

A Trial That Never Happened.

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"The attitude of the Massachusetts judges toward Anne Hutchinson was influenced by her sex."¹ While discussing the life and persecutions of Anne Bradstreet, a talented intellectual and daughter of the governor, Francis Bremer makes quite clear her belief that the gender issues were innate in the trial and censure of Anne Hutchinson. Conversely, Edmund Morgan has a different take on the issue. "It was because her opinions were repellent to them that the Puritans banished Anne Hutchinson, but they sincerely believed that in thus protecting themselves they were also protecting God's eternal truth."² It is precisely this issue that is at stake when we discuss the role of Anne Hutchinson in Puritan New England. The views regarding Hutchinson are diverse, and certainly no consensus has been reached to this date, nor does there seem to be a possibility for resolution anywhere in the near future. However, in light of the constant fight for progress towards gender equality in Christianity, it is imperative that these questions be asked, and that the implications those answers have on the history of our church be addressed.

Much is known of the historical context in which Anne Hutchinson lived, and little time needs to be spent on those here, but for a brief reminder I will pass a few comments on the role of women in society in general in the mid-seventeenth century. In society, only men were to

¹ Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. (Huntington, NY: Robert E. Kriger Publishing Company, 1990), 99.

² Edmund S. Morgan, *The Case Against Anne Hutchinson.* In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. (Huntington, NY: Robert E. Kriger Publishing Company, 1980), 57.

vote, teach (outside the home), or work. The women were seen as those that should remain home, raise their children, and do housework. "In Puritan Congregationalism, despite the vigor and enthusiasm of the first generation women, women were disciplined to accept male authority, socialized to submission, and accustomed to filling the churches."³ Furthermore, beyond these stereotypes, even the ills of society as a whole had a tendency to be attributed to women significantly more than men. In times shortly after those of Anne Hutchinson, the witch trials of Puritan New England took place. Throughout the convictions and persecutions, four out of five of those labeled as 'witches' were women, and the few men that were tried were generally connected to women that had already been convicted.⁴ Overall, women in Puritan society were completely subordinate, and were expected to act in a manner that respected that role. More importantly, women were never seen as in a position to teach, or to preach. It was these roles that made Anne Hutchinson that much worse, at least in the eyes of the Puritan men. "Speaking women were, by definition, rebels."⁵ Anne Hutchinson was certainly one of those speaking women, and therefore, regardless of her style and grace, a rebel in society.

In the summer of 1634, Anne, her husband William, and eleven of their children sailed from England to the new land. John Cotton, the

³ Mary Maples Dunn, *Saints and Sisters*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. (Huntington, NY: Robert E. Kriger Publishing Company, 1990), 141.

⁴ These statistics were drawn from the class notes, 10-2-97.

⁵ Ben Barker-Benfield, *Anne Hutchinson and the Puritan Attitude Toward Women*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. (Huntington, NY: Robert E. Kriger Publishing Company, 1990), 101.

Hutchinsons' minister in England, had made the journey in the previous year, and Anne believed that the Lord, through biblical revelation, had shown her that she was to follow Cotton across the ocean. Upon arrival at New England it was not very long before Anne, this "Godly wife of a pious and successful merchant,"⁶ had made a name for herself in the community, and in the church. As time passed in Massachusetts, Hutchinson continued her following of Cotton as the pastor with whom she truly agreed. To Hutchinson, Cotton was the only pastor at the time that was preaching an uninhibited covenant of grace.⁷ As her career in Massachusetts progressed, Hutchinson was criticized by Cotton for not participating in the weekly discussions held by the women of the town after the sermons, the meetings where women were expected to voice their reactions to other women alone. Taking the words of her mentor to heart, as she always did, Hutchinson immediately began to hold these very types of meetings in her own home, where she would lead groups of women in talking about the sermons of the day. The rumors rapidly spread regarding the exciting speech of Anne Hutchinson, and these groups began to grow. Soon there were both men and women attending one of two meetings in Anne's home each week.⁸ As the meetings at her home grew, so did the word of what she was teaching, and more importantly,

⁶ Morgan, in Bremer, 52.

⁷ John Wheelright would later enter the picture and this distinction of preaching an uninhibited theology of grace would be specific to these two ministers.

⁸ It is unclear in the trial whether or not men were actually present for the meetings, but modern scholarship seems to have a general consensus that both men and women were active in the meetings that took place.

who she was teaching. Here we have the beginning of what becomes the 'Hutchinsonian controversy.'⁹

In entering the courtroom in November of 1637, there was still much left unsaid as to what was laid to her charge in the case before her. To this issue Hutchinson exclaims: "I am called here to answer before you but I hear no things laid to my charge."¹⁰ As the discourse continues, there eventually emerge five major things that Hutchinson is said to be charged of at the outset of her trial.

Mr. Winthrop, governor: "Mrs. Hutchinson, (1) you are called here as one of those that have troubled the peace of the commonwealth and the churches here; (2) you are known to be a woman that hath had a great share in the promoting and divulgence of those opinions that are causes of this trouble, and to be nearly joined not only in affinity and affection with some of those the court had taken notice of and passed censure on, (3) but you have spoken divers things as we have been informed very prejudicial to the honour of the churches and ministers thereof, (4) and you have maintained a meeting and an assembly in your house that hath been condemned by the general assembly as a thing not tolerable nor comely in the sight of God nor fitting for your sex."¹¹

⁹ Jean Cameron proposes that Anne Hutchinson was not an Antinomian at all, much less the exemplar of the movement as has often been assumed. "A closer look at her trials reveals however that it is most likely that she was just what she pleaded at her church trial: a woman who had many questions about the meaning of scriptures." Pg. 202 of Anne Hutchinson, Guilty or Not? (New York: Peter Lang Publishing, 1994). Because it is the gender issues of Anne's trials that are in question in this paper, and not the Antinomian controversy, I will stick to using the term 'Hutchinsonian controversy' in direct relation to this trial and Anne's life, without regard to her role in the Antinomian controversy as a whole.

¹⁰ David D. Hall, The Antinomian Controversy: A Documentary History. (Middletown, CT: Wesleyan University Press, 1968), 312. Though there are multiple versions of the trial manuscript, David Hall's seems to be the manuscript that is most commonly used in evaluation of the trial, and is therefore the transcript that I have chosen to use for this paper.

¹¹ Ibid., 312.

It is a few lines later that the fifth charge is laid to her charge, that of breaking the fifth commandment. It is this charge with which the court begins the inquiries.

Of these five charges, were any proven in a manner that warranted Hutchinson's deportation? Is it true, as Morgan put forth, that it was solely her opinions that led to her censure, or was there more involved than the simple exchange of beliefs? Or is the truth more in what Barker-Benfield proposes in saying that gender was a central issue involved in the results of the trial? In attempting to answer these questions we must evaluate a series of areas where gender might have been involved in one way or another. In looking at the events leading up to the trial, the treatment of Anne Hutchinson during the trial, the treatment of others during the trial, and the sentencing that took place, it will become apparent that the issue of gender is unavoidable when reading the manuscript of the trial that took place.

After a complete failure to justify the claim that Anne had broken the fifth commandment (a conversation that will be touched on later), the Governor moves on to the meetings that Anne had held at her home. "Why do you keep such a meeting at your house as you do every week upon a set day?"¹² To this question Anne responds simply: "It is lawful for me so to do."¹³ As is the tendency for Hutchinson, Anne says what is necessary, but fails to stop there and goes on to a much more elaborate response to a question she has already answered (this is a tendency of Hutchinson's that later in the trial will cause her much trouble, and possibly costs her freedom). Once Anne finally finishes her statement,

¹² Hall, 1968, 314.

¹³ Ibid., 314.

the governor finally makes quite clear the underlying issue with which he is concerned. "For this, that you appeal to our practice you need no confutation. If your meeting had answered to the former it had not been offensive, but I will say that there was no meeting of women alone, but your meeting is of another sort for there are sometimes men among you."¹⁴ The clarification is made that the court is not concerned with the meetings, meetings that I already explained were customary to the society, the court is concerned with the gender of those in attendance. It is important to note here that Puritan Congregationalism adhered very strongly to I Timothy. "Let a woman learn in silence with full submission. I permit no woman to teach or have authority over a man; she is to keep silent."¹⁵ Here is the first point that it would be impossible to dispute that the gender is not only involved in the case, but in reality, is the problem in the first place. "[F]or the woman who prophesied was openly defying the hierarchical authority that men derived from their gender, and from gender-restricted learning."¹⁶ The further discourse about this issue is something we will touch on later, but the important aspect to recognize is that Hutchinson is at fault because she is a woman teaching men, if either of these conditions were not true, different light would have been shed on the issue.

As we saw regarding the claims of her breaking the fifth commandment, Governor Winthrop once again fails to accomplish any justification of the claims put against Hutchinson. After a long

¹⁴ Ibid.

¹⁵ I Timothy 2: 11-12. NRSV.

¹⁶ The Antinomian Controversy: A Documentary History. David D. Hall, ed. 2nd edition. (Duke University Press, London: 1990), xi.

discourse back and forth over the legality of Hutchinson's meetings, the governor admits that there is no written rule which Anne has broken. In asking for this rule the response is one of much frustration on the part of the court. *Mrs. Hutchinson*: "If you have any rule for it from God's word you may." *Governor Winthrop*: "We are your judges, and not yours and we must compel you to it."¹⁷ Noticing that he has no real claim on any written law, Winthrop essentially replies to Hutchinson by saying that 'you are wrong because I said so!' Here we see for a second time, that the court has failed to hold a claim with which they entered.

"Undaunted by the failure to prove the first two counts, the court now moved to the final and most serious accusation, that she had insulted the ministers."¹⁸ The conversation that follows here becomes the climax of the one-sided argument that characterizes the trials as a whole. *Deputy Governor*: "I will make it plain that you did say that the ministers did preach a covenant of works." *Mrs. Hutchinson*. "I deny that."¹⁹ The idea here is very clear, it is Anne's word vs. the word of the court. Multiple ministers of the colony are brought forward, and they each give testimony as to what Hutchinson had said. This conversation goes back and forth over what was said and what was not, as well as what was said in private and what was said in public. The end result, however, is very simple.

"Dep. Governor. I called these witnesses and you deny them. You see they have proved this and you deny this, but it is clear. You said they preached a covenant of works and that they were not able ministers of the New Testament; now there are two

¹⁷ Hall, 1968, 316.

¹⁸ Morgan, in Bremer, 56.

¹⁹ Hall, 1968, 318.

other things that you did affirm which were that the scriptures in the letter of them held forth nothing but a covenant of works and likewise that those that were under a covenant of works cannot be saved.

Mrs. H. Prove that I said so.

Gov. Did you say so?

Mrs. H. No Sir, it is your conclusion.

Dep. Gov. What do I do charging of you if you deny what is so fully proved."²⁰

The manner of being proved in the above sequence is that of the men saying so. Regardless of her denials, the words of the men are taken whole-heartedly over that of Mrs. Hutchinson. Perhaps this ignorance of her testimony was due to her gender, or perhaps because she was the accused, but in either case, it is quite clear that the weight of her testimony is worth little to nothing throughout the trial.

In the earlier mentioned time when they were discussing Hutchinson's meetings, Anne denies ever having a man at the meetings in her home. With no ability to prove otherwise, the Governor turns the tables and says that it makes no difference whether the men were present or not. "Well, admit there was not man at you meetings and that you was sorry for it, there is no warrant for your doings, and by what warrant do you continue such a course."²¹ Regardless of the facts, the facts on which he was earlier basing his accusations, the governor now says that Anne wanted men there, and that wanting men present is as reprehensible as actually teaching them as he had originally proposed. As is the case when she denies the accusations of her words, the court would find her guilty anyway.

²⁰ Ibid., 324.

²¹ Ibid., 314.

At the beginning of the second day, after a break in which Anne was to consider the statements of the court from the first day, a long conversation finally leads to the court's allowance for people to testify on behalf of Mrs. Hutchinson. "Yes I dare say that she did not say all that which they lay against her."²² These are the words that Mr. Coggeshall spoke in defense of Mrs. Hutchinson. *Mr. Peters*: "How dare you look into the court to say such a word." *Mr. Coggeshall*: "Mr. Peters takes upon him to forbid me. I shall be silent."²³ The inferiority given to the words of Anne Hutchinson to those of the accusing men on the previous day is now passed on to any that might testify on her behalf. "The witnesses in her behalf were browbeaten and silenced in careless disregard both of decency and a manly sense of fair play."²⁴ The mere fact that Coggeshall is testifying for Mrs. Hutchinson is reason for Mr. Peters to lash out at him, and unfortunately, Coggeshall complies. It is quite clear here, and throughout the trial, that little is actually being questioned of Mrs. Hutchinson, while more has already been decided. "At the legislative hearing, she so handled her defense that, despite solicitous statements made on her behalf, she antagonized the entire court, magistrates and deputies alike."²⁵ Haskins makes the proposal that the course of the trial, and the falsities at hand lie in the fault of Anne Hutchinson. However, as we have seen in the way Anne was treated, Hutchinson not

²² *Ibid.*, 332.

²³ *Ibid.*, 333.

²⁴ Charles France Adams, Three Episodes of Massachusetts History. (Boston, MA: Houghton, Mifflin and Company, 1892), 488.

²⁵ George Lee Haskins, Law and Authority in Early Massachusetts. (New York: The Macmillan Company, 1960), 49.

only cannot be at fault for the course of the trial, but in her inability to provide defense for herself, is fully under the power of the court, and the direction that the court decides to take.

At the opening of the second day, after failing to justify any of the claims of the previous session, the governor opens in exclamation of the success of proving the very charges that we have seen were never justified.

"There were divers things laid to her charge, her ordinary meetings about religious exercises, her speeches in derogation of the ministers among us, and the weakening of the hands and hearts of the people towards them. Here was sufficient proof made of that which she was accused of in that point concerning the ministers and their ministry, as that they did preach a covenant of works when others did preach a covenant of grace, and that they were not able ministers of the New Testament, and they had not the seal of the spirit, and this was spoken not as was pretended out of private conference, but out of conscience and warrant from scripture alleged the fear of man is a snare and seeing God had given her a calling to it she would freely speak."²⁶

It is important to note in this speech that of all charges that were laid down at the outset of the trial, the first charge of breaking the fifth commandment is eliminated completely, and all but the charge of questioning the ministers is ignored. Furthermore, the very justification for her being guilty for her charge are the words of the men which she did deny, and that the men to follow would also stand to deny. Regardless of what had been said, and what had transpired, the verdict remained the same, a verdict that has no bearing on the trial itself.

The one time that the case truly appeared as though it might go Hutchinson's way came later in the second day of the trial when John

²⁶ Hall, 1968, 326.

Cotton took the stand for Anne's cause. Holding much more respect and influence in the colony than the others that had attempted to speak, no one would step in front of the words of John Cotton. As Selma Williams points out, "The strong majority here at the meeting house were certain, beyond any doubt, that they had to condemn Anne - but first they had somehow to bring John Cotton into line."²⁷ The consensus of the court was imperative in Colonial Congregationalism, and the agreement of those with the esteem of John Cotton is even more important.²⁸ However, by calling Cotton into making a statement, it is exactly the opposite result that they obtained. "And I must say that I did not find her saying they were under a covenant of works, nor that she said they did preach a covenant of works."²⁹ This very statement by Cotton threw the entire court into disarray. The single remaining claim against Anne Hutchinson, regardless of whom they ignored before, was now destroyed by someone whom they could not ignore. "With this testimony the case against Mrs. Hutchinson was about to collapse... Had she been content to hold her tongue at this point, her judges might have felt obliged to dismiss the case for lack of evidence, or at best would have passed a

²⁷ Selma R. Williams, Divine Rebel: The Life of Anne Marbury Hutchinson. (New York: Holt, Reinhart and Winston: 1981), 162.

²⁸ Remember that the churches of the Puritan time periods did not 'vote.' The churches sought unanimity in their every action. Churches that did not have unanimity in a decision simply discussed the issues involved until a unanimous decision could be reached. Although the court being held for Hutchinson was not subject to such a need, the traditions of the church would have certainly influenced the desire for those present to have all in agreement. See Arthur Rouner, The Congregational Way of Life. (Milwaukee, WI: Hammond Publishing Co. 1972), 52, for a more specific discussion of the voting traditions of the Puritan church.

²⁹ Hall, 1968, 334.

vote of censure in order to save their faces."³⁰ Unfortunately, this is not the case, and as was alluded to earlier, Mrs. Hutchinson fails to stop where she should, and proceeds to make her infamous claim of revelation.

"Mr. Nowell. How do you know that that was the spirit?"

Mrs. Hutchinson. How did Abraham know that it was God that bid him offer his son, being a breach of the sixth commandment?

Dep. Governor. By an immediate voice.

Mrs. Hutchinson. So to me by an immediate revelation.

It is unclear why Hutchinson decides to broach this new topic, especially when the trial for the first time seems to be going her way, and that is a question for another time, but this is where Hutchinson gives the court the room they need to make their move.

"The groundwork of her revelations is the immediate revelations of the spirit and not by ministry of the word, and that is the means by which she has very much abused the country that they shall look for revelations and are not bound to the ministry of the word, but God will teach them by immediate revelations and this hath been the ground of all these tumults and troubles, and I would that those were all cut off from us that trouble us, for this is the thing that hath been the root of all the mischief."³¹

It is on the basis of her claims of revelation that the court finally censures Anne Hutchinson, and she is banished from the colony. "Thus ended the trial of Anne Hutchinson, a proceeding that scarcely deserves to be dignified by that name."³²

³⁰ Morgan, in Bremer, 56.

³¹ Hall, 1968, 341-42.

³² Morgan, in Bremer, 57.

Having now worked through the trial in general, it is pertinent to turn to other aspects of the trial that shed light on the importance of Hutchinson's gender in the trial. At the very outset of the trial it is more than clear that these judges see very little equality in this woman that is set before them. "We do not mean to discourse with those of your sex but only this; you do adhere unto them and do endeavor to set forward this faction and so you dishonour us."³³ When the governor got flustered, and was unable to support his claim, no more than twenty minutes into the trial the governor says, 'never mind, you're a woman, I'm not going to argue with a woman!' The mere fact that this is a woman on trial gives her a lesser pull and justification in what she says. When the court cannot prove what they hoped to, they simply say: 'Never mind, she's a woman.'

Furthermore, the trial against Mrs. Hutchinson as a whole is holding her under an entirely different set of standards than all of the others involved in the case. "So if you do countenance those that are transgressors of the law you are in the same fact."³⁴ After Hutchinson makes very clear that she has not taken part in the Antinomian protests,³⁵ the governor declares her guilty for having agreed with them, and having declared them as justified in their ways. It is interesting to then to apply this ideal to John Cotton's role in the trial. In condoning Mrs. Hutchinson's acts, and by being one that holds similar beliefs, is not John Cotton guilty of every falsity that is in

³³ Hall, 1968, 314.

³⁴ Ibid., 313.

³⁵ Anne's gender itself would have kept her from signing any of the Antinomian petitions that were circulating at the time.

Anne Hutchinson? If Anne Hutchinson is guilty for holding these certain beliefs, should not John Cotton be questioned as the one whom Hutchinson labels as the promoter of her theological views. This idea is actually touched on by members of the court who are afraid to make these very implications. When Mr. Bartholomew is on the stand he makes references to discussions he had with Mrs. Hutchinson, to which Mr. Cotton responds that he was never spoken to of these things. "No sir, I never spake of it to you and therefore I desire to clear Mr. Cotton."³⁶ These are the words that Mr. Bartholomew speaks to which the governor responds, "There needs no more of that."³⁷ Regardless of what has been said, and whom Cotton condones, the governor responds by saying that no such disclaimers are necessary. Later in the trial people begin to question Cotton for his supporting of Hutchinson to which again the governor responds, "Mr. Cotton is not called to answer to anything but we are to deal with the party here standing before us."³⁸ No matter what Cotton says or does, there is nothing brought against him in the court, the governor very quickly avoids any possible accusations or discrepancies. Anne Hutchinson was accused at the onset of the trial for her supposed condoning of the Antinomian movement, John Cotton condones Anne Hutchinson in front of the court itself. Nevertheless, John Cotton needs not as much as answer a single question.

Similarly, at the end of the trial, after spending much time attempting to show Anne's innocence, and as the court is about ready to pass judgment, Mr. Coddington makes a claim that is in agreement with

³⁶ Ibid., 339

³⁷ Ibid.

³⁸ Ibid., 343.

the very claims that Hutchinson is being tried for. "What wrong was that to say that you were not able ministers of the New Testament or that you were like the apostles - methinks the comparison is very good."³⁹ Here, not only is he condoning Anne's views as Cotton did, but is actually exclaiming the very view for himself that has landed Anne Hutchinson in court. The statement that has been the focus of the case against Anne, is now made directly to the court by Mr. Coddington.

The very actions that Anne Hutchinson was being tried for, actions that were implied by heresy alone, these men did directly in view of the members of the court. The things that Hutchinson was accused of saying, these men said directly to the court. If the reasons for Hutchinson's were these actions that have been duplicated by these men in the view of the court, why is it that when it comes to them defending their actions, "there needs no more of that?"⁴⁰

As was mentioned before, the supposed final reason that the court is banishing Anne Hutchinson is due to the revelations that Anne has claimed to have had. "[T]hroughout his political career in New England, John Winthrop reminded his constituents that his power in office was authorized directly by God."⁴¹ The final straw in the trial against Mrs. Hutchinson was that she claimed a direct revelation for her beliefs and statements of faith. However, the very man passing judgment on her is proposing the same ideas in regards to his own career.

If the issues were truly as were stated, and Anne Hutchinson was brought forth because she condoned the actions of the others, then why

³⁹ Ibid., 347.

⁴⁰ Ibid., 339.

⁴¹ Williams, 161.

were not the others being brought forth themselves, and why wasn't Cotton tried for condoning the actions of Mrs. Hutchinson? Furthermore, if they truly were trying her because she questioned the ministers, then why was Mr. Coddington's questioning of those ministers ignored? Finally, why is it that the very thing that can condemn Anne Hutchinson to banishment can reinforce John Winthrop's right to political office?

The very purposes and conclusion of the trial also lead to much question in regards to the roles that were played in the trial. "Very early in the trial the Governor Winthrop says to Anne Hutchinson that 'your course will not be suffered for... we see how it is we must therefore put it away from you, or restrain you from maintaining this course.'"⁴² Governor Winthrop explains to Hutchinson that the goal is not to punish her, but to bring her away from her wrongs. As Jean Cameron suggests, "Even in civil matters the defendant who confessed was treated as a reformed sinner, and given a lighter sentence, or no sentence."⁴³ At the end of the first day Winthrop again puts forth this purpose for the court. "Mrs. Hutchinson, the court you see hath laboured to bring you to acknowledge the error of your way so that you might be reduced."⁴⁴ This being the case, why is Hutchinson continued against when she repents both in the civil, and ecclesiastical, trials? Jean Cameron points out that during the ecclesiastical trial

"she acknowledged that she had been deceived and mistaken...As several of those present attempted to argue - to no avail - this should have ended the matter. It did not. Shepard, Dudley, Eliot, Peter, and others claimed they

⁴² Hall, 1968, 316.

⁴³ Cameron, 171.

⁴⁴ Hall, 1968, 326.

did not see repentance in her face, and therefore her reconciliation was not acceptable."⁴⁵

Again, as has been shown consistently, regardless of what is said, it seems as though the reality is that she was convicted long before she ever entered that trial. Anne Hutchinson does exactly what they claim to set out for her to do, but instead of then continuing on that path, and affirming her role in the church, the church simply says, similar to what the court said about her testimony, 'we don't believe you, your face doesn't show it.' Once again, Hutchinson's resolve means nothing, and those presiding remained with a decision that had long before been made.

The final way in which the court contradicts itself is by the conclusions that it reaches, and the manner by which they are reached. In coming to a conclusion to the trial, the court requires the swearing of two of its members. In response, Mr. Eliot and Mr. Weld agree to do so.

Mr. Eliot. I do remember and I have it written, that which she spake first was, the fear of man is a snare, why should she be afraid but would speak freely. The question being asked whether there was a difference between Mr. Cotton and us, she said there was a broad difference. I would not stick upon words - the thing she said - and that Mr. Cotton did preach a covenant of grace and we works and she gave this reason - to put a work in point of evidence is a revealing upon a work. We did labour then to convince her that our doctrine was the same as Mr. Cotton's: She said no, for we were not sealed. That is all I shall say.

Governor. What say you Mr. Weld?

Mr. Weld. I will speak to things themselves - these two things I am fully clear in - she did make a difference in three things, the first I was not so clear in, but that she said this I am fully sure of, that we were not able ministers of the New Testament and that we were not clear in our experience because we were not sealed.

⁴⁵ Cameron, 201.

Mr. Eliot. I do further remember this also, that she said we were not able ministers of the gospel because we were but like the apostles before the ascension."⁴⁶

This is the sworn testimony that is given in order to seal the fate of Anne Hutchinson. These two men, swearing directly against Anne's testimonies are what the court required in order to pass judgment upon her. However, as it was explained earlier, regardless of the initial charges, in the end Anne Hutchinson is being censured on the basis of her revelatory views. It is her claim to immediate revelation that has enabled the court to pass judgment. If the court truly requires someone to swear, as is the case with Mr. Weld and Mr. Eliot, then why is their testimony regarding her words spoken to them a basis for her banishment on account of her revelations? Again, as has been seen innumerable times the court has ignored their standards in order to achieve their goal; The banishment of this troublesome and aggravating woman.

Anne Withington, Jack Schwartz, and Richard B. Morris all "indicated that the proceedings against Anne Hutchinson were, in effect, a political trial designed to publicize and punish the errors of the defendant rather than to assess her guilt or innocence."⁴⁷ This is precisely the concept that has been shown so far throughout this paper. The verdict of this trial was long decided before the trial began. Somehow the court was going to find a way to be justified in banishing Anne Hutchinson from the colony, and there was no sense of looking for innocence involved. "Whether it was the royal government trying

⁴⁶ Hall, 1968, 347.

⁴⁷ Anne Withington & Jack Schwartz, *The Political Trial*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. (Huntington, NY: Robert E. Kriger Publishing Company, 1980), 65.

Raleigh, or the Puritans when in power bringing the royalists to justice, the political trials of that era were partisan affairs that would outrage our sense of fair play."⁴⁸ Whether it was by rewording their original claims, or finding new things to charge, the court was intent on finding Anne Hutchinson guilty, regardless of what transpired in the courtroom.

Edmund Morgan, as was shown before, claimed that the church was justified in their findings against Mrs. Hutchinson. According to Morgan, believing in the immediate revelation that Hutchinson claimed would mean discounting the ultimate reality revealed in the Bible. In the colonial times the church had a very "medieval"⁴⁹ view of knowledge. There was one single absolute truth, and that was the truth revealed in the Bible. Believing in Hutchinson's revelations could render ministers useless, and following her ideas of pure grace could "condone indolence and loose-living."⁵⁰ Overall, Morgan claims that the court did what was just, and what was necessary in light of what it faced in Anne Hutchinson. In finding her guilty the church was preserving the very things essential to its existence. It is this question that we must ask in regard to Anne Hutchinson.

Was Anne Hutchinson guilty? Jean Cameron answers this question with a resounding no. "The answer is: even employing the legal and ecclesiastical framework of their times, she was not."⁵¹ Cameron

⁴⁸ Richard B. Morris, *Jezebel Before the Judges*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. (Huntington, NY: Robert E. Kriger Publishing Company, 1980), 59.

⁴⁹ Morgan, in Bremer, 51.

⁵⁰ Morgan, in Bremer, 52.

⁵¹ Cameron, 199.

describes the trial of Anne Hutchinson in five distinct parts. For the purposes of establishing Hutchinson's guilt, it is quite useful to lay out that framework and recap the course of events in the trial in general.

1. Anne Hutchinson was brought before the court, and after the reading of the reasons for her being brought to trial, she asked for the charges against her to be named. By that she meant that she wished to know exactly what they claimed she had done that had occasioned her trial.

2. The next section of the trial dealt with Winthrop's claim that she had violated the fifth commandment, and was not honoring the ministers, as her parents 'in the Lord' that God had placed over her.

3. The third part of the trial dealt with the most serious charge that Winthrop and the other authorities had, that she had breached the peace and slandered the ministers by claiming that the ministers were not preaching the true Gospel, but were preaching a covenant of works. This charge, of course, was very serious, for, while using language such as 'breaching the peace' was used, she was being tried for fomenting sedition.

The Second day of the trial covered two more areas.

4. The first part of the second day of the trial was concerned with Hutchinson's insistence that the ministers take and oath that their previous testimony had been truthful, and their various arguments that they should not have to take such an oath.

5. The final section of the trial came when Hutchinson felt confident that she had won her case, as indeed it appears she had, and therefore she decided to tell them why she had been so sure of herself: God had showed her by several Bible verses that she had nothing to fear.⁵²

Each of the five sections that Cameron describes show evidence of the lack of proper treatment of Mrs. Hutchinson in court. In the first part Cameron lays out Anne asks the court for a description of an act she has committed for which she has been brought to court. Instead of responding to this inquiry by naming an act of Mrs. Hutchinson for which she is accused, the Governor plays some linguistic games and then says

⁵² Cameron, 143-144. Cameron goes further with this discussion by describing how Hutchinson responds to each of these points of the trial, but for our purposes of evaluation it is only important to recognize the issues with which the court deals.

she has been brought in for supporting the acts of the others. "Why for your doings, this you did harbour and countenance those that are parties in the faction that you have heard of."⁵³

In the second portion of the trial the gender issues were inherent in the very things that were being discussed. The primary issue was that she was not following the fifth commandment by listening to the pastors that had been placed above her. Pastors that were, obviously, men. Furthermore, as was described earlier, the court goes on to center on the fact that she was teaching outside of the church, and more importantly, that she was teaching men. Overall, these issues, in their very essence, were centered on Anne Hutchinson's gender, and the implications that her gender had on her role in society.

Third, the court moves on to the charges of having questioned the ministers. The issues involved here were shown very clearly earlier in the paper. The court accuses Anne Hutchinson of questioning the ministers, and the testimonies that ensued were nothing but going through the motions. No matter what Anne denied, nor what the others said, Anne was assumed guilty, and Governor Winthrop claimed proof of the very claims that had been shot down. As this conversation continues into the second day, the very members of the court that had earlier testified against Mrs. Hutchinson fought the requirement for them to testify again. These men, in one way or another, were afraid to return to the stand and affirm their original testimonies. "Their reluctance to do so indicates that they were not entirely comfortable with the testimony they had given."⁵⁴ Once again, however, the court ignores

⁵³ Hall, 1968, 312.

⁵⁴ Cameron, 144.

this issue, and when these men do swear, that testimony is taken as the hard and solid truth, regardless of anything they might have questioned in certainty.

Finally, the court sentences Hutchinson on the basis of her exclamation of revelation. "The authorities, especially Deputy Governor Dudley, who was very clearly anxious to find her guilty, happily interpreted her answer as meaning that she was telling them that God spoke to her."⁵⁵ In the conversation discussed earlier about the nature of her revelations Hutchinson sites Jeremiah 46: 27-28.

"But as for you, have no fear, my servant Jacob, and do not be dismayed, O Israel; for I am going to save you from far away, and your offspring from the land of their captivity. Jacob shall return and have quiet and ease, and no one shall make him afraid. As for you, have no fear, my servant Jacob, says the Lord, for I am with you."⁵⁶

In this text Anne is citing that God made a revelation to her that she would be delivered from her trials.⁵⁷ However, as is seen in the text above, Anne is not speaking of the direct revelation that the court interprets, but with a revelation through the Bible that she therefore must follow. This type of a revelation, one of direction revealed through the Bible, is acceptable, and common in the Puritan ideals. Anne is not saying that God spoke with her directly, as the court claims, but that God opened the Bible to her, and spoke to her through scripture.

⁵⁵ Ibid., 144.

⁵⁶ Jeremiah, 46:27-28. NRSV.

⁵⁷ This is one of the revelations that Anne is eventually convicted for.

When Anne Hutchinson arrived in New England, her husband, William, was taken immediately into church membership. However, due to conversations on the ship while crossing, in which she exclaimed that God had opened certain sections of the Bible to her that led her to follow John Cotton across the ocean, Mr. Simmes took it upon himself to warn the church of these revelatory notions. After this warning, the church decided to pursue the issues with what became extensive questioning. "During this time it must be assumed that her 'revelations' from God were discussed among the clergy and laity in order to decide upon their orthodoxy, and were found to be acceptable, as after her questioning she too was accepted into the church at Boston in November."⁵⁸ The church, just a few years before the trial, accepted the views that she held as proper to the church structure. However, in the trial, she is being scorned for the very beliefs that the church once held as acceptable.

"In common-law felony or treason proceedings, the prisoner enjoyed no right to counsel; he was not entitled to a copy of the indictment; and, if he was allowed to call witnesses, their testimony was unsworn. Moreover, the rules of evidence were strongly weighted against him. He had no right that prosecution witnesses be produced for his cross-examination; hearsay evidence against him was freely admitted; and he could not refuse to answer questions on the ground of self-crimination."⁵⁹

Haskins suggests that the trial, in the context of the time, fits directly to what should be expected of the people. The treatment of Mrs. Hutchinson, and the words of the trials are nothing more than what should be expected. However, one aspect of the trials that was true

⁵⁸ Cameron, 66.

⁵⁹ Haskins, 49-50.

then, just as it is now, is that the goal was supposedly to prove a person's guilt. No matter what the expected treatment, nor the assumptions for what would occur, the end result was to be a decision of guilt or innocence. The end goal, was to prove that Anne Hutchinson was guilty of what she was accused. Unfortunately, regardless of everything else, it was this, that never happened. "Even John Winthrop admitted in his writings about the case that the general court was never able to prove the civil case against her with respect to the ministers, or the other charge...That is why was so grateful for the providential statements regarding 'revelations.'"⁶⁰ It is for these revelations that Anne is censured. However, this type of religious dissent, in the times of Anne Hutchinson, were in no way a basis for civil censure. An act of sedition in the eyes of the court would require that Hutchinson had in some way taught others to act in opposition to civil order, an issue that is never as much as touched on in relation to Hutchinson's revelatory expressions. "Even if she had claimed that Michael and all his angels were waiting in the anteroom to come to her defense, she was not guilty of a civil crime."⁶¹ If these revelatory expressions were new in the court, which they must have been due to the fact that the charges were not included in the opening of the trial,⁶² then there is certainly no evidence of it causing sedition in the essence of it causing anyone to act in opposition to civil order. The ideas were new, and there had been no time for the ideas to have ever been as much as

⁶⁰ Cameron, 200.

⁶¹ Ibid.

⁶² Refer back to page 2 of this essay for the text that includes the initial accusations of the trial.

taught, much less acted upon. The very misinterpretation that led to Hutchinson's censure, even disregarding that the essence of the criticism is a misinterpretation, is still far from justification for the results that the court carried out.

In all of the stages of the trial that Jean Cameron laid out, the court, and each of its members, criticize, ignore, and censure Anne Hutchinson with the utmost of frequency. At every point in the trial it is both in treatment, and in respect, that Anne Hutchinson's gender comes through to the observer.

"Winthrop had strong objections to women's asserting themselves in what he felt was a man's world, and John Cotton had written in his work having to do with church discipline (1634) that any man could ask questions during the church service, after the sermon, but women were not to do so. They were to be quiet. undoubtedly, the fact it was a woman, not a man, who raised the hue and cry about the covenant of works must have made it more difficult for the men in charge to deal with."⁶³

Nine magistrates, thirty-one deputies, eight ministers, and one elder were in attendance at Anne's trial. All forty-nine of these people were men, and all were at the least influenced by the very types of views that Jean Cameron cites above. Perhaps not all were as sincere in their views as Cameron claims for Winthrop and Cotton, but certainly these views give us insight into the society in which Anne was tried, and the men that she faced.

"She had remarkable vigor and charisma that might have changed the course of Massachusetts history had she been a man."⁶⁴ Comments such as these are dangerous in regards to Anne Hutchinson because they have a

⁶³ Cameron, 84.

⁶⁴ Dunn, in Bremer, 143.

tendency to ignore the true effectiveness of Mrs. Hutchinson in history. Her resolve, her witness, and her willingness to stand up to this court unquestionably changed the course of history, in Massachusetts and in society as a whole. Her life, regardless of her banishment, serves as a focal point and example for all who would stand up for their beliefs throughout history. Her effects might have been different had she been a man, but certainly her success and influence as a teacher and pioneer cannot be denied. Regardless of her gender, Anne Hutchinson paved the road for many in the future to push the church towards progress every day.

Nevertheless, regardless of her success, the question remains: Was gender an issue for the trial against Anne Hutchinson? I dare to say that there is no way in which to deny that very fact. As Governor Winthrop put forth in the opening day of the trial, "we do not mean to discourse with those of your sex."⁶⁵ As became apparent throughout the trial, this statement was far more true than could have been imagined. The trial itself was a discourse in which the court had no interest in talking with a woman, they simply needed to go through the motions of the trial in order to obtain the ends which they had pre-determined. The trial as a whole, as Morgan pointed out, was never a trial at all. Before Hutchinson ever entered the room, the verdict had been passed. Would a man who had done the same things as Anne Hutchinson have suffered the same fate? This is a question that we will never be able to answer, but those that showed the same ideals, those that condoned and shared the beliefs of Anne Hutchinson, such as Cotton and Coddington, were treated as though they had never done a thing wrong.

⁶⁵ Hall, 1968, 314.

It is impossible to say that Hutchinson was censured for being a woman, but it is even more impossible to deny that her gender was at the center of every aspect of the conversations that occurred, in a trial that never happened.

Works Cited

- Adams, Charles F. Three Episodes of Massachusetts History. Boston, MA: Houghton, Mifflin and Company, 1892.
- Barker-Benfield, Benjamin. *Anne Hutchinson and the Puritan Attitude Toward Women*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. Huntington, NY: Robert E. Kriger Publishing Company, 1980.
- Bremer, Francis J. Ed. Anne Hutchinson: Troubler of the Puritan Zion. Huntington, NY: Robert E. Kriger Publishing Company, 1980.
- Cameron, Jean. Anne Hutchinson, Guilty or Not? New York: Peter Lang Publishing, 1994.
- Dunn, Mary M., *Saints and Sisters*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. Huntington, NY: Robert E. Kriger Publishing Company, 1980.
- Hall, David., The Antinomian Controversy: A Documentary History. Middletown, CT: Wesleyan University Press, 1968.
- Hall, David., The Antinomian Controversy: A Documentary History. 2nd. Edition. Durham, NC: Duke University Press, 1990.
- Haskins, George L., Law and Authority in Early Massachusetts: A Study in Tradition and Design. New York: The Macmillan Company, 1960.
- Morgan, Edmund S. *The Case Against Anne Hutchinson*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. Huntington, NY: Robert E. Kriger Publishing Company, 1980.
- Morris, Richard B. *Jezebel Before the Judges*. In Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed. Huntington, NY: Robert E. Kriger Publishing Company, 1980.

Rouner, Arthur A. The Congregational Way of Life. Milwaukee, WI:
Hammond Publishing Co., 1972.

Williams, Selma R. Divine Rebel: The Life of Anne Marbury
Hutchinson. New York: Holt, Reinhart and Winston, 1981.

Withington, Anne F., & Schwartz, Jack, *The Political Trial*. In
Anne Hutchinson: Troubler of the Puritan Zion. Francis J. Bremer, Ed.
Huntington, NY: Robert E. Kriger Publishing Company, 1980.

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