

桥政治思想史原著系列（影印本）

CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

英国平等派

The English Levellers

Edited by

ANDREW SHARP

中国政法大学出版社

英国平等派

The English Levellers

EDITED BY
ANDREW SHARP

University of Auckland

中国政法大学出版社

图书在版编目(CIP)数据

英国平等派/(英)夏普编. —北京:中国政法大学出版社,2003.5
剑桥政治思想史原著系列(影印本)

ISBN 7-5620-2384-0

I. 英... II. 夏... III. 平等派—研究—英国—中世纪—英文
IV. D095.613.32

中国版本图书馆 CIP 数据核字(2003)第 037398 号

* * * * *

书 名	《英国平等派》
出 版 人	李传敢
经 销	全国各地新华书店
出版发行	中国政法大学出版社
承 印	清华大学印刷厂
开 本	880 × 1230mm 1/32
印 张	8.5
版 本	2003 年 5 月第 1 版 2003 年 5 月第 1 次印刷
书 号	ISBN 7-5620-2384-0/D·2344
印 数	0 001-2 000
定 价	18.00 元
社 址	北京市海淀区西土城路 25 号 邮政编码 100088
电 话	(010)62229563 (010)62229278 (010)62229803
电子信箱	zf5620@263.net
网 址	http://www.cupl.edu.cn/cbs/index.htm

- 声 明
1. 版权所有,侵权必究。
 2. 如发现缺页、倒装问题,请与出版社联系调换。

CAMBRIDGE TEXTS IN THE
HISTORY OF POLITICAL THOUGHT



The English Levellers

剑桥政治思想史原著系列

丛书编辑

Raymond Geuss

剑桥大学哲学高级讲师

Quentin Skinner

剑桥大学近代史讲座教授

在政治理论领域，“剑桥政治思想史原著系列”作为主要的学生教科丛书，如今已牢固确立了其地位。本丛书旨在使学生能够获得从古希腊到 20 世纪初期西方政治思想史方面所有最为重要的原著。它囊括了所有著名的经典原著，但与此同时，它又扩展了传统的评价尺度，以便能够纳入范围广泛、不那么出名的作品。而在此之前，这些作品中有许多从未有过现代英文版本可资利用。只要可能，所选原著都会以完整而不删节的形式出版，其中的译作则是专门为本丛书的目的而安排。每一本书都有一个评论性的导言，加上历史年表、生平梗概、进一步阅读指南，以及必要的词汇表和原文注解。本丛书的最终目的是，为西方政治思想的整个发展脉络提供一个清晰的轮廓。

本丛书已出版著作的书目，请查阅书末。

CAMBRIDGE TEXTS IN THE
HISTORY OF POLITICAL THOUGHT

Series editors

RAYMOND GEUSS

Lecturer in Philosophy, University of Cambridge

QUENTIN SKINNER

Regius Professor of Modern History in the University of Cambridge

Cambridge Texts in the History of Political Thought is now firmly established as the major student textbook series in political theory. It aims to make available to students all the most important texts in the history of Western political thought, from ancient Greece to the early twentieth century. All the familiar classic texts will be included but the series seeks at the same time to enlarge the conventional canon by incorporating an extensive range of less well-known works, many of them never before available in a modern English edition. Wherever possible, texts are published in complete and unabridged form, and translations are specially commissioned for the series. Each volume contains a critical introduction together with chronologies, biographical sketches, a guide to further reading and any necessary glossaries and textual apparatus. When completed, the series will aim to offer an outline of the entire evolution of Western political thought.

For a list of titles published in the series, please see end of book.

Introduction: the English Levellers, 1645–1649

I am sure there was no man born marked of God above another; for no man comes into the world with a saddle on his back, neither any booted and spurred to ride him. *An old Leveller, Richard Rumbold, on the scaffold in 1685 for his part in Monmouth's rebellion*

I

The Leveller movement came together in London in 1645–6. It was the product of the civil war breakdown of authority in the English church-state. In 1642 the two houses of parliament and their king, Charles I, had gone to war against each other. Each had claimed that the other was subverting the ancient legal rights and properties of the people and the ancient, legal balance of the English constitution of king, Lords and Commons. Each had also claimed that the other was bent on the destruction of the true Protestant religion – the king (with the aid of Irish rebels and the French court) by returning it to papacy, the parliament (courting the enemy Scots) threatening its unity by encouraging a babel of separating sects. Each side had produced and printed numerous ‘remonstrances, declarations, votes, orders, ordinances, proclamations, petitions, messages and answers’ to these effects, collected and printed for parliament in an *Exact collection*, soon to be much used by the Levellers in their propaganda (text 1). Charles had deserted Westminster to recruit an army in the north. By 1643 the Scots, whose king Charles also was, and whose invasions of England (the first in 1637) had precipitated the crisis that led to civil war, had

joined the war on the side of parliament, bound to them by the terms of the Solemn League and Covenant. On 14 June 1645 they, together with parliament's newly constituted Puritan New Model Army, defeated the main royalist armies at Naseby, and by the middle of 1646 the last of the royalist resistance had petered out with the surrender of Oxford and the flight of the king to the Scots army at Newark. Parliament, urged on by the Presbyterian leadership of the City and clergy of London, by a kirk-and-king mob and by the commissioners of the Scots in Westminster, proceeded to conclude their Presbyterian reformation of the now-defunct episcopal church and set out to reach a settlement of the constitution with the defeated king.

The king had never been easy to deal with. Over-optimistic as to his chances of political success, and obstinate in his belief in his divine right to rule his state and his church with little interference from parliament, he had proved a man with whom treaty-making was difficult. In the end he was to die for it. Matters were made more difficult for the two Houses both because of the cost of their paying for the continued presence of the Scots army on English soil, and because, although it was financially desirable to pay them off, they knew that if the Scots were allowed to dictate a settlement it would be one that preserved their own Presbyterian church and extended it into England and Wales. It would be one which made of church government a clerisy: the black-coated ministers would rule without parliamentary control. Nor would a Scots settlement be one which preserved the English from the dangers of kingly prerogative rule – of 'arbitrary government'. The Scots were indifferent to parliament's desire to bridle their king. But still, parliament had to work with them and their City allies.

It was during the last phase of what we now know as the first civil war that pamphlets by the Levellers' emerging leaders – John Lilburne, Richard Overton and William Walwyn – began to echo and support each other in a way that suggests concerted action. Each with a previous history of disaffection with the religious and secular order of the realm, the three had been mutually acquainted from mid-1645 when the London sectarian congregations came together with the more radical urban politicians to defend themselves against the Presbyterian menace. And they were already among those who suspected the commitment of the more lukewarm parliamentary politicians to a victory that would bring the king to heel. It indicates a now-firm alliance among the three emerging leaders that Walwyn's *Toleration justified*, collected by George

Thomason the bookseller on 29 January 1646 (text 2) covers much the same ground as Overton's *Divine observations upon the London ministers' letter against toleration* collected by Thomason on 24 January. Both pamphlets defend religious non-conformity against the emerging lev-iathan of the new Presbyterian church. By June, Lilburne, in his *Free-man's freedom*, was beginning, in the midst of airing his personal grievances, to hint at a widespread network of friends joining against the tyranny of the Lords, and of anyone else who would not allow a commoner to be tried by his equals. In his remarkable *Postscript* too (text 3), he set out the principles of natural equality and government by consent which were to mark the Leveller movement from all other radical movements of the time. *A remonstrance of many thousand citizens* (7 July 1646, text 4), written mainly by Overton and Walwyn, clearly marries the concerns of all three as to tyranny in church and state, makes of Overton's and Lilburne's cases the case of all freeborn Englishmen, and appeals to Leveller principles.

The movement produced its first of many petitions to parliament in March 1647 (text 6). Soon after that it extended its rather loose organisation from its base among members of the London sectarian congregations and radical urban politicians to the officers and soldiers of the New Model Army. The victorious army was by then deeply disaffected with a parliament intent on demobbing many of the men and sending the rest to Ireland, where war had continued unabated since 1638. On 29 March, parliament, intent on reaching a Presbyterian church settlement and a traditionalist constitutional settlement which would stick with both the king and the Scots, had declared its 'dislike' of the Army's petitioning it on grievances as to its future composition and deployment, as to arrears of pay, and as to indemnity for acts carried out during war. By April, Lilburne and Edward Sexby were organising the election of 'agitators' by the New Model regiments of horse. Army dissatisfaction grew. In May the London militia was taken by parliament out of sectarian control and given into more conservative hands. The New Model officers until then had done their best to channel the dissatisfaction of their men to avoid the discussion of political and religious matters; but now they themselves were unhappy not only over military but also over political matters. Lieutenant-General Oliver Cromwell and his son-in-law Commissary-General Henry Ireton in particular were ready to enter the arena of high politics and join in negotiations with king, City, Scots and parliament.

In June the New Model seized the king from the Scots at Holdenby House in Northamptonshire and began a series of rendezvous, each nearer London and Westminster, and each carrying the threat of military force. As they manoeuvred, they put out a series of declarations as to their intentions, most famously in a declaration of 14 June: 'We were not a mere mercenary army, hired to serve any arbitrary power of state, but called forth and conjured by the several declarations of parliament to the defence of our own and the people's just rights and liberties. And so we took up arms in judgement and conscience to those ends, and have so continued them.' The officers needed the men, and in July the Army held its first General Council, in which officers and agitators (now elected from an increased number of regiments) discussed their common concerns. By August, with a march on London, the New Model brought to heel the more royalist and Presbyterian of the parliamentarians. The leading Presbyterian MPs went into exile. But the threat of counter-revolution, not least by the Presbyterians' opponents in parliament – the so-called 'Independents' – remained; and so therefore did the officers' need of their men. In this circumstance, the Leveller movement entered high politics, operating from organisational bases in the New Model as well as in London. 'New agents' of the Army, rather more Leveller and rather less simply disaffected soldiers than the more established 'agitators', were elected by five regiments; they met the London Levellers, and in October the combination of civilian and army Levellers produced *The case of the army truly stated*. The pamphlet was long and rambling, as bitter against the New Model officers for their prevarication and backsliding as against parliament, full of quotations of the New Model's declarations and engagements (cf. text 13) – all of them broken or twisted to the officers' corrupt interests. It nevertheless contained, along with its military complaints, the germ of *An agreement of the people* (text 7) which Cromwell and the officers, irritated as they were, showed themselves prepared to discuss in the General Council held at Putney from 28 October until 9 November (text 8).

Leveller influence was, however, already waning. Mutiny was breaking out, led, in Cromwell's view, 'by those not of the Army who drive at levelling and parity'. The mutinies were crushed, the officers ceased to listen, and the 'new agents' were heard no more. Leveller organisation nevertheless continued to flourish. Their newspaper, *The Moderate*, began publication in January 1648. They continued to petition and

agitate in London and Westminster (text 9). But they were not again to be influential until the winter of 1648–9. Again the source of their leverage was – and could only be – the New Model. The Levellers co-operated with the Army in the second civil war of May to August 1648 against the king, the Scots and disaffected parliamentarians; and the play of politics from September to the end of January 1648–9 again made them necessary allies of the officers. But in the spring and summer of 1649 it was decided that the movement must be crushed. The officers, having carried out a revolution which began with their purging the Commons (in December 1648) and which continued with their abolishing kingship and the House of Lords (January to March 1649), were chary of going further. They were, moreover, now both angry and worried about Leveller mutiny in the ranks. In March of 1649, in the course of being questioned as to his authorship of seditious books, Lilburne heard Cromwell strike the Council table and cry ‘I tell you, you have no other way to deal with these men but to break them in pieces.’

Cromwell succeeded in doing just that, and not simply because he had the military force to put down subsequent mutinies. In fact the movement was already coming apart at the seams. The sectarian congregations deserted it, wooed by the emerging régime with a promise of religious toleration. And the men of the New Model, who had always tended to dwell on the problems generated by their military and logistical problems rather than on the ills of the commonwealth, were now becoming more professionalised: becoming soldiers rather than citizens. Except for Lilburne, the Leveller leadership saw the writing on the wall. They could not continue to act without an organisation and without a popular constituency. *The remonstrance of many thousands of the free people of England* (September 1649), the ‘death rattle of the party’ according to Joseph Frank (see bibliographical note, p. xxxiii) claimed 98,000 signatures; Lilburne continued active and elicited support from the London crowd in treason trials of 1649 and 1653; Marchamont Nedham, the brilliant Commonwealth propagandist, still found it worthwhile to attack the Levellers in *The case of the commonwealth stated* in May 1650; the odd Leveller pamphlet appeared until the restoration of the monarchy in 1660; James Harrington disapproved of them on theoretical republican grounds later in the 1650s; old Levellers re-appeared in the troubles of the 1680s; but the movement effectively died in a series of failed mutinies in 1649 (text 13). And, to exaggerate

only slightly, it stayed dead in human memory until the 1880s when historians began to take an interest in them.

No historian has really believed that the Levellers ever stood a chance of success. Yet the curious thing is that they have been interested in them not so much as underdogs – as the voice of the inarticulate masses or of the emerging artisans, local merchants and small landholders of a pre-industrial society, doomed to defeat – though there is a bit of this. Much more often and much more emphatically they have been discussed as if they were in a way victorious: as men and women ‘before their time’ who ‘anticipated’ future developments in their writings, in their organisation and in their activity. In a word, they were ‘democrats’ – at least *some* kind of democrats. They have been called ‘radical’ democrats, ‘liberal’ democrats, ‘social’ democrats, ‘constitutional’ democrats, ‘Christian’ democrats, ‘petty bourgeois’ (and ‘bourgeois’) democrats. For English historians, they stand in line with the Wilkites of the 1760s, the radical reformers of the 1770s and 1780s and the 1820s, and with the Chartists. Historians from the USA, from Russia, central Europe, Italy and France have produced appropriately modified versions of where the Levellers stand in *their* democratic (and liberal, and constitutionalist, and republican, and socialist) traditions. And they take their place as minor figures in the canon of the history of western political thought as precursors of Locke. They may have been defeated at the time but their names and ideas live.

This interpretative situation can be explained as a function of the success of democratic ideas over the last hundred or so years. Defeat in 1649 began to look like success when democratic ideas became a touchstone for historians’ interest and commendation. But more recently (in the 1980s and 1990s) our more fervent historicist sensibility has made the situation seem less clear. We can see why historians became interested in the Levellers. We can also, we think, further see that that interest has made the Levellers seem to us other than they were: *made* them seem democrats to us, when in historically located fact, they were not – at least not very straightforwardly. Thus David Wootton, their latest historian, having told the historiographical story and much more of the historical story than I have just related, and adding correctly that the Levellers were seldom called ‘democrats’ at the time, that the word ‘democrat’ had totally different connotations then, and that none of its modifiers as used by the historians existed, thinks that the description of the Levellers as democrats can be highly

misleading. The best we can do is to call them 'Leveller' democrats, describe as best we can what they were like, and take care to distinguish their kind of democracy from all others.

My own view is that it is not all that misleading to describe them as liberal democrats. But they were such in conditions where to be one, for those with the temperament, was a standing temptation to rebellion and a mutiny. They exemplify the difficulties of being democratic in impossible circumstances.

II

Much Leveller activity occurred in print. The three leaders were all by 1646 veteran pamphleteers. They were soon to become experienced petitioners as well. And they were articulate speakers, with others like John Wildman and the agitators at Putney who faced the Army officers in debate on the form the English constitution should take. In these verbal modes they continually claimed that they sought to persuade others to their views, not to impose them through force of arms: their idea was, as famously put by Walwyn, to 'get victory on the understandings of men'. They set out to persuade their contemporaries of four things: that there must be a programme of reform in the church-state; that there should be a new constitution of authority designed to carry out and preserve those reforms; that the conditions were such that this new constitution should, could and must be instituted; and (finally) that the fundamental jural facts about being human justified the reforms, the constitution and its institution.

Their programme of reform varied somewhat over time (texts 6, 7, 9, 12). It always included reform of the legal system, both criminal and civil. The law should be put into English, simplified and changed. There should (for instance) be no imprisonment for debt; the prison system should be made more humane; punishments should fit crimes and capital punishment should be reserved for murder and treason. Procedure too should be reformed. Like the substantive law, it should be put into English; there should be no commitment without a warrant specifying the crime and nominating at least two witness-accusers; there should be no answers on interrogatories; cases should be heard by juries in the localities; the hearing of cases should be speeded up; the fees of judges, magistrates, lawyers and jailers should be limited and restrained. Most of the rest of their programme entailed changing the

law, too: matters like the dissolution of the Merchant Adventurers and similar monopoly companies which acted in restraint of trade; the removal of legal immunities and privileges from groups and corporations (including the House of Lords and its members) based on 'tenure, grant, charter, patent, degree or birth'; freedom of religious speech and worship; the abolition of tithes; the provision of 'powerful means to keep men, women and children from begging and wickedness'. And there was a whole range of pressing but obviously more transient policies that would need reforming, again using legislative means: there should be no impressment into armed forces; there should be indemnity for soldiers' acts in the exigencies of war; there should be succour from the commonwealth for the widows and orphans of soldiers; there should be no liability for political actions during the wars; and so on.

But some reforms were so fundamental, and so contradictory to existing arrangements for law-making, that to understand their programme as one calling only for acts of legislation from an enlightened parliament, even without the king, was impossible. Theirs was rather a programme for massive constitutional reform. England had at this time a 'mixed monarchy' the crucial feature of which was that no statute could be made without the mutual consent of king, Lords and Commons. Parliament when at war with the king had invented the doctrine that the two Houses could in emergency make ordinances without the king; but when in 1646 and 1647 the Levellers proposed that the 'negative voices' of the king and Lords should be abolished and the Commons declared 'the supreme power', they were clearly leaving the realm of policy dispute and entering that of fundamental constitutional reform.

In what manner and through what channels could they operate to bring about these great changes? The traditional answer was humbly and by petition to parliament. The Levellers tried that in a campaign in 1647 only to see their petitions condemned and burned by the common hangman (text 6). Their problem was partly that they chose to petition the Commons as the 'supreme authority' and refused to recognise the Lords. Neither House could stomach that insult to the ancient constitution and to the individual rights of the Lords which were sustained by it. It was also that the Levellers seemed to be *demanding* unpalatable policy changes from a body that felt itself to be the repository of traditional authority, and knew that authority did not bow to demands. It was, after all, a convention mainly of well-to-do country gentlemen,

together with lesser numbers of prosperous international merchants, courtiers and professional men; and it felt little but contempt mixed with fear for those of the lower ranks: the apprentices, tradesmen, tub-preachers and the odd not-so-distinguished gentleman who made up the Leveller 'riots'. So in the spring of 1647, the Levellers began to argue that if parliament would not act for the people, then the New Model should.

The change in allegiance had this to commend it: the New Model was 'no mere mercenary Army'. Authority was not extinct in England; it had merely migrated. The many Army declarations had shown it to be not only authorised by parliament but to be intent on acting according to parliament's own declarations which ('in the days of its virginity') had called Englishmen to oppose their king. The Levellers, like almost all other Englishmen, were eager to depict themselves as authorised in what they did by a superior power. That is why they had at first appealed to the Commons, and that is why, when they were rejected by the Commons, they proceeded to search for allies in the New Model.

Having found those allies, it soon emerged (to their allies' dismay) that not only would they have particular reforms, together with a reform of the constitution. They would also reconstitute authority anew in England by means of an 'agreement of the people', and not rely on the authority of the New Model any more than on that of parliament. At the *Agreement's* heart would be a single, supreme legislative body, a 'representative of the people'. When the Army leaders first heard of their proposals (texts 7 and 8), the Levellers claimed that every adult male should have a vote in electing 'the Representative' and be eligible for membership of it; and they insisted that the constituencies be made more evenly relative to population size. At Putney, Cromwell, chairing a famous General Council attended by civilian as well as military Levellers in October 1647, was told by Colonel Thomas Rainborough:

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.

They were indeed to modify this programme of universal male suffrage and not all Levellers may have espoused it anyway, but whatever its modifications from earlier on (texts 9, 12, 13) their proposal for a

supreme Representative of the People still meant that the franchise would be vastly extended, that there would be no (or a weakened) king and no House of Lords, and that men would be eligible to be legislators who previously had not even been allowed the vote.

This was clearly a programme that was democratic in the sense of expanding the universe of those who might make important decisions – especially taken together with the proposals that justice should be done in the localities (much of it by juries), and that magistrates like JPs should be locally elected. It was also a liberal programme, for the *Agreement* insisted that certain powers should be ‘reserved’ to ‘the people’ as matters for individual and not governmental decision. The Representative would not be empowered to proceed against anyone if there was no law forbidding them doing what the proceeding concerned; it might not grant trading monopolies; it might not raise money by excise and customs. Most importantly perhaps, the Representative might not allow tithes for the maintenance of a state church, and it might not enforce forms and expressions of religious worship.

It was in one sense less important that they had to insist, against false accusations, that they were not Levellers: ‘it shall not be in the power of any representative in any wise to . . . level men’s estates, destroy propriety or make all things common’ (texts 9, 11, 12). But underlying the accusation to which they were forced to reply in this way was the fundamental fact that their formula of governing authority was democratic. Legitimate authority, they held, could be created and sustained only by ‘the people’. It was not inherent in law or customary social and political arrangements; no man or institution could govern without the people’s original and continuous agreement. This was precisely the point of having an ‘agreement of the people’; and the point of their liberal-democratic arrangements was both to capture what they took to be what the people would currently agree to, and to protect that agreement against its undermining by self-interested rulers.

Cromwell, whose closest adviser, his son-in-law Commissary-General Henry Ireton, was to produce a rather similar *Agreement of the people* in early 1649 (see footnotes on pp. 141–5), put his finger on the problem. It was not so much the programme that was the problem for the officers: they were in fact still dealing, together with opposition, ‘independent’ MPs and lords, with Charles; and they were contemplating in some *Heads of proposals* biennial parliaments, a reformed distribution of seats, a cropping of the Lords’ powers, the removal of mon-

opolies and excise, even control of the king's veto in a number of areas. It was rather the authority of the Levellers to *make* the proposals which was at issue:

How do we know that if whilst we are disputing these things another company of men shall gather together and they shall put out a paper as plausible perhaps as this? I do not know why it might not be done by that time you have agreed on this – or got hands to it if that be the way. And not only another, and another, but many of this kind. And if so, what do you think the consequence would be. Would it not be confusion? Would it not be utter confusion?

It *would*, according to Cromwell, be confusion. According to him (no less than to the Levellers themselves over much of their careers) there must be a constituted authority to decide what the settlement should be; but also, according to him (and here the Levellers could not agree), 'the people' had no authority in themselves to change the settled modes of proceeding. Only constituted powers could do that. The people could only petition them and abide by their decisions. This is why he supported parliament as long as he could; this is why he stood by while it was purged rather than dissolved; this is why he supported all attempts to clothe the successive interregnum regimes in the cloak of traditional authority. He 'very much cared', he said, that there should be king, Lords and Commons, and would only move against them if he saw God's clearly manifested providence pronouncing against them.

It emerged that neither he nor the senior officers nor the bulk of the Army would adopt the Levellers' platform, at least not at the Levellers' instigation. The General Council was dissolved. Cromwell and Ireton continued to work to reach a settlement for as long as they could with parliament – and worse (though the Levellers from time to time were monarchists) – the king. Mutiny at Ware followed on 15 November 1647 and the Leveller movement had its first martyr, Richard Arnold. Leveller propaganda now held the officers in turn to be 'vile apostates', who had, like parliament, 'betrayed their trusts' and broken those solemn engagements, which, taken with the common soldiers and promulgated to the people, constituted the only bonds of political authority that existed once the kingdom had been deserted by king and parliament. Lilburne now held that 'all magistracy in England was broke by the Army, who . . . by their swords reduced us into the original state of chaos and confusion wherein every man's lusts become his