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THE "MAYFLOWER COMPACT", THE GROUNDBREAKING DOCUMENT OF THE AMERICAN DEMOCRACY

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Irina Raluca CIOBANU [1]

Abstract

The paper provides a cultural analysis of the first official document used to regulate the government of the American colonies, and aims at highlighting the fact that the most important political legacy of the Puritan world to the modern American world is the concept of government by mutual consent.

Keywords:

Colonial America, covenant, democracy, the Mayflower Compact, government

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Towards the second half of the 16th century, the framework had been set in Europe for a reinterpretation on political, economic, intellectual, moral, social and theological grounds of the traditional society, which had been led for centuries by a Universal Church. The fervent Reformation movement, thoroughly prepared by the Renaissance, was aiming at a change in the old continent's mentality, which eventually proved to be more difficult than the reformers would have thought, and turned the idea of a "New World", of a "Promised Land", of "a New Canaan" from dream and fiction into a necessity and a challenge.

Thoroughly shaken by the appearance and the development of the middle class, the medieval world was submitted to a process of deconstruction, founded on the rejection of a structure as old as the world itself, the pyramidal, hierarchic society, ruled either by an omnipotent king or by a similarly limitless decision-making power, the Roman Catholic Church. The Church was also the institution towards which huge sums of money were directed annually through the sale of indulgences and other duties the states were liable to pay. It is however the intellectual factor that held utmost importance in terms of the topic we have chosen, because it is in the intellectual and moral thought of the Renaissance, and then of the Reformation that we find the seeds of the concept on which the American society was subsequently built on, that of individualism. Man was now the creator of his own destiny -in a word, the Renaissance unleashed the very powerful notion that man makes his own history. Hence, in the newly-reconfigured world, the interests of the Roman Church did not prevail anymore in front of the national interests, and on the other hand, on a smaller scale, people started re-assessing their position as individuals and assert their "Self". Flourishing time of the humanist thought, of the intellectual and individual freedom, the Reformation stands out due to its openly sceptical attitude towards the claims of the Church and of its leaders. The broadening of the intellectual horizons facilitated by the easier access to printed texts thanks to Gutenberg's printing press increased the production of cheaper books, which led to the appearance of a literate public eager for whatever came off the presses. The access to the Greek version of the New Testament, and finally the English versions of translations of the Bible revealed the discrepancies between the Church as depicted in the religious document and the Roman Catholic Church of those times. The corruption inside the Church had become so evident and the selling of indulgences (against which Martin Luther had directed, in 1514, his *Ninety-Five Theses on the Power and Efficacy of the Indulgences*) and that of clerical positions so indecent that people finally grew disappointed with a Church that seemed to have forgotten its significance and meaning. Under the circumstances, the Protestant movement, through its main theses: *Sola Christus* - (Christ alone is the head of the Church); *Sola Scriptura* – (Scripture alone is our authority); *Sola Gratia* – (Salvation is by the Grace of God alone); *Sola Fide*- Justification is received by faith alone, put even stronger emphasis on

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the relationship between each believer and God, which diminished the importance of the Church and increased the importance of the individual, along with sincere moral conduct and simple worship services. The concept was then expanded from the religious realm to the political and social ones, the individuals getting used to evaluate constantly their position, both towards the institutions of the State or towards the religious ones in terms of subjective entity and not as a member of a group or social class. The result was the development of a critical and analytical way of thinking, building a feeling of self-confidence and self-esteem that eventually led to the shaping of a new typology- that of the independent, and dynamic individual able to assume responsibilities and take action to produce change.

It was in this spirit that a group of English religious dissenters that had originally left England to Holland, but who were still dissatisfied with the way their children were growing up, decided to start a colony across the sea.

The Puritans, the name given to group of radical Protestants within the Church of England, left Holland in 1620 on board of the Mayflower hoping to build a holy Commonwealth in New England. The Pilgrims received a land grant from the Virginia Company of London[2] and some promise of merchant support. Two months later, the ship arrived off Cape Cod in Massachusetts, although it had been originally bound to reach the Mouth of the Hudson River. The decision to land farther north determined some of the travellers, who did not belong to the congregation of religious dissenters leading the expedition, to make "discontented and mutinous speeches" and proclaim that since the settlement would not be made as stipulated in the agreement with the Virginia Company, they "would use their own liberty; for none had power to command them…"[3] The need of an official document that would regulate the terms of social and political interaction within the settlement had become obvious. The leaders of the Mayflower passengers were aware of the damages that the differences of opinion and dissension could bring to their enterprise, which is why they conceived a document that was meant to impose a common way of

[2] The Virginia Company was formed with a charter from King James I in 1606. The Company was a joint stock corporation charged with the settlement of Virginia. It had the power to appoint the Council of Virginia, the Governor and other officials, and the responsibility to provide settlers, supplies, and ships for the venture. The initial reaction to the Company was favorable, but as the mortality rate rose and the prospect for profit grew dim, the support for it waned. The leadership resorted to lotteries, searching for gold, and silkworm production to increase profits. The charter was finally revoked in 1624 and Virginia became a Crown colony, largely as a result of the Indian Massacre of 1622.; http://www.preservationvirginia.org/rediscovery/page.php?page_id=22

[3] Bradford, William, *Of Plymouth Plantation*, in Hildebrandt, Ted (PDF). *Bradford's History "Of Plimoth Plantation"*. Boston: Wright & Potter, 2006, p.180, http://faculty.gordon.edu/hu/bi/Ted_Hildebrandt/NEReligiousHistory/Bradford-Plimoth/Bradford-PlymouthPlantation.pdf.

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conduct and submission. The document drawn up on board of the ship, the *Mayflower Compact*, dated November 11, 1620, pledged the group:

"solemnly & mutualy in ye presence of God, and one of another, covenant & combine our selves togeather into a civill body politick, for our better ordering & preservation & furtherance of ye ends aforesaid; and by vertue hearof to enacte lawes, ordinances, acts constitutions, & offices, from time to time, as shall be thought most meet & convenient for ye generall good of ye Colonie, unto which we promise all due submission and obedience"[4].

Thus, the "Compact" becomes the first agreement providing for the temporary government of the Plymouth colony, being founded on the idea of "social contract", of "covenant"[5], which was a core concept of the Puritan doctrine. This particular understanding of the concept of "covenant" had first appeared in 1567, in one of Robert Browne's[6] papers the essence of his thinking being that believers should be united both to Jesus Christ and to one another through a mutual covenant, entered into not by compulsion, but willingly, that high officials were to be elected by the members of the community (procedure that was later defined as exercise of 'direct democracy'), and that no congregation was supposed to have greater authority on another one. The ideas that he formulates send the reader to the concept of 'social contract', of equality and liberty, and last but not least to that of 'checks and balances'[7].

In a very concise but at the same time condensed manner, the approximately 200 words of the compact synthesize the main guidelines the Plymouth colony was to be governed for about another ten years. It starts by reinforcing the deep faith and belief in God and His divine guidance: "In ye name of God, Amen", and continues by the expression of the Pilgrim's deep loyalty to their native land and to the King, regardless of his persecution and rejection of the Puritan faith, it furthers the idea of a temporary government, "the Civil Body Politik", which, although not completely separate from the King of England, will govern by means of a law made by and for the people: "by vertue hearof to enacte lawes, ordinances, acts constitutions, & offices, from time to time, as shall be thought most meet & convenient for ye generall good of ye Colonie, unto which we promise all due submission and obedience". It is in this openly expressed intent to establish just and equal laws upon which a democratic form of government was to be built, that one can trace the essence

[4] Ibid, p. 182

[5] The Oxford English Dictionary gives three meanings to this word: 1. A mutual agreement between two or more people to do or refrain from doing certain acts the undertaking of either party in such an agreement; 2. A formal agreement or promise of legal validity; 3. In Biblical translation and allusions, an engagement entered into by God with a person, nation, etc.

[6] http://www.britannica.com/EBchecked/topic/81802/Robert-Browne

[7] A system that allows each branch of a government to amend or veto acts of another branch so as to prevent any one branch from exerting too much power, http://www.merriam-webster.com/dictionary/checks%20and%20balances

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of what has later contributed to the future political development of the US and to the creation of a new democratic nation. It was for the first time when a document made all men equal before the law, being one of the most notable contributions ever made to the civic thought of the world, and prefiguring the idea of civil rights.

Ten years later, after the dissolution of the Parliament by king Charles, who was feeling that his autocratic powers were undermined, the framework for the second important Puritan migration wave was set, this time with more than 10,000 people setting sail for the New World. Based on a charter under the name of Massachusetts Bay Company, the Pilgrims on board of Arabella established a successful and prosperous settlement on the east coast of North America, known as the Massachusetts Bay Colony. Our mentioning of this historical fact is related to the figure of John Winthrop-lawyer, Puritan and last but not least, governor of the Massachusetts Bay Colony, who, while still aboard the ship preached a famous sermon entitled *A Model of Christian Charity*. This classic text for the period of colonial America, focuses on the same doctrine of the covenant, the Pilgrims should enter into, to avoid "calamity on land" "just as one would avoid shipwreck at sea". The only way to do that was:

"to follow the counsel of Micah: to do justly, to love mercy, to walk humbly with our God. For this end, we must be knit together in this work as one man. We must entertain each other in brotherly affection; we must be willing to abridge ourselves of our superfluities, for the supply of other's necessities; we must uphold a familiar commerce together in all meekness, gentleness, and liberality. We must delight in each other, make other's conditions our own, rejoice together, mourn together, labor and suffer together; always having before our eyes our commission and community in the work, our community as members of the same body" (Winthrop in Baym, (1989):31)

For Winthrop the Puritan venture was a way of demonstrating how nations could prosper and be blessed while the stake was that of being acknowledged as "a city upon a hill. The eyes of all people are upon us. So that if we shall deal falsely with our God in this work we have undertaken, and so cause Him to withdraw His present help from us, we shall be made a story and a by-word through the world." (Winthrop in Baym, (1989):31)

Vital for the Puritan ideology, the doctrine of covenant, which has been defined as the "marrow of Puritan Divinity" (Miller, (1973): 44) was systematically applied to all aspects of life be it religious, social, politic or economic working as an organizing and unifying element of the whole community, in the sense that it provided that feeling of security and order which was absolutely necessary for people trying to set a new life in a completely unknown and, most of the times, hostile world.

Nevertheless, contrary to the quasi generally accepted idea that the signing of the *Mayflower Compact* meant the birth of popular constitutional liberty and the foundation of a form of government on the basis of "equal laws" for

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the general good, a closer look at the seventeenth century American government reveals an exclusionary system, where the opportunity of actually enrolling in the political life of the colony was rather limited, contradicting the first of the two basic principles of political democracy: 1. The opportunity to participate in political decisions must be shared among all adult citizens and 2. The governmental elites must consciously hold themselves accountable to the people they govern. Thus, the political reality of the 17th century was that only the adult males called freemen, stockholders of the joint-stock company that founded the settlement of Plymouth, had the right to vote. The others, designated as 'particulars' (Langdon, (1973): 31), were received by Bradford and the company planters on condition that they consent to the laws of the plantation and pay an animal tax. Still, their position in terms of political rights was not exactly what someone would have expected from a country whose founding thesis was equality of opportunity and tolerance. They did not have the right to vote or hold a voice in the government or the Assembly, which for a long period of time held the power in the colonies as a guardian instrument of social and political unity. This situation lasted until 1638, when, dissatisfied with the burden that this responsibility involved (those who had the right to vote had the obligation of attending each and every meeting of the General Court), the colonists adopted the representative system, all the men that had taken oath of allegiance and were heads of families and settled residents could vote in the election of representatives to the General Court (Langdon, (1973): 32).

Although this decision meant an important step for the improvement of the democratic process, we should not forget that women, poor people (because of the minimum amount of property clause) and Black people were not given franchise. From this point of view, too, colonial democracy was far from ideal. Thus, in spite of the absence of a hereditary aristocracy, the system created another class, an aristocracy of wealth that seems to have survived until modern times as interest groups, holding an important amount of political and economic power.

Besides, there is another aspect that might render the system questionable and might make us doubt its validity. In the process of democratic elections the electors must have the possibility of expressing their free and unconditioned choice, even with the risk of creating two or several factions with different opinions. But, in the American colonies of the seventeenth and eighteenth century, having different opinions from the 'official' one was a real crime against morality and was sanctioned by the community as such. We find it interesting that the first colonists, although fleeing from an authoritarian rule, did not reject the idea of surrendering their powers, at least for a limited time, as Governor John Winthrop stated as early as 1693:

When the people have chosen men to be their rulers, and to make their laws, and bound themselves by oath to submit thereto, not to combine together in a public petition to have any order repealed which is not repugnant to the law

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of God, savors by resisting an ordinance of God; for the people, having deputed others, have no power to make other laws, but are to be subject. (Morgan, (1958): 89)

Winthrop's message was clear and did not allow for exception; it suggested that God intended civil governments to be in the hands of men like himself: to entrust the people at large with powers of government, as in Greek democracy, was not only unwarranted by Scripture but dangerous to the peace and well-being of the community, for the people at large were unfit to rule. Winthrop and the other members of the Bay Company were authorized by their charter to exercise absolute powers of government: they were endowed by temperament to exercise those powers; and they had a philosophy of government, "which clothed every ruler in the armor of divine authority" (Morgan, (1958): 89*).* Interesting enough, and almost unbelievable for a twentieth century outsider, people accepted willingly this form of coercion exercised upon them, which although not violent, had best results through the town meeting. To help men and women follow God, ministers were chosen to interpret and enforce his will. Meetinghouses were built in every town for collective praise and collective obedience. Church members, no less than pastors, had to study their Bibles, examine their souls, and make straight their paths. Thus, once engaged in covenants, the settlers' only concern was to be careful and fulfill their duties.

On Sunday everyone filled into the meetinghouse for a session that might last hours. Families took square pews, assigned according to rank and dignity. Attention focused on the high pulpit. If thoughts wandered, the watchful guardian stood near with his long pole. One end was knobbed to rouse those made drowsy by their live-coal foot warmers; the other bore a patch of fur to tickle any maiden caught yawning, tittering or flirting. The congregation stood while prayers rumbled on past the turning of the minister's hourglass.

Nucleus of the village, the meetinghouse stood at the head of the green, surveying the dwellings that lined the street. In early days it served as a fort, and worshipers leaned their guns in pew corners. Thursday was lecture day, and villagers, gathered to hear long harangues, to scoff at the town drunkard trussed in the stocks. Then it was home for supper in low-ceilinged kitchens with huge fireplaces where family life centered.[8]

What this fragment tells us is that the Puritans valued and intensely strove to live: a personal life of disciplined law-keeping and self-scrutiny, humble faith and hope, patience, penitence and prayer; a public life of doing good exploits and practicing philanthropy wherever possible, while honoring God in one's family. To practice faithfulness to God as an individual, a citizen, a

[8] full text in '*America's History Lands'*, published under the supervision of the National Geographic Society, New York: Time-Life.

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worker, a family member, and a unit in the local church- this was Puritan religion and life in its essence.

Any noncompliance was nipped in the bud, which might make us imagine the paradoxical situation in which a supposedly democratic instrument turns into a skillfully manipulated counterfeit of democracy, while political and social participation into something even stronger than conventionalism that could be called inertia. Actually, this is the term that describes the best any provincial town especially in the seventeenth or eighteenth centuries. Reading the fragment above one has the impression that time stands still that nothing could disturb such an order that seems to have been settled from the beginning of the world. The result was a certain mentality or social conformity achieved through 'shaping', 'carving' and inducing a certain type of behavior not through constraint. Violence is almost always repaid with violence and the possibility of reaching to conflicting situations is greater than in the case in which people have the awareness of belonging to a restricted group, to a 'chosen society'. Consequently, consensus, harmony and homogeneity were the regular and required realities of local life, all of them being placed in the service of social conformity. There was hardly a place for those who did not fit in this pattern, the community and the townsmen of Massachusetts, for example, being "an enclave of common believers" (Zuckerman, (1973): 51) who did their best to secure such a society. In other words the, 'democratic' community in Massachusetts rejected any incipient form of dissent or any other form of structured pluralism, the system being something less than a democracy. Unanimity was expected ethically as well as empirically and it was synonymous with social decency. In those times 'to cast a vote' was only to participate in the consolidation of the community, not to make a choice among competing interests and ideals. Unfortunately, this created a negative stereotypical image, which matched hypocrisy and bluntness, and finally led to distorted and excessively gloomy pictures of the Puritan society. Even so, we do not think that we should rush at giving this kind of verdicts or take the situation of the Puritan society out of its social, religious and historical context, or analyze it with the instruments, and from the perspective of the twentieth century society. The Puritan society was far from perfect, but behind those terrible appearances there was something more that explained the above-mentioned attitudes and values.

The 'secret' in our case lies in the feeling of fear of social disorder and an organic feeling of anxiety that was dealt with and settled from the very beginning in the concept of 'government by mutual consent' which has its roots back in the *Mayflower Compact* and in the idea of life as a covenant with God and with each other. What the Puritans looked for was congregational discipline, and the covenant doctrine offered them the chance to put their whish into practice through discipline and repression, if it were the case, in a sustained effort to shape a community's personality amidst 'chaos' as they saw the surrounding

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reality. Being completely cut off from the old forms of order and routine, the Puritans felt themselves exceptionally open to the dangers about them. The covenant idiom was used to make intelligible and give order to relationships with one another and with God. Covenants dictated the organization of congregations (church covenants), communities (town covenants) and the state (social covenants). Community and government had to see that the covenant was not broken, that in both behavior and belief the Puritans settlers did nothing to offend God. The covenant bound them to know the will of God, as revealed in the Bible, and to follow that will as faithfully as human frailty would permit.

Starting with The Boston Tea Party in 1773, we witness a shift in American political thinking, due both to the philosophical ideas of the Eighteenth century and to the fact that the doctrine of the covenant was no longer sufficient in itself, owing also to the social and economic changes that took place, to the great wave of immigrations and to the opening of the American society, especially after the War of Independence, for the exploration of new lands, and the conquest of the West. The American Revolution was the event that engendered two important moments in American political history: *The Great Awakening* and *The American Crisis*. It was the moment when religious experience was put into question. It was also the moment that marked the passage from religious identity to a more articulate social identity in the American society. Consequently, the period leading up to the Revolution as well as the Revolution itself was the turning point in the conscious democratization of ideas about the suffrage and in the liberalization of colonial suffrage laws.

The doctrine that all men are created equal was the philosophical basis upon which the whole movement was built. Therefore, the issue was raised of broadening the class of those entitled to vote for their representatives, by including also those 'freemen' who did not fit into the property and freehold clauses and those colonials of military age that were called to fight for their country and as a result were as qualified as any other American citizen to decide for their future. There still remained the problem of the franchise for women and the black part of the population so cunningly avoided in the very 'Declaration of the Independence', the phrase "that all men are created equal" referring only to white males while the rights stipulated in the Declaration had been for too long applied to the same category. The role of people in political life was suddenly reconsidered and reshaped towards a greater awareness of their power both as a group and as individual entities inside the system. Under the pressure of new ideas and new circumstances, in only a few years the geography of the American electorate had broadened consistently until by the 1850's, any male taxpayer was allowed to vote (Janda, (1989): 24). Extending the vote to black and women took more time. Through demonstrations and a constitutional amendment the Nineteenth Amendment women won the right to vote in 1920. Through civil war, constitutional amendments (the Fifteenth

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Amendment adopted in 1870, prohibited the states from denying the right to vote "on account of race, color, or previous condition of servitude"), court actions and massive demonstrations, black people finally achieved full voting rights in the 1960's.

Within the context, Mayflower Compact remains undoubtedly, the first of a series of written documents that also encompasses The English petition of Rights (1628), The Massachussets Body of Liberties (1641)[9], The English Bill of Rights (1689), The Declaration of Independence (1776), and culminated with the Constitution (1787) itself and its most important part, the first 10 amendments, also known as the Bill of Rights. The confidence in the written word becomes with the American people first a historical, and then a cultural fact and it was proven by the first settlers' concern to set things straight even before landing on shore. The echo of this 'proto-constitution' is to be found in Thomas Jefferson's words in the opening of the 'Declaration of Independence': "We hold these truths to be self evident, that all men are created equal". Equality of man had not been self-evident until the Pilgrims proclaimed it and it was furthered by the Declaration, which identified sovereignty with the people. The declaration also mentioned the existence of a compact or agreement between the colonist and the King. By the terms of this compact the colonists consented to be governed by the king deriving his "just powers from the consent of the Governed" (*, We the People, the Citizen and The Constitution, (1995): 45) - so long as he protected their rights to "life liberty and the pursuit of happiness"(*, We the People, the Citizen and The Constitution, (1995): 45). The breaking of the compact that had existed between the people in the colonies and their King, by the King's repeated violations of the covenant and of those rights he was supposed to protect finally led to the unanimous decision that "Whenever any form of government becomes destructive of those Ends" (*, We the People, the Citizen and The Constitution, (1995): 45). for which government is created, it is the right of the people to "alter or abolish it" and to create another able to fulfill its duties. The greatest achievement of the Declaration of Independence was therefore to wake people's conscience about their own civil liberties, power and part to play in the system of government. It signaled those rights that had been broken (such as freedom of speech and assembly, trial by jury, security from illegal search and seizure of property or protection from military rule) and which were carefully settled in 1789 in the Ten Amendments to the Constitution, and it delineated the social and political identity of a newly formed country from that of the 'mother-country', England

[9] The Laws and Liberties of Massachusetts, an organic act, enacted in 1648, served as the basis for civil and criminal law in the colony until the eighteenth century. This code was a revision of a 1641 code known as *The Body of Liberties,* which was written by Nathaniel Ward, a Puritan minister and teacher. The code mandated that individuals could not be punished or penalized without due process of law and reduced the number of crimes punishable by death under English common Law from two hundred to 16. http://oll.libertyfund.org

and, little by little from the Old World itself, or the 'rejected father' as Geoffrey Gorer (Gorer, (1964):27), using the Freudian analysis, calls Europe.

That the original doctrine brought by the Pilgrim Fathers was submitted to continuous changes, that the world they had imagined and lived in for at least half a century had to adjust to the new requirements of the civilization, that the Puritan world itself was diluted under the pressure of so many influences and waves of immigration, is no longer a question of debate. But, when one opens the US Constitution, one knows that the most important political legacy of the Puritan world to the modern world is the concept of government by mutual consent, which is so plainly expressed in the Constitution's very opening paragraph: "We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the General Welfare, and secure the Blessing of Liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

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