

Why the Pilgrims Matter
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The United States is not the only country in the world with a written constitution. To the contrary, most countries have constitutions. They borrowed the idea from us. Next to *Coca-Cola* and *Baywatch*, constitutionalism is really the greatest export ever produced in the US. These other countries, however, don't put the same emphasis on constitutionalism that we do. In many instances, written constitutions are largely window dressing - routinely ignored and routinely replaced.

In Pakistan, for example, General Musharraf decided to run for president even though the Pakistani Supreme Court challenged the constitutionality of his election due to his military status. When the constitution got in the way, Musharraf suspended it, fired the chief justice of the court, and declared martial law.

In Peru, former President Fujimori's solution to facing an opposition legislature was to suspend the constitution so he could purge the government of those who opposed him. After successfully completing two terms of office he wanted a third, but was prohibited by Peruvian law. His solution? Run for a third term anyway! To heck with the constitution.

Some countries simply replace their entire constitution when it becomes a problem. The French for instance, always the most fickle of our European friends, have had 12 constitutions in the last 200 years and maintain a nasty habit of replacing their constitution whenever it gets in the way of public policy! Even countries with questionable human rights records – countries like China, Rwanda, and Iran - maintain written constitutions because it looks good, even if they don't pay them much heed.



So why does constitutionalism work here in the US, when constitutions all over the world fail? Why do we Americans hold our constitution in such high esteem, when other countries treat their own as mere parchment barriers to be ignored or discarded when convenient? To answer to that question, most people would look to the Founding Fathers in Philadelphia during the summer of 1787. But to get the real story as to why constitutionalism works in the United States you have to go back in time almost 200 years before the constitutional convention. What you may not realize is that the Pilgrims shaped the New World not only with the English language and their Christian faith, but by planting the seeds of constitutionalism almost two centuries before our Founding Fathers met in Philadelphia.

The birth of American constitutionalism is a story in two parts, the seemingly unrelated stories of Plymouth and Jamestown. The first story is familiar to most Americans – the arrival of the Pilgrims to the New World. In elementary schools across the nation, kids are taught that this is the seminal event in the American founding; that this is when American started! They dress up as Pilgrims or Indians, share candy corns, and celebrate the first Thanksgiving, as if nothing of importance happened before in American history.



Most Americans know that the Pilgrims came to the New World for religious freedom. Though we describe them as Puritans, the Pilgrims were actually Separatists. You see, there was a great battle going on for control of the Church of England. Many Englishmen felt that the Anglican Church had been corrupted. They objected to the pageantry, the ritual, and the affluent trappings. Some Englishmen wanted to purify the Church (hence the term Puritans) and return to a simpler focus on the bible, without all the

pomp and circumstance.

There were some die-hard Puritans, however, who felt that the Church had become so tainted that it was beyond saving. These men felt that the only way to escape the corrupt influence of the Church was to separate from it. The problem for these Separatists was that the Church of England was the official state church; you couldn't just start up a new church in a strip center, sandwiched between a *Starbucks* and *Blockbuster Video*. To attempt such a thing was punishable by death.

So these men and women seeking religious freedom sold their belongings, loaded up their children, and left for..... Holland. That's right, Holland. We conveniently forget that, partly because it complicates the story, and in addition it keeps us from getting to the good part where they land in North America. Why Holland? Well, it's closer than America for one. In addition, it was the most prosperous commercial nation on the planet, rife with opportunity. Most importantly for the Pilgrims, it was a very open, tolerant society. The Dutch don't care what you do as long as it doesn't bother other people. Those of you who have spent time in Amsterdam have experienced this first hand. You know who you are.

Anyway, for people seeking to practice their own religion free from state interference, a tolerant society was just what they needed. So the Pilgrims moved to Holland and lived there for a good 10 or 12 years. This is when they realized they had made their first mistake. You see, their kids were growing up eating Dutch food, singing Dutch songs, playing Dutch games with Dutch children, and generally becoming Dutch. These pilgrim children were losing their English identity.

The Pilgrims figured they needed to go somewhere far away, where they could raise their kids free from all the distractions of windmills and tulips, and the wilderness of North America looked pretty good. They pooled their money and purchased the most boat they could afford, and set sail on a ship called.....*Speedwell*.



Yes, there was another ship before the *Mayflower*. It wasn't much, but it was exactly the sort of boat you would expect Pilgrims to buy. That's when they realized their second mistake. The *Speedwell* was in such bad shape that the Pilgrims knew they would never make it to the New World without a backup. So they took the *Speedwell* to South England,

where they figured out a way to buy another boat and some land in America as well.

Using an idea they stole from the Dutch, the Pilgrims formed what is called a joint-stock company. They raised money from investors who expected that whatever raw materials the Pilgrims found in America – gold, spices, timber, fur - would be exported and sold at a profit. The investors would share in these profits, sort of like today's venture capitalists.

So the Pilgrims raised good money from investors and secured a little more by selling the extra seats on their two boats to young men looking for adventure and fortune in the New World. With the money raised they purchased some land in America, and a second boat called the *Mayflower*, and set sail on September 6, 1620.



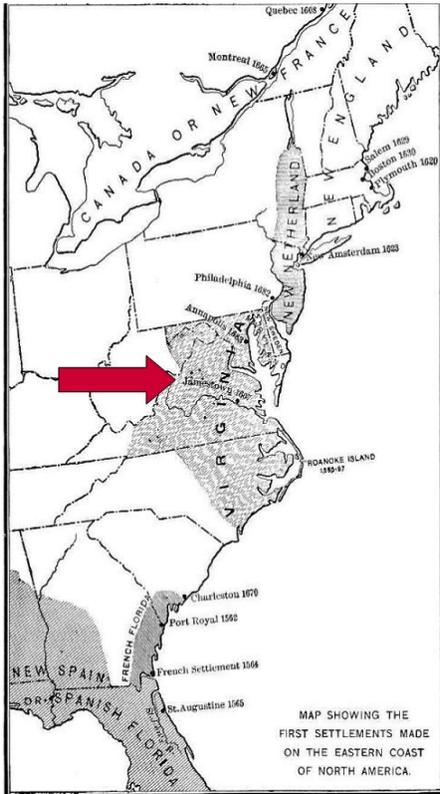
Now contrary to what we sometimes teach school kids, and what you may want to believe, the Pilgrims were not the first Englishmen to settle in North America. And this leads to the second and more harrowing story.

More than a decade before the Pilgrims set sail, 105 young men - many poor seeking their fortune, some wealthy seeking adventure - tried their own jointstock venture, and sailed from England on three little boats. They planted themselves in the Virginia wilderness on a river they named after their own King James, and formed a fledgling colony they called Jamestown.



It was a miracle that the colony survived. None of the Jamestown colonists knew what they were doing. The poor were inexperienced, quarrelsome, and self-interested.

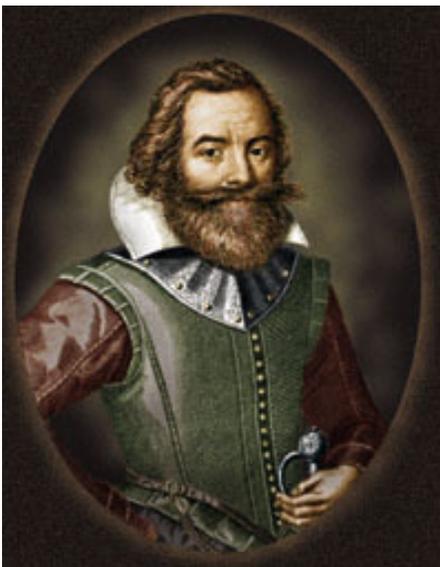
The gentlemen adventurers were educated, polished, decked out with the latest gear from *LL Bean*, and completely useless. And of course these were all guys, so there was no stopping for directions, which got them into real trouble.



In fact the very spot they picked for the settlement was nearly their undoing. It was right on the James River, and had three overwhelming weaknesses. First, it was surrounded by Indians. Within two weeks the Indians began attacking, forcing the colonists to build a defensive fort, walling themselves into the worst real estate in Virginia.

Second, the area is basically marshland – hot, humid, and mosquito infested. Within weeks, our colonists are suffering heatstroke and malaria and numerous other ailments that come with living in a swamp.

And third, it lacked food and water. The James River, while right outside the door, is brackish and hard to drink. The colonists also made the unfortunate mistake of tossing their waste water into the river every morning, hoping it would be carried out with the tide. The colonists were regrettably unaware that every evening the discarded sewage washed back up to the very spot where they collected their drinking water for the fort.



In short order the colony began to fall apart from Indian attack, disease, starvation, and a general unwillingness of anyone to take orders from anyone else. The colony was on the verge of anarchy.

Luckily someone took charge – a young man with the terribly boring English name of John Smith. Smith was, for lack of a better word, a jerk. In fact he was such a jerk that on the voyage from England the other passengers voted to hang him, but they changed their minds and it was a fortuitous decision. Smith's harsh leadership and martial discipline gave the colony its one chance for survival.



The most famous part of this story is one that you know well, although it has been corrupted by popular culture. Out hunting for food, Smith and his small band were ambushed by Indians. Many of Smith's party were killed, and Smith himself was captured and delivered as prisoner to Powhatan, the Indian chief. Smith was forced to the ground, his arms and legs pinned. Several warriors danced around him, one raised a large stick above Smith's head, and as Smith awaited the crushing blow that would bring certain death, the chief's little girl ran over to Smith, threw herself over him, and the Indian king spared his life. You know the little girl's name....

Matoaka....though you are not far off. Pocahontas was her nickname, but her

real name is Matoaka. Ironically Pocahontas is not a very nice nickname. It is best translated from the Algonquin tongue as something like “playful child,” “spoiled girl”, or worse yet “naughty brat.” In this sense, she was the first American “daddy’s girl.”

And if you have ever seen any of the movies made about the Indian princess, most of them are wrong too. Pocahontas and Smith never fell in love. He was 27 and she only 11 years young. They did strike up a lasting friendship, and she helped the colonists acquire food, and taught them many skills they needed to survive in the wilderness.

Sadly, after he was wounded in an accident, Smith returned to England in 1609, only two years after meeting Matoaka. Pocahontas, this little girl from the wilderness of Virginia, was told that he had “gone home”, but in the translation mistook it to mean that her good friend Smith was dead. She stopped visiting the colonists.

That winter, the winter of 1609, was the worst winter that Virginia had ever seen. With Smith gone and no more help from the Indians, the colony resulted to its old ways – no direction, no action, utter lawlessness. The colony had grown to almost 250 people over two years, but after the winter of 1609, only 60 remained. Three fourths of the colonists froze or starved to death in the Jamestown fort. Desperate for food, the survivors ate the frozen bodies of the dead.

In later years, Smith recounted his adventures with Matoaka, and the desperation of the Jamestown colony. The biggest failure, he noted in his retelling, was that the Jamestown colony lacked an established system of laws, and that had it such, much tragedy could have been avoided.

Well, by now you are asking what do Jamestown and the Mayflower Pilgrims have to do with the success of the American Constitution? The answer is that one of the most important events in the American founding is a product of these two events....the near death of Jamestown and the difficult birth of Plymouth. You see, after 66 days at sea, the pilgrims aboard the *Mayflower* finally reached the shore of American in late November of 1620. The journey across the ocean was not an easy one. The *Mayflower* nearly sank during a terrible storm and the passengers and crew were generally weak from lack of food and water. In addition, they were desperate to set foot on land, none having bathed in over two months!



The old clunker *Speedwell*, the other ship, didn’t make it. It didn’t sink. It never made it from England! The crew found that the ship leaked terribly, and they turned back, sailing away from history.

But the *Mayflower* Pilgrims had accomplished their goal. Though anxious to get to shore, they sat on the deck of the little ship and looked across at the misty virgin wilderness of North America, and were scared to death.

You see, they too, just like you, knew the story of Jamestown. And these pilgrim men and their families stood across from the other passengers they had picked up in England - those young men seeking adventure, fortune, and all the things from which the Pilgrims were trying to escape. And the Pilgrims realized they were in danger of repeating Jamestown all over again, and there might not be a Pocahontas to save them.

So all the men gathered in the hull of the little ship – fathers and bachelors, pilgrims and adventurers, men of faith and men of fortune – and drafted up a mutual agreement, a compact that bears the ships name, **that though they had no government, no laws, and no means to enforce them, they would pledge themselves to abide by the will of the majority, for the good of the colony.** And all signed their names to this document, which became known as the ***Mayflower Compact***.

This simple act was the birth of constitutionalism in what would later be the United States of America. For the first time in the New World, men of opposite backgrounds set aside their differences to establish a government for the preservation, as Jefferson would later write, of their “life, liberty, and happiness.” It was an agreement, a “social compact” as theorists call it, formed for the common good. And most importantly, it was done freely, showing that governments could be established by “reflection and choice” rather than “accident and force.”

So the seminal moment in the American founding is not when our Pilgrim forefathers set foot on Plymouth Rock, but is when they are just offshore, drafting what amounts to the first attempt at a written constitution in the New World. And they would continue this tradition of writing down their systems of government, in their villages, towns, colonies, and what would later become their states. By the time we get to the Philadelphia convention of 1787, our Founding Fathers already had 167 years of constitutional experience, and would refer to the pilgrims as *their* Founding Fathers.



But equally important as the act of writing things down, was the Pilgrims belief in those words, once written. It would have been very easy for the Pilgrims to ignore the *Mayflower Compact* if they wanted to, just sign it to get off the ship. But the words held power.

Lacking any means of enforcing the compact, other than ink and honor, the *Mayflower* Pilgrims relied on their tremendous faith in God to bind them to their agreement. Here in the wilderness of North America, where the King of England could not reach, these men looked to Heaven for order, with the conviction that God is good, that there are standards of right behavior in accordance with His will, and that governments established in accordance with these “natural laws” of right and wrong are surely agreeable to any reasonable man or woman.

In the name of god Amen. the whose names are underwritten
 the loyal subjects of our dread sovereign Lord King James
 by the grace of god, of great Brittain, France, & Ireland King
 Defender of the Faith, &c
 Having undertaken, for the glory of god, and advancement
 of the Christian faith, and honour of our King & Country, a voyage to
 plant the first Colonie in the Northern parts of Virginia. Do
 by these presents solemnly & mutually in the presence of god, and
 one of another, Covenant, & Combine our selves together into a
 Civill body politick; for the better ordering, & preservation & fur=
 therance of the ends aforesaid; and by vertue hereof, to enacte,
 constitute, and frame such just & equal Lawes, ordinances,
 Acts, constitutions, & Offices, from time to time, as shall be thought
 most meete & convenient for the generall good of the Colonie: unto
 which we promise all due submission and obedience. In witness
 whereof we have hereunder subscribed our names at Cap=
 Codd the 11. of November, in the year of the raigne of our sovereign
 Lord King James of England, France, & Ireland the eighteenth,
 and of Scotland the fifth. fourth. An: Dom. 1620.]

The Founding Fathers of 1787 understood this too- **that without belief in something higher than ourselves, the words of the constitution are just words.** The Pilgrims knew in 1620 what the Founding Fathers would know in 1787 – that obedience to the law is stronger when backed by moral conviction rather than just ink on paper. “Our Constitution,” wrote founder John Adams, “was made only for a religious and moral people. It is wholly inadequate for the government of any other.”

And so even though as Americans we often disagree on what each word in the constitution means, we hold the idea of constitutionalism – the concept of “government of the people, for the people, and by the people” as the greatest good of all. And we cherish this democratic principle to such an extent, that we hold the parchment upon which the words “we the people” are written as a sacred artifact of the American ideal.



And where did we get this grand tradition of constitutionalism that has been the foundation for our government for over two centuries? We got it not from Madison, or Jefferson, or Adams. We got it almost 200 years earlier from tired and frightened but determined people in the hull of a tiny ship called *Mayflower*.