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“A History of the Anglican Church—Part XXXVII:  
An Essay on the Role of Christian Lawyers and Judges within the  
Secular State”©

By

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The ideas expressed in this Apostolate Paper are wholly those of the author, and subject to modification as a result of on-going research into this subject matter. This paper is currently being revised and edited, but this version is submitted for the purpose of sharing Christian scholarship with clergy, the legal profession, and the general public.

## INTRODUCTION<sup>1</sup>

Very little is written as to the history of the religious influence of common soldiers upon a nation's constitutional ideals, but it may safely be said that the founding principles of the *Declaration of Independence* (1776) and the *United States Constitution* (1787) owe much of their substance and form, *not to eighteenth-century Enlightenment philosophy and Deism*, but to the **Puritan ideals of the common soldiers**<sup>2</sup> in Oliver Cromwell's Old Ironsides cavalry division and New Model Army, during the waning years of the English Civil War (1642-1651).<sup>3</sup>

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<sup>1</sup> This paper pays tribute to men and women in the uniformed armed services of the United States (especially the First Armored Division ("Old Ironsides"), United States Army), and it is particularly dedicated to the memory of my father's second-youngest brother and my uncle **Captain Charley J. Ford** (1944-1969), U.S. Army Special Forces ("Green Beret"). See attached article "HONORING A HERO: Captain Ford marker dedicated at Veterans Park" [https://www.tiftongazette.com/news/ga\\_fl\\_news/captain-ford-marker-dedicated-at-veterans-park/article\\_906b7aa8-3e7b-5fff-ba42-a84107cf442b.html](https://www.tiftongazette.com/news/ga_fl_news/captain-ford-marker-dedicated-at-veterans-park/article_906b7aa8-3e7b-5fff-ba42-a84107cf442b.html)

<sup>2</sup> I served in the Florida Army National Guard, the U.S. Army Reserve, and the U.S. Army Judge Advocate General's Corps from the period 1986 to 2000 and **heard many stories of war and heraldry from the perspective of the common enlisted soldiers in the trenches**. These stories were always of the highest caliber, and grappled with important topics such as General Sherman's burning of Atlanta and besiege of the city of Charleston; General Eisenhower's D-Day Invasion; and the real reasons for the Iraq War or for the Cold War between the Soviet Union and the West. The common soldiers, who were presently engaged in the fight in the trenches, and subject to deployment at any moment, always seemed to ask themselves and others such questions as, "What is the cause of war?" or "Why is our nation deploying soldiers in this or that part of the world?" And so, too, were the soldiers who fought in George Washington's Revolutionary forces, during the 1770s; and , in Oliver Cromwell's New Model Army, during the English Civil Wars (1642-1651).

<sup>3</sup> See, generally, **Appendices A and B**, below. Anglo-American ideas of natural justice, liberty, resistance to tyranny, universal suffrage, and economic justice—ideas which laid the founding principles of the American *Declaration of Independence* (1776) and *United State Constitution* (1787)—sprang not from English and French philosophers of the eighteenth-century Enlightenment, but rather from Oliver Cromwell's Christian soldiers who authored *An Agreement of the People, as Presented to the Council of the Army* (1647)! The idea of "natural law and natural justice" as the foundation for the fundamental rights of every human being, and the idea of the judicious allocation of property and resources, so as to benefit every person, regardless of their status in society, likewise sprang from Cromwell's common soldiers who authored *An Agreement of the People*. Cromwell's soldiers were largely Christian Independents—Puritans, Baptists, Quakers, etc.—who critiqued nearly every aspect of England's ecclesiastical, economic, and political structure; and in seeking out remedies for what they found wanting, and while

Those Puritan ideals were memorialized in these soldiers' *An Agreement of the People, as Presented to the Council of the Army* (1647-1649),<sup>4</sup> which decreed, inter alia, the following:

*We the free People of England, to whom God hath given hearts, means and opportunity to effect the same, do with submission to his wisdom, in his name, and desiring the equity thereof may be to his praise and glory; Agree to ascertain our Government, to abolish all arbitrary Power, and to set bounds and limits both to our Supreme, and all Subordinate Authority, and remove all known Grievances.*

Thus, religion and the religious sentiment, as I can recall from my own military experiences, are often readily apparent within the ranks of the common troops in military units around the world. Indeed, the seeds of constitutional ideas which lead to the American Revolution (1775-1781) *were planted by the soldiers of Oliver Cromwell's New Model Army*—together with the Levellers and the Diggers—during the early seventeenth-century's English Civil War (1642-1651); and those seeds were deeply rooted in the “law of Christ,”<sup>5</sup> as interpreted by Christians who considered themselves to be “independent” from the established Church of England.

Indeed, Cromwell's soldiers led the way toward a greater constitutional democracy that would guarantee the basic freedoms of the common man. During the English Civil Wars (1642-1651), these soldiers understood that, as bearers of the civil sword, they held tremendous power. Cromwell's soldiers did not see themselves as radicals or as revolutionaries. Instead, they viewed themselves as fulfilling the letter of the Gospel of Christ and the true or original intent of England's fundamental moral law. In fighting for universal manhood suffrage, irrespective of property rights, they believed sincerely that their view of England's fundamental law was the correct interpretation that most accurately reflected the spirit of the “law of Christ” and of English legal and constitutional tradition-- i.e., the orthodox Christian rights of every Englishman. See, e.g., Table 1, below:

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relying upon the “law of Christ” as their fundamental law, Cromwell's soldiers set forth in *An Agreement of the People* what would become the foundation of constitutional democracy in both England and North America.

<sup>4</sup> See, e.g., Appendix A.

<sup>5</sup> The Law of Christ is to “love ye one another” (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

**Table 1. Thomas Woods, *Institutes of the Laws of England* (1720)**

“As Law in General is an Art directing to the Knowledge of Justice, and to the well ordering of civil Society, so the Law of England, in particular, is an Art to know what is Justice in England, and to preserve Order in that Kingdom: And this Law is raised upon fix principal Foundations.

1. Upon the *Law of Nature*, though we seldom make Use of the Terms, *The Law of Nature*. But we say, that such a **Thing is reasonable, or unreasonable, or against the...**

2. Upon the revealed Law of God, Hence it is that our Law punishes Blasphemies, Perjuries, & etc. and receives the Canons of the Church [of England] duly made, and supported a spiritual Jurisdiction and Authority in the Church [of England].

3. The third Ground are several general *Customs*, these Customs are properly called the *Common Law*. Wherefore when we say, it is so by Common Law, it is as much s to say, by common Right, or of common Justice.

Indeed it is many Times very difficult to know what Cases are grounded on the *Law of Reason*, and what upon the *Custom* of the Kingdom, yet we must endeavor to understand this, to know the perfect Reason of the Law.

*Rules concerning Law*

The *Common Law* is the absolute Perfection of *Reason*. For nothing that is contrary to Reason is consonant to Law

**Common Law is common Right.**

The Law is the Subject's best Birth-right.

The Law respects the Order of Nature....”

Source: Thomas Wood, LL.D., *An Institute of the laws of England: or, the Laws of England in their Natural Order* (London, England: Strahan and Woodall, 1720), pp. 4-5.

One example of the sort of men who served under Cromwell's command is John Lilburne, who was a Puritan, a Leveller, and, later in life, a Quaker. Lilburne practically invented the phrase “freeborn rights,” which is as a synonymous precursor to the idea of “inalienable rights.” Lilburne was a political agitator almost from his youth. He wrote pamphlets, gave lectures, and served as a high-ranking army officer under Cromwell's command. Imprisoned, tried, sentenced, and flogged, Lilburne pressed forward, serving as a principle leader of the Levellers and co-author of the landmark work *An Agreement of the People*. Lilburne and other Levellers “hoped that this document would be signed like a referendum so that it would become a written constitution for the Commonwealth of England. **The late United States Supreme Court Justice Hugo Black, who often cited the works of John Lilburne in his opinions, wrote in an article for *Encyclopædia Britannica* that he believed John Lilburne's constitutional**

**work of 1649 was the basis for the basic rights contained in the US Constitution and Bill of Rights.”<sup>6</sup>**

Significantly, what Cromwell’s soldiers presented in their *An Agreement of the People* was not fundamentally different from in the Catholic moral and legal philosophy of St. Thomas Aquinas, to wit: Eternal Law--→Divine Law --→Natural Law--→Human Law. As I shall explain below, these soldiers, together with the Levellers and Diggers, believed that they were fighting to establish firmly the “fundamental law” (i.e., the “law of Christ”) as the “higher law” of England, and that the goals of Cromwell, Ireton, and other leaders in Parliament would fail to achieve justice for the English commoners. The soldiers’ foundation was Christian, and their objectives were also Christian. Indeed, as reflected in *An Agreement of the People*, Cromwell’s soldiers believed that they were fighting to establish a purer form of Christian government, as Christ himself would have established under principles of wisdom, equity, and justice.

### **SUMMARY**

The English Civil War (1642-1651) was the result of the English Parliament’s reaction to King Charles I’s doctrine of “divine right of kings.” Parliament responded in kind through resisting this doctrine. However, aside from Parliament there also rose resistance from the common Englishmen—the soldiers, the artisans, the small farmers and peasants. They were largely religiously Independent—neither Anglican or Presbyterian. They wanted separation of church and state, and the abolition of the Church of England and the House of Lords. First came the soldiers of Cromwell’s New Model Army who drafted their “Agreement of the People, as Presented to the Council of the Army” in 1647. This document set forth ideas and ideals that were far ahead of the eighteenth-century French and English enlightened philosophers: it sought universal suffrage; government by the consent of the governed; and a written constitution with a bill of rights based upon natural rights and natural justice. Together with the Levellers and the Diggers, these soldiers founded their principles upon the Gospel of Jesus Christ, which they believed to be the logical result of England’s unwritten Christian and constitutional ideals—“**An Agreement of the People for a firm and present peace upon grounds of common right.**”

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<sup>6</sup> [https://en.wikipedia.org/wiki/John\\_Lilburne](https://en.wikipedia.org/wiki/John_Lilburne)

## **Part XXXVII. Anglican Church: “The Levellers, the Diggers, and the Agreement of the People”**

### **I. Soldiers of the New Model Army**

Oliver Cromwell’s soldiers—the men doing the fighting on the ground in the English Civil Wars (1642-1651)—asked the fundamental question: What are we fighting for? Indeed, “radical democratic political theories had been developing in the lower ranks of the army... [h]aving found much wrong in the country, they began to talk about ways of setting things right.”<sup>7</sup> Hence, the narrow question of King versus Parliament gave way to other pressing and fundamental concerns involving the plight of the common Englishmen. What was the foundation of law, property rights, and the social compact? None of the soldiers wished to be part of a movement from which they could not benefit or participate in the fruits of the newly-established liberties that were to be gained from the English Civil Wars. These soldiers were amazingly well-read and poignantly aware of what was at stake during the war. And, most importantly, these soldiers represented the religious Independents—the Baptists<sup>8</sup>, Puritans, Quakers, Congregationalists (i.e., Independents), and others; and, most significantly, they also represented the Levellers and, to a lesser extent, the Diggers.

### **II. The Levellers**

The soldiers of Cromwell’s New Model Army were not alone in their beliefs. Rather, their ideas and ideals were organized into a movement known as the Levellers, which numbered about 10,000, resided mostly within the city of London, and “were mostly Independents in religion.”<sup>9</sup> These Levellers:

- Opposed a national church (i.e, they wished to disband the Church of England as a state-supported, national church);

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<sup>7</sup> Goldwin Smith, *A History of England*, New York, N.Y.: Charles Scribner’s Sons (1957), p. 333.

<sup>8</sup> See, generally, Colin Mason, “The General Baptists and the Levellers” *Baptist Quarterly*, 44, 2020- Issue 8 (14 Nov. 2014)(“ This article examines the links between Levellers and General Baptists during the English Civil Wars of the 1640s and suggests that the political liberty proposed by the Levellers was partly derived from General Baptist ecclesiology and soteriology.”)

<sup>9</sup> Goldwin Smith, *A History of England*, p. 333; see, also, Colin Mason, “The General Baptists and the Levellers” *Baptist Quarterly*, 44, 2020- Issue 8 (14 Nov. 2014)(“ This article examines the links between Levellers and General Baptists during the English Civil Wars of the 1640s and suggests that the political liberty proposed by the Levellers was partly derived from General Baptist ecclesiology and soteriology.”)

- Opposed ecclesiastical hierarchy;
- Wished to ordain their own clergy in congregations relatively independent and self-sufficient;
- Wished to conduct their own form of religious worship without authority from ecclesiastical powers or civil magistrates;
- Saw “natural rights and natural justice” “[b]ehind legal rights of property”<sup>10</sup>;
- Believed that “[p]olitical equality... should have no economic implications”<sup>11</sup>;
- Believed that “Parliament should represent the people, not property”<sup>12</sup>;
- Believed that “[s]overeignty lies only in the people and parliament governs only by their consent”<sup>13</sup>; and,
- Believed that “[t]he laws of the land are only valid when they are a statement of higher laws.”<sup>14</sup>

To the Levellers is credited the **“ideas of the inalienable rights of the individual, of law having authority by the ‘consent of the people,’ of the origin of government in an original compact, and, finally, the opinion that the powers of the government should be limited by a fundamental law emanating from the people.”**<sup>15</sup> Thus, we may safely conclude, then, that the founding principles of the *American Declaration of Independence* (1776) and *U.S. Constitution* (1787) were deeply-rooted, not in eighteenth-century Enlightenment philosophy, but rather in the Levellers’ controversial Biblical hermeneutics regarding Christian polity and natural justice during the English Civil Wars (1642-1651).<sup>16</sup>

### III. The Diggers

In addition to the Levellers, there was a movement that carried the Leveller’s economic ideas a step further toward land-redistribution and communism: the Diggers. These Diggers:

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<sup>10</sup>Goldwin Smith, *A History of England*, p. 334.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> See, e.g., Appendix B “ ‘Levellers’ and American Politics” by Historical Society of Pennsylvania

- Proposed that “political freedom had its condition in economic arrangements”<sup>17</sup>;
- Proposed to “take and cultivate unenclosed land and distribute the produce to the poor”<sup>18</sup>; and they “sowed the ground with parsnips, carrots, and beans, and gave the crops away”<sup>19</sup>;
- Claimed that “ [a]ll men are free by God’s franchise”<sup>20</sup>;
- Claimed that “no individual was intended to exercise rule over his fellow men”<sup>21</sup>;
- Claimed and insisted that “the hungry must be fed, the naked clothed”<sup>22</sup>;
- Claimed that there “must be no unequal walth, for wealth gives power over others,”<sup>23</sup> and “[b]reak to pieces the bonds of property, for it is property that made men slaves”<sup>24</sup>; and,
- Believed that “[l]andlords and magistrates were tyrants. ‘Freedom is to be found only in the unimpeded enjoyment of the land. Property there must be, but all men must possess it.’”<sup>25</sup>

Together, the Levellers and the Diggers were well-represented amongst the ranks of Cromwell’s New Model Army. And most of the soldiers, who were not Levellers or Diggers, were nevertheless significantly influenced by Leveller-Digger ideology. Thus, when negotiations broke down between King Charles I and Parliament during the 1648-1649 cease-fire, Cromwell’s soldiers became restless, fearful, and apprehensive. They became “[s]uspicious of their officers [including Cromwell], who represented different class interests.”<sup>26</sup> “[D]istrustful of Charles, they drew up their own proposals. Filled with the doctrines of the Levellers, they decided to appeal to the people, from whom came all authority.”<sup>27</sup>

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<sup>17</sup> Goldwin Smith, *A History of England*, p. 334.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.



#### IV. English Constitution: “An Agreement of the People” (1647-1649)

In 1647, Cromwell’s soldiers drew up the *An Agreement of the People*, as *Presented to the Council of the Army* and presented it to Oliver Cromwell and others for review and approval. See, Appendix A. As historian Goldwin Smith writes:

The Agreement abolished the monarchy and the house of lords. Government was to be in the hands of a single-chamber Parliament elected by universal manhood suffrage, with the provision that those who had supported Charles in the war might not vote or be elected for seven years. The ninth clause of the Agreement provided for wide religious toleration. ‘Such as profess in God by Jesus Christ, however differing in judgment from the doctrine, worship, or discipline publically held... shall not be restrained from, but shall be protected in, the profession of their faith and exercise of religion according to their consciences.’ The democratic form of government set forth in the Agreement was limited by an exact and written statement of **a bill of rights** setting forth certain **fundamental liberties**, based on **the laws of reason and nature**, of **which the subject could never be deprived....**

The Agreement of the People, stating so many of the Leveller theories, **grew out of the religious ideas of the Independents** and the old concept of **a constitution as a statement of fundamental law**. **Here was evolved the idea of a written constitution with paramount laws limiting the powers of government;** this constitution, as all law, was to be enforceable through the courts. Here, too, **appears sharply and vividly the idea that there are individual, inalienable rights possessed, by all men**. Mankind has been created by the Creator with rights such as those later more precisely defined as life, liberty, and the pursuit of happiness. And finally there appears the idea of **the overwhelming sovereignty of the people**. **The Leveller and Independent ideas of democracy in seventeenth century England united with the angry and robust voice of Sir Edward Coke to exert a profound influence on later**

**democratic institutional development in the United States. Some of these consequences flowed directly, as in the case of Independent colonists and their descendants; others were channeled through the works of such men as John Locke and the French philosophers to Thomas Jefferson and his contemporaries who were concerned with the state and dignity of man.<sup>28</sup>**

But the Army officers—Cromwell, Ireton and others—persuaded the soldiers to “temper their document” and submit it to Parliament, rather than holding a plebiscite.<sup>29</sup> When the soldiers agreed to do that, they pretty much ensured the Agreement’s doom, as Parliament was surely unprepared to take such drastic measures. As historian Gordon Smith observes: “[t]he moment the soldiers agreed to do this the immediate political fate of their proposals was sealed.”<sup>30</sup> It is unfortunate that, after Charles I was executed and English Civil War was finally completed in 1651, the new Rump Parliament and others excluded the Levellers from influential leadership. “After Pride’s Purge and the execution of Charles I, power lay in the hands of the Grandees in the Army (and to a lesser extent with the Rump Parliament). The Levellers, along with all other opposition groups, were marginalised by those in power and their influence waned. By 1650, they were no longer a serious threat to the established order.”<sup>31</sup> Nevertheless, the dye had been cast and had sunk deep into the Anglo-American soul; for, indeed, what failed to take immediate root in England found fertile soil in Rhode Island, Connecticut, and throughout British North America.

## CONCLUSION

We may safely conclude that the founding principles of the *American Declaration of Independence* (1776) and *U.S. Constitution* (1787) were deeply-rooted, *not in eighteenth-century Enlightenment philosophy*, but rather in Cromwell’s soldiers’ *An Agreement of the People* and in the Levellers’ controversial Biblical hermeneutics regarding Christian polity and natural justice during the English Civil Wars (1642-1651). The godly army which Oliver Cromwell recruited, equipped, disciplined, and trained became a powerful force for

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<sup>28</sup> Ibid., pp. 336-337.

<sup>29</sup> Ibid., p. 337.

<sup>30</sup> Ibid.

<sup>31</sup> <https://en.wikipedia.org/wiki/Levellers>

democratic change. They understood that government was founded upon the “consent of the governed” and at that historical moment they must have believed that they—as the soldiers of the New Model Army-- held the collective power of England’s people in their own hands. As Independents—Baptists, Quakers, Congregationalists, etc.— Cromwell’s soldiers, together with the Levellers and the Diggers, stretched the “law of Christ” to its logical extremities: the Golden rule must mean “the fatherhood of God, the brotherhood of man,” which in turn meant political and economic justice, and the “Rights of Man.”<sup>32</sup>

## **THE END**

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<sup>32</sup> Interestingly, their dismay after not having achieved their desired political and economic goals, following the end of the English Civil Wars (1642-1651), would later be echoed by many soldiers of the American Revolutionary War (1775-1781) as well.

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## **APPENDIX A: *An Agreement of the People, as Presented to the Council of the Army***

### **THE AGREEMENT OF THE PEOPLE, AS PRESENTED TO THE COUNCIL OF THE ARMY.**

[An agreement of the People for a firm and present peace, &c., E. 412, 21. October 28, 1647. See *Great Civil War*, iii. 383-394.]

An Agreement of the People for a **firm and present peace upon grounds of common right.**

Having by our late labours and hazards made it appear to the world at how high a rate we value our just freedom, **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 countrymen would have opposed us in this quarrel if they had understood their own good, **so may we safely promise to ourselves that, when our common rights and liberties shall be cleared, their endeavours 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:—

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 which shall be in the year of our Lord 1648

### **III.**

That the people do, of course, **choose themselves a Parliament once in two years,** viz. upon the first Thursday in every 2d March<sup>1</sup>, after the manner as shall be prescribed before the end of this Parliament, to begin to sit upon the first Thursday in April following, at Westminster or such other place as shall be appointed from time to time by the preceding Representatives, and to continue till the last day of September then next ensuing, and no longer.

#### IV.

That **the power of this, and all future Representatives of this Nation, is inferior only to theirs who choose them, and doth extend, without the consent or concurrence of any other person or persons, 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 entrusted by us to any human power,** because therein **we cannot 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; the rather, because money (the sinews of war), being always at their disposal, they can never want numbers of men apt enough to engage in any just cause.
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,** otherwise than in execution of the judgments of the present Representatives or House of Commons.
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 from the ordinary course of legal proceedings** whereunto others are subjected.
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 not only **by the examples of our ancestors, whose blood was often spent in vain for the recovery of their freedoms, suffering themselves through fraudulent accommodations to be still deluded of the fruit of their victories, but also 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.**

I.e. in March in every other year.

Dear Country-men, and fellow-Commoners, For your sakes, **our friends, estates and lives have not been dear to us**; for your safety and freedom we have cheerfully endured hard Labors and run most desperate hazards, and in comparison to your peace and freedom we neither do nor ever shall value our dearest blood and we profess, our bowels are and have been troubled, and our hearts pained within us, in seeing and considering that you have been so long bereaved of these fruits and ends of all our labors and hazards, **we cannot but sympathize with you in your miseries and oppressions**. Its grief and vexation of heart to us, to receive your meat or monies, while you have no advantage, nor yet the foundations of your peace and freedom surely laid: and therefore upon most serious considerations, that your principal right most essential to your well being is the clearness, certainty, sufficiency and freedom of your power in your representatives in Parliament, and considering that the original of most of your oppressions & miseries has been either from the obscurity and doubtfulness of the power you have committed to your representatives in your elections, or from the want of courage in those whom you have entrusted to claim and exercise their power, which might probably proceed from their uncertainty of your assistance and maintenance of their power, and minding that for this right of yours and ours we engaged our lives; **for the King raised the war against you and your Parliament, upon this ground, that he would not suffer your representatives to provide for your peace, safety and freedom that were then in danger, by disposing of the Militia and otherwise, according to their trust; and for the maintenance and defense of that power and right of yours, we hazarded all that was dear to us, and God has borne witness to the justice of our Cause.**

And further minding that the only effectual means to settle a just and lasting peace, to obtain remedy for all your grievances, & to prevent future oppressions, **is the making clear & secure the power that you entrust to your representatives in Parliament, that they may know their trust, in the faithful execution whereof you will assist them**. Upon all these grounds, we propound your joining with us in the agreement herewith sent unto you; that by virtue thereof, **we may have Parliaments certainly called and have the time of their sitting and ending certain & their power or trust clear and unquestionable, that hereafter they may remove your burdens, & secure your rights, without oppositions or obstructions, & that the foundations of your peace may be so free from uncertainty, that there may be no grounds for future quarrels, or contentions to occasion war and bloodshed; and we desire you would consider, that as these things wherein we offer to agree with you, are the fruits & ends of the Victories which God has given us**: so the settlement of these are the most absolute means **to preserve you and your Posterity, from slavery, oppression, distraction, & trouble**; by this, those whom your selves shall choose, shall have power to restore you to, and secure you in, all your rights; & they shall be in a capacity to taste of subjection, as well as rule, & so shall be equally concerned with your selves, in all they do.

For they must equally suffer with you under any common burdens, & partake with you in any freedoms; & by this they shall be disabled to defraud or wrong you, when the laws shall bind all alike, without privilege or exemption; & by this your Consciences shall be free from tyranny & oppression, & those occasions of endless strife, & bloody wars, shall be perfectly removed: **without controversy by your joining with us in this Agreement, all your particular & common grievances will be redressed forthwith without delay; the Parliament must them make your relief and common good their only study.**



Now because we are earnestly desirous of the peace and good of all our Country-men, even of those that have opposed us, and would to our utmost possibility provide for perfect peace and freedom, & prevent all suits, debates, & contentions that may happen amongst you, in relation to the late war: **we have therefore inserted it into this Agreement, that no person shall be questioned for anything done, in relation to the late public differences, after the dissolution of this present Parliament, further than in execution of their judgment;** that thereby **all may be secure from all sufferings for what they have done, & not liable hereafter to be troubled or punished by the judgment of another Parliament,** which may be to their ruin, unless this Agreement be joined in, whereby any acts of indemnity or oblivion shall be made unalterable, and you and your posterities be secure.

But if any shall enquire why we should desire to join in an Agreement with the people, to declare these to be **our native Rights, & not rather petition to the Parliament for them; the reason is evident: No Act of Parliament is or can be inalterable, and so cannot be sufficient security to save you or us harmless, from what another Parliament may determine, if it should be corrupted; and besides Parliaments are to receive the extent of their power, and trust from those that betrust them; and therefore the people are to declare what their power and trust is, which is the intent of this Agreement; and it's to be observed, that though there have formerly been many acts of Parliaments every year, yet you have been deprived of them, and enslaved through want of them, and therefore both necessity for your security in these freedoms, that are essential to your well-being, and woeful experience of the manifold miseries and distractions that have been lengthened out since the war ended, through want of such a settlement, requires this Agreement and when you and we shall be joined together therein, we shall readily join with you, to petition the Parliament, as they are our fellow Commoners equally concerned, to join with us.**

And if any shall inquire, Why we undertake to offer this Agreement, , **from we must profess, we are sensible that you have been so often deceived with Declarations and Remonstrances, and fed with vain hopes that you have sufficient reason to abandon all confidence in any persons whatsoever whom you have no other security of their intending your freedom, than bare Declaration:** And therefore, as our consciences witness, that in simplicity and integrity of heart, **we have proposed lately in the Case of the Army stated, your freedom and deliverance from slavery, oppression, and all burdens: so we desire to give you satisfying assurance thereof by this Agreement whereby the foundations of your freedoms provided in the Case, etc. shall be settled unalterably, & we shall as faithfully proceed to, and all other most vigorous actings for your good that God shall direct and enable us unto;** And though the malice of our enemies, and such as they delude, would blast us by scandals, aspersing us with designs of Anarchy, and community; yet **we hope the righteous God will not only by this our present desire of settling an equal just Government, but also by directing us unto all righteous undertakings, simply for public good, make our uprightness and faithfulness to the interest of all our Countrymen, shine forth so clearly, that malice itself shall be silenced and confounded.** We question not, but the longing expectation of a firm peace, will incite you to the most speedy joining in this Agreement: in the prosecution whereof, or of anything that you shall desire for public good; you may be confident, you shall never want the assistance of Your most faithful fellow-Commoners, now in Arms for your service. Edmond Bear Robert Everard Lieut. Gen. Regiment George Garret Thomas

Beverley Com. Gen. Regiment William Pryor William Bryan Col. Fleetwood's Regiment  
Matthew Weale William Russell Col. Whaley's Regiment John Dover William Hudson Col.  
Rich's Regiment Agents coming from other Regiments unto us, have subscribed the Agreement  
to be proposed to their respective Regiments, and you.

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For our much honored, and truly worthy Fellow-Commoners, and Soldiers, the Officers and  
Soldiers under Command of His Excellency Sir Thomas Fairfax.

Gentlemen and Fellow Soldiers;

The deep sense of many dangers and mischiefs that may befall you in relation to the late  
War, whenever this Parliament shall end, unless sufficient prevention be now provided, has  
constrained us to study the most absolute & certain means for your security; and upon most  
serious considerations, we judge that no Act of Indemnity can sufficiently provide for your quiet,  
ease, and safety; because, as it has formerly been, **a corrupt Party (chosen into the next  
Parliament by your Enemy's means) may possibly surprise the house, and make any Act of  
Indemnity null**, seeing they cannot fail of the King's Assistance and concurrence, in any such  
actings against you, that conquered him.

And by the same means, your freedom from impressing also, may in a short time be taken  
from you, though for the present, it should be granted; we apprehend no other security, by which  
you shall be saved harmless, for what you have done in the late war, than a mutual Agreement  
between the people & you, that no person shall be questioned by any Authority whatsoever, for  
anything done in relation to the late public differences, after the dissolution of the present house  
of Commons, further than in execution of their judgment; and **that your native freedom from  
constraint to serve in war, whether domestic or foreign, shall never be subject to the power  
of Parliaments, or any other; and for this end, we propound the Agreement that we  
herewith send to you, to be forthwith subscribed.**

And because we are confident, that in judgment and Conscience, you hazarded your lives  
for the settlement of such a just and equal Government, that you and your posterities, and all the  
freeborn people of this Nation might enjoy justice & freedom, and that you are really sensible  
that the distractions, oppressions, and miseries of the Nation, and your want of your Arrears, do  
proceed from the want of the establishment, both of such certain rules of just Government, and  
foundations of peace, as are the price of blood, and the expected fruits of all the peoples cost:  
**Therefore in this Agreement we have inserted the certain Rules of equal Government,  
under which the Nation may enjoy all its Rights and Freedoms securely; And as we doubt  
not but your love to the freedom and lasting peace of the yet distracted Country will cause  
you to join together in this Agreement.**

So we question not: but every true English man that loves the peace and freedom of  
England will concur with us; and then your Arrears and constant pay (while you continue in  
Arms) will certainly be brought in out of the abundant love of the people to you. And then shall  
the mouths of those be stopped, that scandalize you and us, as endeavoring Anarchy, or to rule

by the sword; & then will so firm a union be made between the people and you, that neither any homebred or foreign Enemies will dare to disturb our happy peace.

We shall add no more but this, that the knowledge of your union in laying this foundation of peace, this Agreement, is much longed for, by Yours, and the People's most faithful Servants.

Postscript.

GENTLEMEN. We desire you may understand the reason of our extracting some principles of common freedom out of those many things proposed to you in the Case truly stated, and drawing them up into the form of an Agreement.

**It's chiefly because for these things we first engaged against the King. He would not permit the people's Representatives to provide for the Nation's safety, by disposing of the Militia, and other ways, according to their Trust, but raised a War against them, and we engaged for the defense of that power, and right of the people, in their Representatives.**

Therefore these things in the Agreement, **the people are to claim as their native right, and price of their blood, which you are obliged absolutely to procure for them.** And these being the foundations of freedom, it's necessary, that they should be settled unalterably, which can be by no means, but this Agreement with the people.

**And we cannot but mind you, that the ease of the people in all their Grievances, depends upon the settling those principles or rules of equal Government for a free people, & were but this Agreement established, doubtless all the Grievances of the Army and people would be redressed immediately,** and all things propounded in your Case truly stated to be insisted on, would be forthwith granted.

**Then should the House of Commons have power to help the oppressed people, which they are now bereaved of by the chief Oppressors, and then they shall be equally concerned with you and all the people, in the settlement of the most perfect freedom: for they shall equally suffer with you under any Burdens, or partake in any Freedom.**

**We shall only add, that the sum of all the Agreement which we herewith offer to you, is but in order to the fulfilling of our Declaration of June the 14.** wherein we promised to the people, that we would with our lives vindicate and clear their right and power in their Parliaments. Edmond Bear Robert Everard Lieut. Gen. Reg. George Garret Thomas Beverley Com. Gen. Reg. William Pryor William Bryan Col. Fleetwood Reg. Matthew Wealey William Russell Col. Whaley Reg. John Dover William Hudson Col. Rich Reg. Agents coming from other Regiments unto us, have subscribed the Agreement, to be proposed to their respective Regiments and you.

**Second Agreement of the People: *Foundations of Freedom, Or An Agreement of the People* (15 Dec. 1648)**

**The Publisher to the Judicious Reader.**

Dear Countryman,

This Agreement having had its conception for a common good, as being that which contains those Foundations of Freedom, and Rules of Government, adjudged necessary to be established in this Nation for the future, by which all sorts of men are to be bound, I adjudged it a just and reasonable thing to publish it to the view of the Nation, to the end that all men might have an opportunity to consider the Equity thereof, and offer their Reasons against any thing therein contained, before it be concluded; **That being agreeable to that Principle which we profess, viz. to do unto you, as we would all men should do unto us<sup>33</sup>**; not doubting but that the Justice of it will be maintained and cleared, maugre the opposition of the stoutest Calumniator, especially in those clear points in the Reserve so much already controverted, viz. touching the Magistrates power to counsel or restrain in matters of Religion, and the exercise of an arbitrary power in the Representative, to punish men for state offences, against which no Law hath provided; which two things especially are so clear to my understanding, that I dare with confidence aver, **That no man can demand the exercise of such a power, but he that intends to be a Tyrant, nor no man part with them, but he that resolves to be a slave.** And so at present I rest,

Friday, *Decemb.* 10. 1648.

*Thy true-hearted Countryman.*

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**Third Agreement of the People: *An Agreement of the Free People of England* (1 May 1649).**

**A Preparative to all sorts of people.**

IF AFFLICTIONS make men wise, and wisdom direct to happinesse, then certainly this Nation is not far from such a degree thereof, as may compare if not far exceed, any part of the world: having for some yeares by-past, drunk deep of the Cup of misery and sorrow. We blesse God our consciences are cleer from adding affliction to affliction, having ever laboured from the beginning, of our publick distractions, to compose and reconcile them: & should esteem it the Crown of all our temporal felicity that yet we might be instrumentall in procuring the peace and prosperity of this Common-wealth the land of our Nativity.

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<sup>33</sup> This is the “law of Christ,” that was the foundation of the Leveller’s constitutional goals and objectives. The Law of Christ is to “love ye one another” (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

And therefore according to our promise in our late *Manifestation* of the 14 of Aprill 1649. (being perswaded of the necessitie and justnesse thereof) **as a Peace-Offering to the Free people of this Nation, we tender this ensuing Agreement**, not knowing any more effectuall means to put a finall period to all our feares and troubles.

**It is a way of settlement, though at first much startled at by some in high authority; yet according to the nature of truth, it hath made its own way into the understanding, and taken root in most mens hearts and affections**, so that we have reall ground to hope (what ever shall become of us) that our earnest desires and indeavours for good to the people will not altogether be null and frustrate.

The **life of all things is in the right use and application**, which is not our worke only, but every mans conscience must look to it selfe, and not dreame out more seasons and opportunities. And this we trust will satisfie all ingenuous people that we are not such wilde, irracionall, dangerous Creatures as we have been aspersed to be; **This agreement being the ultimate end and full scope of all our desires and intentions concerning the Government of this Nation, and wherein we shall absolutely rest satisfied and acquiesce; nor did we ever give just cause for any to beleieve worse of us by any thing either said or done by us, and which would not in the least be doubted, but that men consider not the interest of those that I have so unchristian-like made bold with our good names; but we must bear with men of such interests as are opposite to any part of this Agreement, when neither our Saviour nor his Apostles innocency could stop such mens mouthes whose interests their doctrines and practises did extirpate**; And therefore if friends at least would but consider what interest men relate to, whilst they are telling or whispering their aspersiones against us, they would find the reason and save us a great deale of labour in clearing our selves, it being a remarkable signe of an ill cause when aspersiones supply the place of Arguments.

**We blesse God that he hath given us time and hearts to bring it to this issue, what further he hath for us to do is yet only knowne to his wisdom**, to whose will and pleasure we shall willingly submit; we have if we look with the eyes of frailty, enemies like the sons of Anak, but if **with the eyes of faith and confidence in a righteous God and a just cause**, we see more with us then against us.

*JOHN LILBURN.*

*WILLIAM WALWYN.*

*THOMAS PRINCE.*

*RICHARD OVERTON.*

From our causelesse captivity in the Tower of London,

May 1. 1649.

*The Agreement it selfe thus followeth.*

After the long and tedious prosecution of a most unnaturall cruell, homebred war, occasioned by divisions and distempers amongst our selves, and those distempers arising from the uncertaintie of our Government, and **the exercise of an unlimited or Arbitrary power**, by such as have been trusted with Supreme and subordinate Authority, **wherby multitudes of grievances and intolerable oppressions have been brought upon us.**

And finding after eight yeares experience and expectation all indeavours hitherto used, or remedies hitherto applyed, to have encreased rather then diminished our distractions, and that if not speedily prevented our **falling againe into factions and divisions, will not only deprive us of the benefit of all those wonderful Victories God hath vouchsafed against such as sought our bondage, but expose us first to poverty and misery, and then to be destroyed by forraigne enemies.**

And being earnestly desirous to make a right use of that opportunity God hath given us to make this Nation Free and Happy, **to reconcile our differences**, and beget a perfect amitie and friendship once more amongst us, **that we may stand clear in our consciences before Almighty God**, as unbyassed by any corrupt Interest or particular advantages, and manifest to all the world that our indeavours have not proceeded from malice to the persons of any, or enmity against opinions; but in reference to the peace and prosperity of the Common-wealth, and for prevention of like distractions, and removall of all grievances;

**We the free People of England, to whom God hath given hearts, means and opportunity to effect the same, do with submission to his wisdom, in his name, and desiring the equity thereof may be to his praise and glory; Agree to ascertain our Government, to abolish all arbitrary Power, and to set bounds and limits both to our Supreme, and all Subordinate Authority, and remove all known Grievances.**

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*The Agreement it selfe thus followeth.*

After the long and tedious prosecution of a most unnaturall cruell, homebred war, occasioned by divisions and distempers amongst our selves, and those distempers arising from the uncertaintie of our Government, and the exercise of an unlimited or Arbitrary power, by such as have been trusted with Supreme and subordinate Authority, wherby multitudes of grievances and intolerable oppressions have been brought upon us.

And finding after eight yeares experience and expectation all indeavours hitherto used, or remedies hitherto applyed, to have encreased rather then diminished our distractions, and that if not speedily prevented our falling againe into factions and divisions, will not only deprive us of the benefit of all those wonderful Victories God hath vouchsafed against such as sought our bondage, but expose us first to poverty and misery, and then to be destroyed by forraigne enemies.

And being earnestly desirous to make a right use of that opportunity God hath given us to make this Nation Free and Happy, to reconcile our differences, and beget a perfect amitie and friendship once more amongst us, that we may stand clear in our consciences before Almighty God, as unbyassed by any corrupt Interest or particular advantages, and manifest to all the world that our indeavours have not proceeded from malice to the persons of any, or enmity against opinions; but in reference to the peace and prosperity of the Common-wealth, and for prevention of like distractions, and removall of all grievances; We the free People of England, to whom God hath given hearts, means and opportunity to effect the same, do with submission to his wisdom, in his name, and desiring the equity thereof may be to his praise and glory; Agree to ascertain our Government, to abolish all arbitrary Power, and to set bounds and limits both to our Supreme, and all Subordinate Authority, and remove all known Grievances.

"We the free People of England ...agree to ascertain our Government, to abolish all arbitrary Power, and to set bounds and limits both to our Supreme, and all Subordinate Authority, and remove all known Grievances."

*And accordingly do declare and publish to all the world, that we are agreed as followeth,*

I. That the Supreme Authority of England and the Territories therewith incorporate, shall be and reside henceforward in a **Representative of the People consisting of four hundred persons, but no more**; in the choice of **whom (according to naturall right) all men of the age of one and twenty yeers and upwards** (not being servants, or receiving alms, or having served the late King in Arms or voluntary Contributions) shall have their voices; and be capable of being elected to that Supreme Trust, those who served the King being disabled for ten years onely. **All things concerning the distribution of the said four hundred Members proportionable to the respective parts of the Nation, the severall places for Election, the manner of giving and taking of Voyces, with all Circumstances of like nature, tending to the compleating and equall proceedings in Elections, as also their Salary, is referred to be settled by this present Parliament, in such sort as the next Representative may be in a certain capacity to meet with safety at the time herein expressed: and such circumstances to be made more perfect by future Representatives.**

II. That two hundred of the four hundred Members, and not lesse, shall be taken and esteemed for a competent Representative; and the major Voyces present shall be concluding to this Nation. The place of Session, and choice of a Speaker, with other circumstances of that nature, are referred to the care of this and future Representatives.

III. And to the end all publick Officers may be certainly accountable, and no Factions made to maintain corrupt Interests, no Officer of any salary, Forces in Army or Garison, nor any Treasurer or Receiver of publick monies, shall (while such) be elected a Member for any Representative; and if any Lawyer shall at any time be chosen, he shall be incapable of practice as a Lawyer, during the whole time of that Trust. And for the same reason, and that all persons may be capable of subjection as well as rule.

"all publick Officers may be certainly accountable, and no Factions made to maintain corrupt Interests, no Officer of any salary, Forces in Army or Garison, nor any Treasurer or Receiver of publick monies, shall (while such) be elected a Member for any Representative; and if any Lawyer shall at any time be chosen, he shall be incapable of practice as a Lawyer, during the whole time of that Trust."

III. That no Member of the present Parliament shall be capable of being elected of the next Representative, nor any Member of any future Representative shall be capable of being chosen for the Representative immediately succeeding: but are free to be chosen, one Representative having intervened: Nor shall any Member of any Representative be made either Receiver, Treasurer, or other Officer during that employment.

V. That for avoyding the many dangers and inconveniences apparently arising from the long continuance of the same persons in Authority; We Agree, that this present Parliament shall end the first Wednesday in August next 1649, and thenceforth be of no power or Authority: and in the mean time shall order and direct the Election of a new and equall Representative, according to the true intent of this our Agreement: and so as the next Representative may meet and sit in power and Authority as an effectuall Representative upon the day following; namely, the first Thursday of the same August, 1649.

VI. We agree, if the present Parliament shall omit to order such Election or Meeting of a new Representative; or shall by any means be hindered from performance of that Trust:

That in such case, we shall for the next Representative proceed in electing thereof in those places, & according to that manner & number formerly accustomed in the choice of Knights and Burgesses; observing onely the exceptions of such persons from being Electors or Elected, as are mentioned before in the first third, and fourth Heads of this Agreement: It being most unreasonable that we should either be kept from new, frequent and successive Representatives, or that the supreme Authority should fall into the hands of such as have manifested disaffection to our common Freedom, and endeavoured the bondage of the Nation.

VII. And for preserving the supreme authority from falling into the hands of any whom the people have not, or shall not chuse, We are resolved and agreed (God willing) that a new Representative shall be upon the first Thursday in August next aforesaid: the ordering and disposing of themselves, as to the choice of a speaker, and the like circumstances, is hereby left to their discretion: But are in the extent and exercise of Power, to follow the direction and rules of this agreement; and are hereby authorised and required according to their best judgements, to set rules for future equall distribution, and election of Members as is herein intended and enjoyned to be done, by the present Parliament.

VIII. And for the preservation of the supreme Authority (in all times) entirely in the hands of such persons only as shal be chosen thereunto—we agree and declare: That the next & al future Representatives, shall continue in full power for the space of one whole year: and that the people shall of course, chuse a Parliament once every year so as all the members thereof may



be in a capacity to meet, and take place of the foregoing Representative: the first Thursday in every August for ever if God so please; Also (for the same reason) that the next or any future Representative being met, shall continue their Session day by day without intermission for four monthes at the least; and after that shall be at Liberty to adjourn from two monthes to two months, as they shall see cause untill their yeer be expired, but shall sit no longer then a yeer upon pain of treason to every member that shall exceed that time: and in times of adjournment shall not erect a Council of State but refer the managing of affairs in the intervals to a Committee of their own members, giving such instructions, and publish them, as shall in no measure contradict this agreement.

IX. And that none henceforth may be ignorant or doubtful concerning the power of the Supreme authority, and of the affairs, about which the same is to be conversant and exercised: we agree and declare, that the power of Representatives shall extend without the consent or concurrence of any other person or persons,

1. To the conservation of Peace and commerce with forrain Nations.

2. To the preservation of those safe guards, and securities of our lives, limbes, liberties, properties, and estates, contained in the Petition of Right, made and enacted in the third year of the late King.

3. To the raising of moneys, and generally to all things as shall be evidently conducing to those ends, or to the enlargement of our freedom, redress of grievances, and prosperity of the Commonwealth.

For security whereof, having by wofull experience found the prevalence of corrupt interests powerfully inclining most men once entrusted with authority, to pervert the same to their own domination, and to the prejudice of our Peace and Liberties, we therefore further agree and declare.

**X. That we do not impower or entrust our said representatives to continue in force, or to make any Lawes, Oaths, or Covenants, whereby to compell by penalties or otherwise any person to any thing in or about matters of faith, Religion or Gods worship or to restrain any person from the profession of his faith, or exercise of Religion according to his Conscience, nothing having caused more distractions, and heart burnings in all ages, then persecution and molestation for matters of Conscience in and about Religion:**

XI. We doe not impower them to impresse or constrain any person to serve in war by Sea or Land every mans Conscience being to be satisfied in the justness of that cause wherein he hazards his own life, or may destroy an others.

"We doe not impower them to impresse or constrain any person to serve in war by Sea or Land every mans Conscience being to be satisfied in the justness of that cause wherein he hazards his own life, or may destroy an others."

And for the quieting of all differences, and abolishing of all enmity and rancour, as much as is now possible for us to effect.

XII. We agree, That after the end of this present Parliament, no person shall be questioned for any thing said or done in reference to the late Warres, or publique differences; otherwise then in pursuance of the determinations of the present Parliament, against such as have adhered to the King against the Liberties of the people: And saving that Accomptants for publick moneys received, shall remain accomptable for the same.

XIII. That all priviledges or exemptions of any persons from the Lawes, or from the ordinary course of Legall proceedings, by vertue of any Tenure, Grant, Charter, Patent, Degree, or Birth, or of any place of residence, or refuge, or priviledge of Parliament, shall be henceforth void and null; and the like not to be made nor revived again.

XIII. We doe not impower them to give judgment upon any ones person or estate, where no Law hath been before provided, nor to give power to any other Court or jurisdiction so to do, Because where there is no Law, there is no transgression, for men or Magistrates to take Cognisance of; neither doe we impower them to intermeddle with the execution of any Law whatsoever.

XV. And that we may remove all long settled Grievances, and thereby as farre as we are able, take away all cause of complaints, and no longer depend upon the uncertain inclination of Parliaments to remove them, nor trouble our selves or them with Petitions after Petitions, as hath been accustomed, without fruit or benefit; and knowing no cause why any should repine at our removall of them, except such as make advantage by their continuance, or are related to some corrupt Interests, which we are not to regard.

We agree and Declare,

XVI. That it shall not be in the power of any Representative, to punish, or cause to be punished, any person or persons for refusing to answer to questions against themselves in Criminall cases.

XVII. That it shall not be in their power, after the end of the next Representative, to continue or constitute any proceedings in Law that shall be longer then Six months in the final determination of any cause past all Appeal, nor to continue the Laws or proceedings therein in any other Language then English, nor to hinder any person or persons from pleading their own Causes, or of making use of whom they please to plead for them.

The reducing of these and other the like provisions of this nature in this Agreement provided, and which could not now in all particulars be perfected by us, is intended by us to be the proper works of faithful Representatives.

XVIII. That it shall not be in their power to continue or make any Laws to abridge or hinder any person or persons, from trading or merchandizing into any place beyond the Seas, where any of this Nation are free to Trade.

XIX. That it shall not be in their power to continue Excise or Customes upon any sort of Food, or any other Goods, Wares, or Commodities, longer then four months after the beginning of the next Representative, being both of them extreme burthensome and oppressive to Trade, and so expensive in the Receipt, as the moneys expended therein (if collected as Subsidies have been) would extend very far towards defraying the publick Charges; and forasmuch as all Moneys to be raised are drawn from the People; such burthensome and chargeable wayes, shall never more be revived, nor shall they raise Moneys by any other ways (after the aforesaid time) but only by an equal rate in the pound upon every reall and personall estate in the Nation.

XX. That it shall not be in their power to make or continue any Law, whereby mens reall or personall estates, or any part thereof, shall be exempted from payment of their debts; or to imprison any person for debt of any nature, it being both unchristian in it self, and no advantage to the Creditors, and both a reproach and prejudice to the Commonwealth.

XXI. That it shall not be in their power to make or continue any Law, for taking away any mans life, except for murther, or other the like hainous offences destructive to humane Society, or for endeavouring by force to destroy this our Agreement, but shall use their uttermost endeavour to appoint punishments equall to offences: that so mens Lives, Limbs, Liberties, and estates, may not be liable to be taken away upon trivial or slight occasions as they have been; and shall have speciall care to preserve, all sorts of people from wickedness misery and beggery: nor shall the estate of any capitall offendor be confiscate but in cases of treason only; and in all other capitall offences recompence shall be made to the parties damnified, as well out of the estate of the Malifactor, as by loss of life, according to the conscience of his jury.

XXII. That it shall not be in their power to continue or make any Law, to deprive any person, in case of Tryals for Life, Limb, Liberty, or Estate from the benefit of witnesses on his or their behalf; nor deprive any person of those priviledges, and liberties, contained in the Petition of Right, made in the third yeer of the late King Charls.

XXIII. That it shall not be in their power to continue the Grievance of Tithes, longer then to the end of the next Representative; in which time, they shall provide to give reasonable satisfaction to all Impropiators: neither shall they force by penalties or otherwise any person to pay towards the maintenance of any Ministers, who out of conscience cannot submit thereunto.

XXIV. That it shall not be in their power to impose Ministers upon any the respective Parishes, but shall give free liberty to the parishioners of every particular parish, to chuse such as themselves shall approve; and upon such terms, and for such reward, as themselves shall be willing to contribute, or shall contract for. Provided, none be chusers but such as are capable of electing Representatives.

"That it shal not be in their power, to continue or make a law, for any other way of Judgments, or Conviction of life, limb, liberty, or estate, but onely by twelve sworn men of the Neighborhood; to be chosen in some free way by the people"

XXV. That it shal not be in their power, to continue or make a law, for any other way of Judgments, or Conviction of life, limb, liberty, or estate, but onely by twelve sworn men of the Neighborhood; to be chosen in some free way by the people; to be directed before the end of the next Representative, and not picked and imposed, as hitherto in many places they have been.

XXVI. They shall not disable any person from bearing any office in the Common-wealth, for any opinion or practice in Religion, excepting such as maintain the Popes (or other forraign) Supremacy.

XXVII. That it shal not be in their power to impose any publike officer upon any Counties, Hundreds, Cities, Towns, or Borroughs; but the people capable by this Agreement to chuse Representatives, shall chuse all their publike Officers that are in any kinde to administer the Law for their respective places, for one whole yeer, and no longer, and so from yeer to yeer: and this as an especial means to avoyd Factions, and Parties.

And that no person may have just cause to complain, by reason of taking away the Excise and Customs, we agree,

XXVIII. That the next, and all future Representatives shall exactly keep the publike Faith, and give ful satisfaction, for all securities, debts, arrears or damages, (justly chargeable) out of the publike Treasury; and shall confirm and make good all just publike Purchases and Contracts that have been, or shall be made; save that the next Representative may confirm or make null in part or in whole, all gifts of Lands, Moneys, Offices, or otherwise made by the present Parliament, to any Member of the House of Commons, or to any of the Lords, or to any of the attendants of either of them.

And for as much as nothing threateneth greater danger to the Common-wealth, then that the Military power should by any means come to be superior to the Civil Authority,

XXIX. We declare and agree, That no Forces shal be raised, but by the Representatives, for the time being; and in raising thereof, that they exactly observe these Rules, namely, That they allot to each particular County, City, Town, and Borrough, the raising, furnishing, agreeing, and paying of a due proportion, according to the whole number to be levyed; and shall to the Electors of Representatives in each respective place, give Free liberty, to nominate and appoint all Officers appertaining to Regiments, Troops, and Companies, and to remove them as they shall see cause, Reserving to the Representative, the nominating and appointing onely of the General, and all General-Officers; and the ordering, regulatng, and commanding of them all, upon what service shall seem to them necessary for the Safety, Peace, and Freedom of the Common-wealth.

"That generally men make little or nothing, to innovate in Government, to exceed their time and power in places of trust, to introduce an Arbitrary, and Tyrannical power, and to overturn all things into Anarchy and Confusion"

And in as much as we have found by sad experience, That generally men make little or nothing, to innovate in Government, to exceed their time and power in places of trust, to introduce an Arbitrary, and Tyrannical power, and to overturn all things into Anarchy and Confusion, where there are no penalties imposed for such destructive crimes and offences,

XXX. We therefore agree and declare, That it shall not be in the power of any Representative, in any wise, to render up, or give, or take away any part of this Agreement, nor level mens Estates, destroy Propriety, or make all things Common: And if any Representative shall endeavor, as a Representative, to destroy this Agreement, every Member present in the House, not entering or immediately publishing his dissent, shall incur the pain due for High Treason, and be proceeded against accordingly; and if any person or persons, shall by force endeavor or contrive, the destruction thereof, each person so doing, shall likewise be dealt withal as in cases of Treason.

And if any person shall by force of Arms disturb Elections of Representatives, he shall incur the penalty of a Riot; and if any person not capable of being an Elector, or Elected, shall intrude themselves amongst those that are, or any persons shall behave themselves rudely and disorderly, such persons shall be liable to a presentment by a grand Inquest and to an indictment upon misdemeanor; and be fined and otherwise punish'd according to the discretion and verdict of a Jury. And all Laws made or that shall be made contrary to any part of this Agreement are hereby made null and void.

Thus, as becometh a free People, thankfull unto God for this blessed opportunity, and desirous to make use thereof to his glory, in taking off every yoak, and removing every burthen, in delivering the captive, and setting the oppressed free; we have in all the particular Heads forementioned, done as we would be done unto, and as we trust in God will abolish all occasion of offence and discord, and produce the lasting Peace and Prosperity of this Common-wealth: and accordingly do in the sincerity of our hearts and consciences, as in the presence of Almighty God, give cleer testimony of our absolute agreement to all and every part hereof by subscribing our hands thereunto. Dated the first day of May, in the Yeer of our Lord 1649.

*JOHN LILBURN.*

*WILLIAM WALWYN.*

*THOMAS PRINCE.*

*RICHARD OVERTON.*

April 30. 1649.

March, 1649

[19 March, 1648/9.]

*House of Lords useless and dangerous to be continued, wholly abolished.; Some qualified Lords to have free Vote in Parliament, if elected;*

The Commons of England assembled in Parliament, finding by too long experience, **that the House of Lords is useless and dangerous to the People of England to be continued**, have thought fit to Ordain and Enact, and be it Ordained and Enacted by this present Parliament, and by the Authority of the same, **That from henceforth the House of Lords in Parliament, shall be and is hereby wholly abolished and taken away**; And that the Lords shall not from henceforth meet or sit in the said House called The Lords House, or in any other House or Place whatsoever, as a House of Lords; nor shall Sit, Vote, Advise, Adjudge, or Determine of any matter or thing whatsoever, as a House of Lords in Parliament: Nevertheless it is hereby Declared, That neither such Lords as have demeaned themselves with Honor, Courage and Fidelity to the Commonwealth, nor their Posterities who shall continue so, **shall be excluded from the Publique Councils of the Nation, but shall be admitted thereunto, and have their Free Vote in Parliament, if they shall be thereunto elected, as other persons of Interest elected and qualified thereunto, ought to have.**

*Otherwise to have no Priviledge.*

And be it further Ordained and Enacted by the Authority aforesaid, **That no Peer of this Land, not being Elected, Qualified, and sitting in Parliament as aforesaid, shall claim, have or make use of any priviledge of Parliament, either in relation to his Person, Quality or Estate, Any Law, Usage or Custom to the contrary notwithstanding.**

**THE END**

## APPENDIX B: “Levellers’ In American Politics” by Historical Society of Pennsylvania<sup>34</sup>

“As one of the last surviving signers of the Declaration of Independence, Thomas Jefferson was invited to attend and speak at the celebration of the 50th anniversary of American independence in Washington, DC. Though Jefferson failed to attend because of ailing health, he wrote a poignant letter to Washington’s mayor, Roger C. Weightman, on June 24, 1826. This letter, written a few weeks before Jefferson’s death, has been called ‘his last formal statement on democracy to his countrymen.’ In the letter, Jefferson remarked how ‘the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God.’

“The above statement was almost a verbatim reiteration of the last speech of **Col. Richard Rumbold, who was executed after a trial in Edinburgh, Scotland, on June 26, 1685.** According to some accounts, while at the scaffold, Rumbold remarked ‘tho I am sure there was no man born marked of God above another, for none comes into the world with a saddle on his back, neither any booted and spurred to ride him.’

“Rumbold, who served under Oliver Cromwell against King Charles I during the English Civil War, was known as a Leveller. **Levellers were individuals who had been prominent in their denunciation of the Crown and in favor of equal treatment by the law, as opposed to appeasing the wealthy or aristocratic class in England.** One of their major spokesmen was John Lilburne, who had been tried as early as 1649 for high treason, and though acquitted, died in exile in the Netherlands.

“One should not believe that Lilburne and others were advocating of the need for the equal distribution of wealth within society. **Rather, they believed that all men (and some argued women as well), regardless of their origin, birth, or social class, should have the opportunity to experience social mobility or be able to own property, serve in public office, vote, etc., at a time when the British Empire was rigidly class-based.**

“**The personal libraries of many of our Founding Fathers include publications advocating the Levelling ideology of John Lilburne and his associates.** Perhaps it is no accident that **the Declaration of Independence and the Constitution of the United States of America are truly “Levelling” documents.** They’re designed to equalize American society on many levels, to have a government that truly represents all the people, and that the consent of its citizenry should be the top priority of the established legal body.

“Thomas Jefferson, an avid student of English law and history, was very familiar with the English Civil War of the 17th century and the ideology for which it had largely been fought. These concepts can be found reflected in the history of the American Revolutionary War and the

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<sup>34</sup> <https://hsp.org/blogs/history-hits/levellers-in-american-politics>

government that it spawned. Thus, **the idea in the American *Declaration of Independence* (1776) that all men were born free and equal, to some extent, owes its legacy and debt to the minds, lives, and sacrifices of those individuals we refer to as the Levellers of 17th-century Britain.**”

**THE END**