

KAREN A. JONES

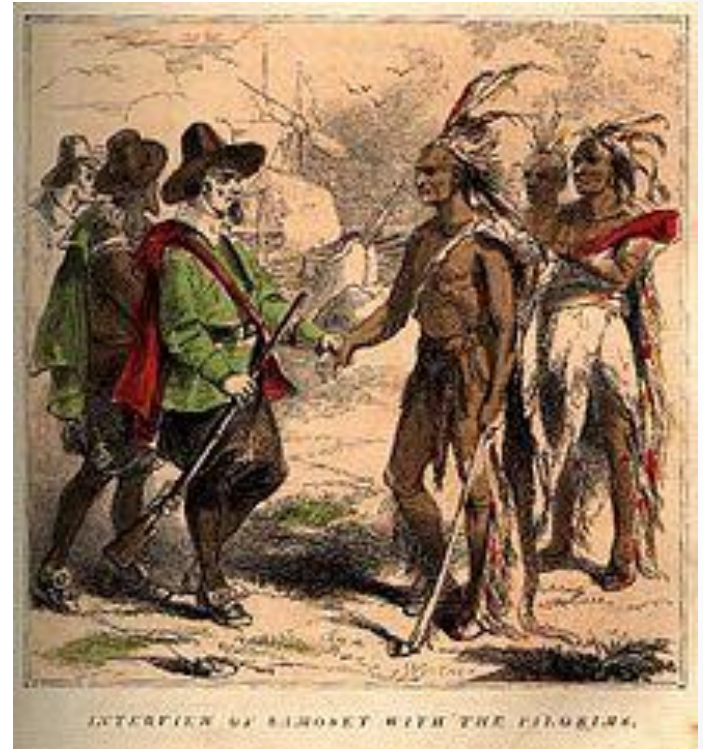


One Law to Rule Them All

Jurisdictional Conflicts in King Philip's War

Research Questions

- Did Plymouth Colony violate English laws or legal principles?
- Was Massachusetts Bay truly neutral in its role as arbiter?
- Did Plymouth Colony adhere to English property laws?
- Did the Puritans adopt their own version of arbitration or property law?
- Were the natives legally bound to obey the laws of England?



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Research Process

Secondary Sources

- Books
 - Francis Jennings, *The Invasion of America*
 - Yasuhide Kawashima, *Puritan Justice and the Indian: White Man's Law in Massachusetts*
- Journal Articles
 - Philip Ranlet, "Another Look at the Causes of King Philip's War"
 - Editors, "Rule of Law in Colonial Massachusetts"

Primary Sources

- Contemporary Narratives
 - John Easton
 - Increase Mather
 - Josiah Winslow and Thomas Hinkley
- Legal Sources
 - *Records of the colony of New Plymouth in New England*
 - *Bracton on the Laws and Customs of New England*
 - The Generall Laws of the Massachusetts Colony

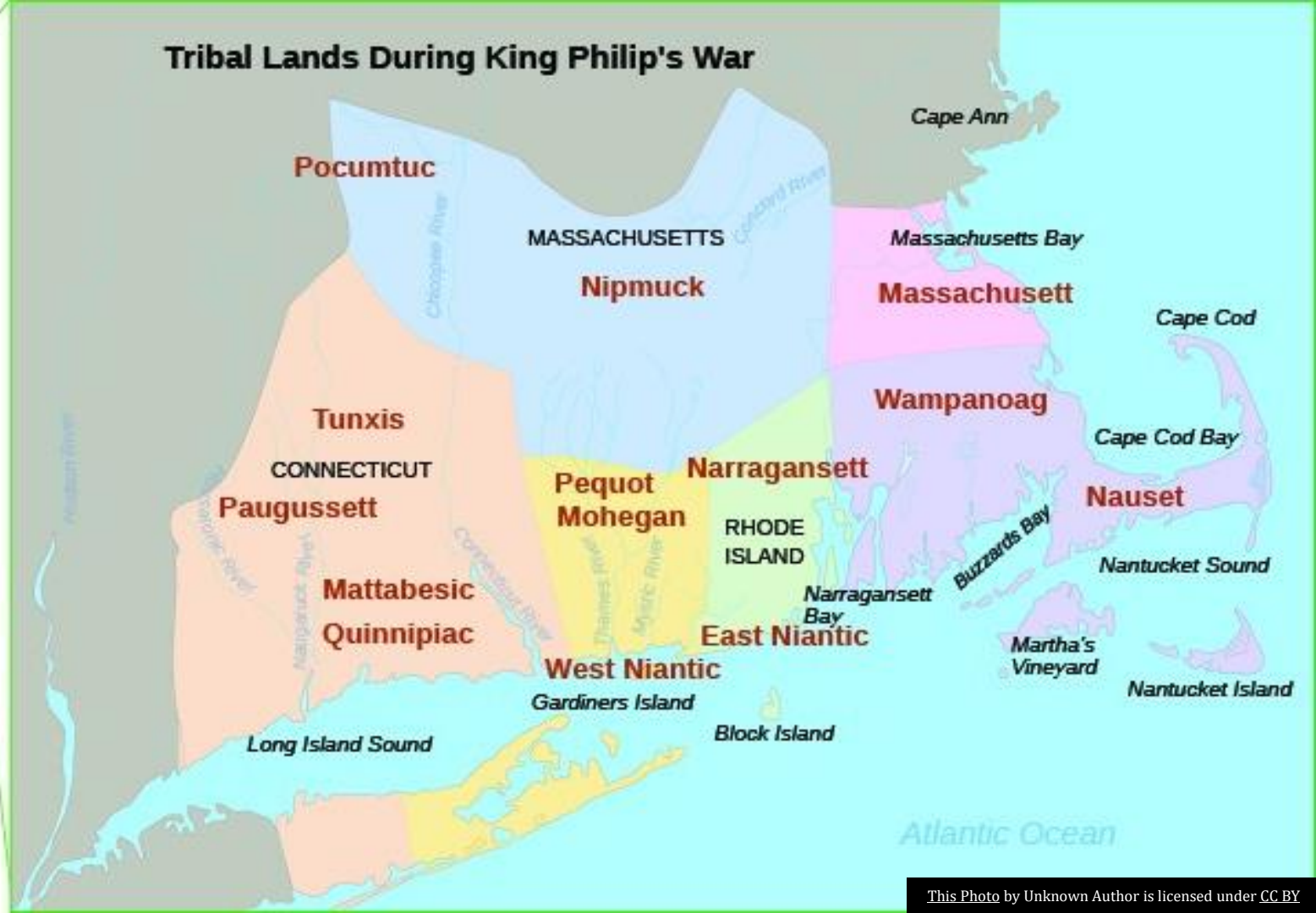
Some Narrative Titles

- “A Relation of the Indian War, by Mr. Easton of Rhode Island, 1675”
- *A Narrative of the Troubles with the Indians in New England [...]*
- *A Brief History of the Warr with the Indians in New England [...]*
- “A breife Narrative of the beginning & progrefs of the pursent trouble between us & the Indians, taking its rife in the Colony of New Plimouth”

Thesis Presented

Rather than being the result of New England Puritans' failure to apply the law equally to all subjects, King Philip's War erupted from a fundamental conflict between English and Native American perceptions of jurisdiction.

Tribal Lands During King Philip's War



Underlying Tensions

- Puritan English quasi-theocracy
- Captain Edward Johnson's providentialist perspective
- Common law vs. native tradition
- Individual-communitarian balance



Surface Grievances

- Controversies concerning native land sovereignty
 - Land sales
 - English cattle
- Controversies concerning English justice



English Response

- Failed diplomacy
 - 1671 arbitration
- Assertion of English jurisdiction
 - European laws of dominion
 - Transmission via property sales



PHILIP. KING of Mount Hope.

Conclusion

With the irreconcilable differences between English and native interpretations of jurisdiction, King Philip's War was almost inevitable.



English common law jurisdiction increases

Native tribal jurisdiction decreases