sell themselves as payment of debt. Aristotle had disagreed with Roman law, insisting that some men are born slaves. Neither of these traditions from antiquity proved to be of much use to English colonists attempting to codify their right to own slaves, because laws governing slavery, like slavery itself, had disappeared from English common law by the fourteenth century. Said one Englishman in Barbados in 1661, there was "no track to guide us where to walk nor any rule sett us how to govern such Slaves."[46] With no track or rule to guide them, colonial assemblies adopted new practices and devised new laws with which they attempted to establish a divide between "blacks" and "whites." As early as 1630, an Englishman in Virginia was publicly whipped for "defiling his body in lying with a negro."[47] Adopting these practices and passing these laws required turning English law upside down, because much in existing English law undermined the claims of owners of people. In 1655, a Virginia woman with an African mother and an English father sued for her freedom by citing English common law, under which children's status follows that of their father, not their mother. In 1662, Virginia's House of Burgesses answered doubts about "whether children got by any Englishman upon a Negro woman should be slave or ffree" by reaching back to an archaic Roman rule, *partus sequitur ventrem* (you are what your mother was). Thereafter, any child born of a woman who was a slave inherited her condition.[48]

In one of the more unsettling ironies of American history, laws drafted to justify slavery and to govern slaves also codified new ideas about liberty and the government of the free. In 1641, needing to provide some legal support for trading Indians for Africans, the Massachusetts legislature established The Body of Liberties, a bill, or list, of one hundred rights, many of them taken from Magna Carta. (A century and a half later, seven of them would appear in the U.S. Bill of Rights.) The Body of Liberties includes this prohibition: "There shall never be any bond slaverie, villinage or Captivitie amongst us unles it be lawfull Captives taken in just warres, and such strangers as willingly selle themselves or are sold to us." Drawing on Roman law, the provision about slavery offered specific legal cover for selling into slavery Pequot and other Algonquians captured by the colonists during the Pequot War in 1637 and for the sale and purchase of Africans—described under the language of "strangers," that is, foreigners who "are sold to us"—so that there would be no legal question to debate.[49] Not for another century and a half would New Englanders be willing to open the legality of slavery to debate.

Tied to England, to the Caribbean, and to West Africa by the path steered by ships that sailed between them, colonists plotted the course of their laws. Even as England's colonists justified the taking of slaves and insisted on their right to rule over them absolutely and without restraint, the king's subjects were fighting to restrain his authority. Under what conditions do some people have a right to rule, or to rebel, and others not? In 1640, King Charles at last summoned a meeting of Parliament in hopes of raising money to suppress a rebellion in Scotland. The newly summoned Parliament, striking back, passed a law abridging the king's authority, including requiring that Parliament meet at least once every three years, with or without a royal summons. War between supporters of the king and backers of Parliament broke out in 1642. During this battle, the legal fiction of the divine right of kings was replaced by another legal fiction: the sovereignty of the people.[50]

This idea, which would ride across the ocean on the crest of every wave, rested on the

notion of representation. Parliaments had first met in the thirteenth century, when the king began summoning noblemen to court to *parler*, demanding that they pledge to obey his laws and pay his taxes. After a while, those noblemen began pretending that they weren't making these pledges for themselves alone but that, instead, in some meaningful way, they "represented" the interests of other people, their vassals. In the 1640s, those parleying noblemen, now called Parliament, challenged the king, countering his claim to sovereignty with a claim of their own: they argued that they represented the people and that the people were sovereign. They said this was because, in some time immemorial, the people had granted them authority to represent them. Royalists pointed out that this was absurd. How can "the people" rule when "they which are the people this minute, are not the people the next minute"? Who even *are* the people? Also, when, exactly, did they empower Parliament to represent them? In 1647, the Levellers, hoping to remedy this small problem, drafted An Agreement of the People, with the idea that every Englishman would sign it, granting to his representatives the power to represent him.[51] This didn't quite come to pass. Instead, in 1649, the king was tried for treason and beheaded.

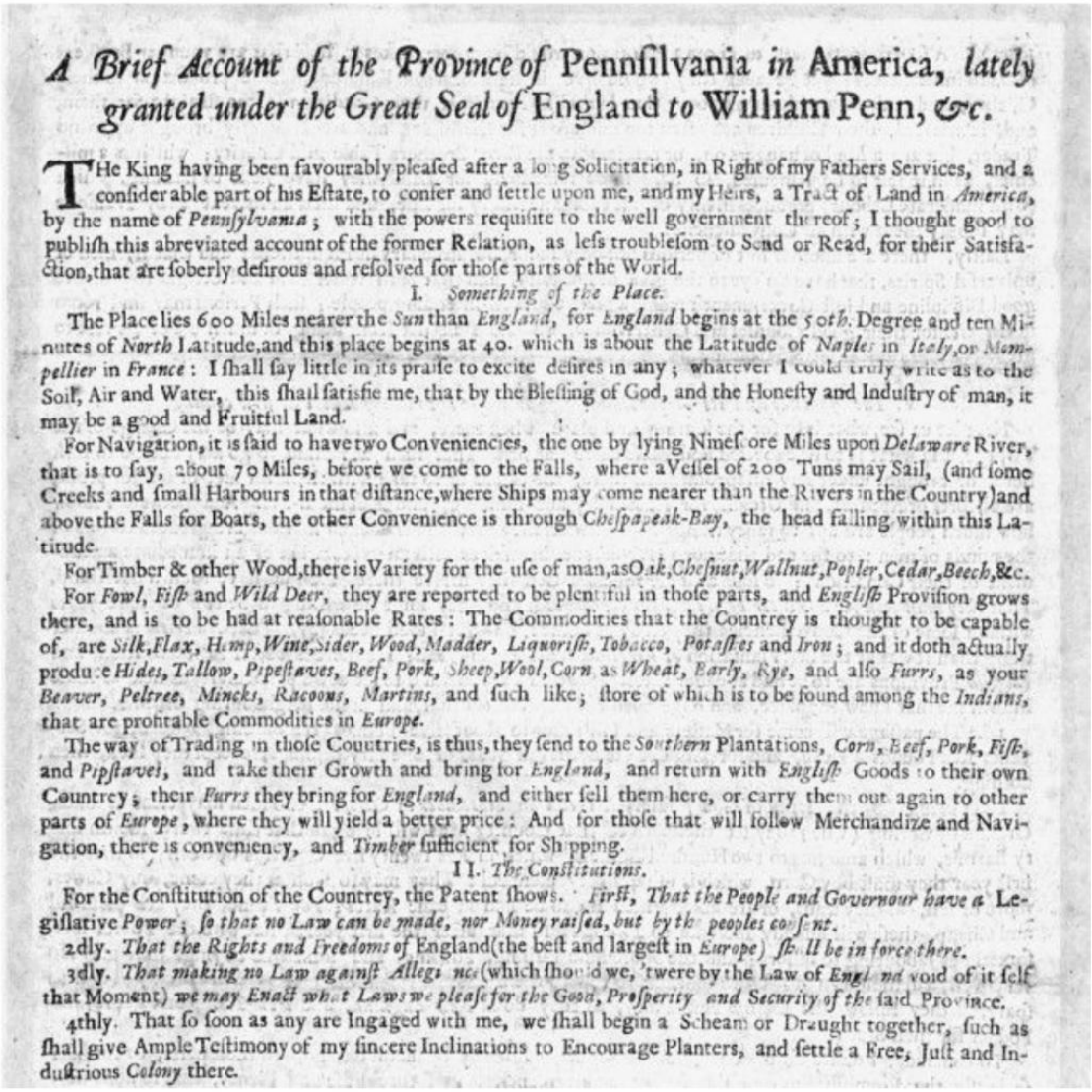
Out of this same quarrel came foundational ideas about freedom of speech, freedom of religion, and freedom of the press, ideas premised on the belief, heretical to the medieval church, that there is no conflict between freedom and truth. In 1644, the Puritan poet John Milton—later the author of *Paradise Lost*—published a pamphlet in which he argued against a law passed by Parliament requiring printers to secure licenses from the government for everything they printed. No book should be censored before publication, Milton argued (though it might be condemned after printing), because truth could only be established if allowed to do battle with lies. "Let her and falsehood grapple," he urged, since, "whoever knew Truth to be put to the worst in a free and open encounter?" This view depended on an understanding of the capacity of the people to reason. The people, Milton insisted, are not "slow and dull, but of a quick, ingenious and piercing spirit, acute to invent, subtle and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to."[52]

In Rhode Island, Roger Williams dedicated himself to the cause of the "liberty of conscience," the idea that the freer people are to think, the more likely they are to arrive at the truth. In a letter written in 1655, Williams borrowed from Plato's *Republic* the idea of a political society as like passengers on board a ship—a metaphor adored by people who had crossed a desperately dangerous ocean. "There goes many a ship to sea, with many hundred souls in one ship, whose weal and woe is common, and is a true picture of a commonwealth, or a human combination or society," Williams wrote, and sometimes "both papists and protestants, Jews and Turks, may be embarked in one ship." The shipmaster ought to protect their freedom to worship as they wished, Williams insisted, by insuring "that none of the papists, protestants, Jews, or Turks, be forced to come to the ship's prayers of worship, nor compelled from their own particular prayers or worship, if they practice any."[53]

Williams, who notably included in his commonwealth Catholics and all manner of Protestants but also Jews and Muslims, imagined a particularly capacious ship, at a time when religious and political dissent was flourishing. Between 1649 and 1660, England had no king, and became a commonwealth, and people took seriously the idea of a common wealth, everyone in the same boat as everyone else, and it also got a little easier to pretend that there existed such a thing as the people, and that they were the sovereign rulers of . . .

themselves. In England, new sects thrived, from Baptists to Quakers. The Diggers advocated communal ownership of land. The Levellers argued for political equality. Meanwhile, on the other side of the ocean, the colonies grew, and the colonists came to see themselves as the people, too. Not to mention, much of British America was itself the product of religious and political rebellion, each colony its own experiment in the rule of the people and freedom of speech. Most colonies established assemblies, popularly elected legislatures, and made their own laws. By 1640, eight colonies had their own assemblies. Barbados, settled by the English in 1627, was by 1651 insisting that Parliament had no authority over its internal affairs (which, in any event, chiefly concerned the law of slavery).

The restoration of the monarchy, in 1660, with the coronation of Charles II, represented not a lessening but a deepening commitment to religious toleration, the new king pledging "that no man shall be disquieted or called in question for differences of opinion in matter of religion." This spirit extended across the ocean, especially in the six Restoration colonies, those that were founded or came under English rule during Charles II's reign. New York and New Jersey became religious asylums for Quakers, Presbyterians, and Jews, as did Pennsylvania, granted by Charles II to the Quaker William Penn in 1681. Penn called Pennsylvania his "holy experiment" and hoped it would form "the seed of a nation." In his 1682 Frame of Government, a constitution for the new colony, he provided for a popularly elected general assembly and for freedom of worship, decreeing "That all persons living in this province, who confess and acknowledge the one Almighty and eternal God, to be the Creator, Upholder and Ruler of the world; and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall, in no ways, be molested or prejudiced for their religious persuasion or practice, in matters of faith and worship, nor shall they be compelled, at any time, to frequent or maintain any religious worship, place or ministry whatever."[54] Peace rested on tolerance.



A Brief Account of the Province of Pennſilvania in America, lately granted under the Great Seal of England to William Penn, &c.

THe King having been favourably pleaſed after a long Solicitation, in Right of my Fathers Services, and a conſiderable part of his Eſtate, to confer and ſettle upon me, and my Heirs, a Tract of Land in *America*, by the name of *Pennſylvania*; with the powers requiſite to the well government thereof; I thought good to publiſh this abreviated account of the former Relation, as leſs troubleſom to Send or Read, for their Satisfaction, that are ſoberly deſirous and reſolved for thoſe parts of the World.

I. *Something of the Place.*

The Place lies 600 Miles nearer the *Sun* than *England*, for *England* begins at the 50*th*. Degree and ten Minutes of *North* Latitude, and this place begins at 40. which is about the Latitude of *Naples* in *Italy*, or *Montpellier* in *France*: I ſhall ſay little in its praiſe to excite deſires in any; whatever I could truly write as to the Soil, Air and Water, this ſhall ſatisfie me, that by the Bleſſing of God, and the Honeſty and Induſtry of man, it may be a good and Fruitful Land.

For Navigation, it is ſaid to have two Conveniencies, the one by lying Nineſcore Miles upon *Delaware* River, that is to ſay, about 70 Miles, before we come to the Falls, where a Veſſel of 200 Tuns may Sail, (and ſome Creeks and ſmall Harbours in that diſtance, where Ships may come nearer than the Rivers in the Country) and above the Falls for Boats, the other Convenience is through *Cheſapeak-Bay*, the head falling within this Latitude.

For Timber & other Wood, there is Variety for the uſe of man, as *Oak*, *Cheſnut*, *Wallnut*, *Popler*, *Cedar*, *Beech*, &c.

For *Fowl*, *Fiſh* and *Wild Deer*, they are reported to be plentiful in thoſe parts, and *Engliſh* Proviſion grows there, and is to be had at reaſonable Rates: The Commodities that the Countrey is thought to be capable of, are *Silk*, *Flax*, *Hemp*, *Wine*, *Sider*, *Wood*, *Madder*, *Liquoriſe*, *Tobacco*, *Potaſhes* and *Iron*; and it doth actually produce *Hides*, *Tallow*, *Pipeſtaves*, *Beef*, *Pork*, *Sheep*, *Wool*, *Corn* as *Wheat*, *Early*, *Rye*, and alſo *Furrs*, as your *Beaver*, *Peltree*, *Mincks*, *Racoons*, *Martins*, and ſuch like; ſtore of which is to be found among the *Indians*, that are profitable Commodities in *Europe*.

The way of Trading in thoſe Countries, is thus, they ſend to the *Southern* Plantations, *Corn*, *Beef*, *Pork*, *Fiſh*, and *Pipſtaves*, and take their Growth and bring for *England*, and return with *Engliſh* Goods to their own Countrey; their *Furrs* they bring for *England*, and either ſell them here, or carry them out again to other parts of *Europe*, where they will yield a better price: And for thoſe that will follow Merchandize and Navigation, there is conveniency, and *Timber* ſufficient for Shipping.

II. *The Conſtitutions.*

For the Conſtitution of the Countrey, the Patent ſhows. *Firſt*, *That the People and Governour have a* Legiſlative *Power*; *ſo that no Law can be made, nor Money raiſed, but by the peoples conſent.*

2dly. *That the Rights and Freedoms of* England (the beſt and largeſt in *Europe*) *ſhall be in force there.*

3dly. *That making no Law againſt Allegiance* (which ſhould we, 'twere by the Law of *England* void of it ſelf that Moment) *we may Enact what Laws we pleaſe for the Good, Proſperity and Security of the* ſaid Province.

4thly. That ſo ſoon as any are Ingaged with me, we ſhall begin a Scheam or Draught together, ſuch as ſhall give Ample Teſtimony of my ſincere Inclinations to Encourage Planters, and ſettle a Free, Juſt and Induſtrious *Colony* there.

In 1681, Charles II granted lands to the English Quaker William Penn, who founded a "holy experiment" in the eponymous colony of Pennsylvania.

With each new charter, with each new constitution, with each new slave code, England's American colonists upended assumptions and rewrote laws governing the relationship between the rulers and the ruled. In the tumult of a century of civil strife, the water between England and America became a kind of looking glass: people drafting new laws saw in their reflections political philosophers; political philosophers saw in their reflections colonial lawmakers. Few people contemplated this relationship more closely than John Locke, a political philosopher who also served as colonial lawmaker.

Locke, a tutor at Christ Church, Oxford, had a hollow face and a long nose; he looked like a bird of prey. He never married. One of his students was the son of the Earl of Shaftesbury, who was the chancellor of the exchequer, and a rather ill man. In 1667, Locke left Oxford and became Shaftesbury's personal secretary, in charge as well of his medical care; he moved into Exeter House, Shaftesbury's London residence, in the Strand. It happened that Shaftesbury was deeply involved in colonial affairs, serving and establishing various councils on trade and plantations, including the board of proprietors for the colony of Carolina. (Charles had granted the colony to eight members of Parliament who had

supported his restoration to the throne.) Locke became the colony's secretary.

As secretary, Locke wrote and later revised the colony's constitution, not long after writing his *Letters concerning Toleration*, and at the very time when he was drafting *Two Treatises on Civil Government*, works that would later greatly influence the framers of the U.S. Constitution.[55] Without ever crossing the ocean, Locke dug deep into the soil of the colonies and planted seeds as small as the nibs of his pen.

Consistent with his argument in his *Letters concerning Toleration,* Locke's *Fundamental Constitutions of Carolina* established freedom of religious expression. People who did "not acknowledge a God and that God is publickly and solemnly to be worshiped" were to be barred from settling and owning land, but, aside from that, *any* belief was acceptable, the constitution decreeing that "heathens, Jews and other dissenters from the purity of Christian Religion may not be scared and kept at a distance." Moreover, and in this same spirit—and here weighing in on a debate that had begun in 1492 and had occupied the Spanish throne for the better part of a century—Carolina's constitution established that the heathenism of the natives was not sufficient grounds to take their lands: "The Natives of that place," the constitution stipulated, "are utterly strangers to Christianity whose Idollatry Ignorance or mistake gives us noe right to expell or use them ill."[56] By what right, then, did the English claim their land?

The answer to this question rested in Locke's philosophy. The *Fundamental Constitutions* established a government as a matter of practice, while in the *Two Treatises on Civil Government* Locke attempted to explain, as a matter of philosophy, how governments come to exist. He began by imagining a state of nature, a condition *before* government:

> To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

This was more than a thought experiment; this was a known place: "In the beginning," he wrote, "all the world was America."

This state of nature, for Locke, was a state of "perfect freedom" and "a state also of equality." Locke's egalitarianism derived, in part, from his ideas about Christianity, and the equality of all people before God, "there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection." From this state of natural, perfect equality, men created civil society—government—for the sake of order, and the protection of their property.

To understand how governments came to exist, then, required understanding how people come to hold property. This, for Locke, required looking to the example of America. Half of the references to America in Locke's *Second Treatise* come in the chapter called "Of Property."[57] He considered, for instance, kings like Powhatan, whose deerskin cloak Locke might well have held in his hands, fingering its snail shells, since the cloak was housed in a museum at Oxford. "The Kings of the Indians in America," Locke wrote, "are little more than Generals of their Armies," and the Indians, having no property, have "no Government at all." Kings like Powhatan had no sovereignty, according to Locke, because they did not

cultivate the land; they only lived there. "God gave the World to Men in Common," Locke wrote, but "it can not be supposed he meant it should always remain common and uncultivated. He gave it to the use of the Industrious and Rational, (and Labour was to be his Title to it)." People who leave "great Tracts of Ground" to waste—that is, uncultivated—and who owned land in common, have therefore not "joyned with the rest of Mankind." A people who do not believe land can be owned by individuals not only cannot contract to sell it, they cannot be said to have a government, because government only exists to protect property.

It's not that this idea was especially new. In *Utopia* in 1516, Thomas More had written that taking land from a people that "does not use its soil but keeps it idle and waste" was a "most just cause for war."[58] But Locke, spurred both by a growing commitment to religious toleration and by a desire to distinguish English settlement from Spanish conquest, stressed the lack of cultivation as a better justification for taking the natives' land than religious difference, an emphasis with lasting consequences.

In both the Carolina constitution and in his *Two Treatises on Government*, Locke treated both property and slavery. "Slavery" is, in fact, the very first word in the *Two Treatises*, which begins: "Slavery is so vile and miserable an estate of man, and so directly opposite to the generous temper and courage of our nation, that it is hardly to be conceived that an Englishman, much less a gentleman, should plead for it." This was an attack on Sir Robert Filmer, who had argued, in a book called *Patriarcha*, that the king's authority derives, divinely, from Adam's rule and cannot be protested. For Locke, to believe that was to believe that the subjects of the king were nothing but his slaves. Locke argued that the king's subjects were, instead, free men, because "the natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule." All men, Locke argued, are born equal, with a natural right to life, liberty, and property; to protect those rights, they erect governments by consent. Slavery, for Locke, was no part either of a state of nature or of civil society. Slavery was a matter of the law of nations, "nothing else, but the state of war continued, between a lawful conqueror and a captive." To introduce slavery in the Carolinas, then, was to establish, as fundamental to the political order, an institution at variance with everything about how Locke understood civil society. "Every Freeman of Carolina, shall have absolute power and Authority over his Negro slaves," Locke's constitution read. That is to say, notwithstanding the vehement assertion of a natural right to liberty and the claim that absolute power is a form of tyranny, the right of one man to own another—impossible to conceive in a state of nature or under a civil government, impossible to imagine under any arrangement except a state of war—was not only possible, but lawful, in America.[59]

The only way to justify this contradiction, the only way to explain how one kind of people are born free while another kind of people are not, would be to sow a new seed, an ideology of race. It would take a long time to grow, and longer to wither.

IV.

The revolution in America, when it came, began not with the English colonists but with the people over whom they ruled. Long before shots were fired at Lexington and Concord, long

before George Washington crossed the Delaware, long before American independence was thought of, or even thinkable, a revolutionary tradition was forged, not by the English in America, but by Indians waging wars and slaves waging rebellions. They revolted again and again and again. Their revolutions came in waves that lashed the land. They asked the same question, unrelentingly: *By what right are we ruled?*

It often seemed to England's colonists as if these rebellions were part of a conspiracy, especially when they came one after another, as they did in 1675 and 1676, a century before the English began their own struggle for independence. In June of 1675, a federation of New England Algonquians, led by a sachem named Metacom (the English called him "King Philip"), attempted to oust the foreigners from their lands, attacking town after town. The Indians, one Englishman wrote, had "risen round the country." Before it was over, more than half of all the English towns in New England had been either destroyed or abandoned. Metacom was shot, drawn, quartered, and beheaded, his severed head placed on a pike in Plymouth, a king's punishment. His nine-year-old son was sold as a slave and shipped to the Caribbean, where a slave rebellion had just broken out in Barbados. The English in Barbados believed that the Africans there "intended to Murther all the White People"; their "grand design was to choose them a King." (Panicked, the legislature on the island swiftly passed a law banning the buying of any Indian slaves carried from New England, for fear that they would only add to the rebellion.) New England and Barbados, one New Englander remarked, had "tasted of the same cup."

That cup spilled over. Even as war was raging in New England and rebellion was seizing Barbados, natives began attacking English towns in Maryland and Virginia, leading Virginia governor William Berkeley to declare that "the Infection of the Indianes in New-England" had spread southward. Berkeley's refusal to retaliate against the Indians led to a rebellion incited by a colonist named Nathaniel Bacon, who led a band of five hundred men to Jamestown, which they burned to the ground. More mayhem would have surely followed had not Berkeley lost his governorship and Bacon died of dysentery.[60]

Wars and rebellions and rumors of more filled the pages of colonial letters and newspapers. Word spread wide and far, and invariably had this effect: racial lines hardened. Before King Philip's War, ministers in New England had attempted to convert the natives to Christianity, to teach them English, with the idea that they would eventually live among the English. After the war, these efforts were largely abandoned. Bacon's Rebellion hardened lines between whites and blacks. Before Bacon and his men burned Jamestown, poor Englishmen had very little political power. As many as three out of every four Englishmen and women who sailed to the colonies were either debtors or convicts or indentured servants; they weren't slaves, but neither were they free.[61] Property requirements for voting meant that not all free white men could vote. Meanwhile, the fact that slaves could be manumitted by their masters meant that it was possible to be both black and free and white and unfree. But after Bacon's Rebellion, free white men were granted the right to vote, and it became nearly impossible for black men and women to secure their freedom. By 1680, one observer could remark that "these two words, Negro and Slave" had "grown Homogeneous and convertible": to be black was to be a slave.[62]

Fear of war and rebellion haunted every English colony, lands of terror, and of terrifying political instability and physical vulnerability. In 1692, nineteen women and men were convicted of witchcraft in the Massachusetts town of Salem. What looked like witchcraft, though, appears to have been the aftermath of Indian attacks, the haunting memories of

terrible suffering. During the witch trials, when Mercy Short said the Devil had tormented her by burning her, she described the Devil as "a Short and a Black Man . . . not of Negro, but of a Tawney, or an Indian colour." Two years before Satan and his witches afflicted Mercy Short, she had been captured by Abenakis, who raided her family's home in a town in New Hampshire, killing her parents and three of her brothers and sisters. Mercy Short had been forced to walk into Canada. Along the way, she witnessed atrocity upon atrocity: a five-year-old boy chopped to pieces, a young girl scalped, and a fellow captive "Barbarously Sacrificed," bound to a stake, and tortured with fire, the Abenakis cutting off his flesh, bit by bit. Witches call the Devil "a Black Man," the Boston minister Cotton Mather observed, "and they generally say he resembles an Indian." Mather took that to mean that blacks and Indians were devils, of a sort, instruments of evil. But what haunted Mercy Short wasn't the working of witchcraft; it was the working of terror.[63]

Even in years and places where there were no attacks, there was news of them, from other places, and, always, there was a terror of them. There were uprisings everywhere, and where there were not uprisings, there was fear of uprisings. Some of the plots that the settlers were forever suspecting, detecting, and suppressing were real, and some were imagined, but they all have this in common: parties of men, slaves or Indian, were planning to topple the government and erect their own.

Wars, rebellions, and rumors: what the colonists feared was revolution. On the Danish island of St. John's in 1733, ninety African slaves seized control of the island and held it for half a year. On Antigua in 1736, a group of black men "formed and resolved to execute a Plot, whereby all the white Inhabitants of the Island were to be murdered, and a new Form of Government to be established by the Slaves among themselves, and they entirely to possess the Island," its leader, a man named Court, having "assumed among his Country Men . . . the Stile of KING."[64] Sometimes, rebels faced trial; more usually they did not. In waging war against Indians, the English tended to abandon any ideas they had earlier held, about under what circumstances war was just; they tended to wage those wars first, and justify them afterward. And in suppressing and punishing slave rebellions, they abandoned their ideas about trial by jury and the abolition of torture. In Antigua, men charged with conspiracy were tortured under the terms of a new law making grotesque punishments legal; black men were broken on the wheel, starved to death, roasted over a slow fire, and gibbeted alive. On Nantucket in 1738, English colonists believed they had detected a conspiracy of the island's Indians "to destroy all the English, by first setting Fire to their Houses, in the Night, and then falling upon them with their Fire Arms." One Indian's explanation for this plot was "that the English at first took the Land from their Ancestors by Force, and have kept it ever since."[65]

Conquest was always fragile, slavery forever unstable. In Jamaica, where blacks outnumbered whites by as many as twenty to one, Africans led by a man named Cudjoe fled plantations and built towns—the English called them "maroon" towns—in the mountains in the island's interior. The First Maroon War ended in 1739 with a treaty under which the British agreed to acknowledge five Maroon towns, and granted Cudjoe and his followers their freedom and more than fifteen hundred acres of land. It had been a war for independence.

Word of rebellions in Jamaica and Antigua reached the Carolinas and Georgia in a matter of weeks, New England only days later. English colonists on the mainland had family on the islands—and so did their slaves, who, like their owners, traded gossip and news with the

arrival of every ship. In 1739, more than a hundred black men rose up in arms and killed more than twenty whites in the Stono Rebellion in South Carolina, a colony where blacks outnumbered whites by two to one. "Carolina looks more like a negro country than like a country settled by white people," one visitor wrote.[66] The rebels hoped to make their way to Spanish Florida, where the Spanish had promised fugitive slaves their freedom. As they marched, they shouted, "Liberty!" They were led by a man named Jemmy. Born in Angola, he spoke Kikongo, English, and Portuguese, and, as was very often true of the leaders of slave rebellions, could read and write.[67]

What laws might quiet these rebellions, what punishments avert these revolutions? This was the question debated by colonial legislatures, in meetinghouses built of brick and wood and stone, even as Indians and Africans threatened to tear those meetinghouses down. In 1740, in the aftermath of the Stono Rebellion, the South Carolina legislature passed An Act for the Better Ordering and Governing Negroes, a new set of rules for relations between the rulers and the ruled. It restricted the movement of slaves, set standards for their treatment, established punishments for their crimes, explained the procedures for their prosecution and codified the rules of evidence for their trials; in capital cases, the charges were to be heard by two justices and a jury comprising at least three men. The law also made it a crime for anyone to teach a slave to write, in hopes of averting the next Jemmy, reading and preaching liberty.[68] The English, as Samuel Purchas had remarked, enjoyed a "literall advantage" over the people they ruled, and they meant to keep it.

Word of rebellions spread so fast in the colonies because, while suppressed among slaves, literacy was growing among the colonists, who had begun to print their own pamphlets and books and, especially, their own newspapers. The first printing press brought to Britain's colonies arrived in Boston in 1639, and the first newspaper in British America, *Publick Occurrences,* appeared there in 1690. Censored, it lasted for only a single issue, but a second newspaper, the *Boston News-Letter,* started in 1704, and carried on, printed from a shop on a narrow, cramped street in the narrow and cramped town of Boston, not far from the Common, where sheep grazed and where, at every hour, the lowing of cows could be heard as an unending thrum beneath the tolling of church bells.[69]

At first, colonial printers reported mostly news from Europe but, more and more, they began reporting the goings-on in neighboring colonies. They also began questioning authority, and insisting on their liberty and, in particular, on the liberty of the press. Its fiercest advocate would be Benjamin Franklin, born in Boston in 1706, the son of a Puritan candle maker and soap-boiler.

Benjamin Franklin was the youngest of his father's ten sons; his sister Jane, born in 1712, was the youngest of their father's seven daughters. Benjamin Franklin taught himself to read and write, and then he taught his sister, at a time when girls, like slaves, were hardly ever taught to write (they were, however, taught to read, so that they could read the Bible). He wanted to become a writer. His father could only afford to send him to school for two years (and sent Jane not at all). Another of their brothers, James, became a printer, and at sixteen, Benjamin became his apprentice, just when James Franklin began printing an irreverent newspaper called the *New-England Courant*.[70]

The *New-England Courant* brooked no censor: it was the first "unlicensed" newspaper in the colonies; that is, the colonial government did not grant it a license, and did not review its content before publication. James Franklin decided to use his newspaper to criticize both the government and the clergy, at a time when the two were essentially one, and

Massachusetts a theocracy. "The Plain Design of your Paper is to Banter and Abuse the Ministers of God," Cotton Mather seethed at him. In 1722, James Franklin was arrested for sedition. While he was in prison, his little brother and hardworking apprentice took over printing the *Courant*, and there appeared on the masthead, for the first time, the name BENJAMIN FRANKLIN.[71]

While his little sister remained at home dipping candles and boiling soap, young Benjamin Franklin decided to thumb his nose at the government by printing excerpts from a work known as *Cato's Letters*, written by two radicals, an Englishman, John Trenchard and a Scot, Thomas Gordon. *Cato's Letters* comprises 144 essays about the nature of liberty, including freedom of speech and of the press. "Without freedom of thought," Trenchard and Gordon wrote, "there can be no such thing as wisdom; and no such thing as publick liberty, without freedom of speech: Which is the right of every man."[72] Jane Franklin read those essays as well, and maybe, raised and schooled in a family of rebels, she began to wonder about the rights of every woman, too.

James Franklin fought his prosecution, got out of prison, and kept on printing, but in 1723, young Benjamin Franklin thumbed his nose at his brother, too, and ran away from his apprenticeship, which also meant that he abandoned his sister Jane. Not long after, at the age of fifteen, she was married. Benjamin Franklin began his rags-to-riches rise, a phrase that, at the time, was meant both figuratively and literally: paper is made of rags and Franklin, the first American printer to print paper currency, turned rags to riches. Jane, who would have twelve children and bury eleven of them, lived the far more common life of an eighteenth-century American and especially of a woman, born poor: rags to rags.

Leaving his sister in Boston, Benjamin Franklin eventually settled in the tidy Quaker town of Philadelphia and began printing his own newspaper, the *Pennsylvania Gazette*, in 1729. In its pages, he fought for freedom of the press. In a Miltonian 1731 "Apology for Printers," he observed "that the Opinions of Men are almost as various as their Faces" but that "Printers are educated in the Belief, that when Men differ in Opinion, both Sides ought equally to have the Advantage of being heard by the Publick; and that when Truth and Error have fair Play, the former is always an overmatch for the latter."[73]

The culture of the fact—the idea of empiricism that had spread from law to government—hadn't yet quite spread to newspapers, which were full of shipping news and runaway slave ads, and word of slave rebellions and Indian wars, and of the latest meeting of Parliament. Newspapers were interested in truth, but they established truth, as Franklin explained, by printing all sides, and letting them do battle. Printers did not consider it their duty to print only facts; they considered it their duty to print the "Opinions of Men," as Franklin put it, and let the best man win: truth will out.

But if the culture of the fact hadn't yet spread to newspapers, it had spread to history. In *Leviathan*, Thomas Hobbes had written that "The register of Knowledge of Fact is called History."[74] One lesson Americans would learn from the facts of their own history had to do with the limits of the freedom of the press, and this was a fact on which they dwelled, and a liberty they grew determined to protect.

After James Franklin's tangles with the law in Boston, the next battle over the freedom of the press was staged in New York, the busiest port on the mainland, where African slaves owned by the Dutch had once built a wall at the edge of town, and African slaves owned by the English had taken it down, leaving Wall Street behind. In 1732, a new governor arrived in New York to take up his office in city hall, built by Africans out of the stones that had

once formed the wall.

William Cosby was a dandy and a lout. Like the governors of all but four of the mainland colonies, he'd been appointed by the king. He had neither any particular qualifications for the office nor any ties to the people over whom he would rule. He was greedy and corrupt. To topple him, a New York lawyer named James Alexander, a friend of Benjamin Franklin's, hired a German immigrant named John Peter Zenger to print a new newspaper, the *New-York Weekly Journal*. The first issue appeared in 1733. Much of the paper consisted of excerpts from *Cato's Letters* and like-minded essays written, anonymously, by Alexander. "No Nation Antient or Modern ever lost the Liberty of freely Speaking, Writing, or Publishing their Sentiments but forthwith lost their Liberty in general and became Slaves," Alexander wrote. By "slaves" he meant what Locke meant: a people subject to the tyranny of absolute and arbitrary rule. He most emphatically didn't mean the Africans who worked and lived in his own house. One in five New Yorkers was a slave. Slaves built the city, its hulking stone houses, its nail-knocked wooden wharves. They dug the roads, and their own graves, at the Negroes Burying Ground. They carried water for steeping tea and wood for burning. They loaded and unloaded the ships, steps from the slave market. But the liberty to freely speak, write, and publish was not theirs.[75]

Cosby, brittle and high-handed, like many an imperious and thin-skinned ruler after him, could not abide criticism. He ordered all copies of Zenger's paper burned, and had Zenger, a poor tradesman who was doing another man's bidding, arrested for seditious libel.

At a time when political parties were frowned upon by nearly everyone as destructive of the political order—"Party is the madness of many, for the gain of a few," remarked the poet Alexander Pope in 1727—two political factions nevertheless emerged in the hurly-burly city of New York: the Court Party, which supported Cosby, and the Country Party, which opposed him. "We are in the midst of Party flames," lamented Daniel Horsmanden, a petty, small-minded placeman appointed by Cosby to the Supreme Court. But three thousand miles from London, weeks of sailing time away from any relief from the abuses of a tyrannical governor, New Yorkers began to believe that parties might be "not only necessary in free Government, but of great service to the Public." As one New Yorker wrote in 1734, "Parties are a check upon one another, and by keeping the Ambition of one another within Bounds, serve to maintain the public Liberty."[76]

The next year, Zenger was tried before the colony's Supreme Court, in that city hall of stone. Alexander, whose authorship of the essays remained unknown, served as Zenger's lawyer until the court's chief justice, a Cosby appointee, had him disbarred. Zenger was then represented by Andrew Hamilton, an especially shrewd lawyer from Philadelphia. Hamilton did not dispute that Zenger had printed articles critical of the governor. Instead, he argued that everything that Zenger had printed was true—Cosby really was a dreadfully bad governor—and dared a jury to disagree. In his closing argument, he both drew on *Cato's Letters* and elevated the controversy in New York to epic proportions, in a rhetorical move that would become commonplace by the 1760s, as more colonies bridled at English rule. The question, Hamilton told the jury, "is not the Cause of a poor Printer, nor of *New-York* alone." No, "It is the best Cause. It is the Cause of Liberty."[77]

The jury found Zenger not guilty. Cosby died ignominiously the next year. But New Yorkers' zeal for parties did not abate. There was even talk, for a time, of a civil war. The Country Party went on to dispute the authority of Cosby's beleaguered successor, George Clarke, who reported to London, astounded, that New Yorkers believed that "if a Governor

misbehave himself they may depose him and set up another."[78]

And yet the idea that a people might depose a tyrant and replace him with one of themselves as a ruler was not, of course, such an astonishing notion: it lay behind every slave rebellion. In the years after the Zenger trial, fear that just such a conspiracy was in the minds of the city slaves became an obsession of their owners. In 1741, when fires broke out across the city, and Clarke's own mansion—the governor's mansion—burned to the ground, many New Yorkers became convinced that the fires had been set by the city's slaves, plotting a rebellion, not unlike the rebellions that had taken place in the 1730s in Antigua, Barbados, Jamaica, and South Carolina—and, if more violent, not altogether unlike the rebellion waged by the Country Party against Cosby. Were these not yet more terrifying party flames?

"The Negroes are rising!" New Yorkers shouted from street corners. Many of the city's slaves had come to New York from the Caribbean; not a few had come from islands known for rebellion. Caesar, owned by a Dutch baker, was able to read and write, like Jemmy, the leader of South Carolina's Stono Rebellion. Caesar had also fathered a child with a white woman—another crossing of racial lines. He was one of the first men arrested in New York. There followed whispered rumors and tortured confessions. Daniel Horsmanden decided that "most of the Negroes in town were corrupted" and that they planned to murder all the whites and elect Caesar as their governor.

What happened in New York in the 1730s and 1740s set a pattern in American politics. At Horsmanden's urging, more than 150 black men in the city were arrested, thrown in prison, and interrogated. Many were tried. The outcomes of the trials of Zenger and men like Caesar could hardly have been more different. White New Yorkers had decided that they could bear the singe of party flames: political dissent, in the form of a newspaper and a political party opposed to the royally appointed governor, they could tolerate. But dissent in the form of a slave rebellion they could not. The very court that had acquitted Zenger tried and convicted thirty black men, sentencing thirteen to be burned at the stake and seventeen more to be hanged, along with four whites. "Bonfires of the Negros," one colonist called the executions in 1741. But these, too, were party flames. Most of the rest of the black men who had been arrested were taken from their families and sold to the Caribbean, a fate many considered to be worse than death. Caesar, who at the gallows refused to confess, was hung in chains, his rotting body displayed for months, in hopes that his "Example and Punishment might break the Rest, and induce some of them to unfold this Mystery of Iniquity."[79] But the mystery of iniquity wasn't conspiracy; it was slavery itself.

Waves of rebellion lashed the shores of the English Atlantic for more than a century, from Boston to Barbados, from New York to Jamaica, from the Carolinas and back again to London. "Rule, Britannia, rule the waves; / Britons never will be slaves," read a poem written in England in 1740 that became the empire's anthem, and America's anthem, too. It was lost on no one that the loudest calls for liberty in the early modern world came from a part of that world that was wholly dependent on slavery.

Slavery does not exist outside of politics. Slavery is a form of politics, and slave rebellion a form of violent political dissent. The Zenger trial and the New York slave conspiracy were much more than a dispute over freedom of the press and a foiled slave rebellion: they were part of a debate about the nature of political opposition, and together they established its limits. Both Cosby's opponents and Caesar's followers allegedly plotted to depose the governor. One kind of rebellion was celebrated, the other suppressed—a division that would

endure. In American history, the relationship between liberty and slavery is at once deep and dark: the threat of black rebellion gave a license to white political opposition. The American political tradition was forged by philosophers and by statesmen, by printers and by writers, and it was forged, too, by slaves.

Benjamin Franklin's 1754 woodcut served as both a political cartoon and a map of the colonies.

On May 9, 1754, Benjamin Franklin, a man of parts, printed a woodcut in the *Pennsylvania Gazette*. It was titled "JOIN, or DIE," and it pictured a snake, chopped into eight pieces, labeled, by their initials, from head to tail: New England, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina.

For centuries, the kings and queens of Europe had fought over how to divvy up North America, as if the land were a cake to be carved. They staked their claims on the ground, naming towns and waging wars, and they staked their claims with maps, drawing lines and coloring shapes. In 1681, a map called "North America Divided into its Principall Parts where are distinguished the several States which belong to the English, Spanish, and French" was bound in an atlas printed in London, with colors inked by hand. It took only passing notice of natives of these lands, vaguely noting the "Apache" near New Mexico. Like many maps, it became very quickly outdated. England and Scotland formed a union in 1707 and went on waging an on-again, off-again war with France and Spain that spilled over onto the North American continent, where both Britain and France allied with Indians. The colonists named these wars after the kings or queens under whose reign they fell: King William's War (1689–1697), Queen Anne's War (1702–1713), and King George's War (1744–48). North America was divided into its principal parts, and then it was divided again, and again.

Franklin's "JOIN, or DIE" woodcut illustrated an article, written by Franklin, about the need for the colonies to form a common defense—against France and Spain, and against warring Indians and rebelling slaves. Franklin, forty-eight, by then a man of means and accomplishment, dressed a cut fancier than his Quaker townsmen and spoke with warmth and force. In April 1754, the governor of Pennsylvania had appointed him to serve as a commissioner to a meeting, scheduled for June, in Albany, New York, where delegates from the colonies were to negotiate a treaty with a confederation of Iroquois, the so-called Six Nations: the Mohawks, the Oneidas, the Onondagas, the Cayugas, the Senecas, and the Tuscaroras. "Our Enemies have the very great Advantage of being under one Direction, with one Council, and one Purse," Franklin wrote, suggesting it was this unity that Britain's mainland American colonies lacked.[80]

Since running away from his apprenticeship in Boston in 1723, Franklin had headed very many civic-minded schemes for the North American colonies as they spread westward, farther from shore, farther from the islands, farther from London, and farther from one another. Many of those schemes involved closing the distance between the colonies, chiefly by improving communication between them.

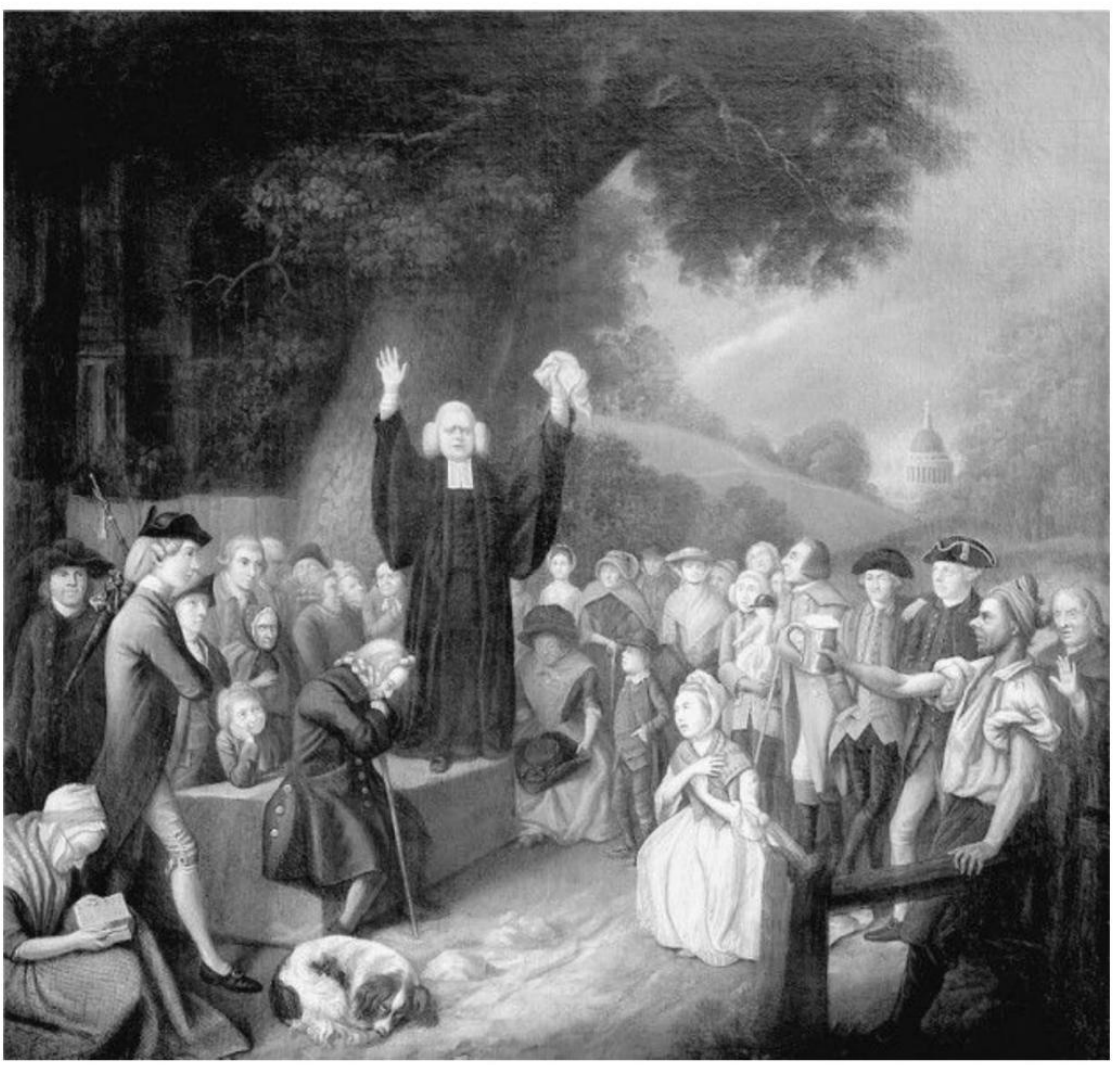
Franklin, champion of the freedom of the press, promoted, in every way, the diffusion of knowledge. In 1731, he founded the first lending library in America, the Library Company of Philadelphia. In 1732, he began printing *Poor Richard's Almanack*, which reached across the colonies and gave Americans a common store of proverbs and even a shared political history, as when, on the page for the month of June, Franklin added this notation: "On the 15th of this month, anno 1215, was *Magna Charta* sign'd by King John, for declaring and establishing *English Liberty*." In 1736 Franklin was elected clerk of the Pennsylvania Provincial Assembly. The next year, he was appointed postmaster of Philadelphia, and began improvements to the postal service. "The first Drudgery of Settling new Colonies, which confines the Attention of People to mere Necessaries, is now pretty well over," he wrote in 1743, in a pamphlet titled *A Proposal for Promoting Useful Knowledge among the British Plantations in America*. Everywhere in America there were "Men of Speculation," conducting experiments, recording observations, making discoveries. "But as from the Extent of the Country such Persons are widely separated, and seldom can see and converse or be acquainted with each other, so that many useful Particulars remain uncommunicated, die with the Discoverers, and are lost to Mankind." He therefore established the American Philosophical Society, the colonies' first learned society.[81]

In much the same spirit that Franklin founded a library and a philosophical society, he dedicated himself to his work as postmaster: he wanted ideas to circulate, blood in the colonies' veins. He went on a tour of the colonies inspecting the post roads. He calculated their distance, and the time it took to travel from farm to farm, from town to town. He was also taking a kind of a census, counting people, and measuring the distance between them.

By 1750, even though the overwhelming majority of migrants to England's colonies had gone to the Caribbean, four out of every five people living in British America lived in one of the thirteen mainland colonies. This ratio was a consequence of different rates of mortality in different parts of Britain's American empire. Migrants to the Caribbean died in heaps. In New England, English settlers enjoyed very long lives. The southern colonies had more in common with the Caribbean: a black majority and a high mortality rate. The middle colonies were mixed, a stew of Scots, Irish, English, Dutch, Germans, and Africans, a population healthier than that of the Caribbean but not as healthy as that of New England. Yet for all

their differences, by some measures the mainland colonies were becoming more alike in the middle of the eighteenth century: "I found but little difference in the manners and character of the people in the different provinces I passed thro," wrote the Scottish doctor Alexander Hamilton in 1744, after making a tour on horseback with his African slave, Dromo, from Maryland to Maine.[82]

One way in which the mainland colonies were becoming more alike was that so many of them were bound up in a religious revival, a more expressive religion, less in awe of ministers, more gripped by the power of the spirit and the equality of all souls under heaven. George White-field, a passionate evangelical from England, drew crowds of thousands. Fastidious and zealous, Whitefield was also sickly and cross-eyed—the uncharitable called him "Dr. Squintum." Raised by a widowed innkeeper, he came from the humblest of people, and in the colonies he attracted, from town to town, what he called a "cloud of witnesses" from all ranks of society. He told his followers they could be born again, into the body of Christ, and urged them to cast off the teachings of more restrained ministers. "I am willing to go to prison and to death for you," he said. "But I am not willing to go to heaven without you."[83]



George Whitefield's preaching stirred ordinary Americans and set them swooning, but it also inspired study, and intellectual independence, represented here in the form of a woman, in the lower left, wearing spectacles

to study Scripture.

This, too, represented a kind of revolution: Whitefield emphasized the divinity of ordinary people, at the expense of the authority of their ministers. In 1739, a gathering of orthodox clergy in Philadelphia had ruled that all ministers must have a degree from Harvard, Yale, or a British or European university. But Whitefield was a people's preacher, preaching to farmers and artisans, seamen and servants.[84]

Franklin had his doubts about Whitefield, but about religion, as about much else, he practiced discretion. "Talking against religion is unchaining a Tiger," as he put it. On other matters, he had far more to say. Having traveled the colonies and measured their extent, and having tried to tally the people, he wrote in 1751 an essay about the size of the population, called "Observations concerning the Increase of Mankind, Peopling of Countries, &c."

Franklin wanted to know: What would be the fate of colonists if the colonies were to grow bigger than the place they'd come from? Land was cheap in the colonies, "so cheap as that a labouring Man, that understands Husbandry, can in a short Time save Money enough to purchase a Piece of new Land sufficient for a Plantation." And if that man marries and has children, he and his wife could be confident that there would be plenty of land for their children, too. Franklin guessed the population of the mainland colonies to be about "One Million English Souls," and his calculations suggested that this number would double every twenty-five years. At that rate, in only a century, "the greatest Number of Englishmen will be on this Side the Water."

Franklin's numbers were off; his estimates weren't too high; they were too low. At the time, more than 1.5 million people lived in Britain's thirteen mainland colonies. Those colonies were far more densely settled than New France or New Spain. Only 60,000 French settlers lived in Canada and 10,000 more in Louisiana. New Spain was even more thinly settled. It was also more difficult—impossible—in New Spain and New France to separate out the settlers from the natives, since so many formed families together. In Britain's North American colonies, such unions were less frequently acknowledged, most kept actively hidden.

Franklin, like many an American after him, lost his trademark equanimity when it came to the question of color. In Spanish America, a land of mestizos, slave owners commonly freed their slaves in their wills; by 1775, free blacks outnumbered black slaves. Something similar happened in New France, where the families of French traders and Indians were known as Métis. Both there and in New Spain, people from different parts of the world married and reared children together over generations. Color in many ways marked status, but it did not mark a line between slavery and freedom, and color meant color: reds and browns, pinks and yellows. Britain's mainland colonies established a far different and more brutal racial regime, one that imagined only two colors, black and white, and two statuses, slave and free. Laws forbade mixed-race marriage, decreed the children of a slave mother to be slaves, and discouraged or prohibited manumissions. The owners of slaves very often had children with their female slaves, but they did not raise them as their own children, or free them, or even acknowledge them; instead, they deemed them slaves, and called them "black." Franklin, reckoning with that racial line, added one more observation to his essay on population; he wrote about a new race, a people who were "white."

"The Number of purely white People in the World is proportionably very small,"

Franklin began. As he saw it, Africans were "black"; Asians and Native Americans were "tawny"; Spaniards, Italians, French, Russians, Swedes, and Germans were "swarthy." That left very few people, and chiefly the English, as the only "white people" in the world. "I could wish their Numbers were increased," Franklin said, adding, wonderingly, "But perhaps I am partial to the Complexion of my Country, for such Kind of Partiality is natural to Mankind."[85]

Franklin stumbled over his partiality for people of his own "complexion." Was it really "natural"? Perhaps. Plainly, he was troubled by it. But, with his trademark alacrity, he wrote all this down, and then he moved on to another subject, the bonds that hold people together: Join, or die.

At the Albany Congress in 1754, Franklin proposed a Plan of Union, to be administered by a "President General, To be appointed and Supported by the Crown, and a Grand Council to be Chosen by the Representatives of the People of the Several Colonies, met in their respective Assemblies." The Union was to include the seven colonies labeled in his snake—New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina—and the four colonies represented, in the snake, as "New England"—Massachusetts, Rhode Island, Connecticut, and New Hampshire.

Franklin's plan apportioned representatives for each of the eleven colonies in the Union according to the size of their populations (two each for sparsely settled New Hampshire and tiny Rhode Island, seven each for populous Virginia and Massachusetts). The government, meeting in Philadelphia, would have the power to pass laws, to make treaties, to raise money and soldiers "for the Defence of any of the Colonies," and to protect the coasts. Delegates to the Albany Congress approved the Plan of Union, and brought it back to their colony assemblies, which, fearing the loss of their own authority, rejected it. The British government, too, disapproved; as Franklin said, "it was judg'd to have too much of the *Democratic*."[86]

Franklin's Plan of Union failed. What lasted was the woodcut, which had a great deal in common with Powhatan's deerskin, stitched together a half century before. "JOIN, or DIE" is, among other things, a map, but it's a particular kind of map, known as a "dissected map." Dissected maps were the very first jigsaw puzzles, made by mapmakers, out of paper glued to wood. One of the first dissected maps was called "Europe Divided into its Kingdoms," made in London in the 1760s by a mapmaker who had apprenticed with the king's geographer; it was a toy, meant to teach children geography. It also taught children how to understand the nature of kingdoms, and of rule.

Franklin's "JOIN, or DIE" did some of that, too: it offered a lesson about the rulers and the ruled, and the nature of political communities. It made a claim about the colonies: they were parts of a whole.

Three

OF WARS AND REVOLUTIONS

Boston-born artist John Singleton Copley left the colonies in 1774, never to return; in 1783, while living in London, he depicted the 1781 Battle of Jersey in a 12 × 8 foot painting—only a detail is shown here—and offered his own argument about American liberty by picturing, near its center, a black man firing a gun.

Benjamin Lay stood barely over four feet tall, hunchbacked and bowed, with a too-big head and a barrel chest and legs so spindly it did not appear possible they could bear his weight. As a boy in England, he'd worked on his brother's farm before being apprenticed to a glove maker, shearing and stitching skins. At twenty-one, he went to sea; in his hammock, by the light of tallow, he read books. Lay liked to call himself "a poor common sailor and an illiterate man," but in truth, he was widely read and well traveled. He sailed to Syria and to Turkey, where he met "four men that had been 17 Years Slaves"—Englishmen who'd been enslaved by Muslims. He swabbed decks with men who'd sailed on English slave-trading ships, carrying Africans. He heard tales of dark and terrible cruelties. In 1718, Lay sailed to Barbados, where he saw people branded and tortured and beaten, starved and broken; he decided that everything about this arrangement was an offense against God, who "did not make others to be Slaves to us."[1]

In protest of slavery, Benjamin Lay rejected anything produced by slave labor, became a hermit, and lived in a cave.

Lay and his also hobbled wife—a Quaker preacher with a crooked back—left Barbados after only eighteen months and returned to England. Maybe it was something about being so bowed, so easily dismissed, so set aside, that left them reeling at the horrors of slavery, the breaking of backs, the butchering of bodies. In 1732, they embarked for Pennsylvania to join William Penn's Holy Experiment. In Philadelphia, Lay turned bookseller, selling Bibles and primers along with the works of his favorite poets, like John Milton's *Paradise Lost*, and of his favorite philosophers, like *Seneca's Morals*, essays on ethics by an ancient Roman stoic.[2] He traveled from town to town and from colony to colony, only ever on foot—he would not spur a horse—to denounce slavery before governors and ministers and merchants. "What a Parcel of Hypocrites and Deceivers we are," he said.[3] His arguments fell on deaf ears. After his wife died, he lost his last restraint. In 1738, he went to a Quaker meeting in New Jersey carrying a Bible whose pages he'd removed; he'd placed inside the book a pig's bladder filled with pokeberry juice, crimson red. "Oh all you negro masters who are contentedly holding your fellow creatures in a state of slavery," he cried, entering the meetinghouse, "you who

profess 'to do unto all men as ye would they should do unto you,'" you shall see justice "in the sight of the Almighty, who beholds and respects all nations and colours of men with an equal regard." Then, taking his Bible from his coat and a sword from his belt, he pierced the Bible with the sword. To the stunned parishioners, it appeared to burst with blood, as if by a miracle, spattering their heads and staining their clothes, as Lay thundered, from his tiny frame: "Thus shall God shed the blood of those persons who enslave their fellow creatures."[4]

The next month, Benjamin Franklin printed Lay's book, *All Slave-Keepers That keep the Innocent in Bondage, Apostates*, a rambling and furious three-hundred-page polemic. Franklin sold the book at his shop, two shillings a copy, twenty shillings a dozen. Lay handed out copies for free.[5] Then he became a hermit. Outside of Philadelphia, he carved a cave out of a hill. Inside, he stowed his library: two hundred books of theology, biography, poetry, and history. He'd decided to protest slavery by refusing to eat or drink or wear or use anything that had been made with forced labor. He also refused to eat animals. He lived on water and milk, roasted turnips and honey; he kept bees and spun flax and stitched clothes. Franklin used to visit him in his cave. Franklin at the time owned a "Negro boy" named Joseph. By 1750 he owned two more slaves, Peter and Jemima, husband and wife. Lay pressed him and pressed him: *By what right?*

Franklin, himself a runaway, knew, as every printer knew, and every newspaper reader knew, that every newspaper contained, within its pages, tales of revolution, in the stories of everyday escapes. Among them, in those years, were the following. Bett, who had "a large scar on her breast," ran away in 1750 from a man on Long Island. She was wearing nothing but a petticoat and a jacket in the bitter cold of January. Primus, who was thirty-seven, and missing the first joint of one of his big toes, probably a punishment for an earlier attempted escape, ran away from Hartford in 1753, carrying his fiddle. Jack, "a tall slim fellow, very black, and speaks good English," left Philadelphia in July of 1754. Sam, a carpenter, thirty, "a dark Mulatto," ran away from a shop in Prince George's County, Maryland, in the winter of 1755. "He is supposed to be lurking in Charles County," his owner wrote, "where a Mulatoo Woman lives, whom he has for some Time called his Wife; but as he is an artful Fellow, and can read and write, it is probable he may endeavor to make his Escape out of the Province." Will, forty, ran away from a plantation in Virginia in the summer of 1756; he was, his owner said, "much scar'd on his back with a whip."[6]

When Benjamin Franklin began writing his autobiography, in 1771, he turned the story of his own escape—running away from his apprenticeship to his brother James—into a metaphor for the colonies' growing resentment of parliamentary rule. James's "harsh and tyrannical Treatment," Franklin wrote, had served as "a means of impressing me with that Aversion to arbitrary Power that has stuck to me thro' my whole Life."[7] But that was also the story of every runaway slave ad, testament after testament to an aversion to arbitrary power.

In April 1757, before sailing to London, Franklin drafted a new will, in which he promised Peter and Jemima that they would be freed at his death. Two months later, when Franklin reached London, he wrote to his wife, Deborah, "I wonder how you came by Ben. Lay's picture." She had hung on the wall an oil portrait of the dwarf hermit, standing outside his cave, holding in one hand an open book.[8]

The American Revolution did not begin in 1775 and it didn't end when the war was over. "The success of Mr. Lay, in sowing the seeds of . . . a revolution in morals, commerce, and government, in the new and in the old world, should teach the benefactors of mankind not

to despair, if they do not see the fruits of their benevolent propositions, or undertakings, during their lives," Philadelphia doctor Benjamin Rush later wrote. Rush signed the Declaration of Independence and served as surgeon general of the Continental army. To him, the Revolution began with the seeds sown by people like Benjamin Lay. "Some of these seeds produce their fruits in a short time," Rush wrote, "but the most valuable of them, like the venerable oak, are centuries in growing."[9]

In 1758, when Benjamin Lay's portrait hung in Benjamin Franklin's house, the Philadelphia Quaker meeting formally denounced slave trading; Quakers who bought and sold men were to be disavowed. When Lay heard the news he said, "I can now die in peace," closed his eyes, and expired.[10] Within the year, another Pennsylvania Quaker, Anthony Benezet, published a little book called *Observations on the Inslaving, Importing and Purchasing of Negroes*, in which he argued that slavery was "inconsistent with the Gospel of Christ, contrary to natural Justice and the common feelings of Humanity, and productive of infinite Calamities."[11] Bett and Primus and Jack and Sam and Will had not run away for nothing.

There were not one but two American revolutions at the end of the eighteenth century: the struggle for independence from Britain, and the struggle to end slavery. Only one was won.

I.

Benjamin Franklin wrote a new will before he sailed to London in 1757 because Britain and France were attacking each other's ships, and he feared his might get sunk. The fighting had broken out three years before, only weeks after Franklin printed his "JOIN, or DIE" snake, slithering across a page. The battling had begun not at sea but on land, in Franklin's own colony of Pennsylvania. Britain sorely wanted land that the French had claimed in the Ohio Valley, complaining, "the French have stripped us of more than nine parts in ten of North America and left us only a skirt of coast along the Atlantic shore."[12] Leaving that skirt behind, English settlers had begun advancing farther and farther inland, into territories occupied by native peoples but claimed by France. To stop them, the French had started building forts along their borders. The inevitable skirmish came in May 1754, when a small force of Virginia militiamen and their Indian allies, led by twenty-one-year-old Lieutenant Colonel George Washington, ambushed a French camp at the bottom of a glen.

Born in 1732 in Westmoreland County, Virginia, Washington had inherited his first human property at the age of ten, traveled to the West Indies as a young man, and accepted his first military commission at the age of twenty. Tall, imposing, and grave, he cut a striking figure. He was, as yet, inexperienced, and his first battle proved disastrous for the Virginians, who retreated to a nearby meadow and hastily erected a small wooden garrison that they named, suitably, Fort Necessity. After losing a third of his men in a single day, like so many stalks of wheat hacked down by a scythe, the young lieutenant surrendered. Only weeks later, delegates from the colonies met in Albany to consider Franklin's proposal to form a defensive union, and, though they approved the plan, their colonial assemblies rejected it.

The war came all the same, a war over the trade in the East Indies, over fishing rights off the coast of Newfoundland, over shipping along the Mississippi River, and over sugar

plantations on West Indian islands. Like all wars, its costs were borne most heavily by the poor, who did the fighting, while traders, who sold weapons and supplied soldiers, saw profits. "War is declared in England—universal joy among the merchants," wrote one New Yorker in 1756.[13] The colonists called it the French and Indian War, after the people they were fighting in North America, but the war stretched from Bengal to Barbados, drew in Austria, Portugal, Prussia, Spain, and Russia, and engaged armies and navies in the Atlantic and the Pacific, in the Mediterranean and the Caribbean. The French and Indian War did what Franklin's woodcut could not: as far north as New England, it brought Britain's North American colonies together. Not least, it also led to the publication of an *American Magazine*, printed in Philadelphia and sent to subscribers from Jamaica to Boston. As its editors boasted: "Our readers are a numerous body, consisting of all parties and persuasions, thro' *British America*."[14]

During earlier wars between the British and the French, the colonists had mostly done their own fighting, raising town militias and provincial armies. But in 1755, Britain sent regiments of its regular army to North America, under the command of the stubborn and tempestuous General Edward Braddock. Franklin viewed the appointment of Braddock as the Crown's attempt to keep the colonies weak. "The British Government not chusing to permit the Union of the Colonies, as propos'd at Albany, and to trust that Union with their Defence, lest they should thereby grow too military," he wrote, they "sent over General Braddock with two Regiments of Regular English Troops."[15] Charged with moving the French line, Braddock began to prepare to engage the French at Fort Duquesne, at the start of the Ohio River, on the western edge of the frontier. Franklin warned the general that his planned route, as serpentine as a snake's path, would expose his troops to Indian attack. "The slender Line near four Miles long, which your Army must make," he explained, "may expose it to be attack'd by Surprize in its Flanks, and to be cut like a Thread into several Pieces." Braddock, it would seem, gave Franklin a condescending smile, the same smile the king gave his subjects. "These Savages may indeed be a formidable Enemy to your raw American Militia," he said. "But upon the King's regular and disciplin'd Troops, Sir, it is impossible they should make any Impression."

Braddock and his troops proceeded with their march. Along the way, they plundered the people. Before long, many colonists found themselves fearing the British army as much as the French. "This was enough to put us out of Conceit of such Defenders if we had really wanted any," wrote Franklin bitterly. Braddock's troops were ignominiously defeated and Braddock was shot. During a beleaguered retreat, the dying general was carried off the field by Washington.[16]

Nothing daunted, William Pitt, the new secretary of state, determined to win the war and settle Britain's claims in North America once and for all. In his honor, when the British and American troops finally seized Fort Duquesne, they renamed it Fort Pitt. But Pitt's lasting legacy would lie in the staggering cost of the war. Before long, forty-five thousand troops were fighting in North America; half were British soldiers, half were American troops. Pitt promised the colonies the war would be fought "at His Majesty's expense." It was the breaking of that promise, and the laying of new taxes on the colonies, that would, in the end, lead the colonists to break with England.

Even before then, the most expensive war in history cost Britain the loyalty of its North American colonists. British troops plundered colonial homes and raided colonial farms. Like Braddock, they also sneered at the ineptness of colonial militias and provincial armies. In

close quarters, in camps and on marches, few on either side failed to notice the difference between British and American troops. The British found the colonists inexpert, undisciplined, and unruly. But to the Americans, few of whom had ever been to Britain, it was the British who were wanting: lewd, profane, and tyrannical.[17]

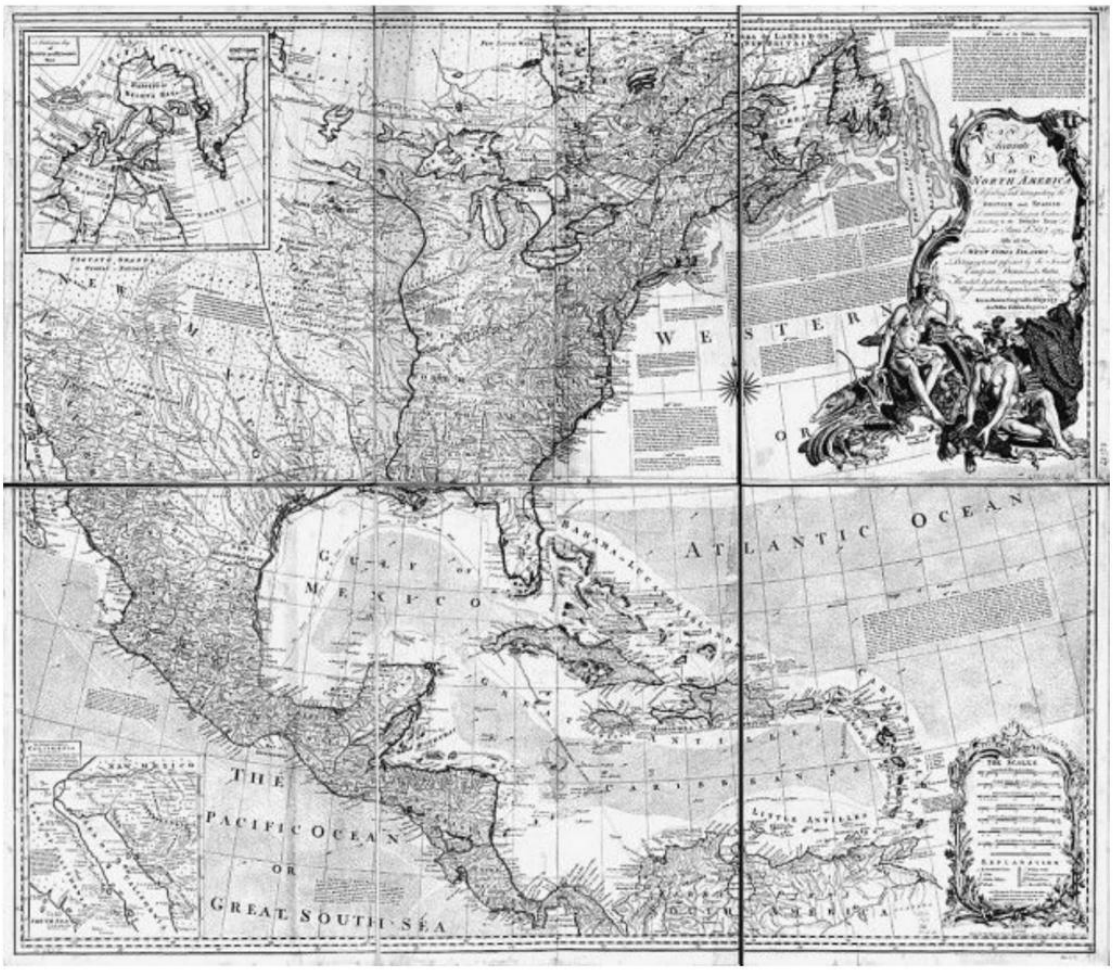
A clash proved difficult to avoid. In the British army, rank meant everything. British officers were wealthy gentlemen; enlisted men were drawn from the masses of the poor. In the colonial forces, there were hardly any distinctions of rank. In Massachusetts, one in every three men served in the French and Indian War, whether they were penniless clerks or rich merchants. In any case, differences of title and rank that existed in Britain did not exist in the colonies, at least among free men. In England, fewer than one in five adult men could vote; in the colonies, that proportion was two-thirds. The property requirements for voting were met by so many men that Thomas Hutchinson, who lost a bid to become governor in 1749, complained that the town of Boston was an "absolute democracy."[18]

"There is more equality of rank and fortune in America than in any other country under the sun," South Carolina governor Charles Pinckney declared. This was true so long as no one figured in that calculation—as Pinckney never would—people who were property, a number that included Pinckney's forty-five slaves at Snee Farm, fifty-five people who constituted the source of his family's wealth. Among them were Cyrus, a carpenter (valued by Pinckney at £120); Cyrus's children, Charlotte (£80), Sam (£40), and Bella (£20); his granddaughter Cate (£70); and a very old woman named Joan, who might have been Cyrus's mother. Pinckney placed the value of this great-grandmother at zero; she was, to him, worthless.[19]

In 1759, British and American forces defeated the French in Quebec, a stunning victory that led the Iroquois to abandon their longstanding position of neutrality and join with the English, which turned the tide of the war. In August 1760, the English captured Montreal, and the North American part of the war ended only six hundred miles from where it began, at the ragged western edge of the British Empire.

Weeks later, young George III was crowned king of Great Britain. Twenty-two and strangely shy, he was a boy of a man, dressed in gold, his white-buckled shoes tripping on a train of ermine. He presented himself to an uneasy world as a defender of the Protestant faith and of English liberties. He had declared, as Prince of Wales, "The pride, the glory of Britain, and the direct end of its constitution is political liberty."[20] But by now, while his subjects in North America welcomed the coronation of their new king, they might as easily have recalled the wisdom of a proverb that Franklin had printed twenty years earlier in *Poor Richard's Almanac*: "The greatest monarch on the proudest throne, is oblig'd to sit upon his own arse."[21]

Mapmakers sharpened their quills to redraw the map of North America when peace was reached in 1763. Under its terms, France ceded Canada and all of New France east of the Mississippi to Britain; France granted all its land to the west of the Mississippi, territory known as Louisiana, to Spain; and Spain yielded Cuba and half of Florida to Britain. Britain's skirt of settlement along the Atlantic looked now like bolts of fabric unfurled on the dressmaker's floor.



London-printed maps commemorating the treaty that ended the Seven Years' War in 1763 marked out the importance of both the Caribbean and the continent.

"We in America have certainly abundant reason to rejoice," the leading Massachusetts lawyer James Otis Jr. wrote from Boston in 1763. "The British dominion and power may now be said, literally, to extend from sea to sea, and from the great river to the ends of the earth." If the war had strained the colonists' relationship to the empire, the peace had strengthened both the empire and the colonists' attachment to it. Added Otis, "The true interests of Great Britain and her plantations are mutual, and what God in his providence has united, let no man dare attempt to pull asunder."[22]

But the war had left Britain nearly bankrupt. The fighting had nearly doubled Britain's debt, and Pitt's promise began to waver. Then, too, the king's ministers determined that defending the empire's new North American borders would require ten thousand troops or more, especially after a confederation of Indians led by an Ottawa chief named Pontiac captured British forts in the Great Lakes and Ohio Valley. Pontiac, it was said, had been stirred to action by a prophecy of the creation on earth of a "Heaven where there was no White people."[23] Fearing the cost of suppressing more Indian uprisings, George III issued a proclamation decreeing that no colonists could settle west of the Appalachian Mountains, a line that many colonists had already crossed.

In 1764, to pay the war debt and fund the defense of the colonies, Parliament passed the American Revenue Act, also known as the Sugar Act. Up until 1764, the colonial assemblies had raised their own taxes; Parliament had regulated trade. When Parliament passed the

Sugar Act, which chiefly required stricter enforcement of earlier measures, some colonists challenged it by arguing that, because the colonies had no representatives in Parliament, Parliament had no right to levy taxes on them. The Sugar Act wasn't radical; the response to it was radical, a consequence of the growing power of colonial assemblies at a time when the idea of representation was gaining new force.

Taxes are what people pay to a ruler to keep order and defend the realm. In the ancient world, landowners paid in crops or livestock, the landless with their labor. Levying taxes made medieval European monarchs rich; only in the seventeenth century did monarchs begin to cede the power to tax to legislatures.[24] Taxation became tied to representation at the very time that England was founding colonies in North America and the Caribbean, which was also the moment at which the English had begun to dominate the slave trade. In the 1760s, the two became muddled rhetorically. Massachusetts assemblyman Samuel Adams asked, "If Taxes are laid upon us in any shape without our having a legal Representation where they are laid, are we not reduced from the Character of free Subjects to the miserable State of tributary Slaves?"[25]

Taxation without representation, men like Adams argued, is rule by force, and rule by force is slavery. This argument had to do, in part, with debt. "The Borrower is a slave to the Lender," as Franklin once put it in *Poor Richard's Almanack*.[26] Debtors could be arrested and sent to debtors' prison.[27] Debtors' prison was far more common in England than in the colonies, which were in many ways debtors' asylums.[28] But if there was an unusual tolerance for debt in the colonies, there was also an unusual amount of it, and in the 1760s there was, suddenly, rather a lot more of it. The governor of Massachusetts reported that "a Stop to all Credit was expected" and even "a general bankruptcy."[29] The end of the French and Indian War led to a contraction of credit, followed by a crippling depression and, especially in the South, several years of poor crops. Tobacco plantation owners in the Chesapeake found themselves heavily indebted to merchants in England, who, themselves strapped, were quite keen to collect those debts. These planters, in particular, found it politically useful to describe themselves as slaves to their creditors.[30] During these same years, though, the sugar colonies in the Caribbean prospered, not least because the Sugar Act enforced a monopoly: under its terms, colonists on the mainland had to buy their sugar from the British West Indies.[31] This difference did not pass unobserved. "Our Tobacco Colonies send us home no such wealthy planters as we see frequently arrive from our sugar islands," Adam Smith would remark in *The Wealth of Nations*.[32]

Parliament's next revenue act induced a still more strenuous response. A 1765 Stamp Act required placing government-issued paper stamps on all manner of printed paper, from bills of credit to playing cards. Stamps were required across the British Empire, and, by those standards, the tax levied in the colonies was cheap: colonists paid only two-thirds of what Britons paid. But in the credit-strained mainland colonies, this proved difficult to bear. Opponents of the act began styling themselves the Sons of Liberty (after the Sons of Liberty in 1750s Ireland) and describing themselves as rebelling against slavery. A creditor was "lord of another man's purse"; hadn't British creditors and Parliament itself swindled North American debtors of their purses, and their liberty, too? Was not Parliament making them slaves? John Adams, a twenty-nine-year-old Boston lawyer and leader of the Stamp Act opposition, wrote: "We won't be their negroes."[33]

The colonies were bound up in a growing credit crisis that would engulf the whole of the British Empire, from Virginia planters to Scottish bankers to East India Company tea

exporters. But there were American particulars, too: with the Stamp Act, a tax on all printed paper, including newspapers, Parliament levied a tax that cost the most to the people best able to complain about it: the printers of newspapers. "It will affect Printers more than anybody," Franklin warned, begging Parliament to reconsider.[34] Printers from Boston to Charleston argued that Parliament was trying to reduce the colonists to a state of slavery by destroying the freedom of the press. The printers of the *Boston Gazette* refused to buy stamps and changed the paper's motto to "A free press maintains the majesty of the people." In New Jersey, a printer named William Goddard issued a newspaper called the *Constitutional Courant*, with Franklin's segmented snake on the masthead. This time, asked whether to join or die, the colonies decided to join.

In October, the month before the Stamp Act was to take effect, twenty-seven delegates from nine colonies met in a Stamp Act Congress in New York's city hall, where John Peter Zenger had been tried in 1735 and Caesar in 1741. The Stamp Act Congress collectively declared "that it is inseparably essential to the Freedom of a People, and the undoubted Right of Englishmen, that no Taxes be imposed on them, but with their own consent, given personally, or by their Representatives."[35] When they dined, they sent their leftovers to the debtors confined in a prison in the building's garret, making common cause with men deprived of their liberty by creditors.[36]

The sovereignty of the people, the freedom of the press, the relationship between representation and taxation, debt as slavery: each of these ideas, with origins in England, found a place in the colonists' opposition to the Stamp Act. Still, Parliament professed itself baffled. In 1766, Benjamin Franklin appeared before the House of Commons to explain the colonists' refusal to pay the tax. At sixty, Franklin presented himself as at once a man of the world and an American provincial, wily and plainspoken, sophisticated and homespun.

"In what light did the people of America use to consider the Parliament of Great Britain?" the ministers asked.

"They considered the Parliament as the great bulwark and security of their liberties and privileges, and always spoke of it with the utmost respect and veneration," was Franklin's reply.

"And have they not still the same respect for Parliament?"

"No; it is greatly lessened."

If the colonists had lost respect for Parliament, why had this come to pass? On what grounds did they object to the Stamp Tax? There was nothing in Pennsylvania's charter that forbade Parliament from exercising this authority.

It's true, Franklin admitted, there was nothing specifically to that effect in the colony's charter. He cited, instead, their understanding of "The common rights of Englishmen, as declared by Magna Charta," as if the colonists were the barons of Runnymede, King George their King John, and Magna Carta their constitution.

"What used to be the pride of the Americans?" Parliament wanted to know.

"To indulge in the fashions and manufactures of Great Britain."

"What is now their pride?"

"To wear their old clothes over again till they can make new ones."[37]

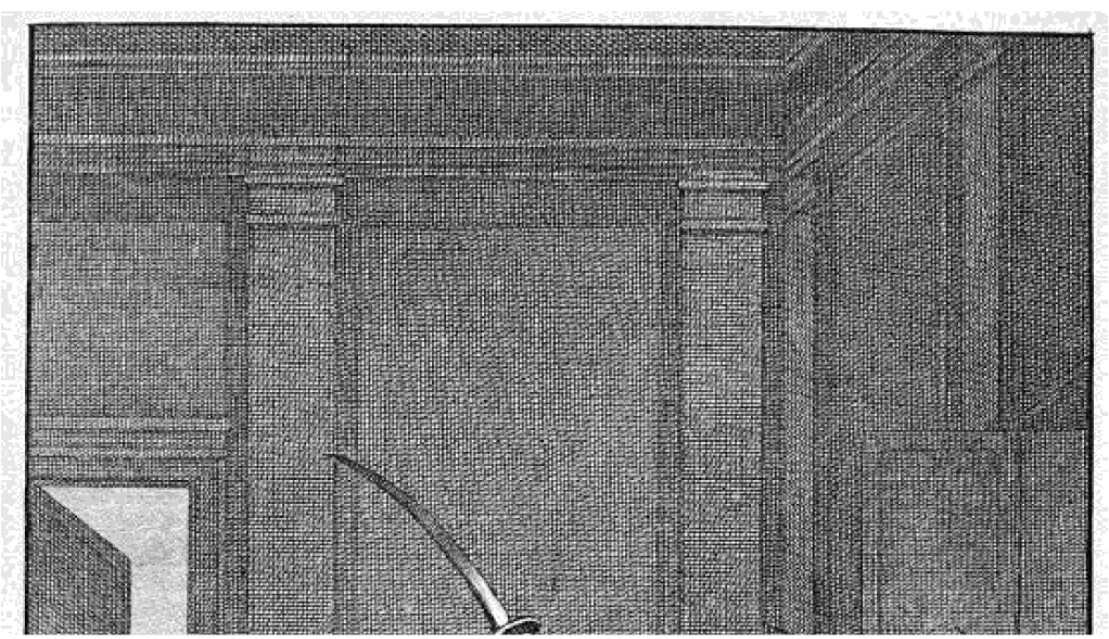
Here was Poor Richard, again with his proverbs.

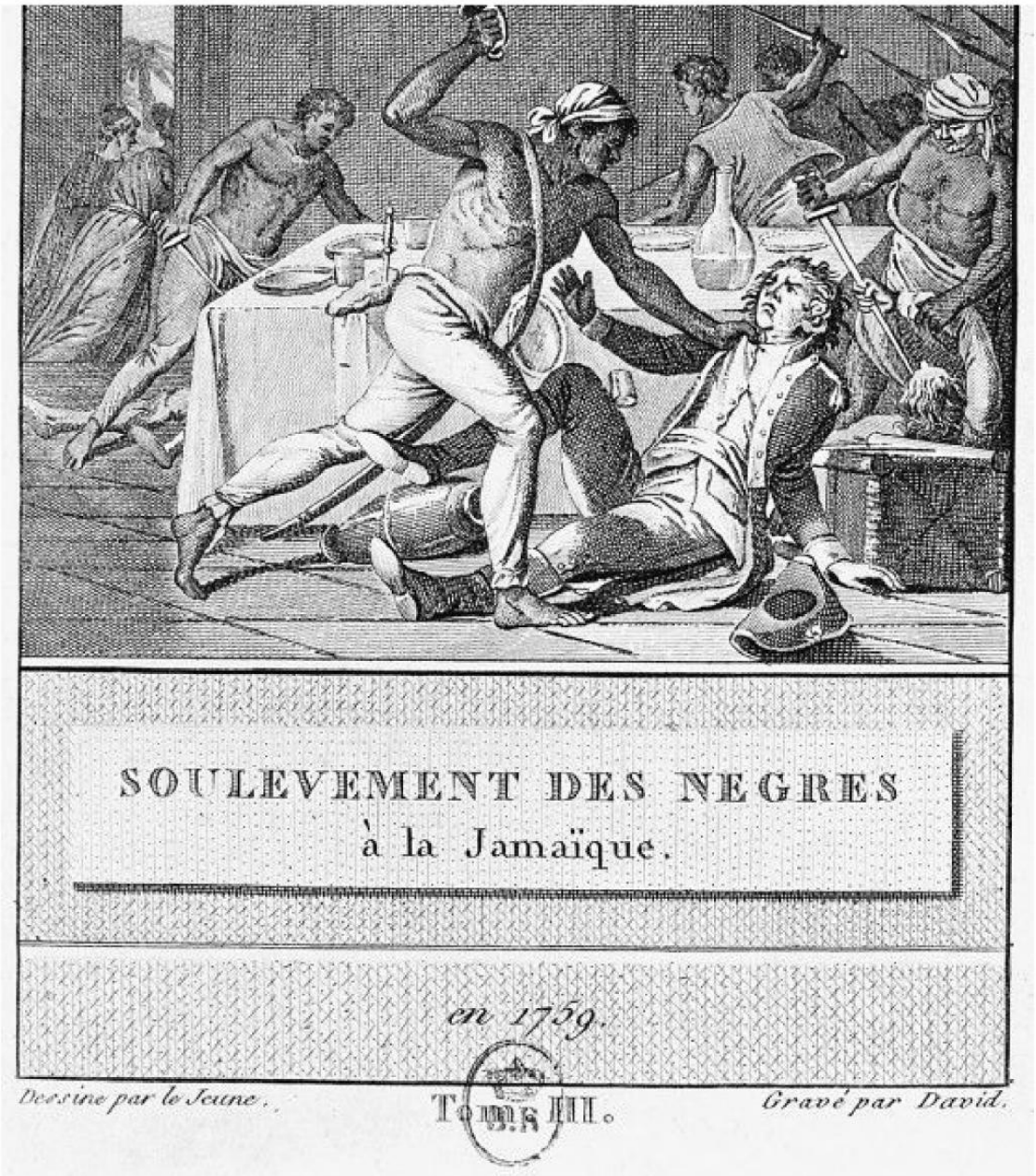
And yet this defiance did not extend to Quebec, or to the sugar islands, where the burden of the Stamp Tax was actually heavier. Thirteen colonies eventually cast off British rule; some thirteen more did not. Colonists from the mainland staged protests, formed a

congress, and refused to pay the stamp tax. But, except for some vague and halfhearted objections expressed on Nevis and St. Kitts, British planters in the West Indies barely uttered a complaint. (South Carolina, whose economy had more in common with the British West Indies than with the mainland colonies, wavered.) They were too worried about the possibility of inciting yet another slave rebellion.[38]

On the mainland, whites outnumbered blacks, four to one. On the islands, blacks outnumbered whites, eight to one. One-quarter of all British troops in British America were stationed in the West Indies, where they protected English colonists from the ever-present threat of slave rebellion. For this protection, West Indian planters were more than willing to pay a tax on stamps. Planters in Jamaica were still reeling from the latest insurrection, in 1760, when an Akan man named Tacky had led hundreds of armed men who burned plantations and killed some sixty slave owners before they were captured. The reprisals had been ferocious: Tacky's head was impaled on a stake, and, as in New York in 1741, some of his followers were hung in chains while others were burned at the stake. And still the rebellions continued, for which island planters began to blame colonists on the mainland: Did the Sons of Liberty realize what they were saying? "Can you be surprised that the Negroes in Jamaica should endeavor to Recover their Freedom," one merchant fumed, "when they dayly hear at the Tables of their Masters, how much the Americans are applauded for the stand they are making for theirs"?[39]

Unsurprisingly, the island planters' unwillingness to join the protest against the Stamp Act greatly frustrated the Sons of Liberty. "Their Negroes seem to have more of the spirit of liberty than they," John Adams complained, asking, "Can no punishment be devised for Barbados and Port Royal in Jamaica?" Adams was the rare man whose soaring ambition matched his talents. He would learn to restrain his passions better. But in the 1760s, his anger at those who refused to support the resistance was unchecked. The punishment the Sons of Liberty decided upon came in the form of a boycott of Caribbean goods. In language even more heated than Adams's, patriot printers damned "the SLAVISH Islands of Barbados and Antigua—Poor, mean spirited, Cowardly, Dastardly Creoles," for "their base desertion of the cause of liberty, their tame surrender of the rights of Britons, their mean, timid resignation to slavery."[40]





People held in slavery in Jamaica rebelled throughout the middle decades of the eighteenth century, leaving Jamaican slave owners reliant on British military protection and unwilling to join colonists on the continent in rebelling against British rule.

Planters bridled at the attack and floundered under the effects of the boycott. "We are likely to be miserably off for want of lumber and northern provisions," one Antigua planter wrote, "as the North Americans are determined not to submit to the Stamp Act."[41] But they did not yield. And some began to consider their northern neighbors to be mere blusterers. "I look on them as dogs that will bark but dare not stand," complained one planter from Jamaica.[42]

Nor were the West Indian planters wrong to worry that one kind of rebellion would incite another. In Charleston, the Sons of Liberty marched through the streets, chanting, "Liberty and No Stamps!" only to be followed by slaves crying, "Liberty! Liberty!" And not a few Sons of Liberty made this same leap, from fighting for their own liberty to fighting to

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