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Protestantism and its Political Implications for State-Building in the British Colonies of North America: From the Mayflower Compact to the Federal Constitution of the United States

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Protestantism and its Political Implications for State-Building in the British Colonies of North America: From the Mayflower Compact to the Federal Constitution of the United States

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Abstract

The American Constitution represents the culmination and the synthesis of a tradition that goes back to documents of political foundation created by mutual consent in the British colonies during the XVII century. From these documents derived the first constitutions of the thirteen states that formed the United States of America. The American constitutional tradition structured itself as a version of the English constitutional theory and practice, which derived much of its form and content from the Judeo-Christian tradition, as it had been revised and reinterpreted at the end of the XVI century and at the beginnings of the XVII century by Protestant radical groups and movements. This tradition has been modified, enriched and differentiated by the common colonial experiences, the influence of the Whig political theories, the European enlightenment, the English common law, the political events that led to the Revolution, and the problems connected to Independence.

American Puritans considered their experience as a twofold mission of salvation: one to save the Old World, keeping alive a remnant of the true Church, and another to save them, building their Christian commonwealth in the New World. The formation of the nation-state certainly marked a turning point in the chronological development of the symbolism connected to the national community. At the foundation of the Republic, the original myths, elaborated by the puritan imagination, converged and complemented each other in a consistent public ideology, totally devoted to the research of the legitimacy and permanence of the new nation. After independence, the ideas and myths became "the elements of a collective faith in a new community." With the adoption of the Constitution and the inauguration of George Washington as president, the new nation itself was invested with a special meaning and mission. Americans did not consider their new nation to be simply another nation among nations, but a providentially blessed entity charged to develop and maintain itself as the beacon of liberty and democracy to the world.

The ideological origins of the American Constitution of 1787 are one of the most disputed questions in the political history of the United States. Some scholars have found the roots of American constitutionalism in the writings of John Locke, some others in those of David Hume, of Montesquieu or of the humanists of the Italian Renaissance. Still others have argued that what affected more the nature of the Federal Constitution was not an ideological factor but the practical political experience of the revolutionary period.[1]

[1] For an overview of the different intellectual traditions used by American political thinkers, see Bernard Bailyn, *The Ideological Origins of the American Revolution*, Cambridge, Mass.: Belknap Press of Harvard University Press, 1967, and Donald Lutz and Charles Hyneman, "The Relative Influence of European Writers on Late

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There is also another interpretation, almost ignored by many contemporary scholars, which in the past had many influential supporters.[2] These scholars traced the origins of the peculiar features of American constitutionalism – government by consent of the people, trust in a written constitution and belief in a superior law – to the tradition of the *covenant* elaborated by the churches and sects of the Protestant *Dissent*. This last interpretation was grounded, among other elements, on the conviction – shared by many contemporaries – that the Constitution represented a new pact with God. John Adams, one of the most authoritative *Founding Fathers* and second president of the United States, believed that

> "*[T]he people in America have now the best opportunity and the greatest trust in their hands that Providence ever committed to so small a number since the transgression of the first pair: if they betray their trust, their guilt will merit even greater punishment than other nations have suffered, and the indignation of Heaven*" (1854: 290).

In my paper, leaning on this interpretation,[3] I wish to examine the specific influences of the Judeo-Christian tradition on the origins and development of American constitutionalism, always keeping in mind that the meaning of words and of categories of thought changes in the passage from one to another cultural context.

In fact, the American Constitution represents the culmination and the synthesis of a tradition that goes back to documents of political foundation created by mutual consent in the British colonies during the XVII century. From these documents derived the first constitutions of the thirteen states that formed the United States of America – between 1776 and 1787, there were more than twenty constitutions and the Articles of Confederation. The state constitutions, sometimes mere rewritings of documents of the XVII century or, as in the case of Rhode Island, Massachusetts and Connecticut, updated versions of the original charters, served as basis for the federal Constitution; this is proved by the fact that its forty-two sections refer, directly or indirectly, to these constitutions more than fifty times.

The American constitutional tradition structured itself as a version of the English constitutional theory and practice, which derived much of its form and content from the Judeo-Christian tradition, as it had been revised and reinterpreted at the end of the XVI century and at the beginnings of the XVII century by Protestant radical groups and movements – and these, at their turn, referred to the biblical tradition of the *Covenant*.[4] The

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Eighteenth-Century American Political Thought," *The American Political Science Review*, 78 (1984), pp. 189-197. The relevance of each tradition has been and still debated. The tendency to consider John Locke as the main source of American political thought has been challenged by several scholars; see, e.g., Robert E. Shalhope, "Republicanism and Early American Historiography," *William and Mary Quarterly*, 39 (1982), pp. 334-56 and Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth-Century American Political Thought," *American Political Science Review*, 78 (1984), pp. 189-97.

[2] See especially Breckinridge Long, *Genesis of the Constitution of the United States of America*, New York: The Macmillan Company, 1926, and Andrew C. McLaughlin, *Foundations of American Constitutionalism*, New York: The New York University Press, 1932. It should also be remembered the work of Georg Jellinek, *Die Erklärung der Menschen- und Bürgerrechte*, published for the first time in 1895 (Leipzig: Duncker & Humblot) and translated into English in 1901 as *The Declaration of the Rights of Man and of Citizens* (New York: Holt). Jellinek argued that the ultimate source of all modern notions of human rights is to be found in the radical sects of the Protestant Reformation, particularly the Quakers and Baptists.

[3] This interpretation has been represented in a revised version, among others, by Abraham Katsh, *The Biblical Heritage of American Democracy*, New York: KTAV, 1977 and Donald S. Lutz, *The Origins of American Constitutionalism*, Baton Rouge: Louisiana State University Press, 1988.

[4] For a general introduction to the relation between religion and modern constitutional thought, see Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 2, Cambridge: Cambridge University Press, 1978 and Brian Tierney, *Religion, Law, and the Growth of Constitutional Thought, 1150-1650*, Cambridge: Cambridge University Press, 1982.

Puritan theologians of the Elizabethan period elaborated a covenant theology based on biblical texts like Jeremiah 31: 31–33 ("*Behold, the days come, saith the LORD, that I will make a new covenant […], I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people*".). Of the different expressions of this theology, the one that prevailed in the colonies of New England considered the covenant as mutual agreement or contract: "As in a covenant exist points of agreement between the parts, so they exist between God and his people" (Hooker 1975: 198).[5] This theology permitted the Puritan colonists to place their "holy experiment" (Bonazzi 1970)[6] in the eternal plan of God and to structure their communities on political covenants derived from religious covenants.

Even if that tradition has been modified, enriched and differentiated from the common colonial experiences, the influence of the *Whig* political theories, the European enlightenment, and the English common law – apart from the political events that led to the Revolution and the problems connected to Independence – it is significant to keep in mind its religious origins.

The *Mayflower Compact* and the *Pilgrim Code of Law*

The way of life of the New England colonists, for whom the common Calvinist heritage represented a central element, was deeply influenced by religious ideas. One of the most important of these ideas was the biblical concept of covenant, seen from the viewpoint of the Calvinist theology, which had underlined its significance in the relation between God and man. The covenant supplied them with a model for building new communities and organizing social relations. As it is documented by the acts of local assemblies, one of the first decisions was to formally organize as a church by a solemn covenant,[7] which included three elements: plea for God as witness of the covenant; necessity of the covenant in order to create a church able to help its members to live according to the will of their Redeemer; by the covenant, the single believers formed a people, which committed itself to follow God's commandments and to live in mutual love and respect.[8]

The pact signed by the Pilgrim Fathers and others aboard the "Mayflower" on November 11th, 1620 has taken on a paradigmatic significance because it was the first political *covenant* in the colonies.[9] This document contained the elements of the religious *covenant* but, instead of forming a church, created a "*civil Body Politick*". Therefore it was a document of political foundation, though it did not include the description of the institutions responsible for carrying out the legislative and executive functions. This lack

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[5] *Thomas Hooker: Writings in England and Holland, 1626-1633*, edited by George Williams et al., Cambridge, Mass.: Harvard University Press, 1975, p. 198.

[6] Tiziano Bonazzi, *Il sacro esperimento. Teologia e politica nell'America puritana*, Bologna: il Mulino, 1970.

[7] Other terms used to designate the basic document of a political community were 'contract,' 'agreement,' 'charter,' 'compact,' 'combination,' 'organic act,' 'frame,' and 'constitution.'

[8] On the Protestant interpretation of *covenant* in relation to the biblical concept, see Champlin Burrage, *The Church Covenant Idea: Its Origin and Development*, Philadelphia: American Baptist Publication Society, 1904; Peter Ymen DeJong, *The Covenant Idea in New Engand Theology, 1620-1847*, Grand Rapids, Mich.: E.B. Eerdmans, 1964; E. Brooks Holifield, *The Covenant Sealed: The Development of Puritan Sacramental Theology in Old and New England, 1570-1720*, New Haven: Yale University Press, 1974.

[9] This document, later known as "Mayflower Compact", was referred to by contemporaries as *combination*. The first published relation on the beginnings of Plymouth colony reports that "*it was thought good there should be an association and agreement that we should combine togheter in one body […] by common consent*" (*Mourt's Relation*, 1622); in the first history of the colony, William Bradford wrote: "*I shall […] begin with a combination made by them before they came ashore, being the first foundation of their government in this place*" (*Of Plymouth Plantation*, 1650).

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was filled by a document approved by the assembly of Plymouth colony sixteen years later, on November 15th, 1636, which will be known as *Pilgrim Code of Law*.[10]

The introduction of the Code made references to the Mayflower Compact[11] and to the royal chart; in so doing establishing the legal basis for what followed and making the whole document a *covenant*. Right after, the colonists affirmed to have the same rights of all other Englishmen and declared that the government had to be based on the consensus of the governed. The introduction, that legitimated the new "*Body Politick*" on the basis of a document signed by the colonists at their arrival and of another written in England before their departure, was followed by the description of the public offices (all annual) and of the political institutions created by the colonists. In this way, a free people had used a deliberative process based on consensus in order to create his own form of government. Therefore, the *Pilgrim Code of Law*, containing all the elements of a *covenant* and the description of the political structures, may be considered the first modern constitution.

A community united by a pact

Between these two documents is located, chronologically, the famous sermon preached in 1630 by John Winthrop aboard the flagship of the fleet carrying the Puritans to the Promised Land. In the sermon, Winthrop remembered that God had called them to be "*a Citty upon a Hill*", applying the biblical metaphor, originally referred to the single believer, to a "*company*" (the Massachusetts Bay Company), a community of saints called by God to carry out a historical mission guaranteed by a "*covenant*" agreed "*by a mutual consent*":

> "*Thus stands the cause between God and us. We are entered into Covenant with Him for this work. We haue taken out a commission.* […]. *For wee must Consider that wee shall be as a Citty upon a Hill, the eies of all people are uppon us. Soe that if wee shall deale falsely with our God in this worke wee haue undertaken, and soe cause him to withdrawe his present help from us, wee shall be made a story and a by-word through the world*".[12]

The idea of a special mission bestowed on the English people goes back to the time of Henry VIII (1509–47), who arrogated to himself ecclesiastical jurisdiction over his kingdom, when hope for the church future was identified with the sovereign and the course set by him for the nation as a whole. During the reign of his successor Edward VI (1547–53), Thomas Cranmer, the Archbishop of Canterbury, introduced a series of reforms that transformed the Church of England from a Church that had rejected Papal supremacy, but was still fundamentally Catholic, into one that was fundamentally Protestant.

Protestant hopes fell when Mary Tudor ascended the throne because the new Queen returned England to Catholicism, forcing many Protestants into exile. The Marian exiles waited "to be called back to England to resume the building of the New Jerusalem" (Haller 1963: 85) begun under Henry VIII and his son. In 1558, after the end of the reign of

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[10] A version of the *Pilgrim Code of Law* in modern English is available in *Foundations of Colonial America: A Documentary History*, edited by W. Keith Kavenagh, vol. I /1: *Northeastern Colonies*, New York: Chelsea House, 1974, pp. 247-51.

[11] Also here the *Mayflower Compact* is called "*combination*".

[12] John Winthrop, "A Modell of Christian Charity", in *The Puritans in America*, edited by Alan Heimert and Andrew Delbanco, Cambridge, Mass.: Harvard University Press, 1985, pp. 90-1. The sermon, probably written by John Winthrop before leaving England, contains one of the first and most significant formulations of the meaning of their mission: "*for wee must Consider that wee shall be as a Citty upon a Hill, the eies of all people are uppon us*".

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"Bloody" Mary, Elizabeth succeeded to the throne and the Protestant exiles returned home to take up important positions. They believed that a new era of dispensation of God's grace had started and reformulated the idea of the English people as an elect nation singled out to perform a divine mission.[13]

Bishop John Jewel (1522–71), who returned to England from Zurich in 1559, believed that God had given Elisabeth to England for His glory: "*When it pleased God to send a blessing upon us, He gave us His servant Elizabeth to be our queen, and to be an instrument of His glory in the sight of the world*" (Greenfeld 1993: 63).

The writings of John Bale (1495–1563), John Aylmer (1521–94) and John Foxe (1517–87) spread the same vision about the place of England in God's plan.[14] Bale presented English history as a model for ceaseless resistance to the Pope's usurpation of regal and ecclesiastical power. He elaborated a theory of two churches running parallel throughout history, one persecuted yet true, the other false but powerful.[15]

Right after the Elizabethan Settlement which saw the return of the exiles, Aylmer, future bishop of London, expressed his conviction of England's unique identity and mission arguing that the Reformation had English roots, in the life and work of Wyclif. Aylmer was confident that "We live in paradise" and that "God is English."[16]

Foxe went a step further. For him, the Catholic reaction under "Bloody Mary" symbolized the battle between the forces of God and the Antichrist before the bounding of the Satan. In his opinion, the accession to the throne of Elizabeth I (1558–1603) – the younger daughter of Henry VIII – signified not only the triumph of the Protestant religion, but also the coming of the Millennium on Earth. He also assumed that English people had a special role to play in this apocalyptical drama, since the forces of Reformation on the continent seemed to come close to a final defeat in the second half of the 16th century. In his eyes, the English emerged as the chosen nation of God to establish the millennium and true religion on earth. According to Foxe, God's chosen English nation occupied a position at the focal point of human history. No other book more than Foxe's famous martyrology *Actes and Monuments*, which was widely read in early modern England and popularly abridged as *Book of Martyrs,* contributed to foster in the English people the belief that they were God's "elect nation".[17] Diarmaid MacCulloch noted that Foxe's "massive and repeatedly expanded compilation became one of the cornerstones of English Protestant identity, a potent reminder of the militant character of the English Reformation" (2004:285).

Applying to themselves the call to be God's New Israel, the Puritans considered their migration to New England as the mission of an elect people: away from the Old World, they had been called to be a witness and an example for the rest of mankind. The metaphor of the "*Citty upon a Hill*" functioned as an identitary model that overcame old ties of loyalty while making new ones. In fact, the "emigrants […] were not Europeans in a foreign country, but a New Israel in New Canaan" (Bercovitch 1983: 222). In a new

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[13]. On the ideological origins of the Puritan migration, see Avihu Zakai, *Exile and Kingdom: History and Apocalypse in the Puritan Migration to America*, Cambridge: Cambridge University Press, 1992.

[14]. On the formation of this English Protestant interpretation of history, see Avihu Zakai, *Exile and Kingdom: History and Apocalypse in the Migration to America*, Cambridge: Cambridge University Press, 1992, pp. 24-55.

[15]. John Bale, *The Image of Both Churches* is reprinted in *Select Works of John Bale, D.D.*, edited by Henry Christmas, Parker Society, Cambridge: Cambridge University Press, 1849, pp. 249-640. For an account of Bale's role, see Katherine R. Firth, *The Apocalyptic Tradition in Reformation Britain (1530-1645)*, Oxford: Oxford University Press, 1979, pp.

[16]. Cited in Arthur Williamson, *Scottish National Consciousness in the Age of James VI*, Edinburgh: John Donald, 1979, p. 5.

[17]. From the publication of the definitive version in 1570 to 1684, it went through eight main editions. See Haller 1963: 9.

symbolic form, the Puritans had "discovered America in the Bible," namely they had found "the keys of discovery to the meaning of America"(223).

From the very beginning, the myth of America, that was fully expounded by Cotton Mather in his *Magnalia Christi Americana*, published in 1702, was linked to the people who contributed in a substantial way to the creation of the American nation and to the forging of its collective identity (Bercovitch 1975).

American Puritans considered their experience as a twofold mission of salvation: one to save the Old World, keeping alive a remnant of the true Church, and another to save them, building their Christian *commonwealth* in the New World.

The formation of the nation-state certainly marked a turning point in the chronological development of the symbolism connected to the national community (Bercovitch 1993). At the foundation of the Republic, the original myths, elaborated by the puritan imagination, converged and complemented each other in a consistent public ideology, totally devoted to the research of the legitimacy and permanence of the new nation. After independence, the ideas and myths became "the elements of a collective faith in a new community" (Marienstras 1988: 341).

Thus, the English people first, then the colonists of New England, and finally the new American nation looked at themselves as the "New Israel", that is a "people united by a pact" with a special mission and destiny.[18]

"The Lord our Governor"

Other documents, such as the *Fundamental Orders* of Connecticut (1639),[19] had a form similar to the *Pilgrim Code of Law* and in a few years, from Maine to Delaware, the religious covenant was used to build political communities. Afterwards, with the addition of a foundational element, it became a constitution.

The colonies did not have close contacts but they had in common the Bible, from which they had derived the elements necessary to the construction of a political structure, adaptable to the requirements of their community. In less than two decades, these isolated communities developed the idea of a written constitution, contained in a single document and approved by the direct consensus of the citizens.

In the Puritans' worldview, church and state were two complementary instruments necessary for reaching their main objective, namely the creation of a perfect society where God would reign over his saints. For this reason, it was necessary to find a system of government in which God's sovereignty would be acknowledged in the political as well as in the religious sphere. In the colonies of New England, the covenant was the element uniting the two spheres: "*here the churches and Commonwealth are complanted together in holy covenant and fellowship with God in Jesus Christ*", and therefore "*the people that choose civil rules are God's people in covenant with him, that is members of churches*."[20]

According to John Cotton, one of the most respected pastors and theologians of New England, "*the best form of government in the commonwealth, as well as in the church*" was the theocracy.[21]

[18] On the origins and meaning of this metaphor in the American history, see *God's New Israel: Religious Interpretations of American Destiny*, edited by C. Cherry, Chapel Hill, NC: University of North Carolina Press, 1998.

[19] Kavenagh, *op. cit.*, pp. 352-56.

[20] "An Abstract of the Laws of New England", in *A Collection of Original Papers Relative to the History of the Colony of Massaxchusets-Bay*, edited by Th. Hutchinson, Boston: Printed by Thomas and John Fleet, 1769, p. 161.

[21] John Cotton, "Letter to Lord Say and Sele" (1636), in Thomas Hutchinson, *The History of the Colony and Province of Massachusetts Bay* [Boston 1764], edited by L.S. Mayo, Cambridge: Harvard University Press, 1936, vol. I, p. 415.

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Also for John Davenport (minister of the St. Stephen's Church in London, who accused King James of prophanisation and moved to the colony of New Haven in 1639) the best form of government was the one in which "1. The people that have the power of choosing their governors are in covenant with God; 2. Wherein men chosen by them are godly men and fitted with a spirit of government; 3. In which the laws they rule by are the laws of God; 4. Wherein laws are executed, inheritances allotted and civil differences are composed according to God's appointment; 5. In which men of God are consulted with in all hard cases and in matters of religion." This was "the form which was received and established among the people of Israel while the Lord God was their governor […] and it is the same thing we want […]". [22]

In this *Discourse About Civil Government*, Davenport presented the true meaning of the Puritan theocracy, that did not consist in enduing the ministers with political power but rather in "*mak[ing] the Lord our Governor*", i.e. in choosing civil officers able to govern according to God's word and will. Although the Puritans did not believe that the ministers had to take on civil power, they were persuaded that the magistrates had the duty to conform civil society to God's intent; therefore, it was necessary that the civil magistrates, in order to fulfill this task, were "saints".

In order to create a form of government in accordance with the law of God, the Puritans adopted several Old Testament laws, adjusted to their situation. The "*Plantation Agreement*" (1638) of New Haven, for example, was founded on the assumption that "the judicial law of God, given by Moses and expounded in other parts of scripture, […] hath an everlasting equity in it, and should be the rule of their proceedings."[23] Thirty-eight of the seventy-nine statutes of the Code of New Haven of 1656 based their authority on the Jewish Bible and the "Capital Laws" included in the *Body of Liberties* (1641) of New England.[24] They contained the "seven laws of Noah" of the Torah, which can be called the seven universal laws of morality: six laws prohibited idolatry, blasphemy, murder, theft, immoral relations and eating the meat of a live animal, whereas the seventh prescribed the creation of courts of justice.

Roger Williams' critique of the mythology of 'elected nations'

The foundation of the ideological structure of New England was challenged by Roger Williams, a young minister who emigrated to the Massachusetts Bay Colony in 1631. Beyond the historical meaning of the Old Testament events, for Cotton and other New England divines, the stories of Israel represented the unchanging covenant of grace between God and God's chosen people. This covenant remained the same from Adam to Christ, though it unfolds with increasing clarity as the biblical story progresses. The incarnation simply confirmed the arrangements of a divine-human relationship that had been in place since the beginning of history and hinted at in the "shadows" of Old Testament events. If the two biblical Testaments witnessed to a single covenant, then it made sense to Cotton and most Puritans that many of the social and religious conventions for life under that covenant should also remain constant from the Old Testament to life after the incarnation of Christ. Therefore, the structures of Israel's religious and political life ought to have direct

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[22] John Davenport, *A Discourse About Civil Government in a New Plantation Whose Design is Religion* (Cambridge, Mass. 1663), quoted in Avihu Zakai, "Theocracy in New England: The Nature and Meaning of the Holy Experiment in the Wilderness," *The Journal of Religious History*, 14 (December 1986), 2, p. 139.

[23] *Records of the Colony and Plantation of New Haven, From 1638 to 1649*, vol. I, Hartford: Case, Tiffany and Company, 1857, p. 191.

[24] A copy of the "Body of Liberties" is reprinted in *Puritan Political Ideas*, edited by Edmund S. Morgan, Indianapolis: Bobbs-Merrill, 1965, pp. 178-203.

parallels or correspondents in the contemporary life of a society arranged in lights of God's covenant. As Perry Miller explained, the New England Puritans

> *founded their social and historical endeavor upon the reality of this temporal and organic development from Palestine to Boston, out of which came a solid system of interpreting the growth, the step-by-step unfolding of Christianity. Without this demonstrable continuity human history would be meaningless; without it the Christian community would dissolve into chaos*. (1963:11)

The incarnation of Christ served as confirmation of this historical covenant, and thus as the foundation for the justified consistency between religious and political interdependence in the Old Testament and contemporary parallels.

Williams' understanding of the incarnation differed radically from the conventional Puritan interpretation, and this difference also led to a variant use of typology in interpreting the relationship between the Testaments of the Bible. Unlike Cotton and most other New England exegetes, Williams denied a fundamental continuity between the covenant portrayed in the Old Testament and that declared by Christ's incarnation. For him, the advent of Christ was the beginning of a new covenant between God and God's people that terminated the arrangements of the old.

Therefore, the coming of Christ had created an insurmountable separation between Israel and any other nation; as a theocracy, the nation of Israel had ceased to exist and so it could not be taken as a model. No other equivalent to Israel could exist but the "Church of God".

> *What* Land*, what* Country *now is* Israels Parallel *and* Antitype*, but that holy* mysticall *Nation the* Church *of* God*, peculiar and called out to him out of every Nation and Country, […]* Canaan *Land was not a patterne for all* Lands*: It was a* none-such, unparalleled *and unmatchable* (1963b: III, 322–3).

Williams opposed the tendency toward sanctified nationalism in Britain and America. Early in 1644, he published a pamphlet, Queries of Highest Consideration, addressed to a group of Independents – the Five Dissenting Brethren – and beyond them to the commissioners from Scotland appointed to the Westminster Assembly. In this text he posed this question: "Where find you evidence of a whole nation, country, or kingdom converted to the faith […]?" (2008:78).

Williams believed that God selected Israel as his own chosen nation, but he also believed that the Bible offers no evidence that God ever placed any other nation in that same category. This is why he rejected the assumption so commonly made by his Puritan colleagues that God had selected New England as his chosen people for those latter days. New England, he argued, was not Israel and had no more warrant for thinking itself a chosen nation than any other nation on earth. Thus, he wrote, "[Preface. Seventhly.] The State of the land of Israel, the Kings and people thereof in Peace & War, is proved figurative and ceremonial, and no pattern nor precedent for any Kingdom or civil state in the world to follow."

Williams made two important deductions from the severance that Christ had wrought between ancient Israel and the modern world. First, he concluded that God had gotten out of the business of awarding favoured nation status to any modern nation. In so doing, he attacked the very foundations of the Puritans self-understanding of their special call and divine mission. Williams believed that, since the coming of Christ, no place was better, or more holy, than another (1963a: I, 360–1; 1963b: III, 281, 317, 319–21). There

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were no holy commonwealths, only profane ones; no Christian nations, only the world (1963c: IV, 180). All nations were "*merely civill*": "*[…] now under* Christ*, […] all* Nations *are merelly* civill" (1963b: III, 160). God did not enter in a covenantal agreement with a nation any longer.

Regarding this position, Williams makes no reference to any source apart from the Bible. However, his radical separatism makes it plausible that he knew that John Smyth, one of the founders of the Baptist movement, had given up the whole notion of England as an elect nation.

Asserting that only the Separatists were a true church, Smyth wrote, "I deny that ever the English nation or any one of our predecessors were of the Faith of Christ." "I do utterly deny that ever the fore-Fathers of the English nation believed" (1915: 668). By denying England's Christian past, he was denying one of the bulwarks of the elect-nation theory. England was not God's chosen people to be recalled from apostasy but a nation of heathens in need of conversion to the gospel, just like any other nation (679). Increasingly present in Smyth's writings also was the understanding that the elect, the true Christians, were a minority and unlikely to constitute the majority of any nation. If there was no elect nation, it followed that there was no special virtue in remaining loyal to one's nation. One's commitment was to God and to the true church separated from all national institutions. The only "elect nation" was the true church universal (1 Peter 2:9). This was exactly what Williams believed and argued against Cotton.

The second conclusion was that no modern civil power possessed the authority of the Israelite rulers to enforce laws relating to religious matters. After the coming of Christ, the first table of the Ten Commandments, having to do with obligations Israel owed to God, had no further civil application (Williams 1963c: IV, 397). Thus, for example, Williams denied that civil government had any authority to require Sabbath observance (393). He argued that Old Testament texts authorizing death for offenses against spiritual orthodoxy had to be understood typologically. The literal import of these texts had expired with the coming of Christ. Now, only a figurative sense remained. The Church punished spiritually by excommunication and rebuked the sins that Israelite rulers had formerly punished with the sword. As to the second table of the Ten Commandments, Williams believed that part of Mosaic Law articulated moral principles of continuing legal force. The laws against theft and adultery, for example, did not simply express covenantal obligations that the covenanting people of Israel owed to the covenanting God but were moral imperatives applicable to all civil societies. Nevertheless, although Williams believed that the civil government could enforce the commands of the second table, including the prohibition against adultery, even these commands could not sustain the kind of punishments – for example, death – with which the Nation of Israel had enforced them (487, 489).

Besides engaging in extensive dispute with the Massachusetts Bay clergy over such issues as the exceptionalist mission of the colonists in New England, religious toleration, and liberty of conscience, Williams also challenged the legality of the occupation of Indian lands. He believed that the British king had no authority to grand Indian lands to the Massachusetts Bay Company.

The Congregationalist clergy could not allow this worrying threat to their authority and prestige and to the developing ideology of exceptionalism that lent legitimacy and divine purpose to their leadership. Generally, the unwillingness to tolerate dissent and the willingness to damn any who disagree with the vision are the dark sides of the utopian impulse. The New England Puritans were no exception. In seventeenth-century Massachusetts, when the prevailing paradigm was questioned, the response was swift and harsh: in October 1635, Williams was found guilty of spreading "diverse new and dangerous opinions against the authority of the magistrates"[25] and banished from the

[25]. *Records of the Governor and Company of the Massachusetts Bay in New England (1628-1686)*, edited by Nathaniel B. Shurtleff, 5 voll., Boston: W. White, 1853-54, vol. 1: 160-1.

colony; he took refuge with the Narragansett Indians, whose chiefs sold land to him and his followers. A few years after they established a new settlement and named it Providence, where they founded the first Baptist church in America. Providence – that later became the colony of Rhode Island – was open to people of all faiths. Baptists, Quakers, Jews, and other religious minorities found a home in the new colony, a place where individuals gathered freely and voluntarily, united by a common commitment to live a pure life guided by the principles of liberty of conscience and mutual respect.

These basic principles were reflected in the 1663 colonial charter that finally established Rhode Island as its own entity:

> *[…] they have ffreely declared, that it is much on their hearts (if they may be permitted), to hold forth a livlie experiment, that a most flourishing civill state may stand and best bee maintained […] with a full libertie in religious concernements; and that true pietye rightly grounded upon gospell principles, will give the best and greatest security to sovereignetye, and will lay in the hearts of men the strongest obligations to true loyaltye.*[26]

Williams's criticisms did not scratch the foundation of the ideological structure of his fellow Puritans, who thought they were called to a double mission of salvation: one to save the Old World, keeping alive a remnant of the true church, and one to save themselves, building a Christian *commonwealth* in the New World.[27] The conviction of being chosen for a special mission in the world intensified over the years and eventually became central to the larger American imagination. In numerous sermons, books, and treatises the Puritans told how God had led them from oppression into a promised land but, by the mid-seventeenth-century, many preachers started to question New England's divine mission and to denounce how far New Englanders had fallen from fulfilling the requirements of their Covenant with God. All the woes and turmoil that had befallen them – Prince Phillip's war, the loss of New England's charter, the witchcraft phenomenon, droughts and dreadful winters, etc. – were the signs and result of God's wrath over their failings. However, in the midst of the Great Awakening that spread across New England and the other British colonies in the 1740s (that at the time was considered an extra-ordinary outpouring of God's saving grace), the idea that God had chosen America for a special destiny was resurrected in a new form. In the midst of the Awakening, the great New England theologian and revivalist, Jonathan Edwards wrote that "*the latter day glory*" in short, the Millennium, the "*end times*" that would bring the second coming of Christ to earth and spread of the King of God across the world, would begin in America. "*It is not likely that this work of God's spirit [the revivals] so extraordinary and wonderful*," Edwards asserted, "*is the dawning, or at least a prelude of that glorious work of God, so often foretold in scripture, which, in the progress and issue of it, shall renew the world of mankind*" (1742: 33).

As for the extension of the covenant, a major change had occurred in the late seventeenth century with the adoption of the Half-Way Covenant, that offered partial membership rights to people not yet converted; the consequence, in the words of Solomon Stoddard, pastor of the church in Northampton, was that "*the entire nation comprised the Church, because the entire nation, saint and sinners alike, enjoyed a special covenant with*

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[26]. Charter of Rhode Island and Providence Plantations (July 15, 1663), in *America's Founding Charters: Primary Documents of Colonial and Revolutionary Era Governance,* edited by Jon L. Wakelyn, vol. 1, Westport, Conn.: Greenwood, 2006, p. 152.

[27]. The idea of a national mission stayed alive also among the Puritans who remained in England: John Milton, in one of his major prose works, dealing with the political, social, and religious issues of the time, described England as «holding up, as from a Hill, the new Lampe of *saving light* to all Christendome» (Milton 1985: 81).

God" (Middlekauff 1971: 136). "*Saints and sinners*" were now members of the Chosen People.

At the time of the Revolution, the idea that God had chosen the British colonies for a special destiny received a major reformulation and it was linked to the political and military defense of the liberty of the new American nation. For the most part, the clergy, especially the Calvinistic New England clergy, played an important role in mobilizing support for the revolution and the "*the Sacred Cause of Liberty*."

From the state Constitutions to the federal Constitution

The first state constitutions adopted in 1776 could be considered both as *compacts* and as *organic acts* because they codified what the colonists had decided and instituted in the colonial period. Three colonies (Connecticut, Rhode Island, and Massachusetts) used their colonial documents as constitutions when they became independent in 1776. The other states approved new constitutions that included their own colonial institutions.

During the debate that preceded the federal Constitution of 1787, James Wilson, one of the delegates from Pennsylvania, introduced a new concept of liberty, the "federal liberty":

> "*In considering and developing the nature and end of the system before us, it is necessary to mention another kind of liberty, which has not yet, as far as I know, received a name, [the] federal liberty. When a single government is instituted, the individuals of which it is composed surrender to it a part of their natural independence, which they before enjoyed as men. When a confederate republick is instituted, the communities of which it is composed surrender to it a part of their political independence, which they before enjoyed as states. […]. The states should resign to the national government that part, and that part only, of their political liberty, which, placed in that government, will produce more good to the whole, than if it had remained in the several states. While they resign this part of their political liberty, they retain the free and generous exercise of all their other faculties as states, so far as it is compatible with the welfare of the general and superintending confederacy*" (Wilson and M'Kean 1792: 35).

The absence of explicit religious references in the text of the federal Constitution raises a problem: is this omission the result of a general lack of faith by the delegates at the constitutional Convention or there is another explanation?

All the delegates at the Convention had political experience: some had signed the Declaration of Independence, others had been members of the Continental Congress, and the majority had been involved in the debates related to the approval of the state constitutions. They were not – except a few – particularly religious or devout, but that does not mean they ignored the Scriptures and the Christian doctrines.[28] On the contrary, their political ideas had been formed during their education, which included the study of the Bible and of the Jewish culture (Cf. Cremin 1970). Therefore, it must not be underestimated the influence of Judaism on the intellectual formation of the leaders of the revolutionary period. Moreover, it is important to acknowledge the influence of Jewish laws and principles on the institutions prescribed by the American Constitution.

The study of Hebrew as well of the Jewish laws and institutions formed a consistent part of the curricula of colleges like Harvard and Yale. The same was true for

[28] James Madison, the principal maker of the constitutional system, had a deep knowledge of the Christian theology.

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King's College (later Columbia University), William and Mary, Rutgers, Princeton, Dartmouth, and Brown University. When Samuel Johnson, first president of King's College (1754–1763), declared that the knowledge of the Hebrew language was "*essential to a gentleman's education*" (Meyer 1959), he gave voice to conviction largely shared by his contemporaries.

It was not a purely academic conviction. On May 31, 1775, at the eve of the American Revolution, Samuel Langdon, a Congregationalist minister who at that time was president of Harvard College, declared before the provincial Congress of the Massachusetts Bay colony:

> "*The Jewish government, according to the original constitution which was divinely established, if considered merely in a civil view, was a perfect republic. […] the only form of government which had a proper claim to a divine establishment, was so far from including the idea of a king, that it was a high crime for Israel to ask to be in this respect like other nations […].*
> *Every nation, when able and agreed, has a right to set up over itself any form of government which to it may appear most conducive to its common welfare. The civil polity of Israel is doubtless an excellent general model, allowing for some peculiarities; at least some principal laws and orders of it may be copied, to great advantage, in more modern establishments*" (Langdon 1968: 347–73).

Some years later, John Adams wrote that

> "*the Hebrews have [contributed] more to civilize men than any other nation. If I was an atheist and believed in blind eternal fate, I should still believe that fate had ordained the Jews to be the most essential instrument for civilizing the nations .[…] They are the most glorious nation that ever inhabited this Earth. They […] have influenced the affairs of mankind more and more happily than any other nation, ancient or modern.*"[29]

In their political writings, the fathers of the Constitution made frequent references to Calvin and Puritan theologians of England and New England. Moreover, they knew well the religious and civil covenants that had been made in the thirteen colonies and, even if they were not particularly religious, availed themselves of this important heritage for creating a constitution that joined indissolubly together the people in "*a more perfect Union*".

Their effort to form a strong national government was supported by many ministers, whose sermons played an important role in forging a national consciousness. The congregational pastor Elizur Goodrich, for example, in a sermon delivered before the general Assembly of Connecticut on May 10, 1787, encouraged his audience to support the work of the imminent federal Convention: "*[…] certainly there are no objects of greater magnitude and importance […] than the national union, the necessity of supporting the national honour, and to give the federal government energy at home, and respectability abroad*" (1998: 929).

The idea that the Constitution represented a sacred covenant between the citizens of the new nation was fully expressed in a sermon preached by Samuel Langdon before the general Assembly of New Hampshire in 1788. For Langdon, divine Providence had given "an heavenly charter of liberty for these United-States" and "*we cannot but acknowledge that God hath graciously patronized our cause, and taken us under his special care, as he did his ancient covenant people*". Langdon urged the Assembly to ratify the Constitution

[29] Letter of John Adams to Francis A. Van der Kemp [Feb. 16, 1808] Pennsylvania Historical Society.

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using the language of the covenant theology, well known by his audience, and giving as example the Judaic republic of the premonarchic period, which had been "*a nation highly favoured by heaven with civil and religious institutions*" (1998: 958, 957).

Conclusion

The Bible and especially the covenant theology had a profound impact upon the working-out of the American political theory throughout the colonial period and this impact can be backtracked from the Mayflower Compact to the state constitutions. When it was required to structure the institutional powers of the new nation, the Founding Fathers used Montesquieu, Blackstone and other political thinkers more than the Bible. For this reason, some scholars consider the Constitution as the culmination of the process that secularized the tradition of the covenant. At the same time, however, it represents also the higher incarnation of the two traditions of federal thought, the theological and the political, that converged in a notion of government characterized by a separation of powers and a jurisdictional plurality as well as by a system of constitutional liberties and safeguards.

For contemporaries, the new Constitution was not a purely secular document because – as James Madison remarked – it was "*impossible […] not to perceive in it a finger of that Almighty hand which has been so frequently and signally extended to our relief in the critical stages of the revolution*" (Madison 1788). This sacred status was reinforced by sermons of ministers who invited to revere it: "*Let the Constitution then, be esteemed the palladium of all that we hold dear. Let it be venerated as the sanctuary of our liberties and all our best interests. Let it be kept as the ark of God.*" (Grinswold 1998: 1549).

With the adoption of the Constitution and the inauguration of George Washington as president, the new nation itself was invested with a special meaning and mission. Americans did not consider their new nation to be simply another nation among nations, but a providentially blessed entity charged to develop and maintain itself as the beacon of liberty and democracy to the world.

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