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## Biblical Republicanism: John Cotton's 'Moses His Judicials' and American Hebraism



*Abstract: In 1636 John Cotton was asked to write basic laws for Massachusetts Bay Colony. The 'Abstract of the Laws of New England' he submitted was a compilation of texts from Hebrew Scripture interspersed with customs and practices drawn from English history and Puritan religious norms, with Scripture used as both source and justification. An accomplished Hebraist, Cotton included marginalia commenting on Hebrew terms and their translation. The result is an extraordinary document that importantly ties Hebrew Scripture to Early American democratic and civic culture. Hebrew Scripture in Puritan interpretation emerges as a core resource for republican practices and civic norms in the evolving American polity.*

### 1. INTRODUCTION

In 1636, John Cotton was invited by the magistrates of Massachusetts Bay Colony to “make a draught of laws agreeable to the word of God, which may be the fundamentals of this commonwealth.”<sup>1</sup> Cotton’s code was published as *Abstract of the Laws of New England* and given the title *Moses His Judicials* by John Winthrop. Although not formally adopted by Massachusetts Bay Colony, the *Judicials* significantly influenced subsequent Massachusetts law and became the basis of law for the New Haven Colony, later Connecticut.<sup>2</sup>

<sup>1</sup> John Winthrop’s *Journal* (1908 ed.), *Massachusetts Colonial Records* I, p. 174.

<sup>2</sup> John Cotton, *Abstract of Laws and Government* (London, 1641; reprinted by Will Aspinwall, London, 1655). References to *Moses His Judicials* throughout are cited by chapter and section number in this edition. Edward Chauncey Baldwin, in “The Permanent Elements in the Hebrew Law,” *International Journal of Ethics* 25:3 (April 1915), pp. 360–371, shows how Cotton’s laws influenced and were incorporated into subsequent Massachusetts and Connecticut basic laws, claiming that “The Connecticut Colony, like Massachusetts, adopted in part the Hebrew Torah” (p. 364). Isabel Calder

Something like a constitution in the form of a Bible commentary, the *Judicials* was constructed as compilations of passages mainly from Deuteronomy, Exodus, and Leviticus. As such, the document has been dismissed as “purely Old Testament legalism.”<sup>3</sup> Theodore White Bozeman, for example, in his extensive treatment of Cotton, devotes a few passages to the *Judicials*, presenting it as but another demonstration of Puritanism as a disciplinary, coercive regimen in an unyielding struggle against inner spirituality. This disciplinary religion ultimately resulted in an “antinomian backlash” against the outward and repressive religion that fixated on Old Testament law.<sup>4</sup>

Bozeman’s stark division between external law and the inner spirituality it is considered to betray misreads both the theological innovation and the social vision of the Puritans, not least as posited by John Cotton. In Puritan New England, theology emerged in close relation to polity and

remarks in “John Cotton and the New Haven Colony,” *New England Quarterly* 3:1 (January 1930), pp. 82–94, that the code was not adopted probably because it was “too brief and general.” But she also notes that it was not rejected (p. 87). Cf. J.F. Maclear “New England and the Fifth Monarchy: The Quest for the Millennium in Early American Puritanism,” *William and Mary Quarterly*, 3rd ser., 32:2 (April 1975), pp. 223–260.

<sup>3</sup> Everett Emerson uses this phrase in *John Cotton* (New York: Twayne, 1965), p. 145. (See also the 1990 revised edition.) While rightly noting that “English common law and the established practices of the Colony are nearly as important as the Bible,” Emerson sees biblical usages as external to the real business of the *Abstract*, inaccurately claiming that “whole sections do not refer to the Bible in important ways” (p. 146). This failure to see the full role of the Bible in the *Judicials* also appears in Calder, “Cotton and the New Haven Colony,” where the code is described as “not biblical in a sense that its contents were drawn from the Bible” but rather that its “provisions [are] supported by marginal scriptural references to prove that they are in harmony with the word of God.” But scriptural reference is systematic and formative throughout.

<sup>4</sup> Theodore Dwight Bozeman, *To Live Ancient Lives: The Primitivist Dimension in Puritanism* (Chapel Hill: University of North Carolina Press, 1988), e.g., p. 160: “The English Reformation had embraced a legalist and covenantal element which laid distinctively heavy emphasis upon obedience to scriptural law”; Bozeman, *The Precisionist Strain* (Chapel Hill: University of North Carolina Press, 2004), e.g., p. 243: “Christian liberty meant freedom from the harsh demand and curse of the legal covenant of works, not from obedience to divine commandments,” and p. 339: Cotton later, in betrayal of his original antinomian leanings, urged Bostonians “to walke more exactly and more accurately” under threat of “Deuteronomic punishments,” etc. See Bozeman, “Federal Theology and the ‘National Covenant,’” *Church History* 61:4 (December 1992), pp. 394–407: “Kingship, law, and obedience” are “themes drawn essentially from Old Testament sources... through a strict regimen of duty and obedience” (p. 396). Here Bozeman argues that the effort to promote “both a corporate and an individual form of rite” led to a coercive “readiness to subsume the self in the social whole” (p. 399). William Schiek notes Bozeman’s “emphasis on the letter of the law over the spirit” in Schiek, “Disciplinary Religion and Antinomian Backlash in Puritanism to 1638,” *Seventeenth-Century News* 62:384 (Fall–Winter 2004), p. 236. See also David Como, *Blown by the Spirit* (Stanford: Stanford University Press, 2004).

government.<sup>5</sup> Questions of state and church government were crucial to shaping theological debates and often their meaning. *Moses His Judicials* registered specifically political and social aspects of Puritan biblical engagement as affected by new access to and interest in Hebrew Scriptures. The Reformation insistence that each Christian read the Bible himself and herself led to the study of Hebrew as well as Greek and Latin, launching new translations into the vernacular that would grant all Christians direct access to the text, without accrued Catholic traditions.<sup>6</sup> But this Hebrew revival did not merely extend old structures and terms; it altered Christian biblical paradigms and religious understandings. Indeed, it penetrated and reframed the very terms of New Testament and Old, interiority and exteriority, spirituality and legalism, as well as individual religious experience and social political formation, proposing structures resembling those of Hebraic Scripture and culture. This did not, to be sure, have a Judaizing effect—though Puritans were accused of just that—but it did affect balances within Christian commitments and understandings.<sup>7</sup>

Puritan engagement with the Old Testament is a long-recognized and intensely discussed topic. It is indisputable that the Old Testament was foundational to American Puritanism, that Puritans thought of themselves in terms of Old Testament patterns, and that the study of Hebrew was required at their institutions of higher learning. Yet it is surprising how little scholarship has been devoted to exploring what American Puritan Hebrew learning actually involved, especially when one considers the attention given Christian Hebraism in Europe—in England, Italy, Germany, France, and the Netherlands.<sup>8</sup> How the Hebrew revival affected and helped establish Puritan understandings of the Bible—and, ultimately,

<sup>5</sup> Michael Winship reviews the relative neglect of the “political aspects of Puritanism” as against its theological engagements in “Godly Republicanism and the Origins of the Massachusetts Polity,” *William and Mary Quarterly* 63:3 (July 2006), pp. 427–464. Winship, however, emphasizes the resources of Puritanism in political philosophy rather than within biblical tradition itself.

<sup>6</sup> On the revival of Hebrew studies and its importance, see Jeffrey S. Shoulson, *Milton and the Rabbis* (New York: Columbia University Press, 2001); Shoulson and Allison P. Coudert, eds., *Hebraica Veritas? Christian Hebraists and the Study of Judaism in Early Modern Europe* (Philadelphia: University of Pennsylvania Press, 2004); and Jason Rosenblatt, *Renaissance England's Chief Rabbi: John Selden* (Oxford: Oxford University Press, 2006).

<sup>7</sup> Eugene R. Fingerhut emphasizes this almost definitional point that despite their Judaizing, the Puritans were not Jews. Fingerhut, “Were the Massachusetts Puritans Hebraic?” *New England Quarterly* 40:4 (December 1967), pp. 521–531.

<sup>8</sup> Shalom Goldman, *God's Sacred Tongue: Hebrew and the American Imagination* (Chapel Hill: University of North Carolina Press, 2004); Goldman, *Hebrew and the Bible in America: The First Two Centuries* (Hanover: University Press of New England, 1993). Cf. David Katz, *Philo-Semitism and the Readmission of the Jews to England 1603–1655* (Oxford: Clarendon Press, 1982).

the American social, religious, and political culture that these in so many ways inaugurated—has also remained largely unexplored. John Cotton was a legendary Hebraist: his free translation of the notoriously difficult Isaiah 3 on his examinations became lore at Cambridge. Cotton's *Moses His Judicials* brings into view how American Puritans understood the political, social, and religious experience recounted in Scripture and their relationship to it, as influenced by their new experience of Hebrew texts.

Cotton's *Moses His Judicials* presents an outline of political, legal, and social norms that were evolving in the Puritan culture of his time. The text draws on civic as well as church institutions that were then being formed, and which Michael Winship finds derived from political traditions reaching back to England and earlier political philosophy, including emerging republican trends.<sup>9</sup> Cotton, however, specifically framed these institutions in terms of biblical precedents, particularly Old Testament ones. He thus presented contemporary culture as reflecting biblical life, not only with regard to religious regulations but also in political terms; the Puritan polity, for him, included incipient republican practices. This was not, however, mere apologetic contrivance or post-facto justification. Puritan theology and its understanding of the polity had been deeply influenced by the Hebrew Scriptures, notably by attitudes toward history and community articulated therein. Thus, Cotton's work not only cited Hebrew texts but drew on them. The result was an altered political-historicist theology that conceived of history and political community as meaningful dimensions of human experience that became part of early republican thinking.<sup>10</sup>

## 2. 'MOSES HIS JUDICIALS' AND BIBLICAL REPUBLICANISM

*Moses His Judicials* is divided into ten sections treating a range of subjects, the first of which addresses the political topics of electing magistrates, the conditions of "free Burgesses and free Inhabitants," and the "protection and provision of the Country." This is followed by sections on laws of inheritance, commerce, and trespass; then on criminal law, including theological crimes such as blasphemy, idolatry, witchcraft, desecration of the

<sup>9</sup> Winship notes that the term "republican" is multivalent and contested in both meaning and history; yet he argues for its application to early Puritanism, especially in America. See his "Godly Republicanism."

<sup>10</sup> For a comparison of Hebraic theologies of history, see Robert Hanning, *The Vision of History in Early Britain* (New York: Columbia University Press, 1966). See also Avihu Zakai and Anya Mali, "Time, History, and Eschatology: Ecclesiastical History from Eusebius to Augustine," *Journal of Religious History* 17:4 (1993), pp. 393–417.

Sabbath, and “Rebellious children.” Moral transgressions are then taken up, including adultery, incest, and “Whoredom”; “swearing” and rape; as well as civic crimes such as perjury, treason, “Rebellion, Sedition, or Insurrection,” false witness, slander, “Man-stealing,” and theft. The final sections are devoted to the judicial system and to foreign relations.

Cotton was a central figure in the formulation of Puritan church polity, with his *The Keys of the Kingdom of Heaven* outlining and indeed naming the Congregational Church. His vision was of a “gathered” or “covenanted” church, established when called individuals—each from his or her individual religious experience—came together to write and sign a church covenant. Rather than being absorbed into a corporate church, members constituted the church, which came into existence only as they together established it. The minister, in turn, was called by the congregation, and its members joined with him in the exercise of church discipline, admission and dismissal, reprimand, excommunication, and readmission. The congregation could be called upon to dismiss the minister. The result was a specific structure of community constitution and the individual’s role within it. The Puritan individual, in Cotton’s vision, was not the self-defined, autonomous entity of later liberal social contract theory. But neither was this Puritan self radically absorbed into a collective that would coercively direct it. Rather, the Puritan self was foundationally structured through its participation in community, even as Puritan community was foundationally constructed through the selves who participated in and composed it.

Individual participation in government and resistance to tyrannical coercion are the defining principles of what has been called “civic republicanism,” while “constitutional republicanism” entails specific political distributions of power.<sup>11</sup> Cotton’s *Judicials* has elements of both. In *The Keys of the Kingdom of Heaven*, Cotton had drawn on republican terminology in describing the church as a “mixed government”:<sup>12</sup> the “government of the church,” he wrote, “is mixed of a monarchy, an

<sup>11</sup> Blair Worden distinguishes between “civic republicanism” and “constitutional republicanism.” See Worden, “Republicanism, Regicide, and Republic,” in Martin van Gelderen and Quentin Skinner, eds., *Republicanism: A Shared European Heritage* (Cambridge: Cambridge University Press, 2002), pp. 307–308.

<sup>12</sup> In their preface to *Keys*, Thomas Goodwin and Philip Nye praised the “dispersion of several portions of power and rights into several hands, jointly to concur and agree in acts and process of weight and moment, which causeth that healthful mixture and constitution of them, which makes them lasting and preserves their peace, when none of all sorts find they are excluded, but as they have a share of concernment, so that a fit measure of power or privilege is left and betruſted to them.” See John Cotton, *The Keys of the Kingdom of Heaven*, in Cotton, *John Cotton on the Churches of New England*, ed. Larzer Ziff (Cambridge, Mass.: Harvard University Press, 1968), p. 73.

aristocracy, and a democracy.” The elders of the church, like aristocrats, were to have “authority,” while the people would have “power” and “liberty” with Christ the monarch.<sup>13</sup> All would share in church government, participating in it and mutually limiting each other.

In *Moses His Judicials* Cotton turned from church to civil government. These realms remained distinct, in line with Puritan innovations regarding the separation of church from state, minister from magistrate.<sup>14</sup> Indeed, church polity and civil government remained two discrete institutional systems—with, for example, no church judicial system such as obtained in England—but the procedures of civil government that Cotton outlined remained homologous with those he allotted the church, and both reflected republican attitudes. Townsmen, in Cotton’s vision, would convene to debate town business and elect magistrates in the same meeting house where church congregations, composed of the same members, would gather. Cotton argued for this in his letter to Lord Say and Seale, claiming it would assure responsible government.<sup>15</sup> Moreover, just as he considered the church to be a gathering of individuals called in their inmost conscience, who then mutually recognized, confirmed, and covenanted with each other, so his state enlisted and organized individuals who would speak and vote as individuals, yet together also formed a community whose life no less defined and bound them.<sup>16</sup>

An outstanding feature of *Moses His Judicials* is the way Cotton derived or justified this participatory system—itsself obviously drawn from British traditions of government radicalized by Puritan practices—from Hebrew Scripture. *Moses His Judicials* opens with the call in Deuteronomy 1:3 to “Give your selves wise men... known amongst your Tribes, and I will place them for Rulers over you” as the basis and model for electing magistrates. The “mixed government” described in the *Keys* materialized in the state. The first chapters of the *Judicials*, on “Magistrates” and “Free Burgesses and Free Inhabitants,” outline a constitution consciously republican in its

<sup>13</sup> Cotton, *Keys*, p. 134. For a discussion of Christ as the monarch of the Massachusetts theocracy, see Avihu Zakai, *Theocracy in Massachusetts* (Lewiston, N.Y.: Mellen University Press, 1993).

<sup>14</sup> On Cotton’s relative support for separation of church and state, and for voluntary contributions, see Edmund Morgan, *Roger Williams, the Church and the State* (New York: Harcourt Brace and World, 1967), pp. 63, 75.

<sup>15</sup> Edmund Morgan, ed. *Puritan Political Ideas* (New York: Bobbs-Merrill, 1965), pp. 166–167.

<sup>16</sup> There was not, of course, universal suffrage until two centuries later, and voting rights were first granted only to male church members. Yet Massachusetts represents a significant extension of the franchise compared to English and other societies.

mix and balance between delegates elected through the people's "liberty" and procedural constraints on both the people and their delegates.

Cotton has often been described as opposing democracy, based on his comment in a letter to Lord Say and Seale that "Democracy, I do not conceive that ever God did ordayne as a fitt government eyther for church or commonwealth. If the people be governors, who shall be governed?" Indeed, one possible reason for the failure of the Bay Colony to adopt the *Judicials* was Cotton's stipulation (shared by John Winthrop) that magistrates be "chosen for life," with tenure in office threatened only by bad behavior.<sup>17</sup> This was seen to grant too much power to the magistrates. But, as Edmund Morgan warns, the meaning of "democracy" was different for Cotton than it is for us.<sup>18</sup> If Cotton rejected direct rule by the people, in the *Judicials* he had the people share authority via election, judgment, and jury duty, while limiting certain powers of elected officials. His striking insistence against hereditary rule also seems to lie in direct tension with his desire to extend the tenure of magistrates. To the inquiries of Lord Say and Seale about his settling in Massachusetts, Cotton remarkably responded by inviting him to join the colony but refusing his request for title or governing role once he arrived: "Hereditary honors both nature and scripture doth acknowledge (Eccles. xix.17) but hereditary authority and power... is no where communicated, together with his honors, unto all his posterity."<sup>19</sup>

In the *Judicials*, magistrates govern, but they do so, like ministers, only as elected within and from specific and particular communities, as a function of the "liberty" of the people. The balance between governors and governed is maintained through concurrent decision making wherein "nothing shall be concluded but with common consent of the greater part of the governor and assistants together with the greater part of the deputies of the Towns." Cotton's idea of "joint power" between magistrates and assistants was biblically derived. In *A Discourse About Civil Government in a New Plantation*, he posited that "the form of government where the people that have the power of choosing their Governors are in Covenant with God" is based in Exodus 19:5 and Deuteronomy 1:13–14.<sup>20</sup> In the

<sup>17</sup> Cotton, *Judicials* I.4.

<sup>18</sup> John Cotton, *Correspondence of John Cotton*, ed. Sargent Bush Jr. (Chapel Hill: University of North Carolina Press, 2001), p. 245; Morgan, *Puritan Political Ideas*, p. 161.

<sup>19</sup> Quoted in Morgan, *Puritan Political Ideas*, p. 165.

<sup>20</sup> The authorship of the *Discourse* has been disputed. First published under John Cotton's name, it was then reattributed to John Davenport by Cotton Mather. Isabel Calder argues for a re-retribution of the *Discourse* to Cotton. See Calder, "The Authorship of *A Discourse About Civil Government in a New Plantation Whose Design*

*Judicials*, he tied his discussion of elections of delegates and other civil appointments to scenes in Exodus and Deuteronomy when Moses was told by Jethro to appoint judges over the people, “to make it lighter for thee, and they shall beare the burden with thee,”<sup>21</sup> and where it is written, “And thou shalt place over them rulers of thousands, and rulers of hundreds, and rulers of fifties, and rulers of tens. And let them judge the people at all seasons.”<sup>22</sup> He based the appointment of judges within every town on the Deuteronomic verse, “Judges and officers shalt thou make thee in all thy gates.”<sup>23</sup> *Judicials* chapter 9 stipulates that “Tryall by Jurors not be denied... partly to preserve the liberty of the people, and partly to prevent suspicion of partiality of any Magistrate in the Court.” The jurors themselves “are not to be chosen by any Magistrates, or Officers, but by the free Burgesses of each towne,” with punishment or imprisonment executed only in the presence of a magistrate and duly “declared and tried in the next court.” The reader is referred to II Samuel 23:3, “He that ruleth over men must be just, ruling in the fear of God.”<sup>24</sup>

Such deputies, officers, and judges were to be drawn from lay people of the colony. Ministers were barred from office. Cotton underscored in the *Keys* that the “ministerial power of the keys, though it be independent in respect of derivation of power from the power of the sword to the performance of any spiritual administration, yet it is subject to the power of the sword in matters which concern the civil peace.”<sup>25</sup> The limitation on power fundamental to republicanism was instituted between as well as within the church and the civic realm. In the church, the elders were to have “authority,” while the brethren “preventeth the tyranny and oligarchy and exorbitancy of the elders” through their “power and liberty to choose their officers,” a “power” also to share judgment in juries of peers as “an act of popular liberty.”<sup>26</sup> Similarly, the state was to consist in the

*Is Religion*,” *American Historical Review* 37:2 (1932). B.F. Steiner favors attribution to Davenport. See Steiner, “Dissension at Quinnipiac: The Authorship and Setting of *A Discourse About Civil Government in a New Plantation Whose Design Is Religion*,” *New England Quarterly* 45:1 (March 1981), pp. 14–32. Michael Winship refers to the authorship of the *Discourse* as Cotton’s or Davenport’s. See Winship, “Godly Republicanism,” n. 47. Richard Ross gives Cotton the authorship. See Ross, “Puritan Godly Discipline in Comparative Perspective” (unpublished paper presented at the Center for the Study of Law and Society at the University of California, Berkeley, 2007).

<sup>21</sup> Exodus 18:22; Deuteronomy 17:8.

<sup>22</sup> Exodus 21:22.

<sup>23</sup> Deuteronomy 16:18.

<sup>24</sup> Cf. Deuteronomy 25:43–46; Exodus 1:13–14.

<sup>25</sup> Cotton, *Keys*, p. 152.

<sup>26</sup> *Ibid.*, pp. 101–104.

“right and due establishment and balancing of the liberties or privileges of the people (which, in a true sense, may be called a power) and the authority of the magistrate.” As Cotton wrote to Lord Say and Seale:

the word, or scriptures of God doe contain a platform not only of theology but also of other sacred sciences... which he maketh ethicks, economics, politics, church-government, prophecy, academy... God's institutions (such as the government of church and of commonwealth be) may be close and compact, and coordinate one to another and yet not confounded. God hath so framed the state of church government and ordinances, that they may be compatible to any commonwealth, though never so much disordered in his frame.<sup>27</sup>

The *Judicials*, in granting the people power in the “election of officers” and in “judging matters of offence against the law,”<sup>28</sup> drew on and reflected the political theories and trends of Cotton's immediate and contemporary political world. But the biblical references in which he grounded them were not mere apparatus. The republican politics that was emerging in the England of Cotton's time itself had strong roots in the Puritan revolution, and its own democratizing spirit was grounded in the biblical notion of the sanctity of the individual created in the divine image, radicalized through Puritan senses of individual conscience.<sup>29</sup>

This idea of individual sanctity gave rise to a new sense of equality—limited, it should be noted, with regard to the social and political status of women, although they were granted religious equality and enlarged participation in church affairs.<sup>30</sup> Magistrates and other delegates were drawn from among the people, as in Exodus 18:21, cited in the first chapter of the *Judicials*, which instructs to “provide out of all the people able men” to serve as “rulers.” Such “able men” no doubt remained associated with the more privileged class, although education was open, and indeed legally required, of all boys—and also of girls, a momentous consequence of the Puritan insistence that everyone be able to read the Bible in order to be governed by it. At the same time, to be a ruler, and in fact to be a

<sup>27</sup> Cotton, *Correspondence*, p. 244.

<sup>28</sup> Cotton, *Judicials* II.4.

<sup>29</sup> On the revolutionary elements in Protestantism, see, for example, A.S.P. Woodhouse, *Puritanism and Liberty* (London: J.M. Dent, 1950 [1938]); Michael Walzer, *Revolution of the Saints* (Cambridge, Mass.: Harvard University Press, 1965); and Christopher Hill, *The World Turned Upside Down* (London: Temple Smith, 1972).

<sup>30</sup> “The Puritan doctrine of equality insisted only upon the difference of sexual roles in which the female was certainly subordinate to the male and not upon the equality of the woman in kind.” Kathleen M. Davis, “The Sacred Condition of Equality—How Original Were Puritan Doctrines of Marriage?” *Social History* 5 (1977), p. 570.

member of the “people,” was not to be an independent individual, but to be defined, as a self, in ways that embedded the individual within the community. Instead of radical opposition between individual liberty and community discipline, the two took shape with relation to each other. It is this reciprocal construction of self and community that emerged from and governed the political vision of the *Judicials*.

### 3. AMERICAN HEBRAISM

The sense of community as *res publica* can be seen in the *Judicials* in the textures of language Cotton uses, in his biblical citations, and in the glosses on Hebrew translation that he includes as marginalia. Indeed, it is remarkable that alongside biblical references and citations, *Moses His Judicials* contains in its margins Hebrew notations and comments on the Hebrew language. The biblical citations themselves seem to follow the Authorized (King James) Bible Cotton had used during his twenty-year ministry in England before his migration to America.<sup>31</sup> But Cotton’s Hebrew training at Emmanuel College, Cambridge, is reflected in his textual glosses.

Some of these comments on the Hebrew are merely philological, whereas others point to notable concerns and patterns. There is, first, a persistent imagery in the biblical citations of “midsts”: of being among, within, and outside of. Regarding the election of magistrates in the first chapter of *Judicials*, Cotton stipulated that they were to be chosen “from among thy brethren.”<sup>32</sup> Nobles and governors “shall proceed from the midst of them.”<sup>33</sup> The power of the governor was “to consult and provide for the maintenance of the State and people.”<sup>34</sup> The towns were to “have Judges within themselves,” as in “Judges and officers shalt thou make thee in all thy gates.”<sup>35</sup> “Able men” were to be “provided [in the Hebrew gloss, “taken or received”] out of all the people.”<sup>36</sup> In chapter 2, we find that free burgesses should choose judges “out of themselves” and be able “to call the Governour and all the rest of the publick Magistrates

<sup>31</sup> Cotton, *Cotton on the Churches*, p. 44. Bozeman notes the Hebrew marginalia of the *Judicials* but cites them simply as another proof of Cotton’s legalistic and coercive “biblical extremism,” without investigating or analyzing them further. See Bozeman, *Ancient Lives*, pp. 173, 171.

<sup>32</sup> Deuteronomy 17:15.

<sup>33</sup> Jeremiah 30:21.

<sup>34</sup> Numbers 11:4–16.

<sup>35</sup> Deuteronomy 16:18.

<sup>36</sup> Exodus 18:21–22.

and Officers unto place, and to call them to account for the breach of any laws." Chapter 3, entitled "Of the protection and provision of the Country," institutes the Deuteronomic law for provision for the poor, the widow, and the fatherless "within thy gates."<sup>37</sup> Taxes were to help preserve "the livelihood of each Town within it self," including overseeing inheritances that transfer land out of the township, to be balanced against the individual right that "to everyone shall his inheritance be given."<sup>38</sup>

Chapter 4 includes what proved to be a significant element in the shaping of New English polity, the requirement that "no man shall set his dwelling house above the distance of half a mile (or a mile at furthest) from the meeting house of the Congregation." Based on the Sabbath rules limiting distances for travel, the requirement to live within easy distance of the meeting house distinguished New England, with its townships and modes of self-government, from the South's plantation life, where considerable distances prevented the growth of bounded civic involvement.<sup>39</sup> This political unit of the town with its own judges is emphasized in the Bible as the context for the passages Cotton cited.

The treatment of torts, in chapter 6, is significantly entitled "Of Trespasses"; while the "Crimes" treated in chapters 7 and 8 very much flow (as they do in the Bible itself) from a sense of breaches in the integrity of the community. "All Israel shall hear, and fear, and shall do no more any such wickedness as this is among you."<sup>40</sup> Or, as Cotton noted in the margins, "Heb: in the midst of thee."

The Hebrew terms woven through the text and marginalia build an abiding sense of boundary and trespass, of incursion and guards against it, integrity maintained and defended. This is highlighted around the issues of crime and punishment. "Blasphemy" was translated by Cotton, from the Hebrew *nokev shem* in Leviticus 24:15, as "boring through" the name of God, that is, of compromising divine integrity. Regarding penalties for crimes—and it is worth noting that the sentences Cotton prescribed for criminal cases were less harsh than those then current in England—while conviction required, as in the Bible, two witnesses, Cotton focused on banishment, death, and very prominently *karet*, the punishment of being "cut off from the people."<sup>41</sup> This punishment was

<sup>37</sup> Deuteronomy 14:28–29.

<sup>38</sup> Cotton, *Judicials* IV.3; Numbers 26:53–54, 35:3.

<sup>39</sup> Carl Degler, *Out of Our Past* (New York: Harper, 1984).

<sup>40</sup> Deuteronomy 13:1–11.

<sup>41</sup> Cotton, *Judicials* VII.9; Numbers 15:30–31. For a general discussion of the legal system's background composition, see George Lee Haskins, *Law and Authority in Early Massachusetts* (New York: Anchor Books, 1968). On the relative leniency of Puritan law,

assigned for treason as betrayal of the community, public Sabbath desecration, and open sedition, and for the rebellious son who is taken “to the gate” and in this sense expelled from the city.<sup>42</sup> Each of the crimes—as well as rape, incest, false witness, adultery, sodomy—may well have been viewed by Cotton as involving the trespassing of various boundaries, and he concludes with a chapter treating transgressions between “our people and foreign Nations.” Chapter 10 sums up the *Judicials* in just this imagery of bounding and binding: “All wickedness is to be removed out of the camp... for Jehovah thy God walketh in the midst of the camp.”<sup>43</sup>

Cotton’s biblical quotations and imagery, in thus persistently speaking of “midsts” and of constituted units, yield an image of society as closely knit together. The scriptural texts and comments weave a social fabric founded at once upon each individual’s integrity and on mutual responsibility toward a common good.

A second strand to emerge from the Hebrew textures of *Moses His Judicials* was a vision in which daily life and its conduct were to be consecrated through, and inseparable from, a concrete reality of religious and social commitment. In an image that tellingly intercrosses just such material and religious intention, Cotton for example translated the biblical injunction to maintain “just balances, just weights between buyers and sellers” (*meoznei tzedek, avnei tzedek*) as “balances of righteousness and stones of righteousness.”<sup>44</sup>

Throughout *Moses His Judicials*, Cotton presented a Hebrew word’s underlying concrete meaning, with a pattern of synecdoche linking the word to a body politic. Thus, in chapter 1 he noted that the word translated as “rulers” in the Hebrew of Deuteronomy 1:13 signifies “heads” (*rasheichem*); that “side” in Exodus 32:27 is “thigh” (*yarecho*); “purpose” in II Chronicles 32:2 is “face” (*ufanav lemilhama*); “spake comfortably” of II Chronicles 32:6 is “spake to their heart” (*vayedaber al livavam*); and “turnes after” of Leviticus 20:6 is “setteth his face” (*tifneh*).<sup>45</sup> In each case the effect was to concretize dispositions, often as synecdoches of parts and wholes. This method assumed moral meaning when “do not respect persons,” of Deuteronomy 1:16–17, was notated to be, literally, “do not

see David Flaherty, *Privacy in Colonial New England* (Charlottesville, Va.: University Press of Virginia, 1972). Everett Emerson notes the leniency of New England law compared with contemporary English law. See Emerson, *Cotton*, p. 148. See also Bozeman, *Ancient Lives*, p. 174; and Edgar McManus, *Law and Liberty in Early New England* (Amherst: University of Massachusetts Press, 1993).

<sup>42</sup> Leviticus 20:9.

<sup>43</sup> Deuteronomy 23:9–14.

<sup>44</sup> Cotton, *Judicials* V; Leviticus 19:36.

<sup>45</sup> Cotton, *Judicials* VII.

acknowledge faces" (*lo takiru panim*). Its injunction to an impartial justice took on a sense of direct relationship.

Another pattern of translation emphasized the word as spoken. In chapter 4 of the *Judicials*, the "commandment" and "word" of the Lord are translated literally from the Hebrew of Joshua 15:13 and 19:49–50, as "mouth" (*al pi*), and "obey" from Deuteronomy 21:8 is rendered "hear" (*shome'a*). In chapter 10, the "edge of the sword" is glossed as the "mouth (*peh*) of the sword."

This insistence and emphasis on material reality is highly suggestive. It is consistent not only with Hebrew language but with Hebrew practices—not least as seen from the viewpoint of Christian polemic, both against Jews and between Protestants and Catholics. Christianity, in both its original and evolved forms, assigned and defined Judaism as external form directed to mere body, focusing on "literal" meaning, with the "letter" of the "law" disconnected from the "spirit." Against this, Christian inner spirituality was understood as above mere material meanings. But accusations of empty form, initially directed against Judaism, became a recurring theme in the history of Christian self-definition. Just as the Catholic Church defined itself as spirit against Jewish letter, so Protestants came to define themselves against Catholicism, attacking its institutional church structure as "works" as opposed to a pure "faith" in the free gift of spirit. The "Covenant of Works" depicted as an empty and harsh legal regimen is a Christian polemic displacing every prior religious form, beginning with the Jews, as inadequate and requiring correction and fulfillment. The very meaning of "Old Testament legalism" is grounded and embedded in this history of Christian self-understanding. Within the Jewish world, this distinction between practice and faith is essentially denied, with the two enacting and enhancing each other.

#### 4. SPIRIT, LETTER, HISTORY

Hebrew scriptural references such as Cotton presented in *Moses His Judicials* can have many ramifications. In the *Judicials* they ultimately point not only to a theological vision but to a social one: to the concept of community and its foundations, and to forms of selfhood seen to constitute it.

Protestantism in general and Puritanism in particular are often cited as religions of radical individual experience, as against Catholic corporatism.<sup>46</sup> Yet Puritanism is also often satirized as coercive social control. In

<sup>46</sup> See, for example, Ernst Troeltsch, *Protestantism and Progress* (Boston: Beacon Press, 1958).

one sense, this apparent schizophrenia brings core impulses of Christian biblicism into stronger and more immediate confrontation, with the Old Testament traditionally seen as coercive exterior form, and the New Testament representing a spiritual interiority that Jewish legalism betrays. But in another sense, the Puritan desire was precisely to heal this breach: to bring New Testament and Old, inner spirituality and concrete historical practice, and individual selfhood and community life back into a theology and a politics of mutual confirmation.

John Cotton himself famously elaborated the core Puritan idea of “calling” as at once spiritual and mundane, within the early modern renegotiation of earthly and heavenly loyalties and priorities. Medieval Christian theologies, at least as seen by Protestants, directed religious life out of this world and toward the City of God. The Reformation newly invested daily calling with religious meaning rather than monastic vocation, bringing it into harmony with wedded life rather than celibacy. It introduced individual religious conversion as the basis of calling, rather than the organization of a hierarchical Church institution. Cotton spoke of calling as the epitome of “living by faith” in our outward and temporal life, both as “civil” and as “natural,” for “not only my spiritual life but even my civil life in this world, all the life I live, is by the faith of the Son of God: he exempts no life from the agency of his faith.”<sup>47</sup>

For Cotton, this interrelationship between spiritual and temporal, faith and civic life, characterized the daily walk of life. But it extended beyond each individual’s course into a notion of historical life as a joint venture over time. Interiority and exteriority intercrossed in the everyday undertakings of individuals, but also in the common life led together, as individual selves join in community.

Such investment of concrete sequences and events as a dynamic sphere of human and divine activity is itself highly normative in Hebrew Scripture and extends into—or rather expresses and constructs a larger interpretation of—history. At issue are not only the events and norms of Hebrew Scripture, but its vision of history. In the Hebrew Bible’s historical vision, history itself—immediate, mundane reality and its sequences—takes on religious meaning. Religious values and faith in divine concerns are seen to manifest in mundane events and material orders, both for each individual and as selves bound together in historical community.

<sup>47</sup> Perry Miller and Thomas Johnson, eds., *The Puritans* (New York: Harper Torchbooks, 1963), p. 319.

Such a "theology of history," as it has been called, infuses history with new theological meaning, but it also transforms theology itself.<sup>48</sup>

Cotton's *Moses His Judicials* confirmed the relevance of Hebrew Scripture to Puritan society in the most concrete senses, and not only as analogous or as ideological background to the Puritan venture. Cotton can hence be seen to have projected a Hebraicized vision of history as a religiously meaningful, sacred dimension, which is also necessarily social and political. For to insist on religious life as not only spiritual but also historical is to insist on a social dimension; it is to grant religious life an external, public dimension and not only an interior, private one.<sup>49</sup> Not only inward experience but social experience, realized in the historical course of concrete actions and events, takes on religious significance as the space in which religious life is enacted.

This historical vision emerges as an enduring concern for Cotton. In *Moses His Judicials*, he presents biblical precedents as immediate to his contemporary community, whose course follows the pattern set by this history but also extends and recasts the biblical past in new terms. This does not mean, as has been argued, a "primitivist" emulation of things in an attempt to recover a lost past in eternal recurrence outside of time.<sup>50</sup> It is rather an embrace of history, and in several senses. It places the Puritan venture in the historical unfolding begun at creation

<sup>48</sup> Salo Baron begins his *Social and Religious History of the Jews* (New York: Columbia University Press, 1952–1983) by noting that "the Jewish religion has been from the very beginning, and in the progress of time has increasingly become, an *historical* religion, in permanent contrast to all *natural* religions" (p. 4). Robert Hanning traces the Christian "theology of history" to this "Hebrew religious thought and tradition: and those elements of the ritual observance of the Jews which manifested a timeless or semicyclical pattern were kept within a living context of the historically centered prophetic tradition.... The Hebrews saw history as a dynamic process established and controlled by God, and ratified in a series of covenants made between God and man to guarantee, as it were, the eternal value of a world of becoming." Hanning, *Vision of History*, p. 6. Cf. Tom Driver, *The Sense of History in Greek and Shakespearian Drama* (New York: Columbia University Press, 1960), pp. 39–66. Michael Walzer describes the Hebrew God as one "active in history, engaged in the world," whose "strength of hand is everywhere in evidence." Walzer, "Nation and Universe," *The Tanner Lectures on Human Values* (Salt Lake City: University of Utah Press, 1990), pp. 515–516.

<sup>49</sup> It is on this public, social dimension of history that Sacvan Bercovitch perhaps above all insists. In his discussions of typology in Williams and Cotton, for example, he underscores that a rejection of history "denies the applicability of typological exegesis to the public, social life of man." Sacvan Bercovitch, *The American Jeremiad* (Madison: University of Wisconsin Press, 1978), p. 8.

<sup>50</sup> This is Bozeman's argument in *Ancient Lives*, pp. 238, 357–359. His reading of the Bible and history as "myth" in the sense of Mircea Eliade's myth of eternal recurrence misses the movement of Hebraic historicism. Rather than the constant reference to the Bible being both disciplinary and regressive, where to go forward is to go back, the reverse is more true: to go back is to go forward in a jointly divine/human historical venture.

and continuing until the last days (whether tacitly or actively, pre- or post-millennialist).<sup>51</sup> Even more, it views history itself as a divinely sanctioned process, in which both divine will and religious life take form and shape, yet as directed toward this world and not only to the next one. Such religiously meaningful history both elaborates patterns and forwards progress. History is sacred, not as mere repetition or regressive return, but as what Sacvan Bercovitch calls a “developmental historiography” from biblical texts among each other and into contemporary events.<sup>52</sup>

Patterns of biblical corollaries in Puritan culture were certainly fundamental to the Puritans’ much-studied practices of typological interpretations of Scripture. Cotton’s own views of typology were fully dramatized in his long dispute with Roger Williams. It was in fact Cotton’s misfortune, as he himself felt, to figure centrally in both of America’s founding controversies: the Antinomian controversy concerning Anne Hutchinson and the controversy over Williams’ separatist anti-institutionalism. Interestingly, both these controversies overlap with the very period in which Cotton was composing *Moses His Judicials*. Moreover, his positions in each were almost diametrically opposed. In the Antinomian controversy, Cotton stood implicated, as Hutchinson’s pastor, in her radical arguments of inner grace as against works, cited by her as her theological source.<sup>53</sup> But in the Williams controversy, Cotton was cast as legalistic and coercive in opposition to Williams’ separatist anti-institutionalism.

In both controversies, questions of biblical hermeneutics were pivotal, albeit in different ways. In the separatist controversy, Cotton viewed Williams’ separatism as an abrogation of exterior practices in favor of a perfect inner purity that would make religious community impossible. Indeed, Williams’ religious position that no person be admitted to Communion other than in his or her own church, with no institutional continuity from congregation to congregation, eventually led him to take Communion only with his wife. But to forgo all institutional forms in such ways, Cotton felt, was to disintegrate not only the Church as an

<sup>51</sup> The question of Puritan millennialism is an enormous one I cannot enter into here. But it is reasonable to assume a millennialist context for Cotton himself, which does not, however, erase the importance of history but rather frames it toward an expected end.

<sup>52</sup> Bercovitch, *American Jeremiad*; Bercovitch, *The Puritan Origins of the American Self* (New Haven: Yale University Press, 1975).

<sup>53</sup> On the terms “grace” and “works,” see Michael McGiffert, “Grace and Works: The Rise and Division of Covenant Divinity in Elizabethan Puritanism,” *Harvard Theological Review* 40 (1982), pp. 492–493.

earthly enterprise, but the community too. Thus, Williams wrote to John Winthrop, "Abstract yourself with a holy violence from the Dung heape of this Earth."<sup>54</sup> Cotton's ideal, instead, was a community commitment, but one based on individual choice and initiative.

The contrasting visions of Cotton and Williams were argued largely through their respective, conflicting understandings of scriptural patterns. Both men, as Sacvan Bercovitch shows, formulated their positions first and foremost in biblical and especially in typological terms.<sup>55</sup> Typology posits correlations between the Old and New Testaments, seeing the former as prefiguration and the latter as fulfillment.<sup>56</sup> But within this correspondence there is also tension, in varying degrees and combinations. Williams radicalized the tension. He would sever any direct continuity between the two Bibles and insist that biblical narrative not be confused with history. Thoroughly spiritualized, the Bible, for Williams, was to be understood as removed from the letter of actual practice, certainly regarding worldly government. In a reply to Cotton, in their ongoing disputation, Williams declared,

the vast difference between that holy nation of typical Israel and all other lands and countries: how unmatchable then and now, and never to be paralleled... [since] the Israel of God and the kingdom of Christ Jesus such only are to be chosen spiritual officers and governors.<sup>57</sup>

Or again, in his answer to "Mr. Cotton's Letter Lately Printed," he asserted that "the church of the Jews under the Old Testament in the type and the church of the Christians under the New Testament in the antitype were both separate from the world." As Perry Miller writes, Williams upheld an "utter impossibility of New England's magistrates or of any other rulers in the world being antitypes of Israel's sovereigns."<sup>58</sup>

While Williams insisted on "absolute separation of the literal and the spiritual," Cotton posited an "interrelationship" between them, such that, in Bercovitch's words, America itself emerged for Cotton as "simultaneously

<sup>54</sup> Quoted in Edmund Morgan, *The Puritan Dilemma* (Boston: Little Brown and Company), 1958, pp. 130–131.

<sup>55</sup> Sacvan Bercovitch, "Typology in Puritan New England: The Williams-Cotton Controversy Reassessed," *American Quarterly* 19:2 (Summer 1967), pp. 166–191.

<sup>56</sup> Erich Auerbach's *Mimesis* (Princeton: Princeton University Press, 1953) is the classic general discussion of typology.

<sup>57</sup> Quotation from Perry Miller, *Roger Williams: His Contribution to the American Tradition* (New York: Atheneum, 1962), pp. 38, 152.

<sup>58</sup> *Ibid.* Miller essentially conflates Williams' typology into a historical allegory. See p. 34.

literal and spiritual.” He was thus committed to what Bercovitch describes as “the literal-spiritual continuity between the two Testaments and the colonial venture in America.”<sup>59</sup> The Puritans, as Christians, necessarily saw the two Testaments as distinct from each other, with the New completing the Old. But Puritan religiosity, as expressed by Cotton, nevertheless regarded the New Testament as strongly continuous of Hebrew Scripture and as an ongoing unfolding of the Puritans’ own venture.

This extended to notions of covenant. In one of his first responses to Williams’ separatist agitation, his *Sermon Delivered at Salem* in 1636, Cotton, even while outlining the precedence of the New Testament over the Old, opened with the deep continuity of covenant between them:

Doctrine: the church covenant, wherewith the people of Israel and Judah did join themselves to the Lord, especially after their return from Babel; and yet more especially under the days of the New Testament, was a perpetual covenant.

Like William Perkins, Cotton accepted the “use of law” even under the Covenant of Grace: “It guides them to new obedience in the whole course of their life.”<sup>60</sup> In a manuscript entitled “How Far Moses Judicials Bind Massachusetts,” Cotton affirmed that “if the Jewes be now still under the bond of them & so to observe them when they are an established commonwealth; then we are bound to observe them because there is no other revelation: that they shall be other Lawes.” He concluded, “tis part of the happiness of Christian nations yet they are subject to the Lawes of the commonwealth of Israel.”<sup>61</sup> And in his *Bloudy Tenent, Washed, and Made White* reply to Williams, Cotton insisted, “Though Christ abolished a Nationall Church-State, and instead thereof set up a Congregational Church: yet Christ never abolished, a Nationall Civill State, nor the Judiciall Lawes of *Moses*, which were of Morall equity, but established them rather in their place and order.”<sup>62</sup>

Cotton’s attempt against Williams to maintain continuity between Hebrew Scripture and Protestant religion within the framework of Christian spirituality and grace was echoed in his awkward position in the Antinomian controversy. Each of the controversies shows, in itself and in Cotton’s involvements with it, the challenge of formulating a

<sup>59</sup> Bercovitch, “Typology in Puritan New England,” pp. 8–9.

<sup>60</sup> Quoted in Larzer Ziff, *The Career of John Cotton* (Princeton: Princeton University Press, 1962), p. 19.

<sup>61</sup> Worthington C. Ford, *Proceedings of the Massachusetts Historical Society*, 2nd ser., vol. xvi (1902), pp. 280–284.

<sup>62</sup> John Cotton, *The Bloudy Tenent, Washed, and Made White in the Bloud of the Lambe* (1647; reprint, New York: Arno 1972), p. 126.

relationship between letter and spirit, material and spiritual, within Puritan religious commitments. Cotton's writings with regard to Hutchinson's Antinomianism displayed this strain. In his *Treatise on the Covenant of Grace*, Cotton responded against those who teach "freedom from the law of Moses and if they commit any sin they plead they are not bound unto the law... but we say: all the people of God know that the Lord is an avenger of every such wickedness. There is none under the Covenant of Grace that dare allow himself any such sin." For this claim of freedom from the law of Moses would be to separate word from spirit. Cotton most certainly denounced pure works as mere exterior, empty proscription. But he also resisted pure spirit untethered by act and institution. Instead, he envisioned spirit and letter, interiority and exteriority, as joined together: "Let this teach and exhort us not to look for any revelation out of the word; for the Spirit comes in the mouth of the word, and the word in the mouth of the spirit... take heed therefore of all revelations in which the word of God is silent; for the spirit of God will speak Scripture to you."<sup>63</sup> Similarly, in a letter to Thomas Shepard clarifying his role and position vis-à-vis Anne Hutchinson and the Antinomians, Cotton wrote:

The word, & Revelation of the spirit, I suppose doe as much differ, as, letter, & spirit. & therefore though I consent to you, *that* the spirit is not separated from the word, but in it, & ever according to it: yet above, & beyond the letter of the word it reacheth forth comfort & Power to the soule, though not above the sense, & Intendment of the Word.

He went on to write: "For the Spirit comes in the mouth of the word, and the word in the mouth of the spirit."<sup>64</sup>

Cotton here struggled to formulate letter and spirit as reciprocal necessities: to resist the reduction of religious experience to "letter" as an empty form of outward behavior without spirit, and instead to embrace it as intentional actions and behaviors necessary and not supererogatory to spiritual life. His own straining rhetoric here, as well as his ambiguous positions throughout the Antinomian hearings, suggests just how difficult such reciprocal formulation was for him.<sup>65</sup> With regard to Williams as well, Cotton's position was awkward. His responses to Williams show his

<sup>63</sup> John Cotton, *Treatise on the Covenant of Grace* (London, 1671), pp. 87, 178–179.

<sup>64</sup> Cotton, *Correspondence*, p. 231. Bozeman cites this letter as proof of Cotton's own antinomian suspicion of the "letter" to which he, in Bozeman's argument, nevertheless slavishly betrays religion. Bozeman, *Ancient Lives*, pp. 275–278.

<sup>65</sup> Bozeman's description of Cotton's inscrutable "ambivalence" fails, I believe, to

discomfort, given his own emphasis on radical inner call and conscience as the basic religious experience, and his arguing for religious constraint, which he restricted only to theological fundamentals and basic challenges to social order.<sup>66</sup>

Williams' separatism and Hutchinson's Antinomianism were for Cotton not only theological errors but social disruptions that threatened the Puritan venture as at once civic and religious. Such theologies of inward spirit, dis severed from institutional life and community, he regarded as isolating and atomizing, cutting the individual off from society and detaching meaning from joint history. Each, by radically interiorizing religious experience as spiritual only, destroyed in Cotton's view the grounds of fellowship in both church and state, emptying and threatening the core Puritan vision of historical venture and destabilizing what he called the Puritan church's "middle way," whose very mission was to balance just these opposing pulls and trends: interiority and exteriority, spirit and letter, and, not least, individual experience and religious social life.<sup>67</sup>

In Cotton's Puritan ideal, biblical interpretation provided both guidelines and a paradigmatic experience. The Bible as covenant encompassed a double sense of both authoritative text and community commitment—text binding each member to community. Indeed, the Bible formed a basis for social-religious interaction. The Puritan injunction that each person read Scripture for himself or herself made Bible reading and discussion a fundamental part of worship.<sup>68</sup> Puritan services focused on Bible readings, biblical sermons (Cotton alone gave between three and four lectures a week to packed audiences), and biblical discussions among

penetrate the integrity of his position and the relationship between these apparently inverse stances. Bozeman, *Precisionist Strain*, pp. 211, 241, 251.

<sup>66</sup> Cotton specifies that action is to be taken only when a "heretick" is "cast out by the Church yet he still remaineth obstinate, and proceedeth to seduce and destroy the faith of some (it may be of many)." Cotton, *Bloudy Tenent, Washed*, p. 66. Edmund Morgan points out that Williams himself supported coercive "moral" action on the part of the civil government. See Morgan, review of Roger Williams, *The Complete Writings of Roger Williams*, ed. James Hammond, *New England Quarterly* 38:3 (1965), p. 522. Morgan goes on to describe Williams' vision as "subversive," "seditious," and "dangerous" as well as "noble" (pp. 516, 523). Morgan similarly describes Williams' position as a "pinnacle of isolation." Morgan, *Puritan Dilemma*, pp. 130–131.

<sup>67</sup> Cotton, *Keys*, p. 77. This attempt to integrate spirit and letter is another reflection of what Edmund Morgan famously called "the Puritan dilemma," which he sums up as "the question of what responsibility a righteous man owes to society" and "the problem of doing right in a world that does wrong." Morgan, *Puritan Dilemma*, pp. xii, 203.

<sup>68</sup> Stephen Foster explores and emphasizes this scriptural framework in his "New England and the Challenge of Heresy," *William and Mary Quarterly*, 3rd ser., 38:4 (October 1981), pp. 644–645.

congregants—the practices of the “conventicle” meetings that had been proscribed by the Anglican Church in England. In Cotton’s words, the Bible was the “key of knowledge... belonging to all the faithful.”<sup>69</sup>

Alongside the Protestant *Sola Fide* emphasis on “faith alone” was the no less foundational *Sola Scriptura*, with its commitment to “Scripture alone.” Cotton did not see here the potential for multiple and diverse interpretations that would later emerge from Protestant biblical practices. To him, faith and Bible each acted as both a check on and an inspiration to the other. With regard to preaching, for example, while Cotton recognized the motion of spirit and of prophesying, he also emphasized its institutional structures and limits.<sup>70</sup> As he wrote in his *Treatise on the Covenant of Grace*, “If any spirit shall speak and not according to the word it is but a delusion, rest not therefore in any assurance nor revelation unless thou hast a word for it.”<sup>71</sup> In *Moses His Judicials*, Cotton quoted Deuteronomy 13, on false prophecy, at length. Though the prophet may give a “sign,” if what he says is inconsistent with Scripture, then “thou shalt not hearken unto the words of that Prophet,” but shall “walk after Jehovah your God, and keep his commandments, and obey his voice, and you shall serve him and cleave unto him.”<sup>72</sup>

Cotton’s position was neither an antinomian anti-institutionalism, denouncing the letter of the law and releasing the individual from community or biblical bonds, nor a repressive, legalistic denial of spirit. Rather, he invested in concrete social forms as the proper and necessary conditions for conducting a life at once spiritual and historical, individual and communal. In Cotton’s Puritanism, biblical discourses enacted the mutual constitution of individual and community that Puritan society sought. Individual interpretation was fundamental, yet it was also bounded by the word as accepted authority.<sup>73</sup> The Scriptural word stood neither for repressive and punitive discipline nor for rote compulsion or anything exterior or crushing to the spirit, but rather, as the arena of religious experience, as integral to realizing spirit.

Michael Winship, tracing the antecedents to New England Puritanism to the English Presbyterians, described them after their defeat as defending

<sup>69</sup> Cotton, *Keys*, p. 100.

<sup>70</sup> The *Keys* validates prophesying, the voice of individual inspiration, but also enjoins that the “people of God were to examine all prophecies by the law and testimony and to receive them but according to that rule.” *Ibid.*, p. 113.

<sup>71</sup> Cotton, *Treatise on the Covenant of Grace*, p. 179.

<sup>72</sup> Deuteronomy 13:7.

<sup>73</sup> Foster, “New England and the Challenge,” pp. 644–645. See also Foster, *Their Solitary Way* (New Haven: Yale University Press, 1971).

their “ecclesiastical political theorizing on the basis that Scripture demanded it without drawing on the traditions of classical political theory to explain why.” Cotton’s *Moses His Judicials* took Scripture as a central resource for emerging Puritan republicanism and, indeed, as background for early modern political theory. The two strands complement and influence each other. Winship himself pointed to this when he discussed the positive relationship between civic virtue and godliness. “There was,” he wrote, “a significant overlap between the values of classical republicanism and godly discipline: industry, frugality, honesty, public-spiritedness, self-restraint, and sobriety.” What needed to be emphasized, for Winship, was that godly discipline was not simply imposed through external coercion, but was also a voluntarist undertaking.<sup>74</sup> Among Puritans, it remained directed toward concrete action in the world and enlisted as a civic value. For the Puritans, as Christians, the “body politic” was, as Winship stated, to be identified “as closely as possible with the body of Christ.” But the notion of body politic itself took on new forms and meanings, not only in emulation of what was thought to be the character of early Christian congregations, but also as modeled on Hebrew Scripture’s vision of polity and community.<sup>75</sup>

Biblical and specifically Hebraic precedents formed a vital part of Puritan practices and theories of polity in both church and state, including their republican tendencies. What resulted was a peculiarly median society between the kind of individualist association that characterizes *Gesellschaft*, and the collective organicism of *Gemeinschaft*.<sup>76</sup> In this median configuration, community structures were granted a priority and authority that remained, however involved and limited by the individuals that constituted it. What defined the Puritan “middle way” in both church and state was neither autonomous individualism nor collectivist authoritarianism, but rather a social constitution between them. The individual

<sup>74</sup> Stephen Foster and Timothy Breen emphasize that the “social cohesion” of Puritan society derived from its forces of accommodation, with its covenantal-contractual model essentially based on “free will: the individual voluntarily promised to obey civil and scriptural law.” Thus a “strong sense of communal responsibility developed out of this voluntary commitment,” responsibility not imposed but exercised through “broad participation,” frequent elections, careful monitoring of elected magistrates, etc. Foster and Breen, “The Puritans’ Greatest Achievement: A Study of Social Cohesion in Seventeenth-Century Massachusetts,” *Journal of American History* 60:1 (June 1973), pp. 12–13.

<sup>75</sup> Winship, “Godly Republicanism,” pp. 6, 15. Michael Walzer describes this internalized discipline in *Revolution of the Saints*.

<sup>76</sup> Leonard G. Boonin proposes a third model besides and between *Gesellschaft* and *Gemeinschaft*. See Boonin, “Man and Society: An Examination of Three Models,” in J. Roland Pennock and John W. Chapman, eds., *Voluntary Associations, Nomos XI* (New York: Atherton Press, 1969), pp. 69–86.

and his (and to some extent her) liberty were seen to be realized within community, while community respected and enlisted individual initiative and spiritual life.

The *Judicials* projected a specific social vision in which, while individual actors were drafted into participation, each active in his (and to some extent her) involvement as constituting both town and church, authority and value were granted equally to community as a shared life among them. The community was composed of and also shaped by individuals, and in this sense was prior to them. Individuals made up but were also shaped by community, whose historical course itself, as covenanted membership, had religious meaning. This community of selves, and selves in community, Cotton associates with the Hebrew Scriptures.

Cotton's involvements in early Puritan controversies particularly underscored the tensions and potential instability in balancing self against community, commitment to social order against individual liberty and conscience. These tensions were not readily eased or addressed. Communities inevitably entail constraints, which are always at work when human beings, by their natures as social animals, attempt to build mutual lives together. Yet Mary Douglas, in discussing ritual practices, argues that there can be no religious life without some form of social enactment.

It is a mistake to assume that there can be religion which is all interior, with no rules, no liturgy, no external signs of inward states. As with society, so with religion, external form is a condition of its existence.... Social rituals create a reality which would be nothing without them.... It is impossible to have social relations without symbolic acts.<sup>77</sup>

The questions then become how the constraints that any social life entails are instituted and revised, how they are distributed and enacted, and what the emergent forms of dissent and of confirmation are. That is to say, What sort of community is at issue in relation to what structure of individual? Puritan constructions of self and community attempted to

<sup>77</sup> Mary Douglas, *Purity and Danger* (London: Ark, 1984), pp. 128, 60–62, respectively. Douglas' discussion of boundaries as ritually maintaining the integrity of community is particularly relevant to both the biblical texts and the Puritan laws Cotton derives from them, as well as to the texture of his very language both in citations and in glosses as it underscores the sense of community these references and laws construct. As she notes, policing of boundaries finds its "sociological counterpart" as "care to protect the political and cultural unity of a minority group," which the Israelites always were. Douglas, *Purity and Danger*, p. 124. See also Larzer Ziff, "The Social Bond of Church Covenant," *American Quarterly* 10:4 (Winter 1958), which describes the social power of the covenant to create cultural identity beyond "principles" through "customs" (p. 455).

found a mutually bonded community that yet recognized the full force of individual integrity, even as the Puritans themselves attested to the difficulty and contradictions of such an effort. This reciprocal structure they sought, and felt they found, in Hebrew biblical models.

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