

6. That effectual provision be made for future freedom of elections, and certainty of due returns. ...
- XI. An Act to be passed to take away all coercive power, authority, and jurisdiction of bishops and all other ecclesiastical officers whatsoever. ...
- XII. That there be a repeal of all Acts or clauses in any Act enjoining the use of the Book of Common Prayer, and imposing any penalties for neglect thereof; as also of all Acts or clauses of any Act, imposing any penalty for not coming to church, or for meetings elsewhere for ... religious duties ..., and some other provision to be made for discovering of Papists and popish recusants, and for disabling of them. ...
- XIII. That the taking of the Covenant [an English version of the Scottish one, adopted largely in order to win Scottish armed support for the Parliamentary side] be not enforced upon any, nor any penalties imposed on the refusers. ...
- XVI. That there may be a general Act of Oblivion to extend unto all (except the persons ... in exception as before), to absolve from all trespasses, misdemeanors, etc. done in prosecution of the war.

### 7.10 An Agreement of the People (*ca. late October 1647*)<sup>12</sup>

Two months later, the army agitators and the political Levellers, claiming to represent the rank-and-file, drafted their own plan, the *Agreement of the People*. (Although its authorship is unknown, the civilian Levellers Maximilian Petty, 1617–1661?, and John Wildman, 1622/3–93, defended it at Putney, see document 7.11.) While the *Agreement* never had the backing of more than a minority of the army, it had support among the cavalry and from a portion of London's citizens. Compare and contrast the settlement envisioned in the Heads and that in the *Agreement* (especially compare "Head" 5 with article I of the *Agreement*). To what extent did the latter move into new territory? According to the *Agreement*, who is sovereign in England?

Having by our late labors and hazards made it appear to the world at how high a rate we value our just freedoms, and God having so far owned our cause, as to deliver the enemies thereof into our hands: We do now hold ourselves bound in mutual duty to each other, to take the best care we can for the future, to avoid both the danger of returning into a slavish condition, and the chargeable remedy of another war. For as it cannot be imagined that so many of our country-men would have opposed us in this quarrel, if they had understood their own good;

<sup>12</sup> *Proposalls from Nine Regiaments of Horse, and Seven Regiaments of Foot, for a Modell of an Agreement of the People for A firme and present Peace, upon grounds of common-right and freedom* (London, Nov. 4, 1647), 2–6.

so may we safely promise to ourselves, that when our common rights and liberties shall be cleared, their endeavors will be disappointed, that seek to make themselves our masters: since therefore our former oppressions, and scarce yet ended troubles have been occasioned, either by want of frequent national meetings in council, or by rendering those meetings ineffectual. We are fully agreed and resolved, to provide that hereafter our representatives be neither left to an uncertainty for the time, nor made useless to the ends for which they are intended. In order whereunto we declare:

- I. That the people of England being at this day very unequally distributed by counties, cities, and boroughs, for the election of their deputies in Parliament, ought to be more indifferently proportioned, according to the number of the inhabitants: the circumstances whereof, for number, place, and manner, are to be set down before the end of this present Parliament.
- II. That to prevent the many inconveniences apparently arising from the long continuance of the same persons in authority, this present Parliament be dissolved upon the last day of September ... 1648.
- III. That the people do of course choose themselves a Parliament once in two years. ...
- IV. That the power of this, and all future representatives of this nation, is inferior only to theirs who choose them, and doth extend ... to the enacting, altering, and repealing of laws; to the erecting and abolishing of offices and courts; to the appointing, removing, and calling to account magistrates, and officers of all degrees; to the making war and peace, to the treating with foreign states: and generally, to whatsoever is not expressly, or impliedly reserved by the represented to themselves.

Which are as followeth,

1. That matters of religion, and the ways of God's worship, are not at all intrusted by us to any humane power, because therein we cannot go remit or exceed a tittle of what our consciences dictate to be the mind of God, without wilful sin: nevertheless the public way of instructing the nation (so it be not compulsive) is referred to their discretion.
2. That the matter of impressing and constraining any of us to serve in the wars, is against our freedom; and therefore we do not allow it in our representatives. ...
3. That after the dissolution of this present Parliament, no person be at any time questioned for anything said or done, in reference to the late public differences. ...
4. That in all laws made, or to be made, every person may be bound alike, and that no tenure, estate, charter, degree, birth, or place, do confer any exemption. ...
5. That as the laws ought to be equal, so they must be good, and not evidently destructive to the safety and well-being of the people.

These things we declare to be our native rights, and therefore are agreed and resolved to maintain them with our utmost possibilities, against all opposition whatsoever, being compelled thereunto ... by our own woeful experience, who having long expected, and dearly earned the establishment of these certain rules of government are yet made to depend for the settlement of our peace and freedom, upon him that intended our bondage, and brought a cruel war upon us.

### 7.11 *The Putney Debates of the General Council of the Army (October 29, 1647)*<sup>13</sup>

The *Agreement*, particularly the first article on the franchise, became the basis of the first day's discussion when the army met for three days in October 1647 at Putney Church (ominously close to Westminster) for what became known as the Putney Debates. (William Clarke, 1623/4–66, secretary to the Army Council, recorded the Debates in shorthand.) The second day's debate focused both on the franchise and the redistribution of seats in the Commons. There were essentially two types of seats: those for the counties and those for boroughs (town corporations). Traditionally, all freeholders with land worth 40 shillings (£2) per annum could vote for the county representatives (also known as knights of the shire). This was a small amount of land, but requiring it effectively excluded the landless and farmers who only rented land. The borough franchise varied: in some towns it was fairly open, including all freemen or all who did not receive alms. Other towns restricted the vote more severely, sometimes just to the town council (often only 32 voters). And new towns and cities, such as Manchester, did not return any members to Parliament, because they had no medieval charter. One protagonist in the debate on this issue was Ireton, a Nottinghamshire country gentleman, general, MP, and Cromwell's son-in-law. Opposing him was Col. Thomas Rainsborough (d. 1648), also an MP. Rainsborough, an obscure figure before Putney, appears to have been much influenced by Leveller ideas. Over what issue do Ireton and Rainsborough disagree? Where would they stand on older disputes over divine right and the ancient constitution? How does each define "interest" and "property"? If traditional arguments about political authority had been based on the law of God (the Bible) and law of man (the civil constitution), upon what *new* basis does Rainsborough make his claim? That is, how does he justify change? Cromwell took the moderator's chair when General Fairfax refused to participate. Why might Fairfax refuse? From this excerpt, where do you think Cromwell stood on the issues?

<sup>13</sup> C. H. Firth, ed., *The Clarke Papers* (London, Camden Society, 1891), 1: 299–310; compared with A. S. P. Woodhouse, *Puritanism and Liberty* (London, 1938, 1992), 52–60; and G. E. Aylmer, ed., *The Levellers in the English Revolution* (Ithaca, N. Y., 1975), 99–119, from Worcester College, Oxford, Clarke MSS., vol. 67.

The paper called the *Agreement* read. Afterwards the first article read by itself. ...

*Mr. Maximilian Petty [a civilian Leveller]:* We judge that all inhabitants that have not lost their birthright should have an equal voice in elections.

*Rainsborough:* I desired that those that had engaged in it [might be included]. For really I think that the poorest he that is in England hath a life to live as the greatest he; and therefore truly, sir, I think it's clear, that every man that is to live under a government ought first by his own consent to put himself under that government. And I do think that the poorest man in England is not at all bound in a strict sense to that government that he hath not had a voice to put himself under. And I am confident that, when I have heard the reasons against it, something will be said to answer those reasons, insomuch that I should doubt whether he was an Englishman or no, that should doubt of these things.

*Ireton:* That's [the meaning of] this ["according to the number of inhabitants"].

Give me leave to tell you, that if you make this the rule I think you must fly for refuge to an absolute natural right, and you must deny all civil right; and I am sure it will come to that in the consequence. ... For my part, I think it is no right at all. I think that no person hath a right to an interest or share in the disposing of the affairs of the kingdom, and in determining or choosing those that shall determine what laws we shall be ruled by here, no person hath a right to this, that hath not a permanent fixed interest in this kingdom, and those persons together are properly the represented of this kingdom, and consequently are also to make up the representers of this kingdom, who taken together do comprehend whatsoever is of real or permanent interest in the kingdom. And I am sure otherwise I cannot tell what any man can say why a foreigner coming in amongst us – or as many as will coming in amongst us, or by force or otherwise settling themselves here, or at least by our permission having a being here – why they should not as well lay claim to it as any other. We talk of birthright. Truly by birthright there is thus much claim. Men may justly have by birthright, by their very being born in England, that we should not seclude them out of England, that we should not refuse to give them air and place and ground, and the freedom of the highways and other things, to live amongst us – not any man that is born here, though by his birth there come nothing at all (that is part of the permanent interest of this kingdom) to him. That I think is due to a man by birth. But that by a man's being born here he shall have a share in that power that shall dispose of the lands here, and of all things here, I do not think it a sufficient ground. ... That those that choose the representers for the making of laws by which this state and kingdom are to be governed, are the persons who, taken together, do comprehend the local interest of this kingdom; that is, the persons in whom all land lies, and those in corporations in whom all trading lies. This is the most fundamental constitution of this kingdom and that which if you do not allow, you allow none at all. ... It is true, as was said by a gentleman near me, the meanest man in England ought to have a voice in the election of the government he lives under – but only if he has some local interest. I say this: that those that have the meanest local interest – that man that hath

but forty shillings a year, he hath as great voice in the election of a knight for the shire as he that hath ten thousand a year, or more if he had never so much; and therefore there is that regard had to it. But this local interest, still the constitution of this government hath had an eye to (and what other government hath not an eye to this?). ... And if we shall go to take away this, we shall plainly go to take away all property and interest that any man hath either in land by inheritance, or in estate by possession, or anything else – I say, if you take away this fundamental part of the civil constitution.

*Rainsborough:* Truly, sir, I am of the same opinion I was, and am resolved to keep it till I know reason why I should not. I confess my memory is bad, and therefore I am fain to make use of my pen. I remember that, in a former speech which this gentleman brought before this meeting, he was saying that in some cases he should not value whether there were a king or no king, whether lords or no lords, whether a property or no property. For my part I differ in that. I do very much care whether there be a king or no king, lords or no lords, property or no property; and I think, if we do not all take care, we shall all have none of these very shortly. But as to this present business. I do hear nothing at all that can convince me, why any man that is born in England ought not to have his voice in election of burgesses. ... I do think that the main cause why almighty God gave men reason, it was that they should make use of that reason, and that they should improve it for that end and purpose that God gave it them. And truly, I think that half a loaf is better than none if a man be an-hungry. [This gift of reason without other property may seem a small thing], yet I think there is nothing that God hath given a man that any one else can take from him. And therefore I say, that either it must be the law of God or the law of man that must prohibit the meanest man in the kingdom to have this benefit as well as the greatest. I do not find anything in the law of God, that a lord shall choose twenty burgesses, and a gentleman but two, or a poor man shall choose none. I find no such thing in the law of nature, nor in the law of nations. ...

And truly I have thought something else: in what a miserable distressed condition would many a man that hath fought for the Parliament in this quarrel, be! I will be bound to say that many a man whose zeal and affection to God and this kingdom hath carried him forth in this cause, hath so spent his estate that, in the way the state and the army are going, he shall not hold up his head, if when his estate is lost, and not worth forty shillings a year, a man shall not have any interest ..., so that a man cannot lose that which he hath for the maintenance of his family but he must also lose that which God and nature hath given him! ...

*Ireton:* ... I think I agreed to this matter, that all should be equally distributed. But the question is, whether it should be distributed to all persons, or whether the same persons that are the electors now should be the electors still, and it be equally distributed amongst them. I do not see anybody else that makes this objection; and if nobody else be sensible of it I shall soon have done. ...

All the main thing that I speak for is because I would have an eye to property. I hope we do not come to contend for victory – but let every man

consider with himself that he do not go that way to take away all property. For here is the case of the most fundamental part of the constitution of the kingdom, which if you take away, you take away all by that. ... Why now I say then, if you, against the most fundamental part of the civil constitution ..., will plead the law of Nature, that a man should ... have a power of choosing those men that shall determine what shall be law in this state, though he himself have no permanent interest in the state, but whatever interest he hath he may carry about with him – if this be allowed, because by the right of nature we are free, we are equal, one man must have as much voice as another, then show me what step or difference there is, why I may not by the same right take your property. ...

*Rainsborough:* I shall now be a little more free and open with you than I was before. ... For my part, as I think, you forgot something that was in my speech, and you do not only yourselves believe that some men are inclining to anarchy, but you would make all men believe that. And, sir, to say because a man pleads that every man hath a voice by right of nature, that therefore it destroys by the same argument all property – this is to forget the law of God. That there's a property, the law of God says it; else why hath God made that law, "Thou shalt not steal?" I am a poor man, therefore I must be oppressed: if I have no interest in the kingdom, I must suffer by all their laws be they right or wrong. Nay thus: a gentleman lives in a country and hath three or four lordships, as some men have (God knows how they got them); and when a Parliament is called he must be a Parliament-man [MP]; and it may be he sees some poor men, they live near this man, he can crush them. ... Therefore I think that to that it is fully answered: God hath set down that thing as to propriety with this law of his, "Thou shalt not steal." And for my part I am against any such thought, and, as for yourselves, I wish you would not make the world believe that we are for anarchy.

*Cromwell:* I know nothing but this, that they that are the most yielding have the greatest wisdom; but really, sir, this is not right as it should be. No man says that you have a mind to anarchy, but that the consequence of this rule tends to anarchy, must end in anarchy; for where is there any bound or limit set if you take away this limit, that men that have no interest but the interest of breathing shall have no voice in elections? Therefore I am confident on it, we should not be so hot one with another.

*Rainsborough:* I know that some particular men we debate with believe we are for anarchy.

*Ireton:* I profess I must clear myself as to that point. I would not desire, I cannot allow myself, to lay the least scandal upon anybody. And truly, for that gentleman that did take so much offence, I do not know why he should take it so. We speak to the paper – not to persons – and to the matter of the paper. And I hope that no man is so much engaged to the matter of the paper – I hope that our persons, and our hearts and judgments, are not so pinned to papers but that we are ready to hear what good or ill consequence will flow from it.