

PEOPLE AND EVENTS THAT INFLUENCED AMERICA'S FOUNDERS

The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally staked, on the experiment entrusted to the hands of the American people.

—PRESIDENT GEORGE WASHINGTON (1789–1797)

I shall therefore conclude with a proposal that your watchmen be instructed, as they go on their rounds, to call out every night, half-past twelve, "Beware of the East India Company."

—Pamphlet signed by "RUSTICUS," 1773

Jefferson encounters ancient wisdom.

There was a full moon that Virginia night in 1762, and the sky was cloudless, cooling the ancient forest after a warm day. Thomas Jefferson watched respectfully as the elders and the "head women," as he'd come to call them, gathered to sit on blankets in a place of great honor near where the famous Cherokee warrior Ontasseté was about to speak. Although only 19, at six foot two

Jefferson was conspicuously tall among the Indians and was treated the same respectful way as his companion, the 28-year-old Thomas Sumter.

He watched as the sparks from the fire flew toward the dark moonlit sky, listening to the strange language of the Cherokee and the Creek around him. He understood none of their words, but later in life he would study their languages with the same mind that had enabled him to already learn to read and write Greek, Latin, and French.

His companion, Sumter, was a strong and aggressive man; the contrast between the two—the lanky, red-haired, freckle-faced scholar and the bold fighter—was distinct. Jefferson was in his last year of studies at the College of William and Mary, about to study law in a few months, while Sumter, who had left home as a teenager to fight in the French and Indian Wars, would leave the next day to escort Ontasseté across the Atlantic to meet the king of England. Sumter would go on to be a general in the American War of Independence, and Jefferson would write the document that formally declared it.

The sounds of the Cherokee language and the sight of the people assembling brought back for Jefferson childhood memories of the many times Ontasseté had visited his home while traveling from his Cherokee village to Williamsburg. Ontasseté liked to spend the night at the Shadwell, Virginia, farm of Peter Jefferson, and often Peter had invited his young son Thomas to join him and Ontasseté in conversations that stretched long into the evening. Peter Jefferson made friends instantly, had a lifelong fascination with native peoples and cultures, and had come to know dozens of Indian leaders as he mapped the Virginia colony 11 years earlier in 1751. (Thomas was eight the year his father mapped Virginia and met so many of the Indians; his father died five years later.)

"So much in answer to your inquiries concerning Indians," Thomas Jefferson wrote to John Adams in June 1812, "a people with whom, in the early part of my life, I was very familiar, and

acquired impressions of attachment and commiseration for them which have never been obliterated. Before the Revolution, they were in the habit of coming often and in great numbers to the seat of government, where I was very much with them. I knew much the great Ontasseté, the warrior and orator of the Cherokees; he was always the guest of my father, on his journeys to and from Williamsburg.”

(On June 19, 1754, when Jefferson was only eleven years old, Ben Franklin had introduced the Albany Plan of Union at a meeting attended by both his pre-Revolutionary compatriots and a delegation from the Iroquois Confederacy. Franklin had earlier attended an Iroquois Condolence Ceremony in 1753 and used Iroquois symbols both in his language and his design for early American currency. In 1770, Franklin wrote, “Happiness is more generally and equally diffus’d among Savages than in civilized societies. No European who has tasted savage life can afterwards bear to live in our societies.”²¹)

The heavy influence of Native American forms of democracy, particularly the Iroquois Confederacy, was a hot topic of conversation during Jefferson’s childhood, and his father’s close association with many Indians—particularly Ontasseté—brought to the now-teenage Jefferson an appreciation and understanding of the event he had been invited to witness.

The assembled Cherokee sat, as did Jefferson and Sumter, and Ontasseté began his farewell address. Although the Cherokee had signed their first treaty with England over 40 years earlier, colonists subject to the king had continued to encroach on Cherokee land and slaughter men, women, and children. Ontasseté had discussed this and similar matters many times with the king’s men in Williamsburg and was now making an official visit to King George II himself—one head of state to another. Even though he would be the second representative of the Cherokee to cross the Atlantic in the giant ships, most operated by the East India Company, the crossings were always risky, and he didn’t

know if he’d ever see his family and friends again. He began his speech, as was the custom of his people, with thanks and prayers, speaking to the four sacred directions, to Mother Earth, and to Grandmother Moon.

“I was in his camp when he made his great farewell oration to his people the evening before his departure for England,” Jefferson wrote in that letter to Adams many years later. “The moon was in full splendor, and to her he seemed to address himself in his prayers for his own safety on the voyage, and that of his people during his absence; his sounding voice, distinct articulation, animated action, and the solemn silence of his people at their several fires, filled me with awe and veneration, although I did not understand a word he uttered.”

The Cherokee had suffered terribly, both from recurrent smallpox epidemics and from a series of betrayals by the British colonists with whom they’d aligned themselves during the French and Indian War. The treaties of 1721, 1754, and 1759 between the Cherokee and England had been repeatedly violated by British colonists, culminating in the atrocity of 1759 when Virginia colonists killed and mutilated 20 young Cherokee men, collecting a bounty on their scalps. This, and another land grab by the British in 1760, led to a bloody two-year war between England and the Cherokee.

Ontasseté, unaware that in just 11 years the British would be in an all-out shooting war with rebellious colonists, was hoping to make a final and lasting treaty of peace with King George II.

“That nation, consisting now of about 2,000 warriors, and the Creeks of about 3,000, are far advanced in civilization,” Jefferson continued in his letter to Adams. At the time, the Cherokee had a written language of 86 letters, published their own newspaper called *The Phoenix*, and had adopted a constitution similar to that the Iroquois had held for centuries. “They have good cabins, enclosed fields, large herds of cattle and hogs, spin and weave their own clothes of cotton,” Jefferson wrote, “have

smiths and other of the most necessary tradesmen, write and read, are on the increase in numbers, and a branch of Cherokees is now instituting a regular representative government.”

Adams replied to Jefferson’s letter on June 28, 1813: “I have also felt an interest in the Indians, and a commiseration for them from my childhood. Aaron Pomham, the [Indian] priest, and Moses Pomham, the king of the Punkapang and Neponset tribes, were frequent visitors at my father’s house, at least seventy years ago. I have a distinct remembrance of their forms and figures. They were very aged, and the tallest and stoutest Indians I have ever seen. The titles of king and priest, and the names of Moses and Aaron, were given them, no doubt, by our Massachusetts divines and statemen.

“There was a numerous family in this town, whose wigwam was within a mile of this house. This family were frequently at my father’s house, and I, in my boyish rambles, used to call at their wigwam, where I never failed to be treated with whortleberries, blackberries, strawberries or apples, plums, peaches, etc., for they had planted a variety of fruit trees about them. But the girls went out to service, and the boys to sea, till not a soul is left. We scarcely see an Indian in a year.”

Native Americans

Thus in May of 1776, as the war with Britain was already under way and a debate was ongoing in Philadelphia about a formal declaration of independence and the formation of a new nation, a delegation of 21 Iroquois arrived at the Continental Congress, which drafted the first document governing the nation birthed by the Declaration of Independence. A year earlier, at the Albany Conference, Iroquois attendees had openly raised questions with their friend Ben Franklin about a government with a chief executive, warning about the dangers of having a single elected official who might one day try to seize too much power for himself. They

had been welcomed to the 1775 Continental Congress by John Hancock himself, who addressed a Delaware chief saying that “this council fire, [is] kindled for all the United Colonies.”²²

When the Iroquois arrived in Philadelphia, the president of the Continental Congress treated them as visiting dignitaries and wise elders and invited them to watch the debates. The second floor of Independence Hall (then the Pennsylvania State House) was given them to sleep in for over a month during the near-daily discussions, and Richard Henry Lee wrote that on May 17, 1776, the newly formed American army paraded over two thousand troops down the streets of Philadelphia for their review.²³ The *Pennsylvania Gazette* reported on the parade, saying that “the Members of Congress . . . and . . . the Indians . . . on business with the Congress” reviewed the troops along with General George Washington, General Mifflin, and General Gates.²⁴

Three weeks later, after speeches were made expressing “friendship” that would “continue as long as the sun shall shine,” an Onondaga chief gave Hancock the Iroquois name of “Karanduawn,” meaning “Great Tree,” a ceremony carefully recorded by attendee Charles Thompson. (The friendship struck up between the Onondaga and George Washington, apparently at this event, was so strong that an Onondaga woman accompanied Washington during most of the Revolutionary War as his cook, and the Onondaga saved Washington and his men from starvation during the bitter winter at Valley Forge by bringing them corn and other food.²⁵)

John Adams was there and noticed the events and discussions. In his book *Defence of the Constitutions of Government of the United States of America*,²⁶ written while the new Constitution for the United States of America was being hammered out, he noted how the ancient British and German tribesmen and many of the Native American tribes he knew represented branches of the human race who practiced the three-branches-of-government form of democracy that he and Jefferson advocated for the new United States of America. Adams pointed out that the Roman

historian Tacitus thought a three-branch democracy was “laudable” but “doubted” its “practicability” and “duration,” and that the great experiment America was about to undertake had never been done before successfully by those then thought of as “civilized people.” But it was possible, and the Iroquois were living proof.

Adams wrote: “It would have been much to the purpose to have inserted a more accurate investigation of the form of government of the ancient Germans and modern [American] Indians; in both, the existence of the three divisions of power is marked with a precision that excludes all controversy. The democratical branch, especially, is so determined, that the real sovereignty resided in the body of the people . . .” and he added, “To collect together the legislation of the Indians, would take up much room, but would be well worth the pains. The sovereignty is in the nation, it is true, but the three powers are strong in every tribe.”

Adams had asked Jefferson for more information on how Native American governments were organized, and Jefferson suggested that Adams read Joseph Lafitan. “Some scanty accounts of their traditions, but fuller of their customs and characters, are given us by most of the early travelers among them; these you know were mostly French. Lafitan, among them, and Adair an Englishman, have written on this subject.”²⁷

The Iroquois Confederacy

Lafitan wrote in 1724 about the Iroquois Confederacy, a group of five nations consisting of the Oneida, Mohawk, Onondaga, Cayuga, and Seneca. The Iroquois were particularly concerned with creating a lasting federation and knew that women were more in touch with the needs of future generations than men. Thus, the “head woman” of each family voted democratically to select (or remove) the sachems who represented families or clans to the confederation.²⁸

Lafitan wrote fascinating accounts of Iroquois justice. These

being tribes with neither police nor prisons, they depended on an extraordinarily high level of cultural pressure or what would have been called “civilization” during Jefferson’s time to deal with people who committed crimes.²⁹

Both Jefferson and Adams were wary of priests in all forms, as they both knew theocracies are enemies of democracy. Jefferson pointed out that the Indians shared their wariness: “You ask further, if the Indians have any order of priesthood among them, like the Druids, Bards or Minstrels of the Celtic nations? . . . The true line of distinction seems to be, that solemn ceremonies, whether public or private, addressed to the Great Spirit, are conducted by the worthies of the nation, men or matrons, while conjurers are resorted to only for the invocation of *evil* spirits. [Emphasis added.] The present state of the several Indian tribes, without any public order of priests, is proof sufficient that they never had such an order. . . . Indeed, so little idea have they of a regular order of priests, that they mistake ours for their conjurers, and call them by that name.”

Jefferson was so impressed by the quality of some of the Native Americans he’d known, that he considered them at least the equals of whites. Several times in his personal letters he suggested that the best solution to the “Indian problem” was simply to have them all intermarry with whites until a single uniform race was created.

Tacitus on the natives of England

Jefferson also saw in the lives and stories of the Native Americans a strong parallel to his own tribal ancestors from the British Isles and an inspiration for the democracy he would help create.

One of the most famous writers who had encountered Jefferson’s ancestors—the people of England—when they were still living tribally was the Roman senator Cornelius Tacitus (A.D. 56–117). Starting with an August 19, 1785, letter to Peter Carr and continuing

to a January 15, 1825, letter to Joseph Coolidge Jr. just a year before Jefferson's death, we find dozens of references to Tacitus in the correspondences of Thomas Jefferson.

Jefferson wrote that from his childhood until well after his retirement from the presidency, he returned over and over again to Tacitus for inspiration and definition of his concept of the importance of standing up against tyranny, whether it be from another nation or from elites within his own country. As Jefferson wrote in a letter to David Howell the year he left the presidency, "I read one or two newspapers a week, but with reluctance give even that time from Tacitus."

Tacitus was a Roman orator of considerable fame who rose to be the Roman consul in A.D. 97 and the governor of Asia for two years beginning in 112. Pliny the Younger addressed some of his most famous letters to Tacitus, and although none of Tacitus's speeches survive, his histories of Germany and England—written in A.D. 98—are intact. Because Tacitus married the daughter of Agricola, the Roman who conquered and then governed England, his account of his father-in-law Agricola's experience meeting the then-tribal English was particularly credible to Jefferson, who had first learned about the similarly tribal people of North America from his own father.

Tacitus discovers Jefferson's ancestors— and they're democratic.

To find what Tacitus had to say that left such a lasting impression on young Thomas Jefferson, and continued to inspire his vision of America right up to the time of his death, I found a book "Printed by W. Stark for J. Johnson, in St. Paul's Church-Yard, London" in 1777, titled *A Treatise on the Situation, Manners, and Inhabitants of Germany and the Life of Agricola* by C. Cornelius Tacitus with Copious Notes Translated into the English by John Aikin. The extensive commentary, missing from most modern publications that only translate and print the words of Tacitus, makes it clear that in 1777 even the translators believed Tacitus's entire account to be absolute fact.

While modern historians argue about the details of Tacitus's history, the prevailing notion at that time—clearly held by Jefferson, based on his letters and notes—was that Tacitus was a competent historian who reported the words and events of his time with brilliant accuracy.

The tribal English, before the Roman conquest during the first century, were, Agricola told his son-in-law Tacitus, a proud and fierce people who loved freedom. When the Romans confronted them, Tacitus writes, over 30,000 English tribesmen gathered to hear a speech by Galgachan, one of their leaders, prior to the battle that led to their defeat.³⁰ Agricola transcribed the speech, which was then published by Tacitus: "When I reflect on the causes of the war and the circumstances of our situation," said tribal leader Galgachan, "I feel a strong persuasion that our united efforts on the present day will prove the beginning of universal liberty to Britain."

Although the Celts of continental Europe had been trading with the British tribesmen since between 800 and 500 B.C.E. and had conquered parts of what is now England, according to Tacitus, England was still populated by free tribal peoples when Agricola invaded with his Roman legions. Galgachan went on to say, "For none of us are hitherto debased by slavery; and there is no land behind us, nor is even the sea secure, whilst the Roman fleet hovers around. Thus the use of arms, which is at all times honourable to the brave, now offers the only safety even to cowards." Being lovers of freedom and democracy, Galgachan says, "even our eyes [are] unpolluted by the contact of subjugation."

The situation was bleak. As Galgachan continued, "There is no nation beyond us; nothing but waves and rocks, and the still more hostile Romans, whose arrogance we cannot escape by obsequiousness and submission."

Galgachan apparently thought of the Romans the same way Jefferson would often speak of the British 1,700 years later. "These plunderers of the world," Galgachan said, "after exhausting the land [of Italy] by their devastations, are riding the ocean:

stimulated by avarice, if their enemy be rich; by ambition, if poor; unsatiated by the East and by the West; the only people who behold wealth and indigence with equal avidity. To ravage, to slaughter, to usurp under false titles, they call empire; and where they make a desert, they call it peace.”³¹

Jefferson, in his first draft of the Declaration of Independence, expressed a similar sentiment: “The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. . . . in every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury.”

Paul de Rapin Thoyras on the history of England

Jefferson had two favorite histories of England: Tacitus and Paul de Rapin Thoyras. In an 1825 letter to an administrator at the University of Virginia, which he founded in 1817, Jefferson recommended Tacitus for ancient history and Paul de Rapin Thoyras as the single and absolutely best source of information on English history.

The reason Jefferson was so concerned that the university stock a copy of de Rapin’s *History of England* was because history helped define people’s views of politics. The Tory historian David Hume, for example, spread the idea that it was normal and natural for the mass of people to be subject to the authority of the few who were willing to grab or steal power, an idea Jefferson rejected.

The reason was that “Ludlow, Fox, Belsham, Hume, and Brodie” wrote history to please the royal family and, speaking of Hume in particular, Jefferson wrote “the object of his work was an apology for them. He spared nothing, therefore, to wash them white, and to palliate their misgovernment. For this purpose, he suppressed truths, advanced falsehoods, forged authorities, and

falsified records. . . . But so bewitching was his style and manner, that his readers were unwilling to doubt anything, swallowed everything, and all England became Tories by the magic of his art.”

On the other hand, “Of England,” Jefferson wrote, “there is as yet no general history so faithful as Rapin’s.”

This was no small issue for Jefferson. In his letter to the university, he continued by pointing out how destructive to a nation a history could be that denied the truth of natural rights (granted by nature), as he believed the Saxons lived under, and instead substituted a belief that people should obtain their rights from government, rather than be firmly in control of government.

“The government of a nation may be usurped by the forcible intrusion of an individual into the throne,” he wrote, “but to conquer its will, so as to rest the right on that, the only legitimate basis, requires long acquiescence and cessation of all opposition.”

Jefferson even felt that reading the Tory history of Hume could make an American patriot acquiesce to the ideas of the American Tories. “Hume,” he added, “should be the last histories of England to be read. If first read, Hume makes an English Tory, from whence it is an easy step to American Toryism.”

The best, though, was “the volume of Rapin, [that students] may read this first, and from this lay a first foundation in a basis of truth.”

John Adams agreed, and wrote to Jefferson on July 15, 1813, that the conservative historian “David Hume had made himself so fashionable with the aid of the court and clergy . . . and by his elegant lies . . . that he had nearly laughed into contempt Rapin, Sydney, and even Locke.”

The historian who influenced Jefferson is rediscovered.

In London, I tracked down a copy of *The History of England As Well Ecclesiastical As Civil* by Paul de Rapin Thoyras, printed in London in 1728, more than a decade before Jefferson was born. A similar edition was one of the first four books purchased from British

booksellers for the newly created Library of Congress in 1802 during the presidency of and at the request of Thomas Jefferson.*

The book is one of the few to cover in detail the six-century period between the collapse of the Roman Empire and the Romans' departure from England in the fifth century, and the Norman invasion that led to the Battle of Hastings in 1066.

Jefferson believed the British Saxons had a better claim to the egalitarian, pre-Roman tribal values of his ancestors than did the French Normans (from Normandy) who defeated them in 1066 (and set up the kingdom that still rules England today). Life in England was quite different before 1066 than after.

The ancient history of England

In a chapter entitled "The Origin and Nature of the English Constitution," de Rapin points out that in the 1700s, "to put the King in a capacity to [rule] effectually, it is necessary he should have *great power* and a *revenue* large enough to live with splendor, in order to attract reverence and veneration from the people." De Rapin then lists the contemporary king's powers, including "Command of the armies . . . the pardoning of condemned criminals . . . the disposal of all places of trust or profit [regulating commerce] . . . and proclaiming peace and war," among others.†

The Saxons: a government controlled by its people

De Rapin says that the modern king of England (at that time George I) traces the legislative authority for his powers back to the traditions of the Saxon kings. "The King has great *prerogatives*, and they were the effect and consequence of the mutual agreement of the first *Anglo-Saxon* kings with their people."

But there were differences between the Saxon idea of government and that of George I's dynasty, and de Rapin bluntly

*Sadly, the book has been out of print for over a century.

†In transcribing this text, I've converted the f's to s's and dropped capitals but left the original italics intact.

points them out. "There were but two things the Saxons did not think convenient to entrust their kings with," he wrote, "for fear of the consequences attending the ill use of them; *the power of changing the laws that had been enacted by consent between the king and people*; and *the power of raising taxes by his own will and pleasure*."

In these Saxon principles, we find the concept of taxation only by a democratically representative legislature, and of the laws and powers of a government coming solely from the consent of the governed.

De Rapin emphasizes this point: "These are two *important* articles, that branch themselves forth into numberless particulars relating to the *liberty* and *property* of the subjects, which the king can't meddle with, without breaking in upon the *Constitution*." This is, he says, the foundational core of old Saxon law: "*The prerogatives of the Crown*, and *the rights and privileges of the people*, flowing from the two *articles* above, are the *ground-work* of all the laws that from time to time have been made by the *unanimous* consent of king and people."

And here we find in Saxon history and law the essence of the Revolutionary-era notion of the word "liberty" proclaimed in Jefferson's draft of the Declaration of Independence.

De Rapin continues in the next sentence: "The [Saxon] *English* government consists in an exact correspondence between the King's *prerogatives* and the people's *liberties*. So far are these from destroying, or running counter to one another, that they are the *strongest* cement of that *strict* Union so necessary between the prince and people."

This delicate balance between the power of government and the consent of the governed was the basis of Saxon civil society, including protections for the most vulnerable and in need. As de Rapin notes, "The King, by means of his *prerogatives*, is in a condition to protect his subjects, to see the laws duly executed, and justice impartially administered, to defend the weak from their powerful oppressors, to assist the unfortunate, and punish the disturbers of the society."

This promotes what our Constitution calls “domestic tranquility”—a people who are freed from worry and thus able to put their time and efforts into building businesses, creating artistic works, and doing other things of value to society. De Rapin explicitly says this in the next sentence: “On the other hand, the people, whilst in possession of their *liberties*, placing their whole confidence in the laws and the king’s care in duly executing them, live securely without the least apprehension of losing their lives or properties. They enjoy the fruits of their own labour and industry. . . . If they make their court to the *nobles*, it is only when their interest or assistance may be necessary, and not out of fear of being oppress’d by them, since the *greatest* are equally subject to the laws, with the *least*.”

This, the people of Jefferson’s day believed, was the history of pre-Norman-conquest England. In these words Washington, Paine, Madison, and others found the archetype for an American government that would last at least two centuries.

A warning about tyranny

But there was a warning in de Rapin’s work, too. Continuing on the same page, he gently notes the transition from Saxon values to what Jefferson called a “system of tyranny” after the conquest of 1066: “It can’t be denied but such a Government is extremely well calculated to render both prince and people happy,” de Rapin writes, using language about “happiness” that would first appear in any nation’s founding history in the Declaration of Independence signed on July 4, 1776. “But when kings arose, as some there were, that aim’d at *absolute power*, by changing the *old* and making *new* laws at pleasure, and by imposing *illegal* and *arbitrary* taxes on the people, this excellent government by these proceedings being in some measure dissolved, *confusion* and *civil wars* ensu’d, which some very *wrongfully* attributed to the *unsettled* temper of the *English* nation.”

De Rapin, being French, was able to write about the English

monarchy in a way that would have lost an Englishman his head. Nonetheless, he didn’t want to offend the English, so he went to pains to point out that it was their monarchs and not their temperament that caused their problems. Interestingly, Jefferson often went to the same lengths, including one of the closing sentences in the Declaration of Independence that asserts the qualified friendship of Americans and the British.³²

The origin of “civilized” representative government

De Rapin notes that a government that draws its power solely from the consent of the people didn’t originate with the Saxons in the year 500, as some then believed.

Early precursors of democracies emerged and became widespread across Europe in the sixth century after the collapse of the Roman Empire. “If we look into the histories of the other *European* kingdoms founded by the *Northern* Nations,” he writes, “we shall find like assemblies under different names, as *Dyets* in *Germany* and *Poland*, and *Cortez* in *Spain*. It is no wonder then the *Saxons* should establish in *England* the only form of government they knew any thing of.”

In every case, there was an assembly representing the people, which chose the king by popular vote, passed laws that reflected the will of the people, and exclusively held the powers to tax and declare war.

“Now in order to preserve a perfect Union,” de Rapin says, again presaging language used in the U.S. Constitution,³³ “it was necessary some way of communication and intercourse between them shou’d be established. This was done by the means of a *Wittena-Gemot* or *Assembly of Wise Men*, who were the *Representatives* of the whole Nation. This Method the *Saxons* brought with them from *Germany*, where all publick affairs were transacted in such like *conventions*, of which their *Generals*, chosen in the time of war, were *Presidents*.” (His choice of words brings to mind the Constitutional Convention of 1774–1789 and General George Wash-

ington's unanimous election as president in 1789.³⁴ In all probability, the majority of the delegates to that Convention had read de Rapin's *History of England*.)

The fall of representative government in England

With the final Battle of Hastings on October 14, 1066, cementing the Norman conquest of the Saxons, everything changed. The ruling Normans reinvented the old Roman story that the king was king because God had ordained it: The "Divine Right of Kings" replaced the "Natural Rights of Man." As a result, the British experience of anything approximating a democratic republic was put on hold until the modern era.

De Rapin says, "After the conquest these assemblies were called *Parliaments*. If *William the Conqueror* continued them, which is a great question, it was not with the same *rights* and *privileges* they enjoyed under the *Saxon Kings*." It wasn't until the time of King Henry III that Parliament came to play a role close to that of the "assembly of wise men" that had elected previous kings under the Saxons, and not until the great Reform of 1832 that England became a modern democracy.

As the modern-day historical website www.battle1066.com points out, "Our impression of a king today is of an aloof person living in a luxurious castle or palace. Nothing could have been further from the truth in those days." Kings were "elected" rather than being warlords who had ruthlessly seized power, there were many—dozens to hundreds—of elected "kings" all over the British Isles, and they didn't enjoy the power of fealty or the "right of the first night" or other bizarre royal customs introduced after 1066. As the website points out, a king "was subject to the same Saxon law as everybody else."

Thus, pre-1066 England was organized more along what would today be called democratic tribal lines.

This commonly held view of history informed the colonists who rose up like the ancient British tribal leader Galgachan—and took on an empire.

The truth about the Tea Party

In elementary school we learned the story that the Revolutionary War was a struggle between the colonists and the king, but a larger story often goes untold until one reaches college history classes. That story is about the instrument of power the king wielded (or which wielded the king's power): a transnational corporation named the East India Company.

It turns out the Boston Tea Party wasn't about tax increases at all. It came about because a crony of the Crown, the East India Company, got a tax cut on its tea in the Tea Act of 1773, and this put all other small merchants at a disadvantage.

The East India Company got its way because it was so huge and powerful.

The early history of the times

We learned that the Pilgrims arrived in America in 1620 on a boat named the *Mayflower*, but few of us know that they'd chartered the boat from the East India Company, the world's largest and most powerful multinational corporation. The *Mayflower*, in fact, had already made the crossing between England to North America three times when the Pilgrims chartered it.

The East India Company was most responsible for the rise of England from a weak still-feudal state in the late 1500s to an international powerhouse by the mid-1600s. The Company was Queen Elizabeth I's second attempt to use a corporation to catch up with the other European seafaring powers.

Queen Elizabeth I was the largest shareholder and funder of the *Golden Hind*, Sir Francis Drake's ship that accidentally (he had planned to travel up the Nile) circumnavigated the globe between 1577 and 1580. Drake returned home with a mind-boggling array of treasures looted from various lands, including 26 tons of silver, so all of the investors, including the queen, saw a minimum 5,000 percent return on their investment.

Drake's success helped make Elizabeth willing to fund a new transnational trading company that—on behalf of the British Crown—would compete with the very successful Dutch trading companies. Thus, on December 31, 1600, she authorized a group of 218 noblemen and merchants from London (plus herself) to charter the East India Company.

A significant example of corporate cronyism is that in 1681, King Charles II and Parliament (nearly all of whom were stockholders) passed “An Act for the Restraining and Punishing Privateers & Pirates.” This law required a license to import anything into the Americas (and other British-controlled parts of the world). The licenses were so expensive that they were rarely granted to anybody except the East India Company and other large British corporations. Anybody operating without a license was labeled a *privateer* and was subject to the death penalty “without the benefit of clergy.”³⁵

For the next 90 years, the trade provisions of the law were only spottily enforced, mostly because the offenders were usually small, entrepreneurial ships from America and the British navy didn't consider them worth chasing. The Company, facing British reluctance to enforce the law, created its own security force. The Company hired the infamous Captain Kidd to chase American private merchants, until the Company discovered that the good captain was secretly importing his seized tea, spices, and other goods into North America. They had him hanged in 1701, and for the next half-century drew more heavily on British irregulars to protect their interests.

The East India Company: history's first Wal-Mart

By the mid-1700s, the East India Company had become, to North America, the Wal-Mart of its day. It imported into North America vast quantities of products, including textiles, tools, steel, and tea, and exported to Europe tons of fur and tobacco, as well as many thousands of Native American slaves. Protesters and competitors were put down ruthlessly, and the Company worked

so closely with the British military that they hired General Cornwallis after he lost the Battle of Yorktown in 1781 and put him in charge of much of its lucrative business in India (which they were beginning to rule as a corporate colonial power).

The late 1760s and early 1770s brought a crisis for the East India Company. Most of the easily found gold and other wealth around the world was now safely in Europe. The period between 1760 and 1773 brought a severe recession for both the American colonies and Britain, and demand for the Company's products went flat. Credit was tight, cash was tight, and as the colonies increasingly developed their own industries to manufacture things of steel, silver, and fabric, demand for imports from Europe slowed to a trickle, mostly of tea and spices.

The tea business with North America was still profitable, propping up many other sectors of the Company. As tea became more important, though, the Company also found itself facing increasing numbers of competitors.

Small entrepreneurs up and down the East Coast were building, buying, or chartering small private ships to sail to other parts of Europe or India to buy tea below the prices the Company was selling it for in North America. Nearly every block in most American cities had a teahouse, which dispensed the colonists' favorite drug of choice and also served as a local social center. Most of these teahouses were small businesses, and by the late 1760s the majority were buying their tea from local entrepreneurial “private” importers.

Fighting the privateers—even with the penalty of death as a weapon—had proved a waste of time. Rarely did the booty seized from a small entrepreneur's ship equal the cost to track, board, and seize the ship.

A legislative maneuver to quickly sell 17 million pounds of tea

Desperate for cash, the Company reached out to its stockholders—which included King George III and most of the members

of the House of Lords—and asked them for an Enron-style tax cut that would allow them to undercut the prices of the small businesspeople of the colonies.

Parliament complied with the Tea Act of 1773, which not only cut the taxes on the East India Company's tea but also gave the Company a multimillion-pound rebate on taxes already paid on tea in inventory that would one day be shipped to North America.

American colonists, facing the destruction of their local small businesses by the East India Company, rebelled. The tax cut was so unfair that it revived the battle cry, "No taxation without representation."

As the *Encyclopaedia Britannica* notes in its 2001 online edition, the 1773 Tea Act was a "legislative maneuver by the British ministry of Lord North to make English tea marketable in America" by helping the East India Company quickly "sell 17 million pounds of tea stored in England."³⁶

A new firsthand account of the Tea Party is discovered.

There are few books in print about the Boston Tea Party. Most are children's books, and the event is mentioned only briefly in many histories of the time. One of the reasons is that the men who participated swore a 50-year oath of silence, and few of them were alive 50 years later.

One, however, survived and went on to write a memoir that was published by a small New York press, S. S. Bliss, in 1834. To the best of my knowledge, it's the only existing account of the Boston Tea Party by an eyewitness, and it's been out of print for over 160 years. Discovering this, I set out on a search to find a copy and located one at a rare bookstore: I was thrilled to read this extraordinary first-person account.

The book is by George Robert Twelvetree Hewes and is titled *Retrospect of the Boston Tea Party with a Memoir of George R. T. Hewes, a Survivor of the Little Band of Patriots Who Drowned the Tea in Bos-*

ton Harbor in 1773. It was old, tattered, printed on a handpress with pages of slightly different sizes and hand-set type.

George Hewes was no stranger to scraps and fights on behalf of the colonists against the British in the 1770s. Originally a fisherman, he'd apprenticed as a shoemaker around the time of the Tea Party and appears repeatedly in Esther Forbes's classic 1942 biography of Paul Revere.³⁷ Forbes notes that when young Paul Revere went off to join the Continental army in 1756, Hewes tried to join him in Richard Gridley's regiment. But, she notes, "All must be able-bodied and between seventeen and forty-five, and must measure to a certain height. George Robert Twelvetree Hewes could not go. He was too short, and in vain did he get a shoemaker to build up the inside of his shoes."³⁸

In anecdotes that recall how small the American communities were in that day (New York City had only 30,000 inhabitants at the time of the Revolutionary War), Forbes chronicles Hewes borrowing money from John Hancock and having dinner with George Washington. "Hewes says that, 'Madam Washington waited upon them at table at dinner-time and was remarkably social.'"³⁹

Reading the hand-typeset brittle pages of Hewes's memoir brought the Boston Tea Party (a phrase which he apparently coined—prior to his book, it was referred to as "that incident in Boston harbor") and the struggle of the colonists against corporate rule fully to life. Hewes notes that weak enforcement of the Act for Restraining Privateers "rendered the smuggling of [tea] an object and was frequently practiced, and their resolutions against using it, although observed by many with little fidelity, had greatly diminished the importation into the colonies [by the East India Company] of this commodity. Meanwhile an immense quantity of it was accumulated in the warehouses of the East India Company in England. This company petitioned the king to suppress the duty of three pence per pound upon its introduction into America."⁴⁰

Like Wal-Mart, the East India “super-ships” destroyed smaller competition.

Thus came about the Tea Act—a giant corporate tax cut—as Hewes notes: “The [East India] Company, however, received permission to transport tea, free of all duty, from Great Britain to America,” allowing it to wipe out its small competitors and take over the tea business in all of America. “Hence,” Hewes said, “it was no longer the small vessels of private merchants, who went to vend tea for their own account in the ports of the colonies, but, on the contrary, ships of an enormous burthen, that transported immense quantities of this commodity. . . . The colonies were now arrived at the decisive moment when they must cast the dye, and determine their course.”

But it wasn’t just the American tea merchants who were upset. England was filled with small businesspeople who wanted to import and sell their own tea, and they offered encouragement to the colonists in letters published in newspapers. “Even in England individuals were not wanting, who fanned this fire; some from a desire to baffle the government, others from motives of private interest, says the historian of the event, and jealousy at the opportunity offered the East India Company, to make immense profits to their prejudice.”

Hewes continues: “These opposers of the measure in England [the Tea Act of 1773] wrote therefore to America, encouraging a strenuous resistance. They represented to the colonists that this would prove their last trial, and that if they should triumph now, their liberty was secured forever; but if they should yield, they must bow their necks to the yoke of slavery. The materials were so prepared and disposed that they could easily kindle.”

The first confrontation between the colonists and the corporation appeared as if it would happen in Pennsylvania and New York.

“At Philadelphia,” Hewes writes, “those to whom the teas of the [East India] Company were intended to be consigned, were induced by persuasion, or constrained by menaces, to promise, on no terms, to accept the proffered consignment.

“At New-York, Captain Sears and McDougal, daring and enterprising men, effected a concert of will [against the East India Company], between the smugglers, the merchants, and the sons of liberty [who had all joined forces and in most cases were the same people]. Pamphlets suited to the conjecture, were daily distributed, and nothing was left unattempted by popular leaders, to obtain their purpose.”

The broad consensus was that boycotts and acts of civil disobedience would be enough to make the British rescind the tax breaks and rebates that were now allowing the East India Company to sell its tea below market value. But as newspapers began to expose the ways the East India Company had used monopoly control in other nations where it had put all the local small companies out of business, anger rose. Consider this pamphlet, which appeared on trees and buildings all over Philadelphia and Boston in the fall of 1773. It was titled *The Alarm* and signed by an enigmatic patriot who called himself only “Rusticus.”⁴¹

Are we in like Manner to be given up to the Disposal of the East India Company, who have now the Assurance, to step forth in Aid of the Minister, to execute his Plan, of enslaving America? Their Conduct in Asia, for some Years past, has given simple Proof, how little they regard the Laws of Nations, the Rights, Liberties, or Lives of Men. They have levied War, excited Rebelions, dethroned lawful Princes, and sacrificed Millions for the Sake of Gain. The Revenues of Mighty Kingdoms have centered in their Coffers. And these not being sufficient to glut their Avarice, they have, by the most unparalleled Barbarities, Extortions, and Monopolies, stripped the miserable Inhabitants of their Property, and reduced whole Provinces to Indigence and Ruin. Fifteen hundred Thousands, it is said, perished by Famine in one Year, not because the Earth denied its Fruits; but [because] this Company and their Servants engulfed all the Necessaries of Life, and set them at so high a Rate that the poor could not purchase them.

The pamphlets and newspaper stories galvanized the populace, who succeeded in turning back the Company’s ships when

they tried to land in New York and Philadelphia harbors. "In Boston," Hewes wrote, "the general voice declared the time was come to face the storm. . . . Now is the time to prove our courage, or be disgraced with our brethren of the other colonies, who have their eyes fixed upon us, and will be prompt in their succor if we show ourselves faithful and firm."

Hewes adds, "This was the voice of the Bostonians in 1773. The factors who were to be the consignees of the tea, were urged to renounce their agency, but they refused and took refuge in the fortress. A guard was placed on Griffin's wharf, near where the tea ships were moored. It was agreed that a strict watch should be kept; that if any insult should be offered, the bell should be immediately rung; and some persons always ready to bear intelligence of what might happen, to the neighbouring towns, and to call in the assistance of the country people."

"Rusticus" added his voice in the May 27, 1773, pamphlet saying: "Resolve therefore, nobly resolve, and publish to the World your Resolutions, that no Man will receive the Tea, no Man will let his Stores, or suffer the Vessel that brings it to moor at his Wharf, and that if any Person assists at unloading, landing, or storing it, he shall ever after be deemed an Enemy to his Country, and never be employed by his Fellow Citizens."

A new edition of *The Alarm*, published on October 27, 1773, said, "It hath now been proved to you, That the East India Company, obtained the monopoly of that trade by bribery, and corruption. That the power thus obtained they have prostituted to extortion, and other the most cruel and horrible purposes, the Sun ever beheld."

But despite the protests, on a cold winter day the Company sailed its ships into the port of Boston.

"On the 28th of November, 1773," Hewes writes, "the ship Dartmouth with 112 chests arrived; and the next morning after, the following notice was widely circulated:

Friends, Brethren, Countrymen! That worst of plagues, the detested TEA, has arrived in this harbour. The hour of destruction, a manly opposition to the machinations of tyranny, stares you in the face. Every friend to his country, to himself, and to posterity, is now called upon to meet in Faneuil Hall, at nine o'clock, this day, at which time the bells will ring, to make a united and successful resistance to this last, worst, and most destructive measure of administration.

The pamphlet galvanized the citizens of Boston. Hewes writes, "Things thus appeared to be hastening to a disastrous issue. The people of the country arrived in great numbers, the inhabitants of the town assembled. This assembly which was on the 16th of December, 1773, was the most numerous ever known, there being more than 2000 from the country present."

Hewes continues: "This notification brought together a vast concourse of the people of Boston and the neighbouring towns, at the time and place appointed. Then it was resolved that the tea should be returned to the place from whence it came in all events, and no duty paid thereon. The arrival of other cargoes of tea soon after, increased the agitation of the public mind, already wrought up to a degree of desperation, and ready to break out into acts of violence, on every trivial occasion of offence. . . .

"Finding no measures were likely to be taken, either by the governor, or the commanders, or owners of the ships, to return their cargoes or prevent the landing of them, at 5 o'clock a vote was called for the dissolution of the meeting and obtained. But some of the more moderate and judicious members, fearing what might be the consequences, asked for a reconsideration of the vote, offering no other reason, than that they ought to do every thing in their power to send the tea back, according to their previous resolves. This, says the historian of that event,* touched the pride of the assembly, and they agreed to remain together one hour."

*Presumably Hewes is referring to himself in the third person, a form considered good manners in the eighteenth century.

During that hour, there was a strong and vigorous debate about whether or not they should take on the world's mightiest corporation, backed up by the greatest military force the planet had ever seen.

And then came a call for a vote: "The question was then immediately put whether the landing of the tea should be opposed, and carried in the affirmative unanimously. Rotch [a local tea seller], to whom the cargo of tea had been consigned, was then requested to demand of the governor to permit to pass the castle [return the ships to England]. The latter answered haughtily, that for the honor of the laws, and from duty towards the king, he could not grant the permit, until the vessel was regularly cleared.

"A violent commotion immediately ensued; and . . . a person disguised after the manner of the Indians, who was in the gallery, shouted at this juncture, the cry of war; and that the meeting dissolved in the twinkling of an eye, and the multitude rushed in a mass to Griffin's wharf."

What really happened at the Tea Party itself?

Much like some modern antiglobalization protesters, the group had voted to pass the point of no return and make a clear and unflinching statement, in this case a million-dollar act of vandalism. Hewes wrote:

It was now evening, and I immediately dressed myself in the costume of an Indian, equipped with a small hatchet, which I and my associates denominated the tomahawk, with which, and a club, after having painted my face and hands with coal dust in the shop of a blacksmith, I repaired to Griffin's wharf, where the ships lay that contained the tea. When I first appeared in the street after being thus disguised, I fell in with many who were dressed, equipped and painted as I was, and who fell in with me and marched in order to the place of our destination.

When we arrived at the wharf, there were three of our number who assumed an authority to direct our operations, to which

we readily submitted. They divided us into three parties, for the purpose of boarding the three ships which contained the tea at the same time. The name of him who commanded the division to which I was assigned was Leonard Pitt. The names of the other commanders I never knew.

We were immediately ordered by the respective commanders to board all the ships at the same time, which we promptly obeyed. The commander of the division to which I belonged, as soon as we were on board the ship appointed me boatswain, and ordered me to go to the captain and demand of him the keys to the hatches and a dozen candles. I made the demand accordingly, and the captain promptly replied, and delivered the articles; but requested me at the same time to do no damage to the ship or rigging.

We then were ordered by our commander to open the hatches and take out all the chests of tea and throw them overboard, and we immediately proceeded to execute his orders, first cutting and splitting the chests with our tomahawks, so as thoroughly to expose them to the effects of the water.

In about three hours from the time we went on board, we had thus broken and thrown overboard every tea chest to be found in the ship, while those in the other ships were disposing of the tea in the same way, at the same time. We were surrounded by British armed ships, but no attempt was made to resist us.

We then quietly retired to our several places of residence, without having any conversation with each other, or taking any measures to discover who were our associates; nor do I recollect of our having had the knowledge of the name of a single individual concerned in that affair, except that of Leonard Pitt, the commander of my division, whom I have mentioned. There appeared to be an understanding that each individual should volunteer his services, keep his own secret, and risk the consequence for himself. No disorder took place during that transaction, and it was observed at that time that the stillest night ensued that Boston had enjoyed for many months.

Hewes and his associates destroyed and threw overboard 342 chests of tea—enough to make 24 million cups of tea—worth over a million dollars in today's money. Instead of realizing that

this was an uprising that could be handled by allowing the colonists to have their own small businesses, Parliament passed the Boston Port Act, which closed the port until Boston's citizens had repaid the Company for the tea. The colonists refused, leading to increasing tensions and leading, some say, directly to Paul Revere's April 18, 1775, ride that called out 77 Minutemen to face 700 British regulars (Redcoats) the next day on the Lexington Green.

The war was on, and a predatory multinational corporation had triggered it.

The cost to those who fought for democracy

The Declaration of Independence was the logical extension of the Revolution initiated by the Boston Tea Party, and was signed by a group bearing similar diversity to those in the various states who later ratified the Constitution.

A dozen of the 56 signers of the Declaration of Independence were politicians, physicians, or Protestant ministers; 11 were merchants; 9 were farmers. Ben Franklin was hard to define, although at the time he was referred to as a printer and Renaissance man; another was a musician, and one was a teacher. They ranged in age from their 20s to the octogenarian Franklin, although he was the only one who was truly elderly. Thomas Jefferson, at 33, represented the average age.

These men were the most idealistic and determined among the colonists. While the conservatives of the day argued that America should remain a colony of England forever, these liberal radicals believed in both individual liberty and societal obligations. A nation must care for the lives of its own, guarantee liberty, and ensure its citizens "happiness"—a radical concept that had never before appeared in any nation's founding documents.

The signers wrote in the Declaration, "We mutually pledge to each other our Lives, our Fortunes and our sacred Honor," and it was a simple statement of fact. The day they signed that docu-

ment, each legally became a traitor and was sentenced to death for treason by the legal government that controlled their lands and their homes. As Ben Franklin pointed out, they stood at a point of no return, and, "Indeed we must all hang together, otherwise we shall most assuredly hang separately."

When Rhode Island's Stephen Hopkins signed the document, he remarked to his friend William Ellery that "My hand trembles, but my heart does not."⁴² But Virginia's Benjamin Harrison, who weighed nearly 300 pounds, commented to Massachusetts's Elbridge Gerry, a short, thin man, "With me it [the hanging] will all be over in a minute, but you will be dancing on air an hour after I am gone."⁴³

John Hancock, the wealthiest among them, signed his name large enough that the king "could read [Hancock's] name without glasses and could now double the reward," of 500 pounds that had already been put on his head for sedition.⁴⁴ Just six months later, Hancock would lose his newborn daughter to complications of childbirth arising from his wife's fleeing the oncoming British army. Although wealthy by the standards of the day, he would hardly qualify as "rich" by today's standards: he founded no dynasty, and no foundations today dispense his money; his legacy is our nation.

Another of the wealthiest of the signers was Thomas Nelson of Virginia, but a year after the signing the British had seized his home and lands. When George Washington attacked the British in Nelson's hometown, Nelson encouraged Washington to attack the Nelson homestead, which British General Cornwallis had taken as his headquarters, with cannons. The house was damaged, and after the war Nelson, unable to repay loans he'd taken out against it to help finance the Revolution, lost much of his property and died in debt at the age of 50.

The wealthy Philadelphia merchant Robert Morris lost 150 ships at sea in the war, wiping out his small fortune. Signer William Ellery of Rhode Island similarly lost everything, as did

Virginia's Benjamin Harrison, Pennsylvania's George Clymer, New York's Philip Livingston, Georgia's Lyman Hall, and New Jersey's Francis Hopkinson.

The British destroyed New York's Francis Lewis's property and threw his wife into such a hellhole of a jail that she died two years later. Three of South Carolina's four signers—Edward Rutledge, Thomas Heyward Jr., and Arthur Middleton—were captured by the British and held in a filthy, unheated prison and brutally tortured for over a year before George Washington freed them in a prisoner exchange.

New Jersey farmer John Hart's wife died shortly before he signed the Declaration, and his 13 children were scattered among sympathetic families to hide them from the British and conservative loyalists. He never saw them again, dying alone and wracked with grief three years later.

Altogether, 17 of the signers were wiped out by the war they declared.

New Jersey State Supreme Court justice Richard Stockton took his wife and children into hiding after he signed the Declaration, but conservatives loyal to the Crown turned them in. He was so badly beaten and starved in the British prison that he died before the war was over. His home was looted, and his wife and children lived the rest of their lives as paupers.

Altogether, nine of the men in that room died, and four lost their children as a direct result of putting their names to the Declaration of Independence. Every single one had to flee his home, and, after the war, twelve returned to find only rubble.

After the war was over and the conservatives had fled to Canada and England, the survivors of the new American nation met to put into final form the legal structure of the nation they had just birthed. It was not to be a nation of cynical, selfish libertarians who believed the highest value was individual freedom and independence from society, or that the greatest motivator was greed. It was not to be a kingdom, ruled by a warlord elite. It was not to be a theocracy, where religious leaders made the rules

(as had been several of the states). And it was not to be a feudal nation, ruled by the rich.

As Benjamin Franklin told Philadelphia's Mrs. Powell after she asked him what sort of nation had been conceived in the Constitutional Convention, it was to be, "A republic, madam, if you can keep it."⁴⁵

Although the Boston Tea Party ignited the forces for liberal democracy in what would become the United States, and the Declaration of Independence declared the war that birthed America, in some other nations democracy didn't survive an ultraconservative assault. Germany is a good example of how difficult and fragile democracy can be—particularly during its first generation—if a nation's own people don't fight to keep it.