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Brigid M. Davis

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ABSTRACT

This project examines the political thought of some of the New England Puritans, seeking to show that their proto-liberal ideas and their community-oriented habits were not two systems grown from conflicting assumptions, but interdependent elements of a complex foundation.

In the first chapter, I look at the liberal-communitarian debate to identify the critical questions asked about individuals and communities as well as the major critiques of liberalism made by the political philosophers who have challenged liberalism's focus on the primacy of individual rights and the desirability of government neutrality.

In the second chapter, I investigate the Puritans' idea of the role of the individual and community in their religious understanding. The religious covenant system, the holy contracts that bound the most important relationships, began with and revolved around the covenant of grace between God and the Christian. Groups of Saints covenanted themselves into congregations and hired religious leaders who were bound in covenant to their flocks. Finally, each godly congregation became tied in a collective covenant with God, completing a triangle of mutual covenantal relationships.

The third chapter focuses on how the Puritans understood and treated the idea of individuals and communities and their relationship. As there was a religious covenant system, there was also a political. These covenants speak more directly to the political questions of obedience, government responsibility and neutrality, and purpose of law. By looking at the events in the first decades of the Massachusetts Bay Colony and how the prominent members of the colony reacted, one can see how the Puritans viewed rights, duty, consensus, and law.

In the fourth chapter, I trace the development of these ideas in Massachusetts from the 1660s through the American Revolution. Later generations of New Englanders had to grapple to adapt an old worldview to new situations. One early example of this was a crisis leading up to the 1662 Half-Way Covenant, which questioned assumptions about voluntary association, community, and citizenship. Over the next generation, the King's attempts to tighten his rule forced the colonists to define themselves as they fought this external threat. From this point in the late seventeenth century, one can then trace the Puritan concepts into their modern forms as New Englanders incorporated the ideas into their own unique Yankee worldview.

This process, of returning to one of the earliest Anglo-American societies, can give a fuller understanding of contemporary political quandaries and free modern American thinkers from their assumptions.

LIBERALISM
AND
COMMUNITARIANISM
IN
PURITAN
POLITICAL THOUGHT

BY

Brigid M. Davis

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Mount Holyoke College
Department of Politics

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INTRODUCTION LIBERALISM, COMMUNITARIANISM, AND PURITAN POLITICAL THOUGHT

If American political thought is not a methodical philosophical system, but a manifestation of the pragmatic American spirit, where can this spirit be found? While periodically declaring themselves free of their own history, Americans continually look back to the nation's origins to find examples of their values and worldviews, perhaps to see if they are living up to our forefathers and founders. If American political thought can indeed be found in history, then where is it? Is it in the rugged individualism of trail-blazers, solitary trappers, and gun-slingers? Or is it in the tightly-knit community spirit of the covenanted church, the plantation, and the wagon train? Anxieties about balancing independence and freedom with community and tradition have long been a part of American discourse and identity. Debates in recent political theory between “liberals” and “communitarians” would suggest that our liberal attachments to individualism and personal rights and our republican attachments to community and common values are essentially opposed. However, by examining the political thought of some of the earliest Anglo-Americans, the Puritans, one finds that their proto-liberal ideas and their community-oriented habits were not two systems grown from conflicting assumptions, but interdependent elements of a complex foundation.

Liberalism has been the dominant political philosophy in America, quickly settling into the early American framework and resisting the fascism and communism that attracted other nations in the twentieth century. However, a number of critics in the late twentieth and early twenty-first centuries have challenged liberalism's focus on the primacy of individual rights. While not self-identifying as communitarians, a group of political philosophers, such as Michael Sandel, Charles Taylor, Michael Walzer, and Amiaty Etzioni, have earned the label by criticizing modern liberal philosophy for becoming so procedural and atomistic as to neglect the values and obligations that are important to people. Among other criticisms, these communitarian challenge the possibility and desirability of government neutrality and liberalism's insistence on universal rights.

It is important to distinguish the pervasive liberal-versus-conservative dichotomy from the liberalism-versus-communitarianism dichotomy. In this paper, "liberalism" is reserved for the broader school of thought that values individual liberty over both authoritarianism and group rights. This kind of liberalism exists on the left as well as the right, as does communitarianism. Communitarianism is not a political ideology, but a concept of personhood and an approach to government. Neither liberalism nor communitarianism denotes particular policies or political ideologies. Rather, these philosophies inform a method of reasoning, which can be used in policy debates. Liberals often frame political debates as matters of rights, weighing the value of one kind of right

against another and permitting rights to trump community values.

Communitarians are more likely to subordinate individual rights and interests to their assessment of the common good. The communitarian approach to public policy typically asks which position is more virtuous, is more respectful of unchosen obligations, or will better serve the public good.

While the academic debate between communitarians and liberals has waned somewhat, it has hardly become irrelevant. Effects of the debate can be seen in political rhetoric that emphasizes community and duty, and ideological trends, such as the growing polarization between fiscally-conservative social liberals (who fall closer in line with classical liberalism) and fiscally-moderate social conservatives (who often resemble communitarians). For example, as post-9/11 debates illustrate, many Americans worry about threats to community by terrorists or economic turmoil more than the loss of their rights. However, ideas and arguments about individual and community rights and obligations still inform political debate, as in 2008's race between John McCain's "Country First" campaign and Barack Obama's "price and promise of citizenship."

Persons on both sides of the debate invoke America's past to support their theories of American political thought. Many offer grand narratives of the history of American political thought to present the country's story as one of liberalism or one of republicanism, or to assert that the two have been locked in a struggle for centuries. To read modern philosophies into past societies is anachronistic. To understand American political thought from a historical standpoint, one must first

understand the early Americans on their own terms and in their own context, and follow the evolution of their ideas thence. All early American colonies offer perspective on the questions of liberalism and communitarianism, but none so much as the Puritan colonies of New England. New England was settled by radical Protestants who not only sought freedom from the British king and his church, but attempted to create their own tight little islands of political and religious conformity. As Perry Miller, the historian that revived interest in the Puritans, wrote:

“There was a strong element of individualism in the Puritan creed; every man had to work out his own salvation, each soul had to face his maker alone. But at the same time, the Puritan philosophy demanded that in society all men, at least all regenerate men, be marshaled into one united array.”¹

Their place in the American narrative is similarly complex, simultaneously lauded as tough-spirited dissenters fighting against tyranny, and vilified as repressive traditionalists who imposed their own orthodoxy on those dissenting from it. Thus the American Puritans present a golden opportunity to investigate how the founders of America’s colonial republics sought to address the inescapable tensions between individual liberties and community responsibilities.

The first step in this investigation requires an identification of the questions that preoccupy modern political thought and divide communitarians from liberals. Once established, these questions about individuals and their communities can be brought (in some degree) to the past.

¹ Perry Miller and Thomas H. Johnson, *The Puritans* (New York: Harper & Row, 1963), p. 182.

The most straight-forward Puritan outline of individuals and communities was their interweaving systems of covenants. The Puritans, inspired by the series of covenantal promises between God and men in the Bible, viewed their most important agreements—including those between and among men—as covenants, holy contracts witnessed by God. The Puritans viewed all levels of society in these covenants, making the link between their religious thought (the covenant of grace and the covenant of the congregation), community (such as the covenant of family), and polity (the covenant of government). These covenants illuminate how the Puritans understood the relationships, rights, and obligations that bound individuals with each other and their communities. Among these covenants, it is possible to distinguish two sets, one civil and one ecclesiastical, that form systems of relationships.

As the Puritans were first and foremost a religious faction, the basis of Puritan thought rests in their religion. In order to understand the Puritans' idea of the role of the individual and community in politics, one must first understand the Puritans' idea of the role of the individual and community in religion. The religious covenant system began with and revolved around the covenant of grace. Grace, the power for a sinful human to have faith in God and do His will, helped the elected soul, or Saint, improve his relationship with God. Groups of Saints covenanted themselves into congregations and hired religious leaders who were bound in covenant to their flocks. Finally, each godly congregation became tied

in a collective covenant with God, completing a triangle of mutual covenantal relationships.

The political covenant system did not mimic, but bore a clear relationship to, the religious one. In the most basic sense, individuals covenanted themselves with towns, which, like the congregations, formed covenants with their governments. These covenants speak more directly to the political questions of obedience, government responsibility and neutrality, and purpose of law. By looking at the events in the first decades of the Massachusetts Bay Colony and how the prominent members of the colony reacted, one can see how the Puritans dealt with these issues and understood the relationship between individuals and communities.

Such an investigation yields an understanding of how the Puritans who settled in America initially conceived of the roles of the individual and community, but the first generation had more freedom to construct their society according to their ideals. The writings of the orthodox Puritans of the 1640s and 1650s illustrate their theories, but the second, third, and fourth generations of New England colonists had to grapple with adapting an old worldview to new situations and practical obstacles. One of the earlier examples of this was a crisis leading up to the 1662 Half-Way Covenant, which, though a church matter, called into question assumptions about voluntary association, community, and citizenship. Over the next generation, the King's attempts to tighten rule on New England forced the colonists to define themselves as they fought this external

threat. From this point in the late seventeenth century, one can then trace the Puritan concepts into their modern forms as New Englanders inherited the ideas and incorporated them into their own uniquely Yankee worldview.

This process, of returning to one of the earliest Anglo-American societies, can give a fuller understanding of contemporary political quandaries and free modern American thinkers from their assumptions.

CHAPTER I LIBERAL VERSUS COMMUNITARIAN IN POLITICAL PHILOSOPHY

Liberalism, in its broader sense, has been at the heart of Western political debates since its rise in the late eighteenth century, with variations developing, transforming, and falling out of fashion. Though there are several variants, including laissez-faire capitalism, civil libertarianism, New Deal politics, and libertarianism, liberalism in whatever form regards individual liberty as the primary goal of government and tends to support the rule of law and limited government in the pursuit and protection of individual liberty. Though liberalism today is often associated with democracy, the philosophy primarily dictates the ends, rather than the means, of government. There have always been alternative philosophies, but the strongest opponents (authoritarianism, fascism, communism) have been primarily European, rather than American. Recently, though, a barrage of criticisms of liberalism, collectively called "communitarianism," challenged liberal assumptions about the relationship between the individual, community, and government. The communitarians, as they have come to be called, criticize the foundations of liberalism in varying degrees, even while emerging from within the liberal tradition. To bolster their claims, these critics, especially Michael Sandel, have tried to justify their ideology by looking to American history. The liberal-communitarian debate, though overexaggerated and possibly

based on false assumptions, can highlight the issues and questions of individual and community that a political philosophy must address.

While each critic took a different approach, what united them was the presentation of modern liberalism as an unrealistic doctrine, marked by neutral laws, individualism, and an obsession with individual rights. The challenge sparked a debate over liberalism and individualism that peaked in the late 1980s, with Charles Taylor, Alisdair MacIntyre, and Michael Sandel pitted against John Rawls, Ronald Dworkin, and Robert Nozick, among others. This former group, though not at all self-identifying as a unified school, earned the name "communitarians." Communitarianism, as it was deemed, was defined as much by its criticisms as its proposals.

The difference between the two philosophies lies largely in terms of the rights reserved and obligations owed in the relationships between the individual, community/society, and government. The communitarians questioned liberalism's heavy emphasis on rights, arguing that communities are just as significant and irreducible as individuals; that one should not try to use universal principles in ethics, but use values that have evolved from each particular community's traditions; and that the state cannot and should not be neutral in the values that it upholds. From this body of theory have come other related ideas: that individuals do not join communities voluntarily, but acquire the values and obligations of the community through ascriptive membership; that "positive rights" to certain goods outweigh "negative liberties"; and that all have an

obligation to that community rather than the option to participate or to not participate. The umbrella communitarian critique is that liberal systems treat individuals in ways that are unrealistic and neglectful of the importance of the community. Rather than focus on common interests and values, they claim, modern liberal governments lose themselves in efforts to protect hollow rights and incite fears “for the loss of self-government and the erosion of community.”²

Sandel, who identifies himself with a philosophy he calls “republicanism,” attacks the modern liberal public philosophy for prizing government neutrality. That is, governments should not take sides in purely moral arguments or differences as to what comprises the “good life.” He describes liberalism’s “central idea” as an undesirable neutrality “toward the moral and religious views” of its people.³ A liberal government does not seek to promote or enforce virtue so much as it attempts to shield individuals from harm. Sandel frames this problem by opposing this philosophy with his republicanism, which operates on a basis of civic virtue, an idea that American high-schoolers learn in American history and civics courses throughout the nation. A republican government, he insists, requires civic virtue and “cannot be neutral to the moral character of its citizens.”⁴ It must not only advocate civic virtue; it must enforce it. Communitarians, in various ways, take issue with the ideal of a government that equally tolerates all

² Michael J. Sandel, *Democracy’s Discontent: America in Search of a Public Philosophy* (Cambridge: Belknap Press, 1996), p. 3.

³ *Ibid.*, p. 4.

⁴ *Ibid.*, p.127.

interpretations of the good life (so long as they do not impinge on the rights of others). Sandel goes on to say that neutrality is an impossibility, even for liberals.⁵

Indeed, a liberal government is not neutral on *all* questions, or it would not be a government at all. It has values and requirements, which it makes clear where they are procedural, like due process, or seen as universal, such as natural rights. It remains neutral only on aspects of an individual's life that are within that individual's sovereign personal realm. A liberal government is not neutral regarding harms to life, liberty, or property. It also seeks to protect individuals from unnecessary or arbitrary government intervention and allows for a diversity of religions and moralities. Liberalism is neutral where it must be to ensure the maximum protection on matters of religion, political faction, and personal preference. According to John Rawls, who calls "neutrality" an "unfortunate" term, liberalism "seeks common ground—or if one prefers, neutral ground—given the fact of pluralism."⁶ Some Europeans, for example, may find it offensive for women to wear headscarves, while some Muslims may find it offensive for them not to, but the liberal neutrality on this kind of question allows for individuals to make personal decisions to ignore or follow the traditions and expectations of a community or communities. For any society that is not

⁵ *Ibid.*, p.8.

⁶ John Rawls, "Priority of Right and Ideas of the Good", *Political Liberalism* (New York: Columbia University Press, 1993), p. 191; 192; 195. Rawls distinguishes between procedural neutrality and neutrality of aim, but completely dismisses neutrality of influence. He also clarifies that a liberal government takes "reasonable measures to strengthen the forms of thought and feeling that sustain fair social cooperation between its citizens regarded as free and equal."

completely homogenous, liberalism's limitation on government neutrality is a matter of practicality.

Modern communitarians like Sandel praise active citizenship and use it to highlight the problem with liberal neutrality. They often emphasize self-governance and agency, while liberals, they say, place too much value on so-called "negative liberties."⁷ In liberal theory, governments should largely refrain from making judgments about values or actions that do not infringe upon the rights of others.⁸ It seems that liberalism, by remaining neutral, cannot impose a value judgment on whether political participation is part of the good life. Sandel sets up communitarian republicanism as the framework that values self-governance and agency.⁹ Communitarians see political association as an integral part of the good life, and therefore argue that the government should reflect and enforce this.

The communitarian critique concerning political participation presents a challenge to liberalism that might resonate with those whom Sandel describes as alienated by the liberal public philosophy, but it is not necessarily damaging to liberal philosophy. It is unclear whether this alleged decline in perceived political obligation was actually due to liberalism. Liberalism does not prevent citizens

⁷ Sandel, p.26.

⁸ As liberalism is diverse itself, there are nuances in this understanding. One of the starkest expressions of this principle is John Stuart Mill's Harm Principle, which posits that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others." John Stuart Mill, *On Liberty* (Indianapolis: Hackett Publishing Press, 1978), p. 9.

⁹ *Op. cit.*

from feeling a sense of political obligation; non-governmental community institutions and pressures can encourage public virtue as much as it can private virtue, without infringing upon individual autonomy. Still, some see modern society as discouraging the kind of community ties that would encourage political participation and increase individuals' feelings of connection to others. Robert Putnam describes a decline in what he calls "social capital" and worries about its "quantifiable effects on many different aspects" of society that would harm "our economy, our democracy, and even our health and happiness."¹⁰ If there has been a decline in participation, which may or may not be true, this could be the result of any number of factors that have changed American society and the citizenry over the years.

One of the chief issues in this debate weighs "rights"—universal entitlements of each person— as opposed to the "good"—community-determined mores and goals. In liberalism, the chief concern of government is to protect the rights of persons, as the individuals in theory have chosen certain prerogatives and join a society for protection. Communitarians challenge the primacy of the individual in political theory. They insist that the community and its values come first. While liberalism has its own values, it presents them as originating from outside government as well as inside the community mores: a person ought to

¹⁰ Robert D. Putnam, *Bowling Alone: The Collapse and revival of American Community* (New York: Simon and Schuster, 2001), pp. 27-28.

have the right to speak, whether she is in New York City or a small village in Africa. In communitarian theory, however, ethics ought to be determined by community standards, and governments should not "try to deduce and apply universally applicable principles."¹¹ As Alisdair MacIntyre argues, values and principles *emerge from* practice and tradition, so a universal value on certain individual rights would be nonsensical.¹² Furthermore, Sandel takes issue with the Kantian-liberal preference to fundamental rights because of its cost to the public good. Rights may benefit a community, he grants, but the common good should be supreme, and rights have overstepped their place when "even the general welfare cannot override them."¹³ Some communitarians also find that the emphasis on individual rights over the common good neglects unchosen obligations. Sandel argues that liberalism "cannot account for certain... obligations... that may claim us for reasons unrelated to a choice" or "ends given by nature or God."¹⁴ While ends from nature and God sound like non-community standards, the communitarian tends to place these ends in a context as interpreted and inherited from the community.

For the liberal, this should not be a matter of debate, because the best common good ought to arise from a maximization of individual liberty. The philosopher Avital Simhony redefined the right-versus-good debate, arguing that

¹¹ Elizabeth Frazer, *The Problems of Communitarian Politics: Unity and Conflict* (Oxford: Oxford University Press, 1999), p.21.

¹² Alisdair MacIntyre, *After Virtue* (London: Duckworth, 1985), 219; Frazer, pp. 86-87.

¹³ Sandel, p.10.

¹⁴ *Ibid.*, p.13; 12.

liberalism pursues the common good as much as communitarianism, but through the route of the rights.¹⁵ One may also think of John Stuart Mill, the liberal utilitarian, whose particular concept of liberalism was meant to serve utilitarian ends. Liberals do not all neglect the welfare of the community as a whole, but limit the government's role in this. While the communitarian would seek to use government more as an enforcer rather than a referee, the liberal fears that this promotion of one idea of virtue would not serve the community as a whole if that community is not completely homogenous. To focus too much on a common good that can *override* individual rights risks allowing a corrupt government to push a certain kind of good or to pick and choose which rights or whose rights to override.

The debate has abated in the academy. In part, this is because “partisans on both sides of the debate have grown fatigued by its predictable tedium,” but also because the two philosophies do not seem to be as strongly opposed as communitarians allege.¹⁶ Not only did the wave of articles back and forth in the 1980s seem to exhaust the argumentative material, but liberals began “appreciating how the contest between liberalism and communitarianism has produced an overly stylized and fantastic account of the liberal tradition that

¹⁵ Avital Simhony, “T.H. Green’s Complex Common Good: Between Liberalism and Communitarianism,” *The New Liberalism: Reconciling Liberty and Community* (Cambridge: Cambridge University Press, 2001), Avital Simhony and D. Weinstein, eds., p.70.

¹⁶ Simhony and Weinstein, “Introduction: The New Liberalism and the Liberal-Communitarian Debate,” *The New Liberalism*, p.6.

merely reinforces the cartoon earlier communitarians drew.”¹⁷ Realizing the polarizing quality of the debate, political philosophers shifted to criticizing the dichotomy itself and the assumptions it had made about the liberal-communitarian divide. Rather than debating liberalism and communitarianism themselves, they began debating the debate.¹⁸

Nevertheless, the questions have not been resolved. Rather than abandon the assumptions altogether, academics have argued that some communitarian critiques could be incorporated into a liberal framework, or that liberal protections could be incorporated into a communitarian philosophy. Stephen Holmes, for example, argues that "liberalism has always privileged communitarian concerns" of community autonomy, civil society, and active citizenship.¹⁹ Aspects of liberalism that protect robust civil societies, such as freedom of speech and association, support active citizenship for the promotion of virtue. For example, Simhony points to the liberalism of T. H. Green as one that does not articulate good and bad but does distinguish right from wrong in terms of a common good.²⁰ It is equally possible to approach the issue from a communitarian perspective but argue, as Sandel does, that liberty can only exist in a strong community with active citizenship.²¹

¹⁷ *Ibid.*

¹⁸ E.g. Simon Caney, "Liberalism and Communitarianism: A Misconceived Debate," *Political Studies*, Vol.40 (1992).

¹⁹ Simhony and Weinstein, p.10.

²⁰ Simhony, p.69.

²¹ Sandel, p.6.

Furthermore, the assumptions and stipulations that are no longer popular in political academia have not been without impact. The extreme individualistic liberalism that the early “communitarians” criticized has not gone out of existence any more than political libertarians have. Political communitarianism has, if anything, risen over the years. Michael Sandel points to Ronald Reagan’s rhetoric of local community and Bill Clinton’s focus on responsibility and virtue of character as examples of politicians tapping into this impulse in the minds of American voters.²² Certainly, President Barack Obama’s rhetoric and social service programs would also fit within this trend. The tension between the supremacy of rights and community values has not been resolved in American politics. One only need look at anger over “activist judges” who insist on enforcing individual liberty against community ideas of the common good, whether the issue be gun control, obscenity censorship, campaign finance, or preservation of traditional marriage definitions.

Political theorists have not completed the task of examining the assumptions of the last generation of communitarians. This is especially true for restoring historical integrity to political readings of the American past. Sandel maintains that the foundational public philosophy of the US was not the liberalism we know today, but a republican set of ideas that required a formative version of politics in which the governments would make value-judgments on citizen virtue. Over the twentieth century, he argues, republican or civic virtue has been

²² *Ibid.*, pp.315; 327.

abandoned in favor of neutrality, which "lacks the civic resources to sustain self-government."²³ He suggests that to understand American public philosophy and the discontentment with it, it would be useful to look at how early Americans approached discourse and civil life, "before the procedural republic took hold."²⁴ His book *Democracy's Discontent* traces the history and decline of republicanism, from early America through to the New Deal Republic, and on to Reagan. Early America, through the Revolution, he argues, was concerned more with by a sense of community and civic virtue than individual rights.²⁵ This led up to the American Revolution. It, in his eyes, was "born of anxiety about the loss of civic virtue."²⁶ This republican concept, found earliest in the classical writers, was present in America since its settlement. The fixation on rights as prior to government, Sandel argues, began only in the 1760s, and solidifying in revolutionary constitutionalism.²⁷ In his framework, when the two ideologies were present, they were rivals in American thought. Procedural liberalism, he claims, arrived with the debate over the ratification of the U.S. Constitution, when the Anti-Federalists represent an early "rights-based political morality," and solidified in various debates of the Federalist-era.²⁸ If this were true, "procedural" liberalism had no place in American society before the Constitutional debates.

²³ *Ibid.*, p.6.

²⁴ *Ibid.*, p.7.

²⁵ *Ibid.*, p.126.

²⁶ *Ibid.*, p.127.

²⁷ *Ibid.*, p.28-31.

²⁸ *Ibid.*, pp.35; 36-39.

Just as it was necessary to call into question the caricatures of philosophies, it is necessary to call into question such a caricature of history. On a basic level, some have argued, Sandel's historical liberalism is an empty term, as liberalism has always been a collection of theories, not one unified school.²⁹ Even so, American liberalism did not simply arrive at one point during the early struggle against Parliament. Liberal traditions, like communitarian traditions, did not arrive in America with one crisis or on one boat of new citizens. The following study of early America reveals that republican and liberal elements worked hand-in-hand for much of history. If one describes America's political tradition as liberal, then one should see American republicanism as a "philosophic modifier, an attempt to elevate American liberalism," rather than a rival.³⁰ To place them as competing ideologies does not describe historical American thought, but represents "a prescriptive attempt by ideologues to 'restore' something" that never existed.³¹

If we cannot accept such prescriptive attempts, then it is necessary to engage in an effort to properly describe how the Puritans approached the concepts that divide liberals and communitarians. From the communitarian critiques these concepts can be identified as individual rights, the common good, government

²⁹ See: Michael Freedman, "Liberal Community: An Essay in Retrieval," *The New Liberalism*, pp.26-48.

³⁰ Brent Gilchrist, *Cultus Americanus: Varieties of the Liberal Tradition in American Political Culture, 1600-1865* (Lanham: Lexington Books, 2006), p.6.

³¹ *Ibid.*

neutrality, the good life, voluntary association, and obligation. Though the differences between them may be overblown, at the heart of the communitarian critique is a sense that the community is prior to and ought to be dominant over the individuals that comprise it, and that, therefore, the goal of the government is to serve the community as a whole rather than the individual members of it.

CHAPTER II INDIVIDUAL GRACE AND THE CONGREGATIONAL COMMUNITY

To understand the political thought of the New England Puritans, it is necessary to begin with their religious thought, which reveals a robust sense of the individual as well as an expectation of tightly-knit communities emerging from a common foundation. One of the distinguishing features of Puritanism, in both politics and religion, is the covenant, or a binding agreement between God and His people, or between two earthly parties in the eyes of God. Puritans saw the history of their religion as a series of covenants, starting with Adam, moving through Abraham, and restarting with Christianity. These were sometimes between God and an individual, like His agreement with Adam in Eden, and sometimes between God and a community, such as God's establishment of the law with Israel.³²

Covenants were not something only of the past. According to Puritans, God designates each soul as one of the saved or one of the damned. Those of the first group, called "the regenerate," "saints," or "the elect," would be called at some point by God to enter into the covenant of grace, whereby God grants the elect soul the power to do good in return for faith. The saint's struggles did not end there. Rather, he grappled with how to live a life in Christ and always

³² Genesis 2-3; Exodus 19.

reflected on whether or not he or she was truly saved.³³ Once called, Puritan Christians joined or formed congregations of believers, through which they practiced community autonomy and popular rule by consensus, and added a layer of a collective covenant between the congregation and God. Puritan religious thought, which formed the basis for the New England colonists' civil worldview, wove individual and community agency together through a series of covenants among believers, congregations, and God.

The Puritan idea of a calling demonstrates the connection between religious and political covenants and between the individual and the community. Unlike the Catholic idea of the vocation as only applying to clergy and the monastic life, the Puritan vocation, or calling, applied to a broad range of occupations. John Cotton, colonial Boston's most respected minister, opened his sermon *Christian Calling* by defining civil life as "where we live, as members or this of that city, or town, or commonwealth, in this or that particular vocation and calling."³⁴ God's call to His people, in this view, is what creates the civil society, or the political community. Using the story of the prodigal son, Cotton noted that a repentant sinner first seeks pardon for his sins, and then immediately after seeks

³³ For purposes of language and readability I have used "his" for the majority of generic pronouns, rather than "his or her," but it should be noted that women were an integral part of the Puritan church. They were second-class citizens, to be sure, literally without a voice in the church and without a vote in church or civil elections. Nevertheless, during the 1630s women outnumbered men in church membership, and in many families, the wife initiated the move to the New World. See: David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), p. 27.

³⁴ John Cotton, "Christian Calling," *The American Puritans: Their Prose and Poetry* (New York City: Columbia University Press, 1982), Perry Miller, ed., p.172.

a warrantable calling.³⁵ This calling must be both general (serving God) and particular (serving man). To highlight service to God and neighbor was not revolutionary, but the Puritans went a step further and connected neighborliness with vocation. A Puritan's service to God and service to fellow men worked together and walked together. So too did the believer's sense of individuality and his duties to his community. The general calling mustered the elect to God and a life of faith. The particular calling, however, was a vocation that served not only one's personal good, but the public good. Cotton asserted that faith through vocation "in serving God, serves men, and in serving men, serves God."³⁶ The calling, in this way, wedded a personal relationship with the divine to a community of believers and individual specialty in labor to community interdependency.

The general calling, which was foremost but tied to the particular, was the embodiment of the relationship between God and one of his faithful. The Puritans believed firmly in predestination—that God has foreknowledge and control of the limited number who will be saved, and who will not. In Puritan theology, as in most Christian theology, each person did not start from a clean slate, but inherited Adam's sin. While the Puritans had moved beyond the idea that a son would be punished for his father's trespasses, this did not hold true for original sin, which

³⁵ *Ibid.*

³⁶ *Ibid.*

was seen as part of human nature. The elect were few, but as all mankind was sinful by nature, any salvation evidenced God's extraordinary mercy. Puritans called the elect the "invisible saints"—invisible in that no one on earth could draw a list of this group. Instead they strove to identify "visible saints," those who showed signs of God's favor. A saint, unlike God, did not ever know of his or her elect status, but felt God's calling and experienced a conversion. God granted His grace to the elect to save them and aided them in their lifelong struggles with faith that followed.

Though the covenant of grace relied primarily on the agency of God, rather than mortals, a true Christian could live a life of full faith only by exercising strong self-denial. To be truly converted, the Puritans believed, one had to live completely for Christ—or rather, let Christ lead his life. To illustrate this point, John Cotton reflected on Galatians 2.20, which reads, "Yet not I, but Christ liveth in me." The godly man "lives a most busie life in this world, yet he lives not a worldly life."³⁷ The converted soul must exercise denial of self, surrendering his will to God, and be prepared to deny instantly his ties to community, family, and occupation should God call upon him to do so. Puritan Ministers John Dod and Robert Cleaver explained: "Vicinity and neighborhood will fail, and alliance and kindred will fail, but grace and religion will never

³⁷ John Cotton, "The Life of Faith," *Way of Life or God's Way and Course* (Whitefish:Kessinger Publishing.net, 2003), p.270.

fail.”³⁸ Cotton's most eloquent moment in describing this relationship between the saint and his or her God is that of a windmill, which moves both *in* and *by* the element, and loses all worth and purpose without the wind. This idea of the “life in Christ” is important to remember when examining aspects of the individual and the community. In the Puritan view, God grants specialized gifts and talents to the individual, and expects mankind to knit itself together in mutual love, but there is no doubt that obedience to Him comes first, even at the denial of both the independent self and the self's attachments to others.

The primary covenant, according to the Puritans and others in the Reformed tradition, was the covenant of grace. Grace, being God's blessing and favor upon undeserving mortals, was hailed in the Reformation as the sole path to salvation. The idea of blessings for good deeds, the covenant of works, was no longer invoked as it had been by Rome, but neither was it entirely abrogated. Rather, the covenant of works was subordinated to that of grace.³⁹ In the Puritan tradition, God had demanded perfect obedience of Adam. When he broke that covenant, he passed on to his descendents an inability to fulfill their obligations to God. The covenant of grace, which the Puritans traced to Abraham's test of faith, did not relieve humanity of the obligation to do good: rather, God's grace, and His grace alone, allowed a few flawed men and women to obey God correctly. Thus,

³⁸ Michael W. Kaufman, *Institutional Individualism: Conversion, Exile, and Nostalgia in Puritan New England* (Hanover: University Press of New England, 1998.), p.24.

³⁹ Daniel Rogers in David Zaret, *The Heavenly Contract: Ideology and Organization in Pre-Revolutionary Puritanism* (Chicago: Chicago University Press, p.134.

the division is between the wheat, those elected saints given the grace to obey God's law, and the chaff, the sinners who deserve their damnation because they, lacking God's grace, would continue to disobey.

In this covenant, God was without question the instigator and prime agent, but Puritans also believed that individuals had a role in their own salvation. While Roman Catholicism and High-Church Anglicanism erred on the side of free will, Puritanism attributed more power to God and less to men, as God's gift of grace empowered the pious to be such. Still, even within Puritanism there was a wide spectrum of opinion regarding the ability of the elected soul to uphold his side of the covenant. The balance between predestination and free will occasioned much theological debate, but also affected the Puritan sense of the individual.

On the one side of that debate, faith in God's plan preserved His omnipotence. On the other, too much reliance on predestination could lead to moral backsliding, to the detriment of both the individual and community. John Cotton tended to emphasize man's powerlessness and God's pure gift of grace.⁴⁰ However, the stress on predestination, God's grace, and the passivity of man's role in his salvation led some, to take this a step further to its logical conclusion that good or bad deeds were irrelevant in discerning salvation. One member of Cotton's flock, Anne Hutchinson, took this step and began to teach that the Holy Spirit dwells *in union* with the soul of the justified, and that works cannot show any sign of justification. The second tenet meant that there was absolutely no

⁴⁰ Kaufman, p.82.

way on earth to ascertain whether any given person was one of God's elect, and that the public moral order no longer carried as much weight. While Puritans did not believe that being good could earn them a place in heaven, they assumed that the saved were more likely to be a subset of those who displayed good behavior. Established law, morality, and the network of neighborly monitoring lost power if individuals believed that there was no point in striving to be good if their fates already sealed. John Winthrop believed that Hutchinson's "errors" meant that "a Christian remains dead to every spiritual action, and hath no gifts nor graces, other than such as are in hypocrites, nor any other sanctification but the Holy Ghost himself."⁴¹ The problem was not with the believer's soul, he argued, but with Hutchinson's notion that the individual's soul exists in union with God's and therefore denies the true believer any capacity to improve. Although they are regarded today as independent spirits, Hutchinson and her followers were not ardent individualists, at least philosophically. Rather, their very problem with the Massachusetts ministers was that they saw them as assuming too much agency in the believer's dealings with God. To Winthrop and the ministers on his side, Hutchinson's "antinomian" heresy denied believers any capacity for improvement, and therefore threatened the very enterprise of becoming a "city upon a hill."

The more orthodox position, held by Cambridge pastor Thomas Shepard, placed more emphasis on human agency. To remain entirely passive would be

⁴¹ John Winthrop, "Oct 21, 1636," in Miller and Johnson, p.129.

nothing more than sin itself, “the way of sloth, whereby men lie still, and say, God must do all.”⁴² Rather, the godly man must actively strive to walk the straight path, though his natural imperfection will cause him to falter without God’s help. There was an element of the believer’s agency, then, in teaching that good works could be evidence of internal grace, though “certainly never to the exclusion of the primary role played by God.”⁴³ Piety and observance of God’s law could act as a reassuring sign as the insecure believer periodically reassessed his standing with the Lord. Due to their preoccupation with this covenantal nature, Puritan leaders advised the godly to engage with God, to charge Him to keep His side of the covenant and provide the elect with the grace to keep the commandments just as a servant might charge his master to provide “tools wherewithal to work.”⁴⁴ In fact, one of the Puritan divergences from continental Calvinism was an encouragement of “assertiveness... in humanity’s dealings with God,” at least where appropriate.⁴⁵ Though it was still God’s prerogative to choose His elect and enable them to do good, this active relationship could exist in harmony with God’s law.

The insecurity created by this unresolved tension between this active relationship and God’s will imbued Puritans with a greater awareness of their

⁴² Thomas Shepard, “The Sincere Convert: Discovering the Small Number of True Believers, and the Great Difficulty of Saving Conversion; Wherein is Excellently and Plainly Opened These Choice and Diving Principles: That Few Are Saved, and That With Difficulty,” <<http://thomasshepard.org/sincereconvert.shtml>>, accessed 26 April 2009.

⁴³ Kaufman, p.81.

⁴⁴ Zaret, pp.160-161.

⁴⁵ Zaret, p.161.

individual selves. Even if a man did have some agency in this covenant, he could never be certain of his fate. Were he confident in his election, he would be guilty of pride, of claiming to know God's will. Were he confident in his own damnation, he would be guilty of a loss of hope and just as much an assumption to know God's mysterious ways.⁴⁶ The careful balance a Puritan sought was hope, but not expectation or assurance of his or her salvation. However strong public scrutiny was, the truth was known only to God. However closely the New England Puritans tried to keep their congregations filled only with true saints, they could never make a perfectly accurate judgment. The community can only judge outward actions—the result of this was life of self-scrutiny and meditation on the Christian's relationship with God. These journeys of faith and reflection were chronicled in private devotional diaries, which acted less as emotional outlets than tools for examination and self-restraint.⁴⁷ This common practice taught Puritans a self-conscious standard of integrity, and urged believers to use their doubts to fuel their toward ardent moral examination. For example, Thomas Shepard's diary reveals both his sense of moral waywardness and his faith in God's goodness and justice. He found himself plagued by the sins of pride, passion, and unbelief, which made him feel guilty, and therefore "estranged" from

⁴⁶ Michael McGiffert, "The People Speak: Confessions of Lay Men and Women," *God's Plot: Puritan Spirituality in Thomas Shepard's Cambridge* (Amherst: University of Massachusetts Press, 1994), Michael McGiffert, ed., pp.140-1.

⁴⁷ Catherine A. Brekus, "Writing as a Protestant Practice: Devotional Diaries in Early New England," *Practicing Protestants* (Baltimore: Johns Hopkins University Press, 2006), p.22.

his God.⁴⁸ This introspection was a matter between the believer and his God, addressing his faults as an individual rather than a member of a community of believers. Though Puritans strove for self-denial, in the sense that one was to do all things for God and not for selfish ends, this kind of self-reflection demanded an exquisite sense of the self as an individual.

Leaving the appraisal of the believer to himself, though, made the Puritan community nervous. The duty of a godly community was to correct each member's obvious flaws. One of the most indiscernible sins, and one that caused Puritans a great deal of anxiety, was hypocrisy. In a set of dichotomies, John Cotton divided people into the elect and the damned. Among the latter, he separated the obvious degenerates—the trouble-makers, the blasphemers, the idle—from hypocrites. In modern parlance, hypocrites are usually sanctimonious, spurious moralists, people who accuse others of transgressions while ignoring their own, like the scribes and Pharisees who meant to stone the adulteress or the sinner who noted the mote in his brother's eye but not the beam in his own.⁴⁹ While Cotton drew from these Biblical accounts of hypocrites, their idea of hypocrisy went further, dividing hypocrites into two categories: the swine and the goats. The swine were more discernable. They would hear God's word but then

⁴⁸ Thomas Shepard, "January 22, 1642," *God's Plot*, Michael McGiffert, ed., p.109.

⁴⁹ John 8; Matthew 7:3.

“wallow in the puddle of uncleanness when their conscience [was] not pricked for the present.”⁵⁰

The subtler hypocrites, according to Cotton, were the more calculating goats. The goats resembled God’s sheep by living out their calling and following His law dutifully. However, the goats' sin was ambition; they "attend upon their own ends" rather than God's.⁵¹ An apparent saint could have been a hypocritical sinner, which gave Puritans endless anxiety. The difference between hypocrites and saints could “be hardly discovered" by fellow congregants, because the ultimate distinction lay within the individual’s heart.⁵² Because of this, a hypocrite might not even be aware of his own hypocrisy. He might think himself a saint and never suspect the truth, which only God would ever know. As Thomas Shepard wrote, the kind of hypocrite that Cotton calls goats not only deceive their neighbors, but “having some inward yet common work, deceive themselves too,” living in ignorance of their own damnation until the judgment stands before them.⁵³ Thus, the Puritan idea of the hypocrite ranged from the blatant pretender to one who does all the right things but for the wrong reasons. The subtlest hypocrisy was beyond the reach of the community’s ability to police

⁵⁰ John Cotton, “Swine and Goats,” *The Puritans*, p.314.

⁵¹ *Ibid.* p.315.

⁵² The difference was whether the individual privately put his confidence in God or himself. Unlike the saints, who trusted solely in God, hypocrites saw their goodness as their own doing: the "one putteth confidence in himselfe in the gift received, and the other in *Jehovah*" in Sanctification, or the process of salvation. (Cotton, “Hypocrites and Saints,” *The Puritans*)

⁵³ Thomas Shepard, “The Sincere Convert: Discovering the Small Number of True Believers, and the Great Difficulty of Saving Conversion; Wherein is Excellently and Plainly Opened These Choice and Diving Principles: That Few Are Saved, and That With Difficulty,” <<http://thomasshepard.org/sincereconvert.shtml>>, accessed 26 April 2009.

virtue, for as virtuous as one believer might have seemed, the community could never judge him completely.

From such attention to hypocrisy, it is clear that Puritans were well aware that their "purified" congregations would never mirror the communion of invisible saints. Shepard outright acknowledged that "few are to be saved, even among them that [were] hatched in the bosom of the church."⁵⁴ Even those who appeared the most pious or thought themselves the most righteous could be patches of evil in these communities. It is unclear whether explanations like Cotton's were for the benefit of communities trying to identify hypocrisy in their midst, or for individuals in themselves, but the emphasis on the inward nature of the sin hints towards the latter. A Puritan, upon hearing or reading such a description, would be inclined to question himself: *do I act for myself or for God?* This line of questioning is precisely what concerns a great deal of their self-meditation. This was a matter between the individual believer and God; as watchful as the community was, the "goatish" variety of hypocrisy was difficult to police. Having hypocrites would lessen the congregation's status in the eyes of God, but day to day, these subtler hypocrites were less harmful to the community. As upright citizens who faulted only in their own heads, they treated their neighbors in a Christian manner. They presented models of righteousness to others and, therefore, did not endanger the godliness of their fellow men. The fact that hypocrisy of "goats" was still a matter for community concern reveals that

⁵⁴ *Ibid.*

the common good and good behavior, while important, did not overshadow the importance of the individual's relationship with God and salvation. Granted, the individual's sins detracted from God's account of the whole community, but this hypocrisy was foremost a breach of the mutual expectations between the individual and God. Even in the intensely interdependent church community, Puritans were still Protestant, with salvation ultimately lying between God and the believer.

In theory, saints, elected and called by God, formed congregations of fellow Christians or joined a pre-existing congregation. As with all other relationships, this took the form of a covenant: one between all the believers to create or join a community, and others with their chosen pastors and congregational teachers. Simply put, godly individuals would agree to bind themselves together with a group of certain neighbors approximating a portion of God's elect, entrusting spiritual guidance and discipline to the group's rules and leaders. By doing so, the believer gained agency in the community and the privileges of being a church member. He would agree to abide by the congregation's rules, but always retained the right to leave that congregation for a different or new one.

Joining a congregation was not, to the Puritan, an act of loss, but one that brought considerable gain. The individual relationship with God had to come first and foremost, but membership in a community opened a path for a fulfilled

spiritual life. Without membership, one was “without right to the priveledges of it.”⁵⁵ It was the membership, not the believer's simple faith, that allowed for Christians to grow in fellowship, partake in the sacraments, and exercise discipline to enforce God's law. Although a saint could live a Christ-like life without a congregation, he could only gain access to the Spirit’s presence through communal worship.⁵⁶ To be a true Christian required not only an individual relationship with God, but also membership in community of fellow Christians, which explains why the Puritans were suspicious of anyone purporting to be a holy hermit. The belief that Christians needed a community to be godly was not exclusive to Puritans. The Roman Church used excommunication much as the Puritans used banishment, to threaten members with the loss of their sanctifying community. Unlike Catholics, however, the Puritans made no special allowances for the lifestyle of the ascetic hermit. A Catholic hermit could still be connected to the greater church by its universality and the sacraments; a good Puritan, on the other hand, had to belong not only to the universal church but to a particular congregation, which required physical presence and active participation.

In the Puritan view, believers joined themselves to *particular* congregations. This was not optional, but an obligation: every believer was “alwayes bound to joyne himselfe as a Member to some particular Congregation”

⁵⁵ Richard Mather, *Church Covenant: Two Tracts* (New York: Arno Press, 1972), p.11.

⁵⁶ Matthew 18:20.

or be no better than a heathen.⁵⁷ The necessity of a particular congregation followed naturally in the Puritan logic of covenants: Mather used the term to *join himself...to*, to create a covenantal bond with specific other Christians. In New England, Congregational Puritanism took hold, treating each of these congregations as its own unit, as opposed to the more united Presbyterians. As the church membership was to one particular congregation, there was no reciprocity between different congregations: the privileges of sacraments and involvement in church affairs were only open to members of that particular congregation. A visitor from another congregation would be expected to attend Sabbath services, but even if he were a full-fledged member of his own church, he could not partake in the sacraments. One might draw a comparison to citizens of nations traveling: an American can visit and is under obligation and protection of the law in France, but cannot ask for benefits regularly given to French taxpayers. The authority of the congregation was vested in a specific pastor and a specific group of people, and it was only there that the Christian could be entitled to a vote and the sacraments (baptism and the Eucharist). Were a godly person to move from one town to another, he would have to join a new church, by the same covenanting process as anyone else.

This congregational sense of church community was a far reach from the papal Catholic or high-church Anglican parish. In these high-church systems, once admitted to the Lord's Table, the believer could move from parish to parish

⁵⁷ Mather, *Church Covenant*, p.38.

with ease. One's parish, like a neighborhood or Old World town, was a simple result of location and luck, and the parishioner, as a passive subject of the Church, could play the same part in any parish. On the contrary, the Puritan congregation was a deliberate product of membership, and each member was a *citizen* of his congregation. This sense, developed in English Protestantism, stemmed back to Calvin's saints, who engaged in "debating, voting, fighting, for a cause—and were slowly taught the new forms of order and control that were intended to free them from Adam's sin and its worldly consequences."⁵⁸ This activity, sometimes within the church, sometimes in larger society, trained Calvinists and English pseudo-Calvinists to think of participatory citizenship as vital to salvation.

In what came to be known as the "New England Way," a believer could only be admitted to a church as a full participatory member by professing his faith and explaining how the grace of the Lord had worked within him. This required a degree of delicacy, as he had to demonstrate godliness without revealing pride or hypocrisy. The confession was a public exercise of self-scrutiny, and though it itself ended with church admittance, this profession of faith required the individual to demonstrate a capacity for lifelong moral reflection. Modern psychologists might call these confessions moments of empowerment, as they required individuals to behave, though humbly, "as though they themselves mattered" to themselves, to God, and to the congregation. The hopeful believers affirmed "their personal spiritual autonomy and agency" as well as their humility

⁵⁸ Michael Walzer, *The Revolution of the Saints* (New York: Atheneum), p.29.

and commitment to the church community.⁵⁹ This was especially true for women, who in other circumstances were forbidden from publicly addressing the community. Even so, in this ritual the individual gave up his atomistic existence to covenant himself with the community. The confessions focused on the relationship between God and the believer, but through the individual's plea for acceptance and the community's examination of her faith, the hopeful congregant made a transition from individual to community member.

The covenanted congregation was expected to act and make decisions as one voice. Being a member meant that the believer not only had, but had a *right* to, a voice and a vote in these decisions, including the selection of a minister. Congregations, though, did not make decisions by secret ballots or majority rule. A member was not to vote his self-interest and trust the sum of these interests to, as later philosophers like Adam Smith would argue, equal the public good. Rather, congregations were deliberative bodies, whose decisions were meant to be a consequence of discussion and consensus. As Richard Mather explained to English brethren, "usually the whole church doth consent and agree in one minde and one judgement."⁶⁰ Further, this aspect represented the democratic nature of church government, which Puritans saw as a mix of monarchy (with Christ as King), merit-based aristocracy (the rule of pastors and elders), and democracy (the voting body of male covenanted members). While a purely democratic

⁵⁹ McGiffert, "The People Speak," *God's Plot*, p.144.

⁶⁰ Mather, *Church Covenant*, p.60.

church would probably wreak chaos upon itself, “a Government meerey Aristocratical, wherein the Church Government is so in the hand of some elders... we conceive also to be without Warrant of the Word, and likewise to be injurious to the people, as infringing that liberty which Christ hath given them.”⁶¹ A congregation that denied its members their say in church affairs breached the terms of that covenant and was little better than the allegedly tyrannical Roman church system against which Protestants had fought so ardently.

In this mixed church-government, the aristocracy of the ministers and elders was nothing to underestimate. Church government and the qualifications for voting membership were important because of the authority given to church leadership. Protestants notably gave more authority to each believer’s capacity to have an immediate connection with God, but few took this understanding as far as the radical Quakers, who denied even the necessity of a minister for guidance. The Puritans, proudly far from Quakers, expected learning and leadership from their clergy. Puritans were highly literate, and a chief cause was the expectation that individuals and families would read the Bible themselves to gain a greater understanding of Christ. However, the emphasis remained on the Bible as preached by learned men.⁶² Similarly, Puritanism demanded reflection and private meditation from believers, but “meditation chiefly on that Sunday’s

⁶¹ Mather, *Church Covenant*, p. 48.

⁶² Perry Miller, *The New England Mind* (Boston: Beacon Press, 1961), p.298.

sermon or Thursday's lecture."⁶³ Ministers, of course, were also pastors, and they were expected not only to preach but to shepherd their people, speak for the congregation in responding to political affairs, and discipline wayward congregants. A town's minister guided the congregants understanding of scripture and morality, and as long as the congregation continued to hire him, they agreed to listen. Each congregation, then, marched through time as a small commonwealth, with covenanted members and a proper mixed and ordered government that could balance discipline, consensus, and Reformation idea of a priesthood of all believers.

Not all Puritans agreed that this collective covenant was necessary for a church to be considered a "true" church. Nor did they agree that evidence of conversion was a prerequisite for membership. This division, which fell largely along geographic lines, was not over whether covenants and visible conversion were good or not, but whether they were *essential*. The radical Separatist "Pilgrims" of Plymouth, who took issue with more moderate Puritan stance, held the "necessary-covenant" position. When Salem, the advance guard of Massachusetts Bay, began to adopt the Separatist position and reject the more moderate English congregations, John Cotton rebuked them from England, placing the blame on their Separatist neighbors. He chastised, "Your other errour requires a booke rather than a letter to answer it: you went hence of another

⁶³ *Ibid.*

judgment, & I am afraid your chaunge hath sprung from new <Plimmouth> men.”⁶⁴ Salem was regarding its sister congregations as impure, due to a stricter test for membership and the requirement of a covenant. Cotton insisted that while the covenant was “a solemne vow” and a proper bond of fellowship, it was not, as the Separatists claimed, essential for a church.⁶⁵ However, Salem's system of selective membership and collective covenant turned out to be specially suited to the settlers of *New England*. Even Cotton, who had found Plymouth's approach too exclusive, reversed his opinion after settling in Boston. In 1636, when he visited Salem in person to deliver a sermon, he admitted that the covenant “doth make a church.”⁶⁶ Many others held this position. For example, Richard Mather responded to questions from English Puritans that since baptism only “sealeth their incorporation into” a preexisting church, some other basis for church membership must exist. That basis had to be a covenant, because each church, said Mather, was modeled on the earliest communities of believers who “combined together by holy Covenant with God, and with one another.”⁶⁷ The *necessity* of the church-covenant multiplied the importance of the individuals' decisions to join, their personal confessions, and the community fellowship of the New England Way.

⁶⁴ John Cotton, *The Correspondence of John Cotton* (Chapel Hill: University of North Carolina Press, 2001), Sargent Bush Jr., ed., p.144.

⁶⁵ *Ibid.*, pp.145-6.

⁶⁶ John Cotton, *On the Churches of New England* (Cambridge: Belknap Press, 1968), Larzer Ziff, ed., p.55.

⁶⁷ Mather, *Church Covenant*, pp. 13-14.

In the New England Way, the voluntary covenant between believers was the necessary step for God to establish a covenant between the collective congregation and Himself. This vertical agreement between God and each congregation was the covenant with the most Biblical precedence. Just as Jesus had sent the Holy Spirit to the early apostolic church, His presence and Spirit would be with “true churches.” As long as the church-covenant was kept and a congregation maintained its status as a “true church” (the criteria for which were a matter of debate), it would remain in God’s favor.

A lesser vertical covenant was made between the collected congregation and their pastor (or, in large congregations, the minister *and* a second office called the teacher). This took the form of an “employment covenant,” more similar to the contract made with one’s physician than these other, more complex collective covenants. What this did mean was that, while the minister was the authority, his authority rested on his congregation, who had hired him to lead the flock righteously and who had the power to fire him if he did not live up to it.

In this complex network of covenants by which men are saved and form communities of the saved, there is no clear preference for either the individual or to the community. Respect for the primacy of God drove these relationships and promises, but neither the individuals nor the communities were able to neglect their duty and fall into a passive idleness, waiting for God or His supposed viceroys to do everything. The individual believer bore a heavy load, making his

own way through the world, struggling with his own soul. Like the original figure of Israel, the Christian wrestled not only with his own demons, but with God, resulting in a curious balance of self-identity and self-denial. To aid the individual in the struggle to use the tools of God's grace to do God's work, Puritan men and women joined together. Again, this association and new community combined a strong sense of voluntary action and personal agency with a strong obligation to put aside one's self, when necessary, for the benefit of a community of true believers. While the individual was left for damned without God's grace and the congregation's support, what set the Puritans apart from their Catholic nemeses (and even from their Calvinist brothers) was their encouragement of a fierce individual spirit that operated within its community. The individual believer and the community of believers did not struggle for primacy in the religious framework, but operated together to further glorify God and His plan. In this way, the religious outlooks that supported the rest of Puritan thought laid a foundation for a sophisticated understanding of the roles of and relationships between individuals and their communities.

CHAPTER III INDIVIDUAL AND COMMUNITY IN PURITAN POLITICS

The religious covenant system, which linked God, the individual, and the congregation together, set a model for a system of political covenants, by which the individuals create or join polities. The first covenant is formed laterally between the individual and the community; the second is formed between the community and itself and its leaders. In effect, the people bond themselves together and agree to obey the elected officials. Once a community is in place, it collectively enters another covenant between God and the civil community. These interconnected relationships produced theories of voluntary association, rights and responsibilities of individuals and governments, expectations of divine reward and retribution, and a reverence for higher law. To the Puritans, "liberal" principles of sacred rights and individual agency and "communitarian" principles of commonality and government-sanctioned good were not rival ideas, but related to each other and were equally fundamental.

Unlike the church covenant system, which begins with God calling the individual, the civil covenant system was initiated by the will of individuals, not

the will of God.⁶⁸ The language of individual agency emphasized the voluntary association necessary for a proper community. Thomas Hooker, the founder of Connecticut, asserted that “it is certain” that establishing a civil covenant between men “requires that they first freely engage themselves.”⁶⁹ Moreover, the enfranchised were not the only members of the town. All men and women within the jurisdiction of a Puritan government were part of a town with certain basic rights and obligations. By living in Massachusetts and in any given town within it, one accepted his or her role in that community. While this “social contract” came to be seen as a theory, the first generation actually lived it, with most community members actively choosing their polities. In Puritan theory, the individual, whether elect or degenerate, could choose to emigrate to the colonies, move from one town to another, or form a new town or colony with like-minded individuals. What is remarkable about the early period of Puritan Massachusetts is that this theory of voluntary association and disassociation was put into application in both religion and politics more than anywhere else.

As citizens, New Englanders formed people-to-people covenants to create polities, and then collectively entered into an employment covenant with elected leaders, hiring them to lead the colony as one might hire a cobbler to fix his shoes.

⁶⁸ This is not to say that God's Providence was irrelevant—that was not true of any aspect of Puritan life. Nor was God irrelevant to politics: God was thought to have endowed mankind with both stewardship over the earth and the “natural liberties” that allow men and women to do both good and evil and be little better than animals. Furthermore, as one’s political rights were directly linked to one’s status in the congregational covenant, an individual’s relationship with God carried over to the political realm.

⁶⁹ Miller, *New England Mind*, p.408.

Like in later social contract theory, Puritans believed that people relinquished their "wild" liberty to come together in a society and then agreed to support and obey a government so long as that government guaranteed their liberty to exercise certain rights and maintained the community's good standing with God.⁷⁰

The Puritans' pessimistic view of man's state of nature may remind readers of Thomas Hobbes's 1651 work *The Leviathan*, but they viewed government in very different terms than the royalist philosopher. Hobbes wrote of a covenant between people and an absolute monarch, who in turn for full authority, is able to keep peace. In his theory, deeply flawed individuals submit themselves completely and perpetually to a worldly authority for protection.⁷¹ For Puritans in old and New England, however, this government was never absolute. In Massachusetts, the formation of government represented the union of three agreements: the colonial charter which granted the colony self-government, the people-to-people covenant to be bound together, and the employment covenant that granted elected leaders their authority. While the king had formed the colonial charter with the Massachusetts Bay Company to grant governing power, this was a royal grant *for* self-rule rather than a popular relinquishment of self-rule.⁷² The Puritans who settled America actively came together to join in a spirit

⁷⁰ T. H. Breen, *The Character of the Good Ruler: A Study of Puritan Political Ideas in New England, 1630-1730* (New Haven: Yale University Press, 1970), p.47; n45.

⁷¹ The Commonwealth is the result of men introducing a "restraint upon themselves" due to "the foresight of their own preservation" and avoidance of a state of war. Thomas Hobbes, *Leviathan* (Cambridge: Cambridge University Press, 1996), p.117.

⁷² The Charter, which established the polity and its governor and council, granted the land and government to the Bay Company *from* Charles I. See: Charter of the Massachusetts Bay in Keith

of fraternity and interdependence, and then chose the members for their chartered government. In Massachusetts and in broader Puritan political thought, the magistrate's power stemmed from the covenant of his calling, just as a professor's authority over pupils stemmed from the terms of his vocation. When the people could choose their officials, as in Massachusetts, the election endowed government officials with authority, and they reelected only those they deemed godly and just. Puritans were far from anarchists or pure democrats, but modern readers must recall that those who stayed in the mother country rejected the medieval ruler-versus-ruled contract when they executed King Charles I and founded their short-lived republic.

To Puritans, membership in the community was, like membership in a congregation, expected to benefit the individuals who joined it and the greater group. Unlike church membership, people of all sorts, whether elect or reprobate, men or women, voting citizens or servants, could constitute a town simply by settling there. Like the religious community, though, the political community was expected to protect the individual from perdition. To live alone "without any institutional affiliation was to be abandoned to one's corrupt and damnable self."⁷³ The town was not a loose collection of farms separated by arbitrary borders, but a tight little island, physically compact and socially interdependent. Because of

W. Kavenagh, *Foundations of Colonial America: a Documentary History* (New York: Chelsea House, 1973), pp.45-59.

⁷³ Kaufman, p.3.

this, the town protected its members, not only physically from the cold wilderness and very real threats of natural disaster and hostile neighbors, but also from the corruption of their sinful natures.

The oppressive and stifling picture that Americans since Nathaniel Hawthorne have had of Puritan towns had some grounding in reality. Townspeople were expected to conform their behavior to community expectations. Puritans were on the cusp of modernity, but they were still, in many ways, a medieval people, and “still held the medieval conception of the necessity of uniformity.”⁷⁴ The idea of a pluralistic society or the fruits of diversity was not yet in vogue, among Puritans or within any English settlement. On the contrary, conventional wisdom treated diversity as a threat to order. According to Nathaniel Ward, or the “Simple Cobbler of Aggawam,” benefits of “a State united, though somewhat Corrupt,” outweighed the dangers of “a State, whereof some Part is Incorrupt, and all the rest divided.”⁷⁵ In Massachusetts, of course, the hope was to establish a colony that would minimize both corruption and division. Naturally then, the orthodox Puritans rejected religious toleration, which would later become a standard trait of liberal society. Rather than accept other dissenting groups and grant them liberty to practice their religion, Massachusetts colonists like Ward asserted that “all Familists, Antinomians, Anabaptists, and other Enthusiasts, shall have free Liberty to keep away from us,

⁷⁴ Perry Miller, *Orthodoxy in Massachusetts, 1630-1650: A Genetic Study* (Cambridge: Harvard University Press, 1933), p.4.

⁷⁵ Nathaniel Ward, “The Simple Cobbler of Aggawam,” *The Puritans*, p.230.

and such as will come to be gone as fast as they can, the sooner the better.”⁷⁶ It wasn’t only radical dissenters that would threaten the uniformity of the colony. Rather, any group that threatened to divide the commonwealth was promptly sent away so that Massachusetts could maintain the character its people had chosen.

This is not to say that all Puritans thought alike, but that they shared a common background, strove for common goals, and expected each other to put aside private concerns for the public good. For them, as for their medieval ancestors, the group was greater than the sum of its parts. This did not destroy individuality, but defined it. The Puritans “derived” their “sense of individual identity... from affiliation with, rather than separation from, institutions.”⁷⁷

While the separation from institutions like the Roman Church helped to define Puritan identity, they did not think of the individual and the community interests or identities as opposed. Individuals constituted the community by binding themselves together through conscious agreements, common needs, and religious identity. Furthermore, self-sacrifice for the public good was not thought to assure a miserable life but to assure mutuality. In the preface to their *Book of the General Laws* in 1647, the freemen of Massachusetts explained that “laws are made with respect to the whole people and not each particular person,” but that “as you yield obedience to the law for common good, but to your disadvantage, so

⁷⁶ *Ibid.*, p.227.

⁷⁷ Kaufman, p.3.

another must observe some other law for your good though to his damage.”⁷⁸ The Puritans emphasized a common good in which individuals limited themselves for the good of others, rather than a common good that only curbs liberty when it harms another. Like modern communitarians, Winthrop believed that the good of the community determined the good of each of its members. Citizens were “made soe contiguous in a speciall relation as they must needs partake of each others strength and infirmity, joy, and sorrowe, weale and woe.”⁷⁹ This collective sense joined with their ideal of community decision-making. The rule was not “by majority, but by consensus... [though a system of] discussion, persuasion, and mutual adjustment.”⁸⁰ Through this interdependence and their emphasis on consensus (more fully discussed in the previous chapter) came a perceptible and overriding commitment to the common good that was much more than the sum total of individual interests. Nor was their commitment to government limited to the mere avoidance of tangible harms. With interdependence, freemen elected for their public virtue, and decisions made by consensus, the Puritan townspeople saw their government as an “incarnation of their collective will.”⁸¹

If the government was indeed such an incarnation, then its power would be deemed more legitimate than one imposed upon them from a hierarchy.

⁷⁸ “The Book of the General Laws and Liberties Concerning the Inhabitants of the Massachusetts,” *Foundations in Colonial America*, p.297.

⁷⁹ Winthrop, “A Modell of Christian Charity,” *Puritan Political Ideas*, p.85.

⁸⁰ Fischer, p.199.

⁸¹ Miller, *New England Mind*, p.420.

Obedience would be more voluntary, and therefore more expected, than under the monarchy or the hierarchical government and culture of Virginia, where the dependent owed allegiance and obedience to the powerful in exchange for protection or provision. Blind obedience to royal authority was never something that Puritans, especially the New England Puritans, could accept, and they treasured the provision in their charter that allowed them self-governance. Their more radical cousins and neighbors, the Separatist Pilgrims, had been perfectly happy to settle in America even without permission from the King. Unsurprisingly, then, New England Puritans altered the old feudal system, replacing an independent lord and knights with participatory militias and elected magistrates.

However, as Perry Miller notes, some of their political theory is a reminder that the Puritans were not far removed from feudalism. Though resistant to tyranny, the secondary employment contract existed “only in part to protect their rights against absolutism; it was also to justify them in subordinating individuals to the state.”⁸² Covenant theology, and the civil relationships that followed from it, often seem to be more concerned with obedience to power than establishing constitutional guarantees of rights.⁸³

In a sense, this presents a paradox. Why would Puritans flee the oppression of one authority, whom they regarded with great suspicion, to submit

⁸² *Ibid.*, p.418.

⁸³ *Ibid.*, p.399.

themselves to another authority? Part of the answer lies in the difference between “filiation” and “affiliation”: while the king and bishops were set upon the believer at birth, the magistrates and congregation were *chosen* by the believers and by their neighbors with whom they had covenanted themselves.⁸⁴ Since they were selected from the community, leaders were those seen as model citizens—“selectmen” willing to work for the common good according to the town meetings’ consensus. Like their neighbors, they had voluntarily chosen to cross the ocean, live in a given town in Massachusetts, and be a member of a particular church. While governments were often compared to fathers, the relationship between colonial government and colonists was much more egalitarian than that of fathers and sons or kings and subjects. Whatever language anyone used, the Puritan leadership and those ruled were citizens alike. One of Winthrop’s metaphors for the ruled, that of a wife, is more fitting. The freemen chose a leader just as a woman by her “own choice makes such a man her husband; yet being so chosen, he is her lord.”⁸⁵

Like a husband, Winthrop’s ideal magistrates were elected for their merits, held their power on the condition of acting for the common good, and could lose it in any election. In return for their positions, the leaders of a community had a responsibility to govern justly and not tyrannically, to protect the people’s liberties, and to lead the community down a path pleasing to God. Just as

⁸⁴ Kaufman, p.16.

⁸⁵ Winthrop, “Speech to the General Court, 1645,” *Puritan Political Ideas*, p.207.

members of a community were expected to be good neighbors and well-ordered, leaders were expected to lead in a godly and ordered fashion. In Massachusetts, this was more than a theory. In fact, the opportunity to enforce these responsibilities was more than an opportunity; it was an obligation. With each Election Day, Puritan voters could hold—and were expected to hold—their government officials accountable for how well they fulfilled their responsibilities. The voting citizens had the duty to protect and promote the common good not only by obeying legitimate authority but by ousting, if necessary, poor leaders at the polls. Leaders could expect to be reelected, but only so long as the people were happy, and the people tended to stay "happy only so long as civil leaders respected the laws of God and the liberties of 'free and natural' Englishmen."⁸⁶ The government's duty, then, was enforceable.

While Puritans supported obedience to the law, they did not subscribe to the notion that the individual should completely surrender himself to the will of the community and its magistrates, or that the government could act however it pleased. So, while they claimed King Charles as their prince, Puritans in both the mother country and the colonies resisted efforts to leave authority unchecked. Puritans, unlike their political opponents in England, "did not interpret [princely supremacy] to mean supremacy absolute and unrestricted."⁸⁷ Rather, they viewed authority as limited by the law of God, as found in scripture. Just as people

⁸⁶ Breen, p.53.

⁸⁷ Miller, *Orthodoxy in Massachusetts*, p.35.

should not undo the government by “unbounded Liberties,” Puritans argued, the king should not use “unlimited Prerogatives” to undo his people.⁸⁸ Their interpretation stood in marked contrast to the divine right assertions of Stuart kings, and would be a matter of a dispute during the English Civil War of the 1640s. The English Puritans fought King Charles I, in large part, to put the office of the monarch under the rule of the law.⁸⁹ As New Englander Ward wrote during the English Puritan revolution, “A King that lives by Law, lives by love; and he that lives above Law, shall live under hatred.”⁹⁰ Although that was not a new idea in Europe or England, the Puritan defense of Parliament and invocation of the Magna Charta marked them, on both sides of the Atlantic, as republicans rather than royalists.

All Puritans agreed that the monarch's power was limited. But how limited should the power of their representative body or council of magistrates be? If Parliament in England or the General Court in Massachusetts represented the collective will, at what point could it become tyrannical? This is the point where Puritans then, like citizens of democratic republics today, differed. Some, like magistrate and governor John Winthrop, had a much narrower definition of tyranny than others. For Winthrop, the election of the magistrates by the freemen established a covenant between leaders and followers, that the former should

⁸⁸ Ward, “Simple Cobbler of Aggawam,” *The Puritans*, p.253

⁸⁹ Miller, *New England Mind*, p.411.

⁹⁰ Ward, “Simple Cobbler of Aggawam,” *The Puritans*, p.235.

govern and the latter should obey.⁹¹ The magistrates, he argued, bore their “authority from God, in way of an ordinance, such as hath the image of God eminently stamped upon it.”⁹² Puritans rejected the Divine Right of Kings, but could tolerate authoritarian magistrates to a degree, at least until the next election. For the political leader, authority could not be tyrannical unless it was arbitrary, and it could not be arbitrary so long as it was chosen and covenanted. As he aptly explained, “to make a man a governour over a people, gives him, by necessary consequence, power to govern that people.”⁹³ Winthrop famously continued his speech by explaining the difference between wild natural liberty and civil liberty, the latter being liberty “to that only which is good, just, and honest.”⁹⁴ Thus, his concern for individual liberties was limited, and sometimes subordinate to the government’s responsibility to promote commonweal.

However, those Puritans to whom Winthrop spoke also jealously guarded their rights. From time to time the freemen became anxious about the amount of power wielded by the magistrates, and stood up for their right to self-governance.⁹⁵ While this was a collective right, the early settlers of Massachusetts were also sensitive to individual rights. There were, for example,

⁹¹ The freemen, those male church members of age had the power to elect the Governor and his advisors (the Magistrates). Eventually the freemen elected Deputies to sit in the General Court and act on their behalf. This was an evolving process during this period.

⁹² Winthrop, “Speech to the General Court, 1645,” *The Puritans*, p.206.

⁹³ Winthrop, “June, 1644,” *Puritan Political Ideas*, p.127. He also described the covenant as charging “that we [magistrates] shall govern you... according to our best skill.” Winthrop, “Speech to the General Court, 1645,” *The Puritans*, p.206.

⁹⁴ Winthrop, “Speech to the General Court, 1645,” *The Puritans*, p.207.

⁹⁵ Kavenagh, p.238.

some concerns over a right to property, with *ex officio* impoundment seen as having crossed the line into tyranny.⁹⁶ Furthermore, the passage of the Massachusetts Body of Liberties, an extensive set of statutes codifying limitations of government, demonstrates a strong belief within the colony that government had to be restrained. While “[m]any of the provisions embodied practices already in existence,” the colony’s freemen expressly wished to enact a full code of “publicly known and announced” laws, with a great portion devoted to restricting government power.⁹⁷ Without this written and public legal code, which would outline the precise bounds of government power and individual and church liberties, the people believed that too “much power rested in the discretion of magistrates” and “thought their condition very unsafe.”⁹⁸ The power of written law to enforce rights, a trademark of what Sandel calls the “procedural republic,” originated early in the seventeenth century.

One such right was the privilege of the writ of *habeas corpus*, which guaranteed that individuals could not be jailed without charges and a chance to challenge their detention in court. While some regarded this as a God-given right, it had become firmly entrenched in the common law prior to the Puritan revolution. It would not be until 1679, after the Restoration authorities grossly abused their authority and imprisoned anti-Royalists without legal recourse, that the procedure for issuing the writ would be codified by legal statute in England.

⁹⁶ Breen, p.71.

⁹⁷ Morgan, *Puritan Political Ideas*, pp.177-8.

⁹⁸ Winthrop, “9-4-39,” *The Puritans*, p.205.

However, Puritans of the seventeenth century were consistently champions of the ancient English right, as early as 1628, when those who would become the New England colonists were still arguing their cause in the mother country through the *Petition of Right*. It was again the Puritans who passed the Habeas Corpus Act of 1640, which codified the right and abolished the Star Chamber, the corrupt secret court known for disregarding defendant rights in trials against political opponents. In part, this cause may have been fought for selfish reasons, as the dangerously radical Puritans were the ones being jailed without due process or clear cause. Nevertheless, Puritan attachment to such a right is also evidence of their respect for the liberty of the individual and, even more, the importance of the procedural rule of law.

Some regarded rights as God-given, or at least, by virtue of the various covenants, God-protected. In their time the Puritans were highly attuned to and protective of what rights and liberties they believed individuals ought to have. In England, the Puritans held the Magna Carta as their banner. In America, they were concerned, almost from the outset, with limiting government power and securing individual liberties. The General Court passed the Body of Liberties in 1641, after years of drafting, redrafting, and deliberation in committees and town meetings over whether outright assertions of their rights as Englishmen would alienate the colony from England.⁹⁹ Nathaniel Ward, who had drafted the Body

⁹⁹ Morgan, *Puritan Political Ideas*, pp 177-178.

of Liberties, later wrote that “Popular Liberties,” like the moral law, “are not of Mans making or giving, but Gods.”¹⁰⁰

The Massachusetts Body of Liberties is a far cry from our modern American Bill of Rights, but it signaled a break in thought regarding the relationship between liberty and law. Contrary to the idea that early Anglo-Americans perceived liberties only as powers to act or participate, some laws justified themselves on the basis of protecting “every man’s liberty.”¹⁰¹ These liberties, while being respected *in* English law, did not come *from* the law. These liberties originated in God’s natural law, and earthly law could, at best, respect them. A Massachusetts law from 1649 explains that “the law of God allows no man to impair the life, or limbs of any person, but in a judicial way.”¹⁰² The General Court was able to derive criminal law and sentencing from this natural law, but the individual person’s right to life and limb was, even in the early Puritan eye, established by God and only limitable in the course of the due process of justice. The Massachusetts acts did allow bond slavery in cases where the slave was willingly sold or taken lawfully captive in a just war, but condemned “the heinous, and crying sin of man stealing.”¹⁰³ Slavery was not expressly forbidden, nor was a right to liberty explicitly identified. Nevertheless, if unlawfully taking a man captive is a sin, then it is against God’s law; if

¹⁰⁰ Ward, “Simple Cobbler of Aggawam,” *The Puritans*, p.236.

¹⁰¹ General Laws and Liberties of [the Colony of] Massachusetts Bay, Ch. XIV: “An Act Respecting the Breach of the Peace,” *The Charters and General Laws of the Colony and Province of Massachusetts Bay* (Boston: T.B. Wait, 1814), p.54.

¹⁰² *Ibid.*, Ch XXIII, p.76.

¹⁰³ *Ibid.*, Ch XII, p.52-3.

violating a person's liberty is against God's law, the liberty is protected by it. The Puritans, then, seem to have regarded a protection of the individual's freedom, as well as his life, as divinely ordained.

Far more explicit was the identification of a divine right to property in a law regarding Native Americans' land. The General Court recognized any Indian in Massachusetts who had "possessed and improved" some amount of land, "by subduing the same," as "hav[ing] just right unto, according to that in Gen. 1. 28. and chap. 9. 1. And Psal. 115. 16."¹⁰⁴ Not only did the Puritans here see a right to property in God's law, but the property is gained by improvement and labor of the land. This theory should resonate with later readers familiar with John Locke's argument that "[a]s much land as a man tills, plants, improves, cultivates, and can use the products of, so much is his *property*."¹⁰⁵ The Massachusetts Puritans, in a way, had a foundation for a liberal concept of natural rights. As Perry Miller noted, while remaining a medieval people in some ways, the Puritan leaders "were prepared to organize their commonwealths and furthermore to acknowledge by force of logic several of the deductions that were later to furnish the political wisdom of a Locke or a Jefferson."¹⁰⁶ There were several moments when the Puritans did not reach as far as liberalism later would (such as religious

¹⁰⁴ *Ibid.*, Ch LVIII, §1, p.132

¹⁰⁵ John Locke, "Of Property," *Second Treatise of Government*, (Indianapolis: Hackett Publishing Co., 1980), p.21. Like the American Puritans, Locke uses both Biblical citation and logical reason to support his claims in this section.

¹⁰⁶ Miller, *The New England Mind*, p.409.

toleration) but the foundations for recognizing individual rights was clearly present.

Massachusetts Bay was not unique in its enthusiasm for these proto-liberal ideas, but was one of the more conservative colonies of New England. Rhode Island, founded and settled by those deemed heretical or dangerous to Massachusetts, is famous for its early establishment of liberal-esque policies on religious toleration. The neighboring colony of Plymouth, which enjoyed a slightly friendlier relationship with Massachusetts (and would eventually become part of the Bay Colony), displayed a similar attention to rights. In the mid-seventeenth-century, one can see “emerging from the enactment of codes and statutes an admiration for the fundamental rights of freemen derived from Magna Carta.”¹⁰⁷ If derived from the Magna Carta, then these rights, at this point at least, were seen as inherent to Englishmen but not innate to them.

Like Massachusetts, the Separatist Pilgrims were not always consistent in their recognition of rights. Church members, who had shown a clear ability to commit themselves to the common good and submit their wills to God, had full rights. Even beyond this, in many cases the Pilgrims had better relationships with respecting rights of Native tribes than the Puritans. However, even the radical Pilgrims gave a limit to the universality of whatever civil rights they recognized when it came to Quakers.¹⁰⁸ This attitude toward religious toleration, though, was

¹⁰⁷ Harry M. Ward, *Statism in Plymouth Colony* (Port Washington: Kennikat Press, 1973), p.79.

¹⁰⁸ Ward, *Statism in Plymouth Colony*, p.119.

common throughout the Western World. The liberal ideas that these settlers valued were still a part of an older system that could not bear to accommodate people who fundamentally disagreed or posed a threat to community harmony.

Seventeenth-century New Englanders were not, by any means, eighteenth-century liberals, but their practice of balancing citizen liberties and obligations with government powers and obligations was—and is still—recognizable to later generations. While the Puritans may have recognized fewer natural rights than their descendants would, and were quicker to limit or override them, they showed a considerable esteem for individual rights and limitations on government power. Their world, after all, was still dominated by hereditary nobility and monarchy. In this early modern period, Britain struggled with establishing rights and balancing power. The Puritans in England took a republican and rights-aware stance, and the New England Puritans were at the progressive end of this struggle.

The leaders of Massachusetts and Plymouth were an elected aristocracy of sorts, an elite few making crucial decisions, but the Puritans made an important distinction between their aristocracy and a traditional one. While the first image of aristocracy is that of a wealthy few or hereditary titles, the *aristos* of Massachusetts were in theory chosen for their piety and merit and held legitimacy from “a sense of moral obligation.”¹⁰⁹ The concern for a good government that followed God's intentions is clear from their hierarchy of political rights. Church

¹⁰⁹ P. K. Brown in David Hall, *Puritanism in Seventeenth-Century Massachusetts*, (New York: Hold, Rinehart and Winston, 1968), p.59.

members, who had shown a commitment to God's will, could vote for magistrates. These magistrates "were chosen out of the most eminent freemen," those more conscious of God's will, the public good, and "specially endowed with wisdom and a sense of justice."¹¹⁰ While leaders could expect to be reelected, the voters could hold them accountable to this supposed wisdom and justice, in a system designed to ensure the best leadership for the towns and the colony. Puritans expected their government not only to protect the people and their property from sinful neighbors, but also to maintain the reputation and good standing of the colony in the eyes of the world and in the eyes of God. When freemen voted, the expectation was that they were choosing "rulers who would maintain the colony in special covenant with God."¹¹¹ Should a selectman or magistrate endanger this covenant with God, he would violate his covenant with the people and theirs with each other in the eyes of God.

Not only did the community help individuals keep their temptations in check, but a town, like a congregation, would be considered accountable by God for its members' actions, in yet another covenant. Just as the religious covenant system included both a collective covenant made with each other in the eyes of God, one between God and the community, and one between the congregation and minister, so did the political. The colony's "special covenant with God"

¹¹⁰ *Ibid.*

¹¹¹ Breen, p.50.

made God the witness and enforcer of the other civil covenants and cemented the political establishment's place as a key force in the relationship between God and the greater community. God, then, not only covenanted with believers and churches, but with towns, colonies, and countries.

Furthermore, they believed that God had a special standard for New England, his new chosen land. In the Puritan world-view, God's elect were scattered throughout Christendom, forming the communion of "invisible" saints, and within New England lived both elect and degenerate people. However, New Englanders, with their civil governments, were also seen as being "a special people, an only people" in God's eyes.¹¹² Like the historic covenant with Israel, these special privileges and favor came with special responsibilities. New Englanders thought of themselves as being held to a higher standard in this covenant. They heard and believed that the "Lord look[ed] for more from [New Englanders] than from other people."¹¹³ This higher standard intensified their anxiety about fulfilling their side of the collective covenant with God.

Since Puritans saw their society as a new Israel, they looked to the Hebrew scriptures for lessons about the relationship between God and His people and found impending punishments. Using the Deuteronomistic formula¹¹⁴ and warnings from the days of Sodom and Gomorrah and the Babylonian exile,

¹¹² Peter Bulkley, "The Lesson of the Covenant, for England and New-England," *The American Puritans*, p. 151.

¹¹³ *Ibid.*

¹¹⁴ The "Deuteronomistic formula" is a belief that God rewards the pious and punishes the wicked. This applies, as seen in the Writings of the Hebrew Bible, not only to the individual but also (and more frequently) to his offspring or community.

Puritans trusted that collective virtue would be rewarded with God's protection, and that collective sins or failures would be swiftly and justly punished by Him. Winthrop spoke for popular opinion when he warned that if public virtue were to give way to greed and vice, or if men were to break the articles of government, "the Lord will surely breake out in wrathe against" them all.¹¹⁵ While all societies have brushes with disaster, examples of God's wrath were much more immediate and tangible to the Puritans than to modern Americans. These towns were islands in the wilderness, vulnerable to illness, drought, and attacks by hostile natives, if not from the hated Spaniards or French. On the other hand, if New England were to show itself as righteous, their special relationship with God would turn a profit of blessings and this new Puritan society would serve as a model society, as immortalized in Winthrop's "city on a hill."

God's blessings, then, were contingent on the uprightness of the communities covenanted with Him. Puritans feared that if their town or colony lost its moral discipline, God might deliver it to famine, plague, or tyranny. This relationship demanded that the governments exhibit and encourage "a positive pattern in virtue."¹¹⁶ The Puritan polity was supposed to be a model of Christian society, and as such, the government officials' calling demanded that they maintain this high moral standard. Because of this covenant, a Puritan town or colony's laws and executive actions aimed to promote godly behavior. This was

¹¹⁵ Winthrop, "A Modell of Christian Charity," *Puritan Political Ideas*.

¹¹⁶ Stephen Foster, *Their Solitary Way: The Puritan Social Ethic in the First Century of Settlement in New England* (New Haven: Yale University Press, 1971), p.22.

not just a duty of political leaders, but a responsibility of all. The government could restrict the *actions* of individuals, but only when practically enforceable, and could never restrict their motives or faith. Consequently, Puritan political thought imbued all citizens with a sense of collective accountability in keeping the society favorable in God's eyes. This collective responsibility was necessary to their political theory. A polity that owed its lack of crime or immorality to tyranny was not godly, just as an individual who owed good behavior to coercion was not a good person. In a way, the Puritans paradoxically expected that "while [the people] must do only the good, they must do it voluntarily."¹¹⁷ The Puritan government was not above legislating against immoral behavior, but maintaining a society of saints was a special goal in addition to the peaceful operation of society, and forced morality was not a telling mark of a saint.

Some of the dissonance, perhaps, was resolved by a gap between legislation and enforcement. Records of early New England show a pattern of stricter laws met with weaker enforcement and merciful sentences.¹¹⁸ The stringent law, which forbade a long list of activities on the Sabbath and considered a son striking his father to be a capital offense, was able to reflect God's commandments and to encourage virtuous behavior. Meanwhile, weak enforcement of these and frequent cases of clement justices allowed the people to live without constant intrusion and to perceive their government as limited and

¹¹⁷ *Ibid.*, p.30.

¹¹⁸ *Op. cit.*, p.23 n.25.

merciful. When, much later, officers from England conducted a review of the laws of Massachusetts Bay, they decried the colonists' policy that "none should be put to death without the oath of 2 or 3 witnesses" as far too lenient.¹¹⁹ Despite their reputation as a very disciplinary society, New England criminals received less severe punishments than they would in England.¹²⁰

Regardless of their enforcement, the Massachusetts laws promoting godliness show that the Puritans would have rejected any assertion that governments should not advance one idea of the good life. New England Puritans famously legislated to keep their colony as morally righteous as they could, even that infringed on someone's ability to do or say what they pleased when they pleased. Putting aside their early modern inability to fathom religious toleration, one of the eight capital crimes was to "willingly presume to blaspheme the holy name of God, Father, Son, or Holy Spirit" in any variety of manners.¹²¹ Like communitarians today, Puritans would object to any sort of qualification of moral neutrality for legislation. As neighbors were knit together, they strongly believed that a sin by one man against God, like blaspheming, harmed and endangered the whole community. Unlike communitarian theorists, though, Puritans did not believe that every community had the right to determine its own values. The values in the Massachusetts laws, as they would explain, came directly from the

¹¹⁹ "The Case Upon the Patent of the Corporation of Massachusetts Bay in New England, by the Solicitor-General," *Foundations of Colonial America*, p.146.

¹²⁰ Miller and Johnson, p.386.

¹²¹ Massachusetts Bay Colony Laws, Ch. XVIII §3, p.58.

unchangeable and universal will of God. In their eyes, the law was established long ago at Sinai and Massachusetts was just codifying what ought to be universally respected. In this way, the Puritans established a focus on universal higher law that defies modern categorization of “liberal” or “communitarian.”

From this rather peculiar attitude toward law emerged a theory of higher law stronger than had been seen elsewhere. Law and government action existed on two levels: the passed statutes and the executive acts that governed the town and colony, and the divine commandments and natural laws and rights that informed the statutes and acts. The government could not govern willy-nilly, for in “all their administrations, the Officers of this Bodye Politick have a Rule to walk by... which Rule is the *Worde of God*...”¹²² It is not a stretch to assert that Americans have inherited their attitude to the Constitution—a revered document that outlines the powers and limitations of the state and which the average person has no hope of changing—from their forefathers’ sense of Biblical law as a higher, unchanging, restrictive law. In later liberalism, with philosophers like Locke, “the ultimate basis of authority is supplied by natural law,” while in the early Puritan days “it is supplied by God.”¹²³ While their idea of God’s decree was not identical to the theory of natural law, their recognition of a supreme law laid a foundation for their later acceptance of the philosophy.

¹²² G. L. Haskins in Hall, *Puritanism in Seventeenth-Century Massachusetts*, p.61.

¹²³ Edward S. Corwin, *The “Higher Law” Background of American Constitutional Law* (Ithaca: Cornell University Press, 1971, p.65.

To illustrate this point, one might look to the infamous Puritan criminal justice system, known for punishment by public shame, whipping, or death for what seem today to be minor crimes, if crimes at all. While the list of capital offenses was extensive, the Puritans did not impose every penalty laid out in the Bible. Rather, Biblical sanction for capital punishment was seen as a justification, though not a requirement, for such a sentence.¹²⁴ The Puritan awareness of this higher-law justification is clear in the letter of the law itself. Following each of the first fourteen sections of capital crimes is a Biblical citation, often referencing multiple verses or even multiple books, to demonstrate both precedent and authorization for the law.¹²⁵ That is, the Law of God and laws of man were used as a means to limit the power of the state, not to augment it. This holds true as well with Biblical-inspired limitations on common law sentences like the maximum of forty stripes in whipping and the use of servitude rather than hanging to punish theft.¹²⁶ From these practices it is clear that the Puritans, while not treating any of their own laws as anything more than statutory, saw God's law as an unchanging higher and universal standard. Even law was not above the Law.

The covenant between God and political community defined a large part of Puritans' ideas and expectations of civil government. At times, the covenantal relationship resulted in proto-“republican” or proto-communitarian ideas, such as

¹²⁴ Haskins in Hall, *Puritanism in Seventeenth-Century Massachusetts*, p.67.

¹²⁵ Massachusetts Bay Colony Laws, Ch.XVIII, pp.58-60.

¹²⁶ Haskins in Hall, *Puritanism in Seventeenth-Century Massachusetts*, p.68.

a government that promotes virtue and the community's religious values. At others, it resulted in proto-liberal concepts, like that of a universal higher law. In both situations, the Puritans never forgot that the covenant that bound themselves into a community or the one that tied together citizens' and governments' rights and obligations.

The Puritan system, then, cannot be classified as fully communitarian or classically liberal, but contained strains of both systems of thought. Communitarianism presents the community, engagement, and collective values as the primary ends of a government; liberalism stresses justice and individual rights. Puritanism serves to show that these two sets of goals are not mutually exclusive. One historian asserts that early Anglo-Americans "managed to combine... diametrically opposed impulses, into one whole that apparently thrived on its own internal conflicts."¹²⁷ While Puritanism did at times thrive on internal conflict, the combination of liberal and communitarian ideals was not always a tense one. Looking at the communitarian critiques of neutral government, of active citizenship, and of the right and the good, Puritans would seem to share the communitarian view. However, their reasoning combined communitarian values like religious obligation and community with liberal values like individual rights and voluntary association.

¹²⁷ Foster, p.xvi.

More than anything, these ideas about the individual and the community were *intertwined*. The importance of the calling, for example, stressed work that served the common good but drew from the individual's agency and personal relationship with God. The government was expected to promote good Christian virtues, but the choice to join a town or colony was freely given to individuals, who often exercised their power to choose by withdrawing from one town (or colony) to form another. All of these aspects were inherited from one religious framework, that of their radical English Protestantism. From this, the central idea that informed all the others was that of the covenant. Relationships between individuals and communities took the form of covenants which defined nearly all aspects of their society: church life, family units, employment, and the colonial governments.

Coming from this covenantal system, one might deem the ideal Puritan polity neither communitarian nor liberal of any sort, but Christian and utopian. Neither promoting community tradition nor protecting individual rights—while functions of the Puritan government—was the *purpose* of government. Once established, the Puritan society saw its goal and the function of a good government as fostering a New Israel according to God's law and will. Transferring these ideas, which all depend so heavily on the Puritans' religious tenets and historical context, to a diverse and somewhat secular nation presented and still presents a clear challenge. To strip away the religious basis transforms Puritan thought and strips away the greater authority given to the government and

community, but modern Americans should not look to the past to import an old society's ways. Instead, they should recognize that Puritan society shows that it is possible to respect both the individual and the community without falling into a trap of seeing individual liberties and the common good as opposing ends. Not only is such a union of liberal and communitarian impulses possible; it is organic and native to America.

CHAPTER IV DEVELOPMENT OF NEW ENGLAND THOUGHT, 1660-1765

The ideas explored so far emerged from decades of struggle in Britain and represent the orthodoxy of those who settled and established the colonies of Massachusetts, New Hampshire, and Connecticut. However, Puritan society and thought did not fully crystallize in the first two decades of settlement. Like any society, external and internal pressures took their effect, and developments in the colonies, the Empire, and the world helped Puritan political thought change and evolve. The rise of the Puritan Republic followed by its disastrous Protectorate in England diminished Winthrop's hope that New England would serve as a model for the mother country, though New Englanders never lost the sense that the world would be all the better if it *did* emulate them. Later, while internal demographic pressures put Puritan theories into question, the Restoration in England jeopardized Massachusetts Bay's independence. Having managed these crises, New England readily worked into their Puritan foundation both the Enlightenment liberalism and neoclassical republicanism that became influential in the decades leading up to the American Revolution. Through the seventeenth and eighteenth centuries, the internal and external threats developed the New Englanders' commitments to community autonomy and individual liberties without setting them in opposition to each other.

Internally, the new generations cast doubt on the practicality of the fundamental covenant systems. These second and third generations of New Englanders came to age without exhibiting the same level of godliness as those who had sojourned to the colonies for their beliefs. Far fewer in these generations were moved to profess their innermost faith in order to be considered for membership in a congregation. The Puritans already had difficulty reconciling voluntary association by their rigorous test for full membership with hereditary baptism for their children, and the problem was intensified when non-confessing church attendees began to have children.¹²⁸ The ministers worried about a society with a waning number of citizens who would be under the tutelage of the orthodoxy, not to mention the practical problem of fewer and fewer voters and people eligible for office.

Their answer, though controversial and impermanent, was decided in 1662, with the adoption of what came to be known as the Half-Way Covenant. Richard Mather had proposed it, but even his own son, Increase, initially opposed the change, because it would dilute the purity of the churches. Even so, the Synod of Massachusetts ministers passed the compromise, bending their ideals to practicalities. Evidence of grace was still necessary for full membership, which gave full privileges and communion in the Eucharist, but well-behaved sons and daughters of members could have their children baptized and were subject to

¹²⁸ Robert G. Pope, *The Half-Way Covenant: Church Membership in Puritan New England* (Princeton: Princeton University Press, 1969), p.6.

church discipline. This would expand the church, and the ministers hoped that the third generation would provide more converted, full members. In this crisis and this compromise, the desire for a system based on voluntary association conflicted with the realities of unchosen obligation, but the real tension came from a desire for purity in the church and an anxiety about the shrinking number of baptized and even smaller number of professed converts.

From the outside, Massachusetts was faced with an even greater conflict that matched its stubbornness and independence against the power of the Crown. In England, the time of civil war had ended and the rule of the Republic and Lord Protector had risen and fallen to another Stuart king. The Restoration king, Charles II, turned an eye to his New England colonies, which had been a hotbed of anti-royalist activity. In 1664, the King appointed a commission to investigate “the state and condition of [his] good subjects there” by reviewing the laws and visiting each of the colonies.¹²⁹ The commissioners’ tour of New England confirmed suspicions that might have arisen: the Puritan colonies needed control, and Massachusetts was the worst of them.

To King Charles, what distinguished Massachusetts was not expressly its community pressures or its individualistic tendencies, but an overall disrespect—or at the least, lack of respect—for his office. Charles himself deplored that “in truth they do, upon the matter, believe that his Majesty has no jurisdiction over

¹²⁹ “Commission from Charles II Establishing a Royal Commission to Investigate Affairs in New England,” *Foundations of Colonial America*, p.130.

them, but that all persons must acquiesce in their judgments and determinations.”¹³⁰ While Massachusetts Bay had its royal charter, its daughter colonies had not concerned themselves as much with this form of legitimacy. The Commission reported that Rhode Island, founded during the Interregnum by exiles of Massachusetts, had taken “a charter from the Lords and Commons, which was more than New Haven did pretend to, and more than Connecticut could show.”¹³¹ The recalcitrance of Connecticut and New Haven, colonies unofficially founded by Massachusetts settlers, had clear roots in the larger colony. The Massachusetts colonists, in fact, used their charter to distance themselves from the king, rather than to show their allegiance. They insisted that Charles I had given them self-sovereignty, even granting the charter “as a warrant against himself and his successors,” such as his son, and during the Interregnum they had gone as far as to “solicit Cromwell... to be declared a free state.”¹³² This attitude of self-sovereignty and independence was evident even in their legal code. Before the king’s commission went to America, it identified a number of Massachusetts laws in need of improvement, including many that lacked reference to “his Majesty.”¹³³ A decade later, the reforms had hardly progressed. The Attorney General and the Solicitor General condemned Massachusetts law for forbidding rebellion “only such as is against their commonwealth” and not

¹³⁰ “Letter from Charles II to Massachusetts Bay,” *Foundations of Colonial America*, p.143.

¹³¹ “Report of the Royal Commission Concerning Conditions in New England,” *Foundations of Colonial America*, p.136.

¹³² *Ibid.*, p.139.

¹³³ “Suggestions from the Royal Commission,” *Foundations of Colonial America*, pp.131-133.

“for what relates to the King.”¹³⁴ Perhaps this is unsurprising language for laws written during the fall of a monarchy and rise of a commonwealth in England, but it also made clear their opinions on the monarchy.

Rebellion was not a theoretical matter during the Restoration, and Charles and his men were aware of Massachusetts’s place as a cradle of republican and anti-monarchical sentiment. The Commission’s report had few good words for the colony, and was sure to remind the king that Massachusetts had “furnished Cromwell with many instruments out of their corporation and their college, and those that have retreated thither... are much respected.”¹³⁵ This was not a false charge, though the commissioners took care to link Massachusetts, and not the other equally-Roundhead colonies, with those who beheaded Charles I and drove Charles II into exile in France. There were indeed strong links between Massachusetts and the English Roundheads, but none that the other New England colonies did not have as well. The judges Edward Whalley and William Goffe, pursued in England as regicides for signing the death warrant of Charles I, did initially flee to Massachusetts, but were harbored in Connecticut and New Haven (a separate colony at the time) before secretly hiding in Hadley.¹³⁶ Whether or not it was fair to single out Massachusetts, the commission seemed to believe that the New England Puritans were not just a nuisance of the past, but a threat to the

¹³⁴ “Condemnation of the Massachusetts Bay Laws by the Attorney General and Solicitor-General,” *Foundations of Colonial America*, p.144.

¹³⁵ “Report of the Royal Commission Concerning Conditions in New England,” *Foundations of Colonial America*, p.139

¹³⁶ *New York Times*, “Goffe and Whalley: Their Life in Hadley, Mass—‘The Angel of Hadley’ Story, Disproved,” Review of Books, August 19, 1905.

new reign. The report on Massachusetts warned Charles that, though Harvard was but a “wooden college,” it “may be feared that this college may afford as many schismatics to the church and the corporation as many rebels to the king as formerly they had done.”¹³⁷

Unwilling to change ways and adapt for King Charles, Massachusetts prepared for a fight. The Royal Commission had stopped at this colony last, hoping in vain that the other colonies’ welcomes would soften their landing in Boston.¹³⁸ The icy welcome for the Commission and the blatant disregard for the King’s authority set Massachusetts on a path that would cost it the revocation of its cherished charter. Upon their return, Charles issued a statement expressing his displeasure at the “reception and treatment” of his commissioners.¹³⁹

Shortly before his death, Charles decided that his only course of action was to void the treasured Massachusetts Charter, and his son, James, took a firm line with New England. King James II formed the Dominion of New England, with Edmund Andros as governor, and began to reorganize the colonial governments. This reorganization affected every level of governance. Andros had full authority to suspend Council members, to make laws, levy taxes, set up new courts, and even administer the Oath of Allegiance to any person whom he wished.¹⁴⁰ These reforms even covered seemingly petty details, like forcing

¹³⁷ *Ibid.*, p.140.

¹³⁸ “Report of the His Majesty’s Commission Concerning the Massachusetts,” *Foundations of Colonial America*, p.137.

¹³⁹ “Letter from Charles II to Massachusetts Bay,” *Foundations of Colonial America*, p.143.

¹⁴⁰ Kavenagh, pp.164-5.

jurors to swear upon the Bible, as they did in England, rather than raising their right hand, as had been custom in New England.¹⁴¹ In the eyes of Andros and the King, they were returning order to New England, enforcing laws of trade, and ensuring protection for English subjects who would otherwise be disenfranchised in Massachusetts, especially on the basis of religion. In the eyes of the New Englanders, Governor Andros and his Council were stripping their exemplar government of its best qualities and undoing all the changes that the Puritans had made that distinguished their political system from that in England. The orthodoxy raised a strong resistance, but the new government had “antagonized practically every faction in New England” by its sweeping changes to religious life, commercial life, and self-governance.

The colonists were outraged by Andros’s rule, partly because it deprived them of their sovereignty as a community, and partly because it disregarded their rights. The Puritans feared that the new regime, through symbolic and structural changes, was systematically marginalizing their religion, stripping their colonial autonomy, and infringing their civil rights. The threats to the orthodoxy’s power and their self-rule were valid, as the royal officers stood clearly against the strength of the Congregational orthodoxy and the defiant legislature’s overstepping of royal prerogative. Whatever the exaggerations about the Dominion government, it did strip the Puritan community of its political

¹⁴¹ Viola Barnes, *The Dominion of New England, a Study in British Colonial Policy* (New York: Ungar Publishing Co., 1960), p.111.

autonomy. Andros's government went as far as to restrict town meetings, the lifeblood of community autonomy in colonial New England.¹⁴² For a society that had formed itself by common agreement and on the assumption of certain commonalities, the ultimate undoing of community sovereignty was to revoke the agreement that gave them their government and impose appointed, rather than elected, officials who had no sympathy for those same commonalities. It is possible, then, to read Andros's enforcement of religious tolerance as liberal aims infringing upon community values, but the Puritan objections to the Dominion government were not all anti-liberal in nature.

The question of the security of their rights is more complex. On the one hand, enforcement of religious toleration protected the freedom of worship and conscience of non-Congregational Christians, and replaced the religious test for franchise with a property qualification. On the other, Andros allegedly abridged the right to speech and the orthodoxy's free practice of their religion. Even before the new government was formed, they feared a loss of both "positive" liberty to be civically engaged and "negative" liberty to be free from royal oppression. When in the 1680s the future of the charter was in question, representatives from Massachusetts responded that as "God has owned" the original settlers for "being firm and faithful in asserting and standing by their civil and religious

¹⁴² "And it is further enacted, by the authority aforesaid, that from henceforth it shall not lawful for the inhabitants of any town within this dominion to meet or convene themselves together at a town meeting upon any pretence or colour whatsoever but at the times before mentioned and appointed for the choice of town officers as aforesaid." "An Act for Regulating the Choice of Selectmen," *Foundations of Colonial America*, p.197.

liberties...[and so] their successors should walk in their steps.”¹⁴³ Whether or not their concern was overblown, the Puritans perceived abridgements of their customs and of their rights everywhere they looked. For example, the new government required that they accept Parliamentary law, but when they asserted a right to *habeas corpus*, the royalist judge countered that the English Habeas Corpus Act of 1679 only applied to prisoners within England itself.¹⁴⁴ The Puritan leaders also protested an attack on their right to property. In their declaration of grievances, they claim that the government “daily” told the colonists that “no Man was owner of a Foot of Land in all the Colony.”¹⁴⁵ When representatives for New England went back to England to present their case, their instructions ordered them to relay that the government deprived them land “instead of defending them in their just Rights and Properties.”¹⁴⁶ The Declaration also accused Andros of fining those who criticized taxation without representation.¹⁴⁷ This issue, of course, would not be forgotten in Massachusetts.

It is clear from the Puritan leaders’ reaction to the Andros government that this crisis did not favor a liberal or communitarian viewpoint over the other.

¹⁴³ Kavenagh, p.156.

¹⁴⁴ Barnes, p.116.

¹⁴⁵ Nathanael Byfield, “An Account of the Late Revolution in New-England Together with the Declaration of the Gentlemen, Merchants, and Inhabitants of Boston, and the Countrey Adjacent,” (Edinburgh, April 18, 1689; facsimile available via Early English Books Online, <http://eebo.chadwyck.com>), p.5.

¹⁴⁶ General Court of Massachusetts, “Instructions for the Agents for the Colonie of the Massachusetts Bay in New England,” *The Andros Tracts: Being a Collection of Pamphlets and Official Papers Issued During the Period Between the Overthrow of the Andros Government and the Establishment of the Second Charter of Massachusetts* (New York: Burt Franklin, 1971), Vol.3, p.59.

¹⁴⁷ Byfield, p.4.

Rather, the outside attack strengthened their notion of natural rights as well as their suspicion of outsiders tampering with New England's community values. While they did strongly oppose the expansion of religious freedoms—a clear anti-liberal stance—religious toleration was a privilege born from necessity in England, not a universal right.¹⁴⁸ In the Puritan framework, protection from an obtrusive government and community self-determination were one in the same. The Puritans saw themselves as protecting their liberties from tyranny, and it was that straight-forward to them. One such Puritan was the minister John Wise of Ipswich, who had helped to lead a minor revolt in Ipswich against Andros and his undemocratic tax levy.¹⁴⁹ Wise, protesting against the imposed rule of the royal government, wrote that a man, “in making himself a Subject, he alters himself from a Freeman, into a Slave, which to do is Repugnant.”¹⁵⁰ The options were liberty or slavery, and they did not draw a modern distinction between kinds of liberty or who ought to qualify.

Nor did they consider whether rights or the common good would come first. After Andros's fall, Cotton Mather had the honor of preaching to General Court in the customary Election Sermon that had been suspended due to lack of an elected governor. In 1689, Cotton Mather prefaced his sermon with a note to the new king and queen referring to "a tyrannical and arbitrary power" of both

¹⁴⁸ The possible exception to this would be some very marginal radical groups and individuals, like Roger Williams. In Great Britain, Cromwell instituted toleration for Protestant dissenters as they had allied during the War, and Charles continued this trend during the Restoration.

¹⁴⁹ David Lovejoy, *The Glorious Revolution in America* (Middletown: Wesleyan University Press, 1987), p.184.

¹⁵⁰ John Wise, “Vindication,” *The Puritans*, p.268.

James and Andros, who "unrighteously deprived [Massachusetts] of their charter-government."¹⁵¹ The following year, in yet another election sermon, Mather cited New Englanders' liberties, with no consciousness of being contradictory with his emphasis on community autonomy. He quoted an earlier minister, John Mitchel, focusing on popular liberties: "*Wo to that Man, be he Church-member, or No, be he Freeman or No, who shall go about to destroy or basely Betray the Liberties of this people; it were better for him, that he were thrown into the midst of the Sea.*"¹⁵²

Shortly after the Glorious Revolution and deposition of Andros, John Locke (himself the son of Puritan parents) published his famous *Treatises of Government*. Lockean liberalism would soon reach New England shores, and it was well received and quickly worked into the political thought of the region. When many of the struggles of the Andros Controversy renewed in the next century, old spirits of resistance were rekindled with a more developed doctrine of inalienable rights and a strengthened identity as a separate community. Between the 1680s and the 1760s, Western thought had shifted, and New Englanders had embraced these shifts while working the evolved ideas into their old framework, so that they maintained continuity between early Puritan and Enlightenment Yankee thought.

¹⁵¹ Mather in A. W. Plumstead, ed., *The Wall and the Garden: Selected Massachusetts Election Sermons, 1670-1775* (Minneapolis: University of Minnesota Press, 1968), p.119.

¹⁵² Mather, *Puritan Political Ideas*, p.249.

The concept of natural rights, fundamental to liberalism, found a ready home in New England. While the idea spread through England and Anglo-America, by the early years of the colonial struggle for autonomy, “the colonies to the south of New England” exhibited “less devotion to the theory of natural law” than New Englanders, who “seem to have been the leaders in spreading the gospel of the inherent rights derived from laws of nature.”¹⁵³ This is perhaps unsurprising, given the tendencies in Puritan political thought to look to a higher law and limit authority. To the Puritans, these ideas were not so much new and radical as an expansion of a framework which they accepted as natural. The first American Puritans understood liberty in slightly different terms, but it did not take long for their descendents to incorporate Enlightenment definitions of natural liberty—as that which people have at birth and cannot give up—into their vocabulary for religious and civil speech. In the early eighteenth century, John Wise named the “Second Great Immunity of Man,” which could not be intruded upon without “Violat[ing] the Law of Nature,” as an “Original Liberty.”¹⁵⁴ The language and ideas of liberalism and innate inalienable rights flourished. By the middle of the century, Jonathan Mayhew preached about revolution, seeing it as a natural right and the monarch as limited by natural law. These “eternal *laws* of truth, wisdom and equity” and “everlasting *tables* of right reason” are superior, he

¹⁵³ Benjamin F. Wright, *American Interpretations of Natural Law: A Study in the History of Political Thought* (Cambridge: Harvard University Press, 1931), p.75.

¹⁵⁴ John Wise, “On the Principles of Government, 1717,” *Puritan Political Ideas*, p.256.

claimed, to "*acts of parliament*" or any law of men.¹⁵⁵ These eternal truths and original liberties were not seen as simply Winthrop's liberty to do good, but the more liberal rights of each individual regardless of community or nationality. John Adams, writing about his forbears, identified their struggles with his own, and spoke clearly of rights antecedent to community. "I say RIGHTS," he clarified, "for such they have, undoubtedly, antecedent to all earthly government—*Rights* that cannot be repealed or restrained by human laws—*Rights* derived from the great legislator of the universe."¹⁵⁶ Even for Adams, this clearly liberal view of rights did not diverge from his belief in republican virtue and obligatory public service.

As New Englanders developed their ideas about what a government should be, they looked to their own history for examples of what a government should not be. As expected for a people with both liberal and communitarian tendencies, the picture they painted was one of an alien hierarchy that kept the people ignorant and unengaged so as to violate the natural laws of individual and community rights.¹⁵⁷ The eighteenth-century New Englanders' perspectives on Puritan history revealed a continued understanding of a dichotomy of free, covenanted, and lawful governments, opposed by arbitrary, imposed, and unconstitutional ones. It was this understanding of good and bad government that

¹⁵⁵ Jonathan Mayhew, "On the Right of Revolution, 1750," *Puritan Political Ideas*, p.323.

¹⁵⁶ John Adams, "Dissertation on the Canon and Feudal Law III," *The Works of John Adams, Second President of the United States* (Boston: Little, Brown, and Co., 1850), Vol.3, p.112.

¹⁵⁷ This is present throughout the *Dissertation on Canon and Feudal Law*.

inspired the Revolution, not one of classical republicanism or individualistic liberalism.

Whether due to their more cavalier neighbors in the South or the lapse of time, by the centennial of Charles I's death there was enough nostalgia for the deposed king that Jonathan Mayhew felt compelled to remind the people of the reasons their forefathers had fled from him and supported his execution in the first place. Charles, Mayhew argued, had "governed in a perfectly wild and arbitrary manner, paying no regard to the constitution and the laws of the kingdom."¹⁵⁸ More important than the laws of the kingdom, though, were the laws of nature, and together they bound the king. Having ignored these rights, Charles "*unkinged* himself" and transformed himself from a king to a "lawless tyrant."¹⁵⁹ In his treatment, Mayhew refuted claims that the Roundheads had been rebels. Just as the man they beheaded was not a king but a tyrant, the revolution was not a rebellion but "a most righteous and glorious stand, made in defence of the natural and legal rights of the people, against the unnatural and illegal encroachments of arbitrary power."¹⁶⁰ Jonathan Mayhew, forward-thinking for his time, was instrumental in bridging old Puritanism to the world of late-colonial Massachusetts, with ideas only a step away from those that produced the American Revolution.

¹⁵⁸ Mayhew, *Puritan Political Ideas*, p.319.

¹⁵⁹ *Ibid.*, p.324.

¹⁶⁰ Mayhew, *Puritan Political Ideas*, p. 321.

The New Englanders who did revolt against English authority and eventually set up the modern American government were conscious of the relevance of their local history to the struggle for individual rights and community autonomy. Adams saw the struggle of his time as directly connected to these earlier Puritan struggles, asking, “Have we not been trifled with, browbeaten, and trampled on, by former governors, in a manner which no king of England since James the second has dared to indulge towards his subjects?”¹⁶¹ Like with Charles, James II had exercised arbitrary power against the rights of the people. As James failed, though, so William triumphed with the Glorious Revolution and the formation of the English Bill of Rights. A contrast forms, between the Stuarts who ignore the people's rights and self-sovereignty, on the one hand, and the new line who replaced James and started with “a purpose that [their] rights might be eternal and inviolable.”¹⁶²

Not only was Adams a descendent of New England Puritans; he consciously looked back to them to better understand and illustrate the circumstances America was facing. The Puritan legacy, for him, had been one that valued both individual and community rights, and most of all, stood up against tyranny from the outside imposter. In light of the arguments held between the colonists and royal government, Adams was not reading his history

¹⁶¹ Adams, “Dissertation on the Canon and Feudal Law VI,” *The Works of John*, Vol.3, p.124.

¹⁶² *Ibid.*, p.125.

inaccurately. Puritan thought was not irrelevant at all to what followed, even if New Englanders lived quite differently than their forefathers and had lost the religious fervor of the original settlement. Massachusetts went through many changes—absorbing more diversity, losing its elected governor, losing hegemonic orthodoxy to the split of the Great Awakening, expanding its material culture, and adopting new ideas from across the ocean. Nevertheless, in the face of all this pressure, the colony's attachment to liberal individualism grew alongside its attachment to civic virtue and community agency. By the time the sets of thought were identifiable as liberalism and republicanism, they had also become inseparable in the New England mind.

IN CONCLUSION THE LESSONS AND LEGACY OF PURITAN THOUGHT

As interesting as the Puritans were, it may seem that there is little of consequence to this exercise. We are not Puritans, nor do we wish to be. Even if we did, homogeneous towns would be next to impossible to recreate. The importance of understanding these people, though, is not to emulate them or to import ideas from 1640.

Instead, the Puritans can help us to deepen and expand our ideas about individuals and communities, about personal liberties and social obligations, and about government. An understanding of early New England thought can also help us to question modern assumptions and challenges us to think in new ways about the *relationships* between individuals, communities, liberties, obligations, common good, and governments. It is not always *what* they believed that should resonate with modern Americans, but *how* they were able to reconcile seemingly contradictory principles.

Constitutionalism, for example, is far more complicated in light of New England political theories. While Michael Sandel attributes procedural liberalism to the rise of constitutionalism in the 1760s and 1790s, Puritans laid the foundations for a theory of higher law more than a century earlier. Like the U.S. Constitution, their recourse to God's law both empowered and limited

government. The will of the Puritan deputies and magistrates was also limited by their higher law, though it was far from “neutral” on personal morality.

Similarly, Puritans did not approach individual rights and community autonomy in the way contemporary academics do, trying to balance each in some sort of systematic political philosophy. In their views, individual rights and the common good were inextricably linked. Individuals were expected to put aside their own selfish concerns for the good of the community, but man’s personal rights to life, limb, liberty, or property were still innate and inviolable. Of course, the Puritans did not acknowledge all of the rights we do, so when they abridged a person’s speech or religion, they were not, as they saw it, violating rights. Rather, they simply did not recognize these rights.

Many of the Puritans’ approaches to the individual and the community stemmed from their sense of covenantal relationships. Covenants framed their religious thought and their understanding of history and the process of salvation. This covenantal framework did not favor individualism or community involvement at the expense of the other. The very personal covenant between the saint and God initiated the network of relationships that formed the church, thus placing primacy on the individual and his voluntary association. However, the Puritans were certain that an individual Christian alone in the wilderness would falter, and that active membership in a congregation that covenanted itself with God protected the members against dangers.

These concepts of individual participation, association, and community, along with old common law traditions of collective rights, informed the Puritan New Englanders' political thought. Again, society was built upon a series of covenants, between individuals and their neighbors, between the rulers and those ruled, and between the polity and the divine. As demonstrated, this resulted in a strong sense of personal responsibility for both the state of the believers own soul, community autonomy, and the common good.

In some of this theory, one can find traces of proto-liberalism as well as proto-communitarianism. While modern Americans may at times think of the solitary meditative Christian as the archetype of Puritanism, the more frequently recalled image is of the oppressively homogenous society as inked by ashamed Puritan descendent Nathaniel Hawthorne. While Hawthorne's portrayal had his own nineteenth-century bias, the strong sense of communal duty and responsibility was key to the old New England towns. Morality could be legislated, because every person's actions added to the moral standing of the town and colony, and enforced by punishments of public shame, because the tight-knit community was necessary for social, spiritual, and physical survival. Puritans did not make popular decisions by a sum of self-interest, but by consensus and a rule by the righteous.

For all these communitarian-sounding traits, liberalism attracted the Puritans' descendents for a reason. The Puritans, with their Reformation background, prized individual agency, and for all their emphasis on community

and community-enforced virtue, maintained voluntary association in both theory and practice. Puritans demonstrated an early interest in individual rights, and later, natural rights, and were quick to jump against any tyrannical threat to them, though were just as quick to suppress dangerous dissent from Quaker agitators. While they often stressed the importance of the common good, the New England Puritans also saw their government as obligated to follow God's commandments, giving their law a restriction of a universal and higher law that would come to build a foundation for the primacy that constitutional law and civil liberties now have on statutes in liberalism's "procedural republic."

The Puritans of early Massachusetts Bay grappled with a complex sense of self. In theory, the individual, was a free agent, able to join, leave, and create communities as he saw fit, in accordance with his own beliefs and values. Massachusetts law enforced certain unchosen obligations, such as a child's respect for his parents, or a mortal's respect for her God, but the laws lifted these obligations directly from the laws of an ancient Near-Eastern people. The Puritans saw obligations that individuals did not personally choose as universal, part of the divine law of the world, rather than a particular community's tradition. Of course, what they saw as universal was their community-specific reading of texts that other Christian Europeans had interpreted entirely differently. Still, they did not see the individual as atomistic, as the caricatured "liberal" does, nor as the manipulated product of his rearing, as the caricatured "communitarian"

does. Their concept of a community, too, defies liberal or communitarian understandings.

It should be noted that to even use the terms “communitarianism,” “liberalism,” or “Puritanism” is to risk excessive generalization. Many communitarians do not accept the label. Liberalism has taken many forms over its history, and even today two self-described liberals could interpret the philosophy differently. Puritanism, as well, was not the monolith that modern Americans sometimes assume. Not only were there English Puritans and New-England Puritans, but each colony and each town, by virtue of the autonomy in the New England Way, differed somewhat both religiously and politically. The entire body of thought and culture that constitutes Puritanism cannot be limited to a study of its great men, as I have done. Even within that elite subset vehement disagreements existed. In addition, for all three of these groups, there is always a gap between theory and practice.

There is a great deal of further exploration that could be done to better understand the early American concepts of individual and community. The Puritans famously loved to write and record their acts and ideas, and a wider study of these documents could present a fuller and even more complex view of Puritan political thought. So too could a study that included more of the about the thinking of New Englanders who were not Puritans or Separatists. In addition, much to the chagrin of some New Englanders, Puritans were not America’s only forefathers. To the South, very different ideas formed and different ways of life

evolved, and it would be a misreading of American history to ignore the influence of Dutch New Yorkers, English Quakers, Virginian Anglicans, or the Restoration planters and backwoods towns of the Carolinas. The comparisons and contrasts with other colonies, as well as a fuller comparison among the various New England colonies, could further highlight notable points of Puritan political thought.

This paper approached the question of communitarianism and liberalism by taking a society that seems hyper-communitarian in many ways, and drawing out the subtleties of their thought that modern America has inherited. One could endeavor to do a similar study of a seemingly hyper-individualistic part of American history, to see if this complex approach to individuals and communities is evident throughout the spectrum of the American experience. Even without it, though, it is clear that in the beginning moments of Anglo-America, traces of what we now identify as liberalism and communitarianism flourished from a common source.

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