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LAND REFORM ISSUES
DURING THE ENGLISH CIVIL WARS

by

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Abstract

During the English Civil Wars a number of men turned their attention to serious land problems caused by new economic, religious and political factors which were destroying the feudal manorial land system. This paper is an attempt to discover how important land problems were to men of this period, and what kinds of reform proposals they offered. By the middle of the seventeenth century many men were aware that technical improvements in farming methods might vastly increase the agricultural produce of England. William Blith, Richard Weston, Gabriel Plattes and Samuel Hartlib are representative of the "improvers" who strongly advocated using the new methods. They urged landlords and tenants to enclose their lands and establish private farms because the manorial system of farming impeded economic progress. The "improvers" were among the most outspoken about the hardships inflicted upon the poorer tenants and agricultural laborers by lingering manorial practices. Almost to a man the "improvers" insisted that an increase in farm production would benefit all classes by creating more jobs and more food. Therefore, they felt justified in claiming God's blessing for their projects.

Harrington, the Levellers and the anonymous author of Chaos all approached the land problem as a preeminently
political one. Harrington attempted to prove that the landlords were morally and intellectually the best qualified to establish and rule a republic in England. The Levellers were aware of the injustices resulting from the landlords' arbitrary powers over tenants, and their pamphlets contained complaints to that effect. The Levellers believed that the right to hold land was an inalienable one granted by God. Furthermore, the Levellers concluded that the franchise should not be tied to property ownership. In these beliefs the Levellers stood against the main current of opinion in the revolutionary period. Harrington, Hobbes and the writer of Chaos explicitly developed the theme that the overall good of society was more important than individual rights. No matter what classical or practical arguments they used to prove their cases, these writers were certain that the most basic justification for their views was the Holy will of God.

Peter Cornelius Plockboy and Peter Chamberlen developed semi-socialistic schemes for land use to provide for society's poor. Both of these men justified their ideas by reminding their readers of Christ's injunctions to care for the poor. Of those who advocated radical reforms in the name of God, Gerrard Winstanley was the only one who developed a complete plan for a Holy state.
Winstanley's most basic idea was that all land and all the earth's material goods should be held in common.

The question arises, if all these ideas for land reforms existed during the wars, why was almost nothing done to implement any of them? One answer is that the members of the Interregnum Parliaments all came from the landlord class and had no intention of limiting their own class power in any way. A search into the actual legislation proposed and an attempt to understand the religious convictions of Cromwell and other well-to-do participants in the Civil Wars have led me to doubt this thesis. Parliament did attempt some land legislation that would protect tenants from their landlords. When Cromwell, Robert Harris, Samuel Rutherford and other leaders of the various factions in the revolutionary governments questioned the contemporary social structure, they found it justified in the Scriptures and in their firm belief that according to the sovereign will of God men were not equal in matters spiritual or matters temporal. Land was a key factor in the social and political structure which Cromwell and most other Puritan leaders saw no need to reform.

Elizabeth L. Meier
INTRODUCTION

In the seventeenth century land was the basic economic factor in England. Visible and touchable, it was the source of livelihood for almost everyone, and in common usage, "wealth" was synonymous with "land." The ancient feudal system had been deteriorating since before Henry VIII began selling the estates of the disestablished Catholic Church. Other economic factors such as the influx of specie from the New World, and speculation in lands helped to make the feudal land practices and land laws largely irrelevant. But no satisfactory alternative to the feudal system and its laws had emerged.

This paper is a consideration of some of the land reforms suggested during the English Civil Wars. A great many people from all ranks of society were aware of the inequities in the land system as it existed in the middle of the century, and many had schemes for remedying the situation. The Civil Wars broke out largely because so many men felt the Crown was impinging on their traditional rights to life, liberty, and estate. In the case of estate in land, those traditional rights were often conflicting. For example, if a lord wished to
enclose any or all of the lands on his estates, he might nullify the traditional rights of his tenants to participate in common field tillage and common grazing rights, fuel collection, and other traditional benefits. Many tenants held their lands traditionally at the good will of the landlord, and throughout the seventeenth century numerous pressures induced the lords to raise rents and fines to the highest possible amount, thus causing the tenant undue hardships.

However, in the seventeenth century land was much more than an economic factor alone. From the feudal era men of the seventeenth century inherited the concept that land carried political and religious responsibilities with it. At least during the Civil Wars the political and religious overtones of land holding and land use were of major importance to most of those writers who attacked land problems. Even those men in the vanguard of the agricultural reform movement recognized the social and moral implications of their ideas, and tried to show how those new ideas could implement the commonly held popular beliefs of justice and fair treatment. Practicing politicians as well as political theorists faced the questions of land use and land reform because they conceived of land as a political institution. Religious
men asked themselves whether the traditional land system could be justified by religious standards. Some answered no, and others, just as emphatically, answered yes.

As far as legislation is concerned, the result of the land reformers' activities were negligible. The rationalized farming methods advocated by the agricultural writers were gradually adopted, and the material prosperity they had promised was achieved beyond their most glowing expectations. The enclosure of farms and the gradual demise of copyhold and other unfixed tenures was left to individual initiative. However, most of the Civil War writers on the subject of land were basically concerned for the Christian and material welfare of the whole community. They tried and failed to adjust the new economic and social conditions to fit into their ethical and religious framework. If their rather comprehensive view of the land situation is considered, then some important reservations must be made in regard to Christopher Hill's assertion that the revolution was more of a class struggle than orthodox theory allows. Macpherson concluded that the seventeenth century saw the individual as the owner of himself rather than as a moral entity or as a part of the larger social whole.
this theory must be modified.

I am most indebted to Margaret James, author of *Social Problems and Policy During the Puritan Revolution*, for her careful investigation of the land problems during the revolution. She searched the Civil War pamphlet material available in England and found those pamphlets dealing with land problems and reformers. However, in so far as I have been able to read the same material, I tend to disagree with her conclusion that the reformers left the cure of social evils to the panacea of increased production. Almost all the writers on the subject of land reforms proposed some solutions to the social problems. Margaret James studied the legislation of the period and concluded that the classes represented in Parliament were unequivocally opposed to any legislation limiting the privilege of landlords to arbitrarily enclose or raise rents. A closer look at Parliamentary activity reveals considerable concern over the fair treatment of tenants. A careful look at some of the representative members of the Parliamentary "class" reveals that they had very definite religious and political reasons for opposing radical land reforms.

It must be remembered that issues of land ownership and of modern farming were not the major causes or even
major themes of the Civil Wars. Much of the debate in the Parliaments of James I and Charles I concerned the Crown's invasion of customary or allegedly inviolable rights of estate and any other kinds of wealth. However, the thrust of these arguments was usually constitutional, and the problem to be solved was one of real or imagined legality or sovereignty. The reading of Civil War tracts and Parliamentary debates gives the impression that land was a persistent and nagging problem but not one of immediacy. However, the various written solutions to land problems can serve the student with a rather interesting perspective of the religious and political ideals of the period.
Footnotes


CHAPTER I

The practical questions of enclosure, primogeniture, and copyhold and other insecure tenures, were the immediate issues to be faced by Civil War pamphleteers interested in land. These were all problems left over from the medieval system of land holding, a system difficult to describe except in relative terms. The object of holding land was not to increase riches or produce. Instead, land holding was a social privilege which carried with it certain religious, judicial, political, as well as military duties. Among the many factors which led to the breakdown of the feudal system was the Tudor reformation which released lands from actual possession of the Church, and more important, released the people from any theoretical responsibility to the Church or to the Church's God for their lands. The influx of gold and silver from America, the birth of capitalism, defined by Weber as the application of rational system in order to gain profit, and land speculation, were new economic factors which feudalism could not absorb. The necessity of money to feed one's family and to maintain one's station had a devastating effect on the ancient manorial relationship between lord and tenant. Perhaps the concept
of the nation-state as an economic and social unit complete within itself worked havoc with the feudal concept of the proper use for lands.

By the seventeenth century the concept of land tenures, especially copyhold, was not yet on a "modern" footing. A copyhold probably developed early in the fifteenth century out of the medieval villein (serf) tenure when the landlord agreed to accept a money payment for land farmed by the copyholder. Since the title or agreement was recorded only in the manor rolls, it was quite insecure. The landlord could change rents and raise inheritance fines at will. Copyhold gained legal recognition in the Court of Chancery first and later in the common law courts; but the complaining tenant had to prove that his case was a violation of the manorial custom. This was difficult for the tenant to do because the landlord possessed the only copies of the leases of his other tenants as well as that of the plaintiff. Furthermore, the judges most often were landlords themselves. Also there was the very real problem of high court fees which many a struggling farmer could not consider paying. Thus the theorists of the Civil War period were dealing with problems two centuries old. These writers observed the injustices often done to
copyholders who improved their estates at their own expense and then were forced by increased rents to pass the fruits on to the landlord, or who were summarily turned off of the lands which had been tilled by their families for generations. In searching for the causes of these social and economic problems, the author of The Lawyer's Bane, 1647, noted that the manor was no longer a social and political unit, but only an economic corpse, an outmoded and unjust one at that.

In the eyes of contemporary writers on both the royalist and parliamentary sides, the problem of copyhold was much aggravated by the speculation in lands. Speculators bought lands, wrung the highest possible rents from them, and then sold them at a profit. Merchants and tradesmen grown rich, bought estates with no regard for the customary niceties between former landlord and his tenant; then these new landlords rack-rented the tenants with unfixed titles and unspecified rents and leases. In Table Talk, John Selden's collected sayings, one article concerns this question of rack-renting. In this statement of the landlord's point of view, Selden illustrates the fact that the tenure of the landlord also was insecure when the king chose to make it so. He contends that a tenant will turn upon his lord at the bidding of even the most petty constable in the king's
service. Since the tenant feels no obligation to his lord, why should the lord feel obliged to accept less than the maximum amount due him from his lands? Furthermore, the governments during the Civil Wars were not adverse to extracting their pound of flesh from this vulnerable source. In 1643 the Committee for Compounding was established and charged with gleaning as much revenue from state held lands for the Parliamentary government as possible.

Intimately connected with the problem of unfixed rents and tenure, was the problem of enclosing public or semi-public lands. In the seventeenth century, the term "enclosure" generally meant that the areas of the manor formerly given to community grazing and forests were fenced in by the landlords for their own private use. However, the term "enclosure" was used also to mean that a tenant had a fence or a ditch around his own strip or strips of the common tillable fields. No other man's stock could graze on the enclosed fields in the times between harvest and planting. Cotters, farm community members with very little land of their own, were hurt the most by enclosure because they had no place to graze their animals. It is clear that both landlord and tenant could participate in the enclosing
activity, and local customs and conditions determined whether enclosure benefitted or harmed the interest of the general population. The dreaded "depopulation" which resulted from enclosure for purposes of grazing sheep was admitted by everyone to be undesirable. By the middle of the seventeenth century, however, most enclosure was done for the purpose of increasing or diversifying crops. There are a number of examples of substantial tenants petitioning their landlords to allow them all to enclose their holdings. There are also a number of examples of mutual agreements between tenant and landlord to enclose. Hence there is no clear cut way to distinguish those classes opposed to enclosure from classes favoring it. A man who much desired to enclose his strip of the common fields conceivably might want to continue the practice of grazing his stock and gathering his fuel from the common pastures and wastes. Most landlords who enclosed their demesne lands began progressive farming themselves, or let it to a well-to-do tenant. In either case farm labor was needed to do the actual work. In some cases the wages paid for hired hands would be more than the cotters or tenants could have made under the old manorial system, and in some cases less. In some instances all the former
cotters and tenants could be employed on the newly enclosed lands, and in some cases they could not.

Even those who opposed enclosure generally admitted that it aided farm production. It was often estimated that enclosed land was worth about one and a half times as much as unenclosed land.\textsuperscript{13} Henry Best, in his book of farming instructions for his sons, noted that certain of his enclosed fields brought three times as much rent as they had formerly.\textsuperscript{14} The problem of the agricultural reformers was one of making the new and admittedly improved methods acceptable on religious, ethical, and social grounds. The real issue was how to combine the capitalistic farming which they envisioned with the popular sense of social justice and religious ethics. Of course, many if not most people went right to work improving their own opportunities without regard for the long run moral implications or even the short run hardships on their neighbors. Agricultural reformers, called "improvers" by their contemporaries, aimed their statements at the various Interregnum governments in hopes of getting the legal structure of the country changed to accommodate the new methods and practices and insure the less affluent their just share of the benefits. These reformers still thought largely in terms of the inner cohesiveness and
mutual interactions of society which was their heritage from the late middle ages. It is perhaps quite fortunate that most proposals for solving the land problem came from extra-official sources. Many of them seem purely mythical, just as many of the agricultural experiments going on at the time were ridiculous, to say the least. Nevertheless, those who were among the foremost "improvers" of the day were among the most aware of the need to resolve many problems of land ownership and use.

Gabriel Plattes, author of *Practical Husbandry Improved*, was one of the best known writers on agricultural subjects. His argument was that agricultural improvements which were possible only on enclosed farms were a benefit to all of society. The agricultural improver, he insisted, does more for charity than the builder of hospitals; for one benefits the few, while the other enables multitudes to feed and clothe themselves. William Blith, another well known "improver," breaks into verse when describing the profits which can result from rationalized farming techniques based on enclosed farm-lands and fixed rents. Although Blith offers no solution to the problems of depopulation and the day laborer who is left without employment, he commends all such problems to God and the Government, presumably trusting that
equitable solutions are possible. Joseph Lee, a minister who took up the cudgel for enclosure, argued that enclosure was entirely ethical. Landholders have as much right as the tradesmen to put their property to its best and most profitable use. Lee says that the laws of nature, which are the creations of God, cause men to follow their own self-interest. In 1653 a pamphlet by Adam Moore appeared insisting that enclosure was a positive social good. Bread for the Poor promised that the poor would benefit from enclosure because with the increased cultivation made possible, more people could be employed and, of course, more produce would result.

The opposite point of view was represented by the many petitions against individual enclosers received by the various governments of the Interregnum. John Moore, a Liecestershire minister, put the various objections to enclosure into two pamphlets, The Crying Sin of England, and A Scripture Word Against Enclosure, 1656. The law of God, he argued, imposed on Christians is a moral law unknown to the civil law. The Christian is responsible for his neighbor's welfare. Moore objected strongly to the system of poor rates, because he thought the rich used them as a salve to heal wounded consciences of men who had exploited the poor in the first place.
Moore's views supplemented by those of H. Halhead, who argued in his *Enclosure Thrown Open*, 1650, that enclosure resulted in the overcrowding of town and the disappearance of hospitality, customarily the mark of the manor houses. Furthermore, his pamphlet notes the evils of absentee landlords, a theme not heard very much in other tracts. Note that neither Moore nor Halhead cared to debate the "improvers" on the grounds of increased farm production. Halhead and Moore raise the ethical and religious questions. Their objections to enclosure are soundly debated by one "Pseudonismus" in a pamphlet called *A Vindication of Considerations Concerning Common Fields and Enclosures*, 1653. The rich farmers and landlords profit most from the open fields and can tyrannize over their less affluent neighbors even in matters of common rights, he insisted. Furthermore, the damages done by wandering stock, harmful to the rich, could be ruinous to the poor.22

Also in 1653, a pamphlet by one "S. T." had made the same points about the rich profiting most from the open fields and commons. Furthermore, "S. T." took the trouble to work out a solution he felt would be fair to rich and poor alike. Free-holders should divide among themselves three-fourths of the former common lands and
the remaining quarter should be divided among the cotters and the poor.\textsuperscript{23} The idea of distributing the disputed lands among the various claimants was given a new formula by the author of \textit{Chaos}, 1659. One-quarter should go to the poor who had formerly no rights in common, one-quarter to the landlords, and one-half should be distributed among the freeholders and copyholders who had formerly held common rights.\textsuperscript{24} One thinker who penetrated the problem of enclosure, and especially copyhold, more deeply, actually placed his ideas before the Committee for the Advancement of Trade in 1653. \textit{The Wasteland's Improvement} called for the state to become the landlord of all hitherto undeveloped lands. These should be leased out under 99 or 100 year leases with first option to lease going to those who formerly had common rights to the products of the waste land. Under this method, security of tenure was one benefit in that a family could count on holding their land for at least three generations. Furthermore, it was presumed that the state was the fairest possible landlord. This plan would put many more people to work in the fields so that manufacturing need not be relied upon as the only way to employ large numbers of people.\textsuperscript{25} \textit{The Copyholder's Plea}, 1653, attributed by the Wing Catalogue to Peter
Cole, suggested a much less radical solution. A national set of rules governing copyholds and setting a limit on fines and rents could be established. Since copyholders support the commonwealth just as freemen do, they should be equal before the law, went the argument.26 The author of The Copyholder's Plea put his finger on a very basic issue: the rights of the copyholder were protected only by the judge's sense of fairness. As long as judges themselves were landlords and had no objective standard of law to uphold, the copyholder had no assurance at all of his legal rights. In 1653 a bill actually setting permanent rents was presented to Parliament, but was defeated on its second reading in 1656.27

Primogeniture was another "evil" in the landholding system much deplored by the minor writers, and later by the Levellers, Harrington, and Winstanley. The issue was one of too much accumulation of property in the hands of one man, and the manifest injustice of providing for one child and leaving the others to fend for themselves. As early as 1641 John Robert begged Parliament to alter the laws of primogeniture in favor of the laws of nature and equity. The customary law in this case, he argued, led to the sins of greed, hatred, and jealousy.28 The same
theme was treated in 1655 by the author of The Younger Brother's Advocate and is mentioned in many of the pleas. Those who broached the problem of inheritance laws were in effect arguing that customary laws were no longer sufficient to cover the needs of the society, and they proposed as alternatives a "law of equity" like Roberts's, or the laws of a loving and just God, as Winstanley was to do.

A Discoverie for the Division or Setting Out of Land, 1653, contains an essay by Cressy Dymock describing a plan he had submitted to the "Company of Drayers of the great Fen." The draining project continued throughout the revolutionary period regardless of any complaints on the part of the Fenmèn that their rights were being invaded. Dymock is clearly miffed that the Drayers paid his suggestion no heed. After discussing the inconvenience and economic waste arising from unenclosed farming techniques and the danger that one's neighbors might encroach on property not rightfully theirs, Dymock presents an argument and diagrams for laying out farms on the newly gained grounds in a manner which will insure maximum efficiency. Each farmstead should follow his master plan for an efficiently organized unit. Tilled lands should be separated by fences from the grazing
areas. Young animals and sick ones should be separated from the main herd. Ideally, each farm should be square in shape and contain one hundred, twenty-five, or sixteen acres, and have a canal connecting it directly to the river draining the Fen. Dymock has no thought at all of challenging the theory of private ownership. In fact, he is entirely opposed to the practices of semi-private ownership so widely followed in most parts of England.

When Dymock asks the larger question why should all this trouble be taken to reorganize land usage, he says he hopes that "in an age or two" England may be free from depending on other countries except perhaps for wine and spice. A more mercantilistic statement hardly could be found. He claims to be sending his essay to Samuel Hartlib in order to gratify "your Publique-heartedness and great Zeale for the Common good, and testifie my willingness to be doing some good in my generation, as God shall enable me." Also published in the same pamphlet is a more detailed description of Dymock's plan which includes acreage to be allotted and geometrical diagrams. Dymock asserts that one hundred acres farmed by his plan will be as profitable as one hundred and fifty acres in common usage. He ends thusly: "And if my new Invention for Setting of Corn, and all its
parts, were put in Execution (together with some other
Inventions or Contrivances, for, in, or concerning other
parts of Universal Husbandry, which God hath given into
my hands, (and for which I praise his great Name forever)
upon a parcel of good Land in this Forme, I fear it
would be, or give but too much of profit and delight for
men to enjoy in this life. I shall therefore, as my own
interest, or action, in these things, and its extension
or increase, wholly refer myself to God, and to his
righteous will and wise dispensation how, how far, what
friends or means he will raise for me, or with me to
advance these works in themselves great and good, and
doubtless to him acceptable, while not abused; but then
like all other blessings becoming curses." Of course
this passage is intended for official eyes, for Dymock
and Hartlib would not wish to be suspected of any secret
political designs. However, Dymock's comment leaves
little or no doubt that he was genuinely interested in
the public welfare and genuinely convinced that his
agricultural knowledge was a golden key to a future of
plenty.

The pamphlet entitled *His Legacie or an Enlargement
of the Discourse on Husbandry in Brabant and Flanders*,
is a letter from Richard Weston to his sons imparting to
them his knowledge of new and more productive farming methods. It was published by Samuel Hartlib in 1651. In actuality this is a repetition of the arguments in Weston's *Discourse on Husbandry in Brabant and Flanders*, 1650. Weston, Hartlib, and their friends were much interested in the intensive farming methods and especially the rotation of crops used so successfully in the Dutch Republic. Hartlib may be credited with introducing the work of Comenius to the English. Weston makes quite clear his opinion about the value of land to men of the seventeenth century. He said:

> If you observe the common course of things, you will find that Husbandry is the End, which Men of all estates in the world do point at. For to what purpose do Soldiers, Scholars, Lawyers, Merchants, and men of all Occupations and trades, toy! and labour with great affection, but to get money? and with that money, when they have gotten it, but to purchase land? and to what end do they buy that land, but to receive the fruits of it to live? and how shall they receive the fruits of it but by his own husbandry or a Farmer?  

Although Weston did not take into account the purchase of land for purely speculative ventures, he certainly recognized the trend toward land purchase by all kinds of men who made money in other endeavors. It seemed crystal clear to Weston that land was the most desirable form of wealth. He goes on to explain "the shole Dis-
course shows you, how to improve barren and healthy land, and how to raise more than ordinary profit thereof." The letter concludes "that what course soever a man takes in this world, at last he cometh to Husbandry, which is the most common occupation amongst men, the most natural and Holy being commanded by the mouth of our God to our First Fathers." Unless this last opinion is just lip service, Weston most definitely belongs to the category of man who struggles to fit new technical possibilities into his religious conceptions. Furthermore, Weston felt the need to insist that private gain is indeed beneficial to the entire population.

Samuel Hartlib is perhaps the most outstanding example of the social philosopher interested in land. He was a man of Polish origins who arrived in England about 1628, and became "a man of various hobbies" and a "general news agency." He was a friend of Milton's and of many of the men, especially Boyle, who later formed the Royal Society. Upon examining the tracts attributed to Hartlib, one quickly discovers that any letters or essays actually dealing with agricultural improvements are merely published by Hartlib. They were written by his friends. The function of Hartlib in these pamphlets was to write the introductory passages. Although the
sentiments expressed in them might be interpreted as pious bluff intended to attract the reader and repel criticism from both the pulpit and censors, the passages are remarkably sincere in tone and they must be taken in conjunction with the independent essays of Hartlib. These independent schemes of his are replete with social and religious aims. Certainly it seems fair enough to take the sentiments expressed by Hartlib in introductions as representative of those whose work was published under his auspices. In *A Discoverie for Division or Setting out of Lands*, Hartlib insists in his address "To the Christian Reader," "For if Husbandry and Trade at home and abroad be well regulated; all hands may be Employed, and where all hands are at work, there the whole strength of a nation, doth put forth its endeavors, for its own advantage which if it can be directed in an Orderly Way; and with the joynt Concurrence of all parts to one and the same effect, it is not to be imagined how successful such an Undertaking may be;"\(^40\) This passage is built around a concept of nation-wide cooperative endeavor directed by a public authority of some kind to increase material wealth. The end is not merely national strength by any means, but the happiness or at least employment of all the members of the society. Of course, Hartlib
had his opinion concerning the "Orderly Way." He had hopes for the establishment of an Office of Public Address. This institution should be established by public authority, but conceivably could be instituted privately. Its function was to put buyers and sellers of commodities and labor, learning, or new inventions in touch with each other. This proposal had been put forth by Hartlib in 1648 in a pamphlet entitled *A Further Discoverie of the Office of Publick Addresse for Accomodations*, in which he stated that if for no other reason, the office should be established for the benefit of the poor who would enjoy its services free.

Although Hartlib often asserted that his various projects could be set up independently of the government, he seemed to think men would most often be lazy and slovenly in work, rather than greedy; and he advocated state supervision in all economic undertakings. This is not to say that Hartlib or his friends attacked the right of private men to land or goods, but quite the opposite in fact. However, Hartlib never advanced the view that the sum of the total of each man following selfishly his own private good would be social happiness. Rather he would have a central authority to prevent either greed or laziness from harming a general balance
of material welfare. In *His Legacie or an Enlargement of the Discourse of Husbandry Used in Brabant and Flanders*, Hartlib stated "And I could wish that God would put into the hearts of those Worthies, that manage the Publique Trust; that by their Influence and Authority, these and such like Meanes of Industrie, may not be left wholly to the uncertain disorderly and Lazy undertakings of private men, so as not to have an eye over them, and over that which in their proceedings doth so mainly appear to be a Publique Concernment." The machinery to implement this idea should consist of two or more public Stewards, one for Forests and one for Husbandry with authority to employ new agricultural procedures and to see that landlords reimburse tenants for improvements. For him, society was like a watch: if each man did do his own part, the whole would be orderly.

Besides the Office of Public Address scheme and the Stewardship plan, Hartlib offered a number of other ideas for the immediate good of society. In particular he advocated a College of Husbandry where men might learn the new methods of farming "according to the rational precepts and for the common good; instead of in the slovenly, customary fashion for more profit." Hartlib was, of course, not the only one interested in new and
better educational facilities, but apparently most of those who were interested in the subject were in one way or another affected by his ideas. Milton dedicated an essay on education to Hartlib; and one "W. P." sent to him an essay called "the Advice of W. P. to Mr. Samuel Hartlib for the Advancement of some particular arts of Learning." The gist of the proposal by "W.P." was to establish a new kind of University center where knowledge might be stored and cross-filed, and children might learn trades and husbandry as well as the traditional school subjects. This was much like Hartlib's own proposal. The Wing Catalog attributes this scheme to Sir William Petty, the economist.

All of Samuel Hartlib's schemes are the further developments and modifications of the ideas imbedded in his Maccaria (the Place of Bliss), his version of Utopia, written in 1641. The Utopia of Sir Thomas More and The New Atlantis of Sir Francis Bacon are Hartlib's avowed models. The form used is that of a dialog between a Traveller and a Minister. Hartlib's views are spoken by the Traveller who tells the wonderful tale of a perfect society, and significantly, his occupation is exchanging information or knowledge. Also significant is the fact that the role of the recipient of knowledge in this case
is filled by a minister. The Minister is convinced of the holiness and justness of the scheme and vows to help implement it, thus indicating Hartlib's opinion that the Church would do well to support his scheme. Apparently he held the belief that a society along the lines of *Macaria* should and would some day be established in England. His admiring biographer, Dircks, notes that Hartlib saw no reason why the program could not be worked out. *Macaria* was constantly referred to throughout Hartlib's writings; and apparently his friends were willing to indulge his hopes concerning the scheme. Gooch and Laski state that Hartlib told Boyle twenty years after *Macaria* was written that it was a plan for the reform of the world.

The first and overwhelming impression made by *Macaria* is Hartlib's obsession with material goods. This feeling is not predominant in his other works and in his introductions. At the outset Hartlib asserts in *Macaria* that anyone who is industrious can become rich. The Traveller lures the Minister to listen to his tale of "a Kingdom called Macaria where the King and the Governors do live in great honor and riches, and the people do live in great plenty, prosperity, health, peace, and happiness." In this passage Hartlib represents perfectly
the belief of the agricultural writers that material comforts are within the reach of the entire society. The question Hartlib poses is what to do with these riches. How should a society of plenty be governed?

The government of Macaria consists of five Councils which meet once a year to make laws, reward accomplishments, and punish malefactors. Each council is responsible for one segment of the national economy. There is a Council for Fishing, empowered to make laws by which the great wealth of the sea may be tapped. Both the Council of Trade by Sea and the Council of Trade by Land have control over the number of participants in their respective fields, apprenticeships, the quality and the quantity of goods or services rendered. Above all, however, their aim is the national welfare. The Council for New Plantations is charged with planting colonies abroad and maintaining them at public expense until they are self-sufficient. The Council concerned with land problems is the Council for Husbandry. Besides overseeing national public improvement projects such as buildings and maintenance of roads and bridges, this council is responsible for enforcing a new kind of land law. Property in land is to remain in private hands, but no man can hold more land than he can "improve."
"Improve," in Hartlib's vocabulary, always means to farm at maximum efficiency. If a man lets land lie unused or under-used, the Council of Husbandry is to give him a warning and one year to amend his ways. After one year the Council can place a malefactor under a penalty which will double each year until the man reforms or has to be banished. Hartlib makes it quite clear that a man who allows land to be wasted is an enemy to himself and the Commonwealth. On a man's death, one-twentieth of his estate is to pass to the state to pay for public works projects. Other than this death duty there are no land taxes, except in times of war or other public disasters. In such cases a general assessment is voted by the Great Council.

Other interesting institutions in Macaria include a college of medicine where all medical knowledge is collected and taught. The parish preachers are to be skilled physicians and perform the function of doctor of medicine as well as doctor of divinity. The king of the land is impressively wealthy and maintains his superiority by constantly improving his lands. Except in unusual circumstances he needs no support from the public to run his government. The Great Council which meets once a year is responsible for hearing complaints
against any and all public officials. The Council may mete out punishment to officials who violate the laws of Macaria, and this is considered by Hartlib sufficient check on the lesser councils and their officials. He foresees no extortion or cheating for selfish gain because all the officials of Macaria are to be provided with enough wealth to make such activities entirely unnecessary.

The religion of Macaria is based on "Infallible tenets, which may be proved by invincible Arguments." Anyone with a new religious opinion may debate it before the Great Council, and if he wins the debate, his tenet is added to the official list. Anyone who publishes unauthorized religious opinions is put to death. In Macaria, Hartlib seems to take religion rather lightly and he treats it as a political institution. His aim seems to be public tranquility rather than religious justice. However, his statements elsewhere imply that he was a convinced Christian and believed firmly in the necessity of a state religion to which all men must adhere.

Upon hearing the tale the Minister agrees that any men opposed to the noble institutions of Macaria are enemies of God, goodness, the Commonwealth, themselves,
their posterity, and their king, in that order. The Traveller asserts that he can prove from the scripture that "such a reformation shall come before the day of Judgement."

Obviously Macaria is the scheme of a dreamer and idealist, rather than a political realist. Its importance lies not in its propositions, nor in its implications of social and economic ills of the times. Rather it is an indication of the way Hartlib and some of his friends tried to think out problems of economics and especially the basic problem of land. Enclosure and copyhold are not mentioned because his basic premise is the individual enclosed farm. The question he seems to be concerned with is how to insure benefits coming from improved agricultural techniques to all classes of society. His answer is assuredly not to allow unbridled pursuit of individual gain under existing laws and customs or under any new laws.
Footnotes to Chapter I


5. James, 95-96. Apparently there is no pamphlet upholding or defending copyhold tenure in any way.

6. James, 94.

7. John Selden, Table Talk, 64. Table Talk is a collection of opinions expressed verbally by Selden during his lifetime. An admirer recorded and published them after Selden's death. Edward Arber, the editor, believes the opinions concern the years 1634 to 1654.

8. James, 82-84.

9. James, 82.


11. James, 112.


13. Campbell, 86.

14. Henry Best, Rural Economy in Yorkshire, 129-130. It must be remembered that inflation played some part in this figure, as his base rent figure was chosen from the time his father began farming about 1598. (See Appendix B, p. 168). Margaret James uses Best's figures without noting that inflation
played some part in his figures, whether Best realized it or not. p. 86.

15. One of the contemporary experiments Dymock wrote about but thought was useless concerned mixing saltpeter and common salt in fertilizer. *A Discoverie for Division or Setting out of Lands*, 12.


19. Campbell, 86.


36. Ibid.

37. Ibid.

38. Ibid.


41. Weston, *His Legacie*, no pagination.


43. James, 116, based on Hartlib's *Essay for the Advancememt of Husbandry and Learning*, 1651; and *The Enrichment of the World of Kent*.

44. *The Advice of W. P. to Mr. Samuel Hartlib*.

45. Samuel Hartlib, *Macaria*, the copy printed in the Harleian Miscellany, 588-592, is the one used for the following discussion.

46. H. Dircks, *A Biographical Memoir of Mr. Samuel Hartlib*, 17.

CHAPTER II

The agricultural "improvers" were not the only men cognizant of the tremendous increases in farm production which might result from the new agricultural techniques. Several men undertook to instruct the various Interregnum governments in the best way to utilize state resources to feed and clothe the poor and to pay public expenses. There appeared in 1649 a comprehensive scheme for utilizing all those lands which the state had confiscated from the King, the Royalists, and the Church, as well as those lands which could be reclaimed from the sea or the waste lands. The author of the pamphlet, The Poore Man's Advocate, was Peter Chamberlen, a friend of Milton and Hartlib. Hartlib published and republished Chamberlen's pamphlet, London's Charitie stilling The Poore Orphan's Cry, which advocated using wastelands for the benefit of the poor. Chamberlen also wrote many pamphlets on education and several on agriculture. By profession Chamberlen was a physician although he was often at odds with the College of Physicians. Reputedly he knew how to make a special kind of forceps for child delivery, but would not tell his colleagues how it was made. Although this seems to be an extremely unprofessional and unchari-
table action, Chamberlen was well enough thought of as a physician to become the attendant of Charles II after the Restoration.

The purpose of the plan offered in the Poore Man's Advocate is to put to work all the impoverished people of the land, especially the unemployed soldiers. After the Dedicatory Prayer and an appeal to the Parliament to take his suggestions into consideration, Chamberlen announces, "The most necessary work of mankind, is to provide for the poore." From the point of view of the state, a fully employed populace produces great national wealth and is not likely to become involved in rebellion. The entire society will benefit from the plentiful supply of goods that can be produced if all members of society are working. Above all, the care of the poor is a task assigned by God.

The poore have a right unto the creature as well as the rich, and to this purpose, men are entrusted with riches, that (as Gods Stewards) they might reward the laborious industries of the poor. It is the just worke of God, and of men that will be like God; which we are taught by Nature, Reason and Christianity; that thereby our love to God may appeare. For if we love not our brother whom we have seen, how can we love God- whom we have not seen.

There can be no doubt of the basic religious impulse of the writer. Of equal importance in his mind is the
belief that his plan will bring to society the benefits of internal peace and prosperity. The pamphlet is rather confusing because he randomly combines an enumeration of the difficulties suffered by poor people under the current system, a new economic plan, and constitutional scheme designed to implement the plan. Thrown in is a statistical analysis of the debts of the government in 1649, the financial state of the army, and the revenues Chamberlen thinks his plan could produce. On top of all this Chamberlen attempted to answer all possible criticisms of his scheme within the same pamphlet.

Essentially the author thinks that the work of God may be furthered if the state retains all lands not formerly deeded to private citizens. The public lands would be put into a public trust, and stock in the trust would be issued. Chamberlen was sure the rich would invest in the scheme because the collateral was the land of the public trust. Furthermore, the stock would pay at least five per cent interest. He does not make it quite clear how the poor would acquire shares of stock, but presumably the state could issue shares to them gratis. The trust lands were to be farmed according to the most efficient and up-to-date methods. All men desiring a job could become tenants of the state. Those
who wished to enclose and farm privately might do so and pay a nominal rent each quarter. Those who wished to participate in communal agriculture would live in one of the great houses formerly inhabited by kings, bishops, and monks. A special machinery of state was needed to fill the role of landlord for the state. Chamberlen proposed that public trustees be elected by Parliament for one-year terms. One trustee was needed to oversee the whole program, and a sub-trustee was needed to run each public farm. Besides being well-educated, courageous and well-respected in the community, each trustee was to have a large estate in his own right. In case the trustee was dishonest, his estate could be confiscated to repay society.

The trustee of each farm would divide up the work and assign appropriate tasks to the women, men, and the ill or aged. The state would provide tools and seed for the communal projects. The trustees were responsible also for securing skilled craftsmen to make the products needed on the farm and to teach their crafts to the community children. Prisoners and beggars were to be given supervised opportunities to improve themselves and eventually gain a place in the community. A national merchant marine was to be established, and along with the
Chamberlen was quite certain that the national trust would soon be a profit making organization. Rational use of the means of production, land, labor, and capital goods, would boost the production of the nation tremendously. Furthermore, all public graft and corruption, which was not only sinful but also wasteful, was to be halted immediately. The profits from the public trust were to be used to pay the government debts, support the army, maintain the government, erect a public bank, and found a great academy. Apparently the bank was to be the financial section of the national trust. The Academy was to be of such an excellent quality that English youths would have no desire to go abroad for an education. Tithes were to be abolished immediately, and with them the established church.

Chamberlen thought that his suggestions were in every way compatible with the laws of nature; therefore he was quite sure that a system of laws to govern the public trust could be established easily. The natural laws were written by God and they were a suitable model for positive laws. He did not challenge the traditional rights of landlords and tenants to land except in one instance. If a landlord had a mine on his property and
was not working it, the state could force him to forfeit the mine. All deeds and rent contracts agreeable to both parties were left entirely alone by Chamberlen's scheme. However, a tenant who was discontent with his landlord could become the tenant of the state on open and nationally uniform conditions. This, of course, would force private landlords to treat their tenants as fairly as the national trust treated its tenants. The problem of unfixed rents would thus be solved. In the case of commons, the poor had an interest in them already, and where a fair compensation may be made from the national trust, the lands would become part of the trust. If no fair compensation could be made, then the old complicated common rights must remain. Chamberlen is so careful to avoid disturbing the traditional rights of landlords to their rents that he almost covers up the fact that the national trust would have the effect of regulating all land rental contracts.

Bernstein suggests that The Poore Man's Advocate is a sociological supplement to the Agreement of the People drafted by the Levellers. Chamberlen's basic principles do indeed sound much like those of the Levellers. Chamberlen and the Levellers wanted to abolish the state church, end corruption in government, improve educational opportunities, increase the productivity
of society, and improve the opportunities of the people. The Levellers, however, relied on the ability of individual men, including the least wealthy, to improve their own economic situation once unfair land laws and monopolies were removed. Chamberlen is concerned with establishing a branch of government to provide for the welfare of those who cannot take adequate care of themselves. The state farms are not communistic because the members receive dividends according to the number of shares of stock they each own.

In making the state directly responsible for the welfare of the poor, Chamberlen nationalized the traditional responsibility of the parish for its own poor folk. He also made original use of the old concept of the joint stock company. He broadened the scope of the endeavor from private investment by the few for a profit, to public investment for the benefit of the entire society. The source of the new wealth does not lie abroad, but in the land of England and the skills of her people. The Parliament is responsible for election of the officials in charge of the program. These officials have dictatorial powers for their one-year term in office only if they conform to the established laws of the kingdom. Above all, the purpose of the entire
scheme is not national wealth or even peace, but to provide for the poor. This task is demanded by God, the ultimate source of all riches, who makes men merely the stewards while they are on earth.

Also in 1659, Peter Cornelius Plockboy, a Dutchman who belonged to the moderate Baptist school, published his scheme hopefully titled *A Way Propounded to Make the Poor in These and Other Nations Happy*. His idea can best be described as a great cooperative society, having two branches, one in the city, and one in the country. Each branch was to be a huge communal home for members. Any husbandman, craftsman, mariner, or master of the Arts and Sciences, willing to work could join the community. Plockboy thought that it would be the materially poor and the spiritually wealthy that would join the society. The function of the city members would be merchandising and shipping. The members residing on the farm would be the husbandmen and the craftsmen. Each person desiring to become a member would bring with him his worldly goods. He would be given full credit for any of them that were put to community use. If at any time he or his descendents wished to leave the society, they would receive the full value of such possessions. Goods were not to be held in common
because the Tenth Commandment forbids covetousness, and Plockboy obviously felt that communal ownership of goods would result in covetousness. However, the farming lands were to belong to the society, and agriculture was to be done by division of labor among the members. Plockboy is aware of the economic benefits which might result from adopting the manorial system of labor, so long as each man's job and income are secure.

The adult members of the society were to work six hours a day. The rest of the day the members were to be free to follow their own pursuits of learning or whatever. One of the virtues of the scheme which Plockboy vaunts most highly is this unheard-of amount of leisure time for working people. Children would spend part of each day in school studying liberal arts and part learning a trade. Each child should be taught several trades so that if he left the society he could get a job in a trade which needed laborers.

A number of financial backers would be needed to buy the original lands and launch the project as if it were a joint stock company. The community will be a profit-making venture because it could buy in bulk, thus cutting production costs. The quality of the products would be excellent and the prices kept reasonable so that they
would sell to the public. A side benefit to the poor, not members of the society, would result from the fair prices charged by the society. The society would build its own merchant fleet to handle its shipping. Community schools and physicians could be made so excellent that outside people would pay for their services. Some of the profits would be plowed back into the project and the rest distributed monthly among the members. Members would use their earnings to purchase their own personal supplies, to buy presents for friends, and to give charity to the poor. Plockboy believed that the society could live entirely within the framework of English laws and pay its just share of national taxes. It would be governed by a man at least forty years old who was elected by all the members for a one-year term. In other words, he envisioned a small state within the state.

Each community home was to have a great hall for community readings of scriptures, and to serve as a forum for those within the community, and without who had serious topics to discuss. However, the consciences of all members were to be left free to seek God individually. Plockboy held the belief that living, working, and thinking together would serve to remove many religious differences. Appended to the descriptive part of the
argument is an invitation to join the society. It is a lengthy sermon on the desire of Christ that all Christians live together as brethren, with no man given undue glory because of his function in society. The greatness of Jesus, he pointed out, lay in serving, not being served. Only Christian deeds will survive man's death with him, argues Plockboy. Therefore, let men forego the pursuit of superfluous riches and employ their talents and lands in serving God. Plockboy does not demand an ascetic community at all. He assumes most men will give up unnecessary, and un-Christian, frills once they are sure of their places in society. However, he quite carefully points out how the society will make profits in the commercial world. All technical possibilities must be put to God's use for Christian morality is all that distinguishes Europeans from the barbarians.

The possibility that a bank might solve many of the social and economic problems was quite intriguing to the Englishman of the seventeenth century. Besides the Poore Man's Advocate, there appeared throughout the century many theories that a national bank could broaden its functions to implement social or commercial policies. In January of 1659, Samuel Lamb published such a proposal. His pamphlet shows considerable insight into
the possibilities of credit banking, and the realities of the English land problem.

Lamb distinctly opposed the wasteful English custom of primogeniture. The Dutch, he stressed, divided their estates equally between all sons, and they educated all the sons in the family trade. The prosperity of the Dutch at that time was legend, and many Englishmen were interested in the sources of this prosperity. Lamb was aware of the current problem of renting at too high a rate. The competitors for a choice piece of land were so numerous that they drove the rental rate much too high. Often the man who finally won the land had promised so high a rent that he could realize no profit from his investment.

After enumerating the various benefits the Dutch nation received from the Bank of Amsterdam, and promising that England could do as well, Lamb added his individual twist to the banking theory. The bank would lend imaginary money, perhaps by issuing letters of credit or some such symbol. This clearly would make England much wealthier because actual specie would not be needed. Furthermore, the bank could become indirectly the economic dictator of England. The bank easily could make farmers of all classes and tenures and all merchants its debtors. Debts would
be cleared at the bank by book transactions or assigna-
tions. Debtors would presumably prefer the Bank to any
other source of credit, so bank policy would affect
everyone's business. Herein lies the real land reform
possibility. It is implied that the national credit
institution could decide who could expand and improve
and when.

Most interesting is the specific reason Lamb gives
for advocating such a plan.

To avoid which evils, in all good
governments necessary and wholesome
laws are contrived and established, to
preserve and protect the property and
peace of each particular person, and
every one living under such protection
is bound in duty to further the prosper-
ity of his country with all his utmost
endeavors; for no one is born to himself
alone, but also may be a profitable
member of his country, according to the
measure God hath given him. 32

Lamb was another man concerned with the ethical and moral
problems of the new age. The problem clearly is to employ
new technical business possibilities to serve the ideal
ends of society which is mutual help among neighbors
according to the will of God.

The last essay included in the Discoverie for the
Division or Setting out of Lands is a brief scheme by
W. Potters for establishing a Bank of England with land
as its security. The purpose of this would be to expand the credit system within England. Money in the form of valuable metals is the normal medium of exchange, but it is subject to being stolen, devalued by government fiat, and counterfeited. Above all, it is inelastic. There is always a fixed amount of specie. To gain more for monetary purposes, England had to pay dearly in goods to her mortal enemy, the King of Spain. Potters proposed that the government set up about one hundred banks in England empowered to issue bank credit notes on land mortgages. Then the government could require that all payments of ten or twenty pounds or more be made in bank credit rather than in metal coins. This would force everyone to mortgage their lands to the bank. The interest on the mortgage would go to the government for public expenses, and thus taxes could be largely eliminated.

Potters did not make any provision for those who owned no land yet still had a ten-pound or more payment to make. Apparently he would allow copyholders and fixed tenure holders to mortgage their land to the bank. Otherwise the scheme would be effective only in relation to the small percentage of men who owned land outright. The great advantage of this totally unworkable scheme was to create an elastic currency on an inelastic, but
absolutely secure collateral. The essay illustrates again the preoccupation of the seventeenth century with land. Potters apparently has some knowledge of capitalist financing, but he wanted to tie all credit ultimately down to the tangible. It must be noted that his proposal was presented with no promises of social benefits beyond the obvious one of creating by fiat more money within the country.
Footnotes to Chapter II

3. Peter Chamberlen, The Poore Man's Advocate, I.
4. Ibid., 1-2.
5. Ibid., 32.
6. Ibid., 44.
7. Ibid., 44.
8. Ibid., 36
10. Ibid., 2-3.
11. Ibid., 6-7.
12. Ibid., 6.
13. Ibid., 5-6.
15. Chamberlen, 34.
16. Peter Cornelius Plockboy, A Way Propounded to Make the Poor In these and other Nations Happy, 3.
17. Ibid., 5.
18. Ibid., 5.
19. Ibid., 4.
20. Ibid., 8-9.
21. Ibid., 29.
22. Ibid., 9.
23. Ibid., 16.
24. Ibid., 16.
26. Ibid., 29.
27. Somers Tracts, VI, 446-457.
28. Lamb urged the English to copy the Dutch merchant marine because of the immense profits it would bring in. 450-453.
29. Somers Tracts, VI, 448.
30. Ibid., 450.
31. Ibid., 457.
32. Ibid., 446-447.
33. W. Potters, Design concerning a Bank of Lands to be erected throughout this common-wealth, 27-30.
CHAPTER III

In times of civil war it is only natural that some men will attempt to write new constitutions for the state. James Harrington tried to write one and embellish it with historical and political justifications. The Levellers, a rather pragmatic political party, began by criticizing the Long Parliament, and ended with a written constitutional scheme entitled the "Agreement of the People." In 1659 a pamphlet entitled Chaos offered a complete constitutional plan. For the Levellers, Harrington, and the author of Chaos, land was the basic problem to be resolved in the new political systems they had sketched.

The Leveller movement was born and nourished in the streets of London among the apprentices, journeymen, and less prosperous tradesmen. Therefore its primary interests did not lie with agrarian problems. However, the Levellers became intimately connected with the rank and file members of the army. In fact, the ideas of the army Agitators elected in April, 1647, were essentially those of the Levellers and at the Putney debates John Wildman, a notorious Leveller, was one of the spokesmen for the Agitator side. In representing
the sentiments of the lesser members of the army who were in many cases from agrarian backgrounds, the Leveller party advanced the vestiges of an agrarian platform. More interesting, however, is the fact that the Levellers, in trying to justify the right to private property, developed a theory which is quite similar to Locke's theory. The unique contribution of the Levellers to the seventeenth century debate over land was their suggestion that the connection between land and the right to vote be severed.

The founder and greatest publicist of the movement was John Lilburne. His first public appearance occurred when he was publicly whipped through the streets of London in 1638 for having helped publish Bastwick's attack on the Bishops. Probably due to Cromwell's efforts, Lilburne was released from prison in 1640. Although it is known that Lilburne was a London apprentice at one time, he was able to style himself a "gentleman" in 1642 without incurring the derision of his contemporaries. In the seventeenth century men were quite fastidious in the matter of degree, and apparently Lilburne was by birth somewhat above the common level. Thus he cannot be explained simply as a petty tradesman bound by his own circumstances to think along narrow
class lines. In 1642 Lilburne joined the New Model Army, and he became Lieutenant-Colonel within two years. He left the army in 1644 to avoid signing the Solemn League and Covenant, a religious settlement he could not accept in good conscience. Lilburne returned to London and began to agitate for certain personal rights which he felt should be guaranteed to all Englishmen. Colorful antics such as the refusal to submit himself to the jurisdiction of the House of Lords, and his successful defense without benefit of counsel before the bar of the House of Commons, made him the hero of London more than once. Lilburne spent many months between 1646 and 1655 in the Tower, and much to the dismay of his captors he managed to smuggle out and have published impassioned pleas for justice. These flamboyant activities and Lilburne's equally flamboyant prose style were his tools for advancing his beliefs about the rights of man.

Lilburne's writings always have the same theme: the common man. No matter what the issue in dispute, Lilburne never doubted that he, himself, was the perfect representative of the common man. It must be noted that apparently a goodly number of the London crowd found his assessment acceptable. Lilburne viewed himself as the humble and unlettered, but chosen soldier of Christ.
His function on earth was to oppose the anti-Christ in whatever form it took. Haller suggests that the inspiration to Lilburne and many of his turn of mind was Foxe's *Book of Martyrs*, the theme of which was the success of unlettered soldiers of Christ.

Although Lilburne was the most colorful leader of the Levellers, there were several other men with able pens who participated in leading the movement. Richard Overton launched his writing career in 1643 with a treatise on the nature of the soul titled *Man's Mortality*. When his philosophical mind turned to politics and society, he developed most fully and clearly the Leveller claims about the rights of man. His work especially resembles Locke's conclusions. In 1646 he wrote:

> all men are delivered of God by the hand of nature into this world, every one with a natural, innate freedome and propriety (as it were writ in the table of every mans heart, never to be obliterated) even so are we to live every one equally and alike to enjoy his birthright and privilege; even all whereof God by nature hath made him free.  

His colleague, a member of the Merchant Adventurers, William Walwyn, was much hated by the conventicle preachers of London because he apparently went from meeting to meeting, listening to the preachers and then
questioning the validity of all their contentions. Haller thinks that Walwyn's democratic principles sprang from his own earlier religious experience. He continued to take Anglican Communion regularly, but he sought to understand the sectarians. Apparently he was able to turn his attention away from his own soul and concentrate on the humanitarian and democratic principles. This democracy was based in his belief that salvation was the reward of all Christians except those few who willfully do evil. There are records that some of his contemporaries considered Walwyn a communist. Walwyn preferred to write anonymously and act behind the scenes. He may have been the organizer and coordinator who helped the Levellers form an actual party or group with coherent policies. Haller, Woodhouse, and Zagorin agree in attributing to Walwyn much credit for the tolerant, sane, humanitarian principles advocated by the Levellers.

It is fairly easy to ignore the Christian orientation of Lilburne and the other Levellers, because over the years the group did work out a political program which appears complete and coherent without any religious props. Since they believed that the powers of the magistrates should be completely separated from matters of
conscience, their constitutional schemes were not predicated on hopes for a Christian millenium or on any particular kind of church. However, in their own minds the program did not stand by itself. To ignore the religious aspects of the movement is to ignore pages and pages of Leveller religious conviction. Their religious sentiments are the ideals which give the Leveller movement its inner cohesiveness. In 1645 Lilburne began a public letter to Mr. William Prinne, the staunchest of the Presbyterians in Parliament:

Sir,
You and I have both been Sufferers, by the hands of the Prelates, the common and open Enemies of Christ's Kingdom; and the eyes of the people of God are therefore the more upon us.... the Law and the Testimony of Christ being the straight Rule, by which we are to walke especially in matters of worship, and whosoever he be that practices and speaks not according to this rule, it is because there is no light of truth in him.

Besides being a publication which gave Lilburne much public attention, this letter contains the basic Leveller view on the issue of toleration and the church settlement. Christ had replaced the Old Testament Law, and he had ordained a kingdom in the world. He now governs this kingdom, and its laws are spiritual. It is a kingdom which exists in men's consciences rather
than in the temporal world. No Parliament, council, synod, or king has jurisdiction over the subjects of this kingdom. The inevitable conclusion is that persecution for conscience's sake is not a Christian but a Satanic practice. Lilburne's religious views are far from original. In fact, he and the wealthy leaders of the Army, generally called the Independents, were in agreement over matters of religion except on the issue of tithing. Lilburne was most anxious to abolish tithes because he thought they perpetuated an institution with the potential power to ruin any religious settlement allowing toleration. Furthermore, Lilburne knew what a burden the tithes were to poor folk who had too little income to provide even the basic family needs. Cromwell never went so far as to advocate the end of tithing.

Lilburne's greatest gifts lay in expressing the complaints of the common man against the traditional legal and political system. From their very real grievances, the Leveller leaders spun out a political program designed to right all social and economic ills incompatible with the will of a just and loving God. In fact, the Leveller program is an example of what the Puritan, self-appointed, Saints could do when their
minds were tuned to temporal matters. Their final conclusions can best be seen in the first Agreement of the People, and in the pamphlet, The Case of the Armie Truly Stated. The original Agreement drawn up in October of 1647 called for the dissolution of the Long Parliament by September, 1648. Parliamentary seats were to be distributed more equitably, and Parliamentary terms were to be limited to two years. All distinctions of birth, tenure, or estate which had made people unequal before the law were to be abolished. Entirely new laws were to be written, and they were to fall on all citizens equally. Impressment was to be forever illegal, and there was to be no retroactive punishment levied on those who had participated in the Civil Wars. Parliament was to outline a public worship program, but it was not to be compulsory on all citizens. The Case of the Armie was written just after the first Agreement. It emphasizes the specific grievances the army rank and file have against the Parliament. The writer, probably John Wildman, asserts that the rank and file members of the army are representatives of the entire body of the common men of England.

The source of Leveller concepts are varied. They employed many familiar concepts of tradition, of law, of
conscience, and of right reason. Their most basic premise was that all men are equal in the sight of God. He created all men, and he will grant most of them salvation. Although this last idea was blasphemy to the Presbyterians, who held dearly the belief that most men are damned, it was quite a real current in the basic impulse toward secular democracy. The theme from Foxe's *Book of Martyrs* was a potent source of inspiration. Of course the Bible was the standard source, and as many times as it was possible, scripture verses were used to prove Leveller points. *The Doctor and the Student* by a continental thinker, St. German, was widely circulated at the time. It suggested that there was in the breast of every man a law of reason and conscience placed there by God. This law should constrain magistrates to govern justly. If the magistrates do not, this natural law which is superior to unjust man-made laws is the justification for rebellion. Magna Carta was one of the major documents the Levellers insisted upon as a right and reasonable law.

Lilburne, in particular, adopted the popular Norman Yoke theory to his purposes. The most single-minded proponent of this theory was John Hare. According to
a widely held popular belief, the Saxon laws had been perfect laws made by the representatives of the people. Presumably these laws were in complete accord with the laws of nature. The people had lived in agricultural villages and tilled the lands by communal methods until William the Conqueror had imposed on the nation unjust and selfish laws. The Civil Wars were the rising up of the common man to throw off the unjust Norman yoke and the king who was its mainstay. In particular all laws concerning the property are the fruits of Norman law and they should be thrown out. Men like Winstanley and Lilburne could very easily turn the Norman Yoke theory to their own purposes because they believed men had lived in a state of perfection before the fall of Adam. They applied the Biblical concept of a perfect society to English history. The reformers could plead that they were being traditionalists and not radicals in advocating law reforms.

On the subject of land itself, Lilburne and the other Leveller leaders agreed that the right to own property and receive the benefits of it was one of the rights given by God to man in his fallen state. In fact they specifically tried to place a man's land and all
other legal means of support quite beyond the jurisdiction of any governmental agency, even the Parliament. In his "Appeal to the People" of July, 1647, Richard Overton stated the basic premise of the Leveller party.

In maintaining that in the last analysis the right to private property belongs to the individual and is not contingent on the greater social good, the Levellers were an exception in their century rather than the rule. Hartlib, Weston, and other "Improvers" attempted to prove that private, enclosed farms would benefit the entire society. In the interest of all social groups, Harrington was willing to limit the size of private estates. Hobbes emphatically insisted that the propriety which a subject hath in his lands, consisted in
a right to exclude their Sovereign. The duty of the sovereign was to advance the interest of the entire nation. He was to decide how national lands were to be distributed, and if he found it necessary to violate the lands he granted to his subjects, then the sovereign should have the unequivocal right and power to do so. The state is the only guarantor of private property, argued Hobbes, and logically the state had the power to break this guarantee. The members of Parliament so emphatically sure that English law and tradition protected their estates from arbitrary taxation and confiscation by the Crown, did not as a rule believe that the law placed private land beyond the legitimate powers of Parliament. At the Putney debates, Ireton argued that right to property rests on the laws of the state and not on any natural right. One "L. D.," who recorded the deeds of the Barebone's Parliament, expressed the general notion that Parliament would always have the right and even duty to interfere with estates in the national interest.

From statements such as the above declaration by Overton, Macpherson draws the conclusion that the Levellers derived their economic and political views from the idea that man is not human without his rights to self
and property. This is an easy mistake to make when the basic religious views of the Levellers are ignored. Lilburne, Overton, and most of their followers had no theory of the rights of man *qua* man but believed that all the rights of man were inalienably his because he was given them by God.

Circumstances soon forced the Levellers to advance from the theoretical foundations to practical issues concerning land and land reforms. It must first be noted that the bulk of their proposals concerning economic institutions were concerned with the evils of monopolies. The monopolies, especially the Merchant Adventurers and the Stationers Company, were everyday problems of the London followers of Lilburne, and naturally received the most attention in the petitions and manifestoes of the Levellers' chiefs. Once the London group came into contact with the rural people in the army, the Leveller leaders began to take more cognizance of the problems of land. It is their ability to adapt their basic program to differing situations which gives the Leveller group the air of a more modern political party. With the private ownership of land firmly established as a maxim, the Leveller program became one of dividing constitutional protection for land and other property.

Specific Leveller proposals include demands for the
end of excise taxes, for the establishment of committees to oversee public accounts which the Levellers knew were not accurately kept, a review of the sales of church and royalist lands to be sure the state had been paid for their full value. The Levellers wanted the state to sell only those crown and church lands necessary to pay the army arrears. The rest should be reserved by the state and "improved" in order to provide the state with a constant revenue. Taxes should be reapportioned so that the rates fell equally on everyone. The problem of enclosure is broached in the *Case of the Armie*.

That all the antient rights and donations belonging to the poore, now embezled and converted to other uses as inclosed Commons, alime houses, etc., be throughout all parts of the land, may be forthwith restored to the antient publique use and service of the poore in whose hands soever they be detained.

In the Petition of September 11, 1648, Lilburne repeated the demands that Parliament open enclosures of Fens and other common lands. In 1649 an army officer with Leveller ties, John Jubbes, published a demand for the end of all manorial tenures with just compensation going to the former landlords.

Apparently the Levellers never realized that the restitution of traditional common rights was basically
incompatible with their belief in inalienable private property. The individual held common rights because he was a member of a group, and because he had a specific function to fulfill for the good of the group. The inalienable individual rights Overton espoused were not possible so long as traditional manorial privileges were upheld. Common rights were infringements on the rights of landlords to their individual property, and on the rights of other tenants. In other words, the Levelers who were so anxious to "ease the people" never really chose to work out a formula for distinguishing between the rights of landlords and their tenants, copyholders, and unlanded agricultural workers. They apparently presumed that these problems could be settled when a new legal system for England was written.

Despite their insistence on the fundamental rights of all men to their estates, the Levellers were not willing to make the size of an estate the basis for the right to vote. The right to a voice in government was just as fundamental to the Leveller theory as was the right to private and inalienable property. Traditionally in England the franchise had depended upon a man's legal status within the feudal framework. Unless a man was a member of a corporation or guild, he could vote only if
he was a forty-shilling freeholder. Thus a wealthy copyholder could not vote, but his impecunious neighbor who had inherited a freehold could. The Levellers desired to give the right to vote to all citizens who were not servants dependent on the whim of another man for livelihood. Rash Oaths Unwarrantable, written by Lilburne in May, 1647, states very clearly the Leveller position on the franchise.

every free man of England, as well poore as rich, whose life, estate, etc. is liable to be taken away by the law, may have a vote in chusing those that are to make the law, it being a maxim in nature that no man justly can be bound without his own consent.

The issue of the franchise dominated the famed debate at Putney between the Agitators and the army leaders. (Oct., Nov., 1647) The Agitator views were at that time synonymous with the Leveller position. Colonel Rainborough, later to become a Millenarian, and John Wildman spoke for the Agitators. Ireton carried the debate for the army leaders. The men on both sides immediately established an atmosphere of Godliness. All parties to the debates were quite confident that the solution to all problems could be found in the will of God. All of them were anxious to seek that will in prayer and contemplation. Cromwell on this occasion
acted as the mediator attempting to keep all factions tractable and in search of the Godly solution. The question posed by Ireton forced the Levellers to study more deeply their concept of private property, especially in land. He told the Agitators that if all men are given the right to vote simply on the basis of the Leveller's definition of natural law, then on the basis of that same natural law, all men have equal right to anything they might demand, even to another man's goods and lands. For if the theory of natural rights is accepted, then a man's rights depend on natural law and not upon the government. Natural right becomes the solvent of all custom, tradition, and positive man-made law. Ireton believed that the best and most just constitution for the state was the traditional one resting on the shoulders of those with a material interest in the state. He is able to state the opinions of the army leaders quite succinctly.

that those that choose the representers for the making of laws by which this state and kingdom are to be governed, are the persons who, taken together, do comprehend the local interest of this kingdom; that is, the persons in whom all land lies, and those in the corporations in whom all trading lies. That is the most fundamental constitution of this kingdom...and... which if you do not allow, you allow none at all.25
Wealth gained in commerce is not ignored by Ireton, but it is wealth in land which provided him with the concrete example he needed. Wealth was the measure of a man's reliability in the commonwealth. Both Ireton and Cromwell were willing to broaden the franchise considerably, but insisted still that each voter have a "permanent fixed interest" in the kingdom. He was not consciously trying to represent the interests of his class; he was looking to follow the work of the Lord.

For whatever I find the work of God tending to, I should desire quietly to submit to. If God saw it good to destroy, not only Kings and Lords, but all distinctions of degrees - nay if it go further, to destroy all property, that there's no such thing left, that there be nothing at all of civil constitution left in the kingdom - if I see the hand of God in it I hope I shall with quietness acquiesce, and submit to it, and not resist it.

Ireton quite perceptively and thoroughly argued that the next logical step after universal suffrage was a community of goods.

This was a step which the Levellers refused to take. Rainborough answers Ireton by reminding him that the Levellers are quite aware of the commandment, "Thou Shalt Not Steal." This commandment prevents Christians from establishing a community in which all goods are held
completely in common. He insisted:

And for my part I am against any such thought (communism), and, as for yourselves, I wish you would not make the world believe that we are for anarchy. 27

The Levellers saw no necessary connection between a substantial estate and the ability and right to participate in government. They insisted that natural law guaranteed the right to vote to all men who were self-supporting, and they refused to accept Ireton's statement that property is the gift of government and not of God. Both parties to the dispute called on the ancient laws of England to support their contentions. Rainborough, however, upheld the Norman Yoke theory that all property laws made from the Conquest until the deposition of Charles I were unjust. Ireton believed that those laws were exactly the ones that formed the basic and proper constitution for England.

Ireton pointed out the communistic implications of the Leveller theory, but the Digger movement gave the enemies of the Levellers a perfect excuse for more virulent and less well-grounded attacks on the Leveller program. In the Humble Petition of September 11, 1648, Lilburne first took notice of the charges that his party was communistic. The petition berates the Parlia-
ment for not fulfilling the people's expectation that "you would have bound yourselves and all future Parliaments from abolishing Propriety, levelling men's Estates, and making all things common." Again in 1649 he felt it necessary to explain carefully that in the view of his party, the power to alienate a man from the rewards of his own labor was beyond the power of any governmental body.

After the debates at Whitehall the Leveller party was unable to regain a position of power. Lilburne died in 1657, his health ruined by so many years in prison. However, the ideals of the party remained fairly strong. In 1659 when the Restoration was a distinct possibility, a tract titled *The Leveller* appeared. It is a masterful summary of the entire Leveller impulse. Like most of their tracts, it is free from class prejudice and from petty vindictiveness. The author explained again that the Levellers have no intention of making all estates equal or of instituting any kind of communism. It is the enemies of the people who seek to alienate the people from the Leveller party by propagating this false idea. All that the Levellers desire is government by impartial laws which can be made only by deputies chosen by the people. The author does not elaborate on
the method of choosing deputies, but states quite firmly that subjects' lives and estates are not under the jurisdiction of the laws or taxes made by any other agent. The government should be able to restrain people from outward irreligion such as cruelty and breaking covenants, but it cannot legislate against any man's free conscience. Uniformity of religion could not be had because men are still divided among several "dispensations of light." The author urges everyone who has fought to overthrow the king and preserve the liberties, estates and consciences of his fellow men to continue the struggle. Those who continue the struggle will not be guilty of bloodshed because their cause is righteous.

**Oceana** is a constitution for England published by James Harrington in 1656. All of Harrington's other political writings and plans were merely explanations or refinements of the basic proposals made in **Oceana**. In contrast to Levellers' constitutional scheme evolved by many men to meet changing political circumstances, **Oceana** is a literary offering containing elaborate historical and rational justifications for each proposal.

"Government (to define it [de jure] or according to the antient Prudence) is
an Art whereby a Civil Society of men is instituted and preserved upon the foundation of common right or interest, or (to follow Aristotle and Livy) it is the Empire of Lawes, and not Men.31

Basically there are two fundamental laws which Harrington thought all governments must be founded upon in order to remain stable. The first was the law by which a man might know what he could call his own, and the second was the device by which each man might protect his own. In Oceana, a mythical island which obviously represents England as it should be, the first law is called the Agrarian and the second the Ballot.

Harrington was interested in wealth as a political and not an economic factor. In his views land is and ought to be synonymous with wealth. If the king is sole or even the largest landholder, then the state will be a monarchy. If a few great landlords share the balance of lands with the king, then the state is a mixed monarchy, or the "Gothic balance." If the whole people share the lands so equally that no faction has a controlling portion or "overbalance" then the state is a commonwealth. If force is used by a king, a few rich citizens, or the mob, then the resulting government is respectively a tyranny, an oligarchy, or an anarchy. Harrington admitted that
these last forms of government can exist as history shows, but they will not last long. The secret of an orderly commonwealth is frankly allowing the form of government to be determined by the basic factor of the balance of wealth.

Harrington noted that the Tudors broke the land monopolies of the great feudal barons and the Church, thus destroying the Gothic balance. For awhile, especially during the popular reign of Elizabeth I, the monarchs were able to rule almost as if in an unlimited monarchy. However, men of all degrees were gradually acquiring land, and the Tudor settlement was subverted. The Civil Wars, according to Harrington, are the results of this economic change. New landholders sought to establish their own political power based quite legitimately upon dominion in land. Oceana has the form of commonwealth which Harrington is quite sure must now be established in England; and he appeals to Cromwell to act the part of Lycurgus of Sparta or Olphaus Megaletor of Oceana, and to establish it. What Harrington seeks is a delicate balance between an aristocracy and a democracy. He wants to see the government established so securely that it could never be subverted, because he was quite sure that
the aristocratic leaders could provide the best and most equitable commonwealth leadership. The aristocrats would be free from menial tasks to wield authority. The general populace would retain the constitutional means to check any selfish class legislation by the aristocrats.

Although the monarchy and the aristocracy are perfectly legitimate forms of government as far as Harrington was concerned, a true commonwealth which is a limited aristocracy turns out to be the most just and equitable of all. Selfish legislation and narrow interests should be prevented, but the best talents of the people should be used in the government. The Agrarian laws were to prevent the lands of Oceana from accumulating in too few hands, thus allowing an unjust oligarchy or a single person to seize power. This, of course, necessitated laws against primogeniture. A man with an estate valued at over two thousand pounds a year could leave his oldest son only two thousand pounds per year income. The rest must be divided among the other children. The highest dowry or inheritance that could be given a daughter was one thousand, five hundred pounds. However, in case there was only one offspring, a man could leave his entire estate, no matter how large, to
the child. Harrington was incensed at the barbarian practice of treating one child like the favorite puppy and allowing the others, like the rest of the litter, to drown. No man who possessed already an estate valued at two thousand pounds or more should acquire any more property except by lawful inheritance. Clearly the point of these laws is to balance the private welfare of the citizens individually with the general good of society. The social good according to Harrington was a stable government which all men were liable to equal laws which they had a voice in making.

The voice of the people in law making was to be heard through an elaborate balloting system. His insistence upon limited terms in office and the rotation of office-holders, was to allow all well respected citizens an opportunity to participate in making laws. Harrington wished to prevent any one man or party from establishing a political machine. In Oceana, all men who were not servants were eligible to vote on the parish level and to hold office. By "servants" he meant those whose income was in the form of wages. The voters must also fulfill public obligations of military service and financial support of government. Those men having more than one hundred pounds a year income were obliged to be
In the Horse class. Their public obligations included providing themselves with the equipment to serve in the national cavalry. They were in turn eligible to serve in the highest lawmaking body of the land, the national Senate. Those having an income of less than one hundred pounds annually belonged to the Foot class and must equip themselves to serve as infantry in the army. They could vote and were eligible for designated magisterial offices. The Foot class could serve in the Prerogative Tribe, the national body which accepts or rejects the laws proposed by the Senate.

Harrington hoped to achieve by this division of men into two basic ranks, a delicate balance between oligarchy, or selfish rule by the few, and complete democracy, which he assumed would soon be anarchy. Complete democracy is impossible because in any group of people some are wiser and more able than the rest.

"twenty men (if they be not all ideots, perhaps if they be) can never come together, but there will be such difference in them, that about one third will be wiser, or at least less foolish then all the rest." 32

The only way Harrington can objectively single out his "natural aristocracy" however, is to distinguish between the rich and the not-so-rich. Harrington goes to great lengths to avoid making wealth synonymous with virtue,
or natural aristocracy. He noted that political power, has two bases: dominion, which is riches; and authority, the goods of the mind including courage, prudence, and wisdom. The goods of the mind, he admits, are of no political value unless they are supported by the goods of fortune, or wealth. "Dominion is Propriety real or personall, that is to say, in Lands, or in money and goods."33 However, when he describes his various political devices, he repeats again and again that the aristocracy, provided there be a sufficient check on selfishness, is best qualified to lead and advise the entire people. They are conceived of as the natural, God-appointed guides to the nation. Their position is not hereditary or appointive, but they are elected for their outstanding qualities from among the entire class having more than one hundred pounds a year income.

Since his primary interest is in political theory, Harrington does not consider in detail many land problems such as enclosure, insecure tenure, and depopulation. He assumed that these problems could be settled once the government of Oceana was copied in England. He did believe that a nation whose primary source of wealth was agriculture was the best and most stable commonwealth.

Agriculture is the Bread of the Nation,
we are hung upon it by the teeth; it is a mighty nursery of Strength, the best army, the most assured Knapsack. It is managed with the least turbulent or ambitious, and the most innocent hands of all other Arts. Wherefore I am of Aristotle's opinion, That a Common-wealth of Husband-men (and such is ours) must be the best of all others. Certainly, My Lords, you have no measure of what ought to be, but what can be done for this the encouragement of this Profession: I could wish I were a Husband good enough to direct something to this end; but racking of Rents is a vile thing in the richer sort, an uncharitable one to the poorer, a mark of slavery and nips your Common-wealth in the fairest Blossom.

Typically, Harrington goes on to call for a just balance between those who would neglect agricultural improvements if the rents were not subject to increase, and those who would tax the improver out of all his justly earned profits. The man who reminded Leviathan that the beast has a great belly and must be fed is not unaware of the revolution occurring in farming practices. Although he himself did not know specifically how to rat rationalize husbandry and end unfair practices, he realized that the problems must be solved. To this end he proposed a college of agriculture charged with educating the youth of England in the best methods and practices.

His answer to the custom of primogeniture was quite specific because of the political ramifications. Pri-
marily he wanted to keep the landholding class from becoming too narrow. Secondarily, he wished to rid the country of many evil practices of clergymen and lawyers. He believed that many of the lawyers and clergy whose practices were so obviously unjust, were disappointed younger sons. They had turned to the professions only because of the need to keep busy and they tended to weigh professional ethics lightly, and profits heavily. The institutions of Oceana included a Council for Trade which was responsible for recommending a commercial policy to the Senate. Harrington realized that a well-ordered commercial policy could bring much wealth to England as it had to Holland.

It has been held by several writers that Harrington actually founded modern political theory when he was able to propound an economic theory of history. Tawney, however, points out that Harrington was not entirely original in his idea, but that he merely gave written form and historical support to a maxim that the Tudors had used to establish their monarchy. The basic analysis used by Harrington could be found in the writings of Sir Walter Raleigh. Harrington was not trying to establish radically new and unprecedented theories of government and practice. He was trying to force the economic situation of his own era as he understood it (perhaps
erroneously) into an organized framework. The given factor in the situation was a much larger class of landowners. Harrington tried to work out a way too for England to establish a new form of government based upon this widened landholding class yet carefully regulated to prevent those with power from taking advantage of other factions of the society. Pages and pages of Oceana are devoted to proving that all the devices he recommended have been tried and proved effective by other states. Because he was a member of the lesser landowning gentry and a descendant of a rather famous family which had begun its fortune with Henry VIII, Harrington may have been predestined to prefer an aristocracy. However, he was not so naïve as to think his own class was naturally good enough to rule the nation without a check on its selfish inclinations.

Harrington's lengthy and labored description of secret voting by using little balls, his studied attempt to prevent any officer and institution from becoming overly powerful, his insistence that public officials have limited terms in office are all part of his attempt to outline a just government. By justice Harrington meant that which conformed to the laws of nature and the will of God. Harrington was willing to admit that "reason"
is "interest." There are three kinds of interest: the interest of private men, the interest of the state, and the interest of mankind as a whole. The interest of the whole is the most important. "There is a common right, Law of Nature, or interest of the whole; which is more excellent, and so acknowledged to be by the agents themselves, then the right or interest of the parts only." 37 Although men will admit in the abstract that the interest of the general mass is the highest, the problem of government is to make people conform to this highest interest.

The most effective weapon Harrington's opponents, including Cromwell, used against his work during his own lifetime, was that it was not Christian. They were, or professed to be, scandalized by his scant treatment of the most outstanding problem of the day, a settlement of the church issue. The religious question was not the most important inquiry Harrington was making, and he did not devote much space to it. However, he was quite aware of the contributions an established church could make to national life. Furthermore, he seemed to be laboring just as seriously and conscientiously as possible to work out a solution which was both politic-
ally and religiously sound. He proposed a council of religion, which was an integral part of the government. The Council was responsible for establishing a state church and keeping its doctrine pure. A person with a new doctrinal theory was to be allowed to present his case before the Council of Religion, and if he won his argument his principle would be adopted by the state church. The Council of Religion supervised the rigorous classical education of ministers and the universities. Elected parish church officers could choose to accept or reject the minister sent to them from the university. If a minister was rejected after a one-year period or trial, the university would send another probationer. Harrington does not deny independent congregations the right to meet and worship so long as they obey the magistrate in all temporal matters. He grounds this concession to Sectarians in the right God had given the Old Testament prophets to exist outside the law. Many people were enraged because Harrington treated the Bible as the history of the Jews and employed it exactly in the same manner as he used the histories of other nations. As far as Harrington was concerned, this method of treating the Bible was not sacrilegious at all.

But these being that part of this
Common-Wealth which was instituted by Moses upon the advice of Jethro the Priest of Midian, as I conceive an Heathen; are unto me a sufficient warrant even from God himself who confirmed them, to make farther use of testimony unto itself, whether in Heathen Common-wealths, or others. And the rather, because so it is, that we who have the holy Scriptures, and in them, the Original of a Common-wealth made by the same hand that made the World, are either altogether blind or negligent of it while the Heathens have all written theirs, as if they had no other copy.38

In other words, Harrington sought the dictates of God in the history of His chosen people, in the histories of ancient civilizations, and in contemporary European practice. More than any other writer on the many-faceted problem of land Harrington had a Renaissance mind.

The anonymous pamphlet entitled Chaos appeared in 1659. It is not an economic reform scheme, as Margaret James implies, but a constitutional scheme.39 The author was obviously a Republican, but he did not mention balloting or rotation, sure marks of the Harrington school. He does not seem particularly interested in the economic suffering of the poor, but he wishes to establish a new legal system that falls equally on all men. The section on land redistribution is no challenge at all to private land ownership. Like Harrington, the author wanted to prevent great estates from accumulating in the
hands of a few great lords at the expense of daughters and younger sons. Estates of less than one hundred pounds annual income should be divided among sons and daughters, with each daughter receiving half as much as each son. The father could designate the eldest or any other son to have first choice of the allotments. On estates larger than one hundred pounds a year income, the oldest or chosen son could receive real estate worth one hundred pounds a year, and the other children would divide the remainder of the real estate and personal estate among themselves. The oldest son could inherit up to half the estate, but no more. A widow would receive one-third of the estate or whatever other settlement was made at the time of her marriage.

All copyhold and other unfixed tenures were to be made freeholds by reasonable composition with the landlords. If two-thirds of the families having ancient interests in the land desired to enclose, one-fourth of the land should go to the Master of the Workhouse for the benefit of the poor, their children and their aged relatives. One-quarter should go to the lord, and one-half should be allotted to those who formerly held common rights. No provision is mentioned for guaranteeing a
fair share of the one-half to cotters and others who held common rights but no farmland. Baronial courts were to be abolished and compensations given to the lord. Manorial services to lords could be abolished with a single compensation payment, or they could be continued in the form of money payments.\footnote{42}

The whole constitution is based on the premise that a single national law applicable to everyone can be written. The author registers his disapproval of the Utopias such as \textit{Oceana} and \textit{Macaria} by insisting that the laws need not be inspired by laws of foreign countries. English laws should grow from the needs of England.\footnote{43}

The Parliament would remain the government and highest court, but the machinery for enforcing the new national laws was a system of sheriffs and their deputies.\footnote{44} Annually Parliament was to elect a sheriff for each province (county), and the sheriff could appoint deputies to each sub-province (a new subdivision to be made in the county). The appointed deputies must be acceptable to the Provincial courts. Constables should be elected by the parochial registry to preserve peace and enforce the will of the registry. The estate of each sheriff and deputy should have a value commensurate with the powers entrusted to them.\footnote{45} Any officer who cheated the
public could be forced to reimburse the public out of his own private wealth.

The most important feature of the constitution offered in *Chaos* is a National Registry at Westminster, with sub-registries on the provincial, sub-provincial, and parish levels. Each registry is assigned a clerk and several helpers whose jobs were to register all land titles, rent agreements, marriage settlements, births, wills, testaments, and agreements between master and servant. A detailed analysis of the jurisdiction of each registry is presented. Any contract not registered with the appropriate registry is null and void.

Each registry has attached to it a court to try cases in which contracts are disputed. The assistants to the registry clerks are to be lawyers. Their primary function is to copy all the legal documents into the registry rolls. Under a very strict set of laws concerning fees these lawyers could try cases in the registrarial courts. Here the author of *Chaos* manifested his dislike for the legal profession as it existed in 1659. The Justice of the Peace system will be retained complete with the custom of appointing only gentry to its benches. The Justices would hold quarter sessions courts, presumably to handle murder and other matters.
not connected with estates. Twelve national judges would ride circuit annually to hear complaints about local registers and order redress for any offended parties. Parliament would set customs rates yearly, and impose assessment on real and personal estates. The assessments of landlords were to be paid by the tenants to the official Collectors. Then the tenants' accounts in the local registry are credited and the tenants have to pay that much less rent to their landlord.

This system of collection of the state's due was provided for in several of the Interregnum laws. The public stock idea appealed to the writer of Chaos as an excellent way to provide for the poor. A single great assessment for the benefit of the poor was to be made. The funds were to be used to set up a corporation to employ the poor of each parish.

The last tasks of the new government would be the provision of schools for all children, and the establishment of an endowed church. No troublemakers would be allowed to hold a benefice in the church. Any self-appointed ministers were to be committed to the mercies of the governor of the public work house.

Chaos represents the views of a religious man who believed in the divine appointment of a state church.
The author is no less spiritual in his motivation than Winstanley, the Levellers, or the Millenarians. The title was chosen because the author believed that just as God created the universe out of Chaos, England could create a just and holy state out of her present turmoils. The work to be done is divided into six steps because it took God six days to create the world. The author explains his model need not be set up in six days literally, but was willing to allow seventy days to complete the great work. He is quite serious in offering this proposition as a means for ending strife and schism in God's state.

The author commends the premises to the consideration of our present Governors, and all others in the Nation which wish well to our English Sion, and them to the good and gracious direction and protection of the Almighty, in hopes of an happy issue, which God grant, Amen.

The author also points out that the ancient court rolls and copyhold manor rolls were registers not kept properly on a national basis. Therefore he thought he had offered a very conservative proposal drawn directly from an English Institution. He conceived of society as a great web of individual contracts, and the function of his state was to enforce these contracts. The constitution can set standards for just and equitable
contracts, and the individual's rights to estate were limited somewhat by the constitution. In some ways he seemed to be trying to rationalize the feudal system of contracts. However, Chaos introduced some major changes in the feudal ideal such as eliminating the kingship and limiting drastically the inheritance portion of eldest sons. But the most radical changes were in making everyone equal before the law and in establishing a very powerful state agency to enforce all private contracts. The social distinctions of lord, knight, and squire were kept. 58 Parliament has the power to confer on every man with ten thousand pounds a year income the title of lord. A thousand-pound yearly income rates the title of knight; a three hundred pound annual income rates the title of esquire. To become a provincial representative in Parliament one must have at least a thousand-pound yearly income. The right to vote depends entirely upon one's income, and is much stiffer than the traditional forty-shilling freeholder franchise. Every man who is registered as having a yearly income of one hundred pounds from a trade or a profession, or five pounds from land, is allowed to vote in parish elections and stand for election. The five citizens of the parish receiving the most votes become public electors for the
year, and their function is to elect sub-provisional representatives to Parliament. The sub-provincial electors vote for four Parliamentary representatives. Both the provincial and sub-provincial representatives sit in Parliament, each man for only six months. The representatives are paid twenty marks a year which is to cover expenses, but not to make the job lucrative.

The great significance attached to land holding during the period is illustrated well in this franchise proposal. In money, one must have one hundred pounds a year to qualify, but the man who owns land and is supported by it, need have only five pounds a year income to vote and to hold office.
Footnotes to Chapter III


3. Ibid., 259-260.

4. Ibid., 176.

5. Ibid., 280.

6. Ibid., 281.

7. Ibid., 165.

8. Ibid., 162-163.


15. Ibid., 272-273.

16. Woodhouse, 327.


18. Somers Tracts, VI, 274.

19. Macpherson, 142-143.


21. Ibid., 288.
22. Zagorin, 32.
25. Woodhouse, 63.
27. Woodhouse, 50.
36. Bernstein, 206, 211.
39. James, 94.
45. Ibid., 28.
46. Ibid., 7-20.
47. Ibid., 21.
48. Ibid., 28.
49. Ibid., 32.
50. Ibid., 45.
51. Firth and Rait, Acts and Ordinances, 401-402.
52. Chaos, 45.
53. Ibid., 51.
54. Ibid., 53-54.
55. Ibid., Appendix.
56. Ibid., Appendix.
57. Ibid., Appendix.
58. Ibid., 440.
CHAPTER IV

At least some of the religious sects took the step Ireton had dreaded and warned against. They advanced from religious and political democracy to democracy of goods and lands, or communism. Gerrard Winstanley is undoubtedly the most famous of these religious fanatics who desired to establish a new Sion in which all material things were held in common.

Some time very early in January, 1648, Winstanley came to the conclusion that private ownership of land was the cause of all sinful deeds. Winstanley was a petty tradesman in London when the Civil Wars broke out. His business failed, and he was forced to leave London and make his living on the estate of a friend in Surrey. He was a deeply religious man who became a mystic, and his first four published tracts contain the basic concepts of his mysticism. According to Winstanley, the Bible is a record of the spiritual as well as the temporal lives of the Saints of God. It is to be interpreted by the individual believer according to his own "inner light." This inner light may not burn with the same brightness in every person, but it is the spirit of God at work in the soul. In fact, every man's soul is a battleground between the spirit of God and Satan. Satan

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Inspires men to turn away from God and to ignore Him; and this is sin.

The Spirit of God actually resides in man and in all God's creation. To the outside observer it appears as if Winstanley was very close to being a pantheist. However, he would have been horrified to have heard such accusations. He often sounds pantheistic because he was convinced that the ordinary man, by looking at the world, could acquire an education vastly superior to the academic knowledge taught at the universities. Therefore, he emphasized his belief that God, who is the only proper subject of man's study, can be studied in His orderly creation. He saw no discrepancy between such an all-pervading Creator and the more fatherly, Christian God.

Besides being Creator, God is also Reason. Winstanley wrote, "In the beginning of time the great creator Reason made the earth to be a common treasury, to preserve beasts, birds, fishes, and man." Petegorsky points out that Winstanley used the term "reason" variously to mean a moral imperative, the underlying unity of the universe, or a guide to ethical behavior. The point is that Winstanley was trying, in an unsophisticated way perhaps, to construct a monolithic universe. God is its first cause, and its ends. He is the Lawmaker as well as the
Redeemer. Man's function in life is to use his God-given inner light to search for God. Winstanley is a mystic attempting to universalize his particular insight. Essentially his insight had two precepts: the first was his belief that man finds God by use of his own inner light, and the second was that life on earth can be ordered so that man is free for this search. Winstanley was acutely aware of the many grievances the poorer people suffered during the war period. He thought that all this suffering stemmed from the selfishness and greed of people of all classes, and he desired very much to stop this sinning against God. To free men from the worldly ties and sin, Winstanley evolved his communistic plan and tried to prove that it would work by putting it into practice.

The experiment began in April, 1649, when a few peasants, Winstanley, and William Everard began to prepare the waste of St. George's Hill in Surrey for planting. Apparently the local authorities were baffled by these "Diggers" and did not know exactly what course to follow. At one point they locked the Diggers in a church. On April 19, Fairfax sent troops to disperse the Diggers who were reported to be gaining numbers daily. The
Diggers reassembled and continued to try to farm throughout the summer; but in the fall the government sent troops to disperse the group permanently. It is quite possible that William Everard actually originated the idea of digging up the wastelands as a dramatic way of promoting Winstanley's views. There remain no writings attributed to Everard alone, but his contemporaries considered him and not Winstanley, the leader of the Digger group. However, Everard's name disappeared from the Digger manifestoes after the True Levellers appeared, so he must have dropped out of the movement.

The *Law of Freedom* was Winstanley's appeal to Cromwell to establish a new order on earth. When he wrote it he had the benefit of the actual digging experience. The theoretical foundations of his plan are all to be found in the *Law of Freedom*, but Winstanley devoted the bulk of it to outlining the machinery by which an equitable society could be maintained. He did not insist that his suggestions be taken unconditionally, but described them as rough hewn and in need of polish.

I have now obeyed the command of the spirit that bid me declare this all abroad. I have declared it, and I will declare it by word of mouth, I have now declared it by my pen. And when the
Lord doth show unto me the place and manner, how He will have us that are called common people to manure and work upon the common lands, I will then go forth and declare it in my action, to eat my bread with the sweat of my brows, without either giving or taking hire, looking upon the land as freely mine as another. I have now peace in the spirit, and I have an inward persuasion that the spirit of the poor shall be drawn forth ere long to act materially this law of righteousness.

He begged Cromwell to allow the poor to set up little communities on waste ground and commons. Winstanley was certain that if the poor were allowed to prove his scheme workable, then the Lord would convert the landlords, and eventually the whole world. Like Lilburne, Winstanley was convinced that the poor and unpowerful were the chosen children of God in establishing His new dispensation. Winstanley did not envision a community in which all the members were saints. What he wanted to do was remove as many as possible of the temporal activities which fostered sin. By creating a community of lands and goods he hoped to free people for the search for God.

Because God is in all parts of His Creation, it is not lands, or goods which are evil, but the way they are used. Land is the crux of the problem. In order to possess lands, men fight, steal, lie, cheat, and murder.
Winstanley was convinced that all of the social and economic institutions of the day were established to uphold the unjust system of private landholding, therefore all such institutions were evil. The established church and its clergy were perhaps the most evil of all institutions because for selfish ends they obstructed the progress of men towards God. In order to acquire and retain lands and goods, the clergy promoted the wealth of the church ruthlessly while preaching to the populace patient acceptance of poverty on this earth. They made the poor accept an unjust and burdensome division of the benefits of creation by promising that the rewards of God come in Heaven. In the Sion Winstanley described in his Law of Freedom, no formal clergy would be needed because men would be guided by the voice of reason or the Christ within. The professions second in iniquity, according to Winstanley, were the lawyers and judges who willfully preyed upon the miseries of the people in order to become rich. Winstanley thought that most legal disputes concerned land titles, rents, and copyholds. Lawyers worked for the landlords who could pay them the highest fee; and judges awarded the decision to the side producing the highest bribe. For Sion, Winstanley envisioned a single written law code that covered all
contingencies. It was to be so lucid and simple that everyone could understand it and every man could plead his own cases in court. Judges would not need to interpret the law. They would merely read the pertinent passages, and the just settlement would automatically become clear to all persons present.

Professional scholars were also a great blight on society. All their endeavors went to justifying the established society while the poor suffered. In Sion all children were to be educated in agriculture and the crafts as well as in the fine arts, languages, and science. Since everyone had to make some kind of material contribution to society, there were to be no people in Sion who earned their living by teaching alone. The ministers of each parish were responsible for procuring lecturers and educational demonstrations for the community. To hear them the people would gather on Sundays, which were to be days of rest from ordinary labor but without any formal church services. Anyone who made a scientific advance beneficial to society was to be rewarded.

The unjust practices of copyhold and primogeniture, of course, would be eliminated when all lands were held in common; and so would the practices of rack renting and enclosure. Families were to maintain individual homes,
but all labor was to be divided among all the members of the community. A network of overseers elected by all men in the community for one-year terms was to be responsible for seeing that the work was done. They were also responsible for seeing that all young people were properly apprenticed. Winstanley foresaw only two kinds of workers: farmers and craftsmen. All the products of the land were to be put in great storehouses. Any man who needed something for himself or his family might come to the storehouse and take what was needed. Craftsmen were to obtain raw materials from the storehouses and return to the storehouses their finished products. Tradesmen were allowed to act as distribution centers for the common products, but they were to earn no profits in their shops. Thus Winstanley hoped to eliminate the sinful practices of the market places.

Winstanley was certain that his plan for society was the one God had ordained as the fifth dispensation. If all men are equal in the sight of their Creator, then surely they must be equally blessed in earthly things, he reasoned. Winstanley could have justified his entire scheme by reference to his faith. No historical or pragmatic supports were needed. However, he made extensive use of popular historical theories to make his
ideas appeal to more people. He employed the Norman Yoke theory of English history and also the belief that the earliest Christian church had been communal. He also thought that before Adam sinned, the earth was a perfect society and that the same perfection and order would occur again at Christ's second coming. The revolution, he believed, was one of the last great struggles of Satan before his final defeat. The poor and disinherited, the naïve and uneducated, the "younger brothers" were to be the agents through which God established His new dispensation.

Winstanley's group was not the only one to attempt some kind of rural communism during the wars. Margaret James mentions the appearance of one group at Chiltern Hundreds in 1649, and one at Wellinborrow in 1650. A tract called Light Shining in Buckinghamshire appeared in December, 1648, and its supplement, More Light Shining in Buckinghamshire, was published in 1649. The writer held the Leveller views concerning the equality of men but advanced to the position of advocating equality of goods. In other words, he expounded exactly the views Ireton had predicted could be drawn from Rainborough's position at Putney. This fusion of Leveller views with agrarian discontent may have inspired the more famous
Digger experiment. The writer of the *Light Shining in Buckinghamshire* emphasized the Jewish precedent for providing for the poor out of the common stock, and he pointed out that just such a common stock was at the disposal of Parliament in the form of church and crown lands.

Now in Israel, if a man were poor, then a publick maintenance and stocke was to be provided to raise him again. So would all Bishops' lands, Forrest lands, and Crown lands, do in our land, which the apostate Parliament-men give one to another, and to maintain the needless thing called a king, and every seven years the whole land was to the poor, the fatherless, widows and strangers, and at every crop a portion allowed them. Mark this, poor people, what the Levellers would do for you.

Using the Norman Yoke concept, the writer blamed William the Conqueror for the unjust laws practiced in England. He also emphasized how unchristian was the institution of servants and master when both were all equal before God.

In 1649 there appeared in London under the provocative title of *Tyranipocrit*, another appeal for equality of goods. In order to make himself secure in his corruption, the kingdom had decided to marry Hypocrisy, the devil's daughter, who was found in the Church. The devil performed the marriage ceremony on Sunday, and
declared the name of the new union would be Tyranipocrit. The white devil resulting from the union subtly clothed itself in the white robes of Church and magistracy and thereby deceived men into damnation. One of the first acts of Tyranipocrit was to decree that anyone who demanded equality of goods be murdered. Tyranipocrit could offer his earthly followers position, ease, and goods on earth.

Primarily the author of Tyranipocrit was attacking the concept of spiritual predestination and its earthly ramifications. God had made all men equally capable of winning salvation, argued the author. For God did not create a soul for man, but imparted to man a part of Himself which is man's freewill. Thus God is in each man, and each neighbor. Then God secretly willed that men starting with Adam would sin. He left up to man the choice of repenting of free will, which is the only gift God desires, or refusing to repent. Those who are sorry for their sins will be saved by the love of God through Jesus Christ, who is the only proper law giver for the Christian world. Those who hear God's call to repentance and do not follow his dictates are the damned. The author refused to believe that God would turn
away empty handed those who earnestly desire salvation.

About predestination, he says:

God predestinated all things, but that predestination hindreth no man's salvation neither doth it help any man to salvation, because predestination is absolute, but man's salvation is conditionall;...God first giveth universal grace unto all mankind, but when they have discretion to know good and evil, then they must give themselves unto God, or else Gods first gift doeth them no good.

The logical conclusion to be drawn from the equality of all men and the laws of Christ, is that all men have equal rights to goods and lands. Those who insist that God gives the earthly favors to those he has chosen to save are the foulest heretics. For Christ did not seek worldly power or position. He taught men that love is the primary necessity for salvation. This golden rule of loving one's neighbor as one's self can be gained from books and preachers. However, the rule need not be learned from books or preachers, but is within each man himself. Therefore like Winstanley, the author of Tyranipocrit believed that religion need not be institutionalized, but that it was to be sought within each man himself.

So far as implementing a "true reformation" the author appeals to Parliament, if they are men chosen by God and not by tyrants, to set the example by divesting
themselves of superfluous wealth and its accompanying pomp and circumstance. All wealth over one hundred pounds should be taken from the rich and distributed among the poor. This process is to be repeated until all men have equal possessions. Indeed, the duty of the magistrate is "equally to divide and share such goods as God hath given them a power to dispose of, and when they have done that then they have done their duty." The equitable distribution should be retained by examining each man's estate once a year and levelling again. Cheating, lying, stealing, and especially hypocrisy could be eliminated completely if men knew that any superfluous riches would be taken from them.

The writer of *Tyranipocrit*, like so many of his contemporaries, conceived of goods or wealth primarily in terms of land. The first precedent for the community of goods was the division of the Promised Land made by the children of Israel. And the writer believes that the early church followed the precedent implicitly. After the fall of Adam, God commanded men to till the earth and this is still deemed the holiest occupation. Now, however, those who actually do labor in the fields are made slaves by those who would rather serve the white devil. Man cannot serve God and Mammon. An equal distribution of
the land would eliminate as much as possible of Mammon. Since the laws of Moses, men have been responsible for their neighbor's wellbeing. Therefore, men should strive to eliminate the unbalance of possessions which resulted when William the Conqueror first subjected England to tyranny by imposing his unjust distribution of lands.\textsuperscript{34}

As naïve as the author of \textit{Tyranipocrif} was in proposing his plan, he offers some very pithy insights. When attacking predestination he admits that "we must labor to have faith and to believe that God is not partial and hath predestined all men alike."\textsuperscript{35} He realized how difficult it was for men to abstract God from the conception that God should give punishments and rewards which become tangible in the form of lands and goods. Furthermore, he knew that it would be extremely difficult to maintain an equality of lands and goods. Yet, he urged, it is the duty of the Christians who desire to repent to strive to do the most difficult tasks.\textsuperscript{36}

The first recorded activity of the Fifth Monarchists is a petition to the Council of Officers presented by "many Christian People dispersed throughout the county of Norfolk" in February, 1649.\textsuperscript{37} The Fifth Monarchists were just as certain as Winstanley that the time was at hand for the establishment of God's fifth dispensation.
There was some disagreement among the members of the party as to the exact year when the new kingdom would appear, but all agreed that Christ was to be the Monarch. He would rule the earth directly through his chosen Saints. Of course, the Fifth Monarchists were quite sure that they qualified as Saints. Repeatedly the Monarchists affirmed that the Saints should inherit the earth. However, apparently they never developed any coherent and specific reform proposals regarding land or any other secular institution. They may have believed that these laws would be written by Christ. The plotting and planning of the Fifth Monarchists was often clandestine, especially after Cromwell became Protector, for they felt he was usurping the role of Christ and he therefore was the antichrist. They may have had a great many secret plans for the future of English soil, but in their published works, very little mention of land is made. However, one of the more moderate writers, William Aspinwall, had this to say about the actual society after the Coming:

As touching things of a middle nature, which you carry this way or another way, without breach of any rule of righteousness (as for instance, to secure their fields by a common fence, or by a keeper, and many such like things) they are not to
be regulated by Laws, but by Covenants among the neighbor-hood, for their mutual good, and the breach of that Covenant is trespass, and punishable by law. 58

Aspinwall thought all magistrates would be absolutely righteous because the Church would have the power to examine them and to remove all who did not live up to the standards expected by Christ. 39 Hill mentions a more radical plan by the Monarchist, Thomas Verner, who devised plots between 1657 and 1661 for the overthrow of the government. Verner planned to confiscate the estates of the enemies of God and put them into a Common treasury. The products of the religious fervor of the Monarchists are less admirable than the aspirations of Winstanley, the "improvers," and the best of the Parliamentary and Army leaders. Nevertheless, it is a legitimate example of the seventeenth century temper. Religious considerations were paramount to so many of the rebels.
Footnotes to Chapter IV

1. *The New Law of Righteousness* in which Winstanley tells of his mystic vision from God instructing him to establish a communistic society is dated January 26, 1648 by Sabine in *The Works of Gerrard Winstanley*, 147. Sabine’s dates are used throughout this paper. Hereafter the book will be listed as *Works*.

2. *The Mysterie of God; The Breaking of the Day of God; The Saints’ Paradise; Truth Lifting Up Its Head Above Scandals*.


5. Bernstein, 106.


9. Winstanley constantly returns to this theme throughout his writings. *Selections*, 31, 39, 42, 121, 163-165, etc.


17. I am indebted to William McGrath, *The Political and*
Religious Thought of Gerrard Winstanley, Houston, 1961, for guiding me through the intricacies of Winstanley's eschatological hopes.

18. James, 101.


20. Ibid., 141-142.


23. Ibid., 33.

24. Ibid., 8.

25. Ibid., 10.

26. Ibid., 3.

27. Ibid., 3.

28. Ibid., 28.

29. Ibid., 51.

30. Ibid., 38.

31. Ibid., 19.

32. Ibid., 20.

33. Ibid., 3.

34. Ibid., 39.

35. Ibid., 25.

36. Ibid., 53.

37. Louise F. Brown, Baptists and Fifth Monarchy Men, 17.

38. William Aspinwall, A Brief Description of the Fifth Monarchy, 12.

39. Ibid., 13.
CHAPTER V

If men representing such different viewpoints wrote impassioned pleas for land reforms, why did the Interregnum governments fail to reform the antiquated and unjust landholding and land usage laws and practices?

One of the most widely held theories about failure of the English Revolution to produce social reforms is that the men in power belonged to the landlord class which benefitted from enclosure, unfixed copyhold rents, primogeniture, and the general absence of comprehensive national land laws. Naturally, the wealthy classes would take no action detrimental to their own best interests.

To varying degrees, this position is held by Margaret James, Christopher Hill, Eduard Bernstein, and David Petegorsky. In the sixteenth century, Margaret James asserted, men considered the welfare of the peasants a primary factor in national wealth; but by 1640, wealth was measured only in terms of money.¹ John Moore and others who argued that modern farming techniques harmed the moral structure of society were ignored by the well-to-do classes who justified their behavior by pointing to the promises of greatly increased wealth made by starry-eyed reformers such as Hartlib, Weston, and Dugdale.² The rich ignored the suffering around them.
because reforms were against their own economic interests.

Eduard Bernstein believed that the Civil Wars saw the growth of an increasingly sharp antagonism between the landlord class (especially those new landlords who became members of the class during the wars), and the poorer classes who were not protected from the avarice of the rich. Especially hated by the poorer farmers were the men who gained their estates during the turmoil of the war. To remedy the obvious difficulties of the poor, Hartlib and his friends, out of religious concern for the poor, presented the first of the humanitarian schemes. Peter Chamberlen thought the state should be responsible for social welfare, and he worked out a plan for state socialism. Bernstein was responsible for bringing Winstanley and the Diggers to the attention of modern historians. He concluded that Winstanley was a communist ahead of his time. Although he was an uneducated man of the people, he was able to perceive the iron connection between economic ills and the political and religious institutions established by the upper classes for their own ends. Bernstein noted that Harrington, with his scientific approach to history, was able to anticipate the "materialistic concept of history elaborated by Marx and Engels." Although Harrington
had only the best of bourgeois sentiments, he anticipated socialism because of his willingness to limit private property in the interest of the political balance and the general welfare. According to Bernstein, Harrington's major fault lay in his inability to see that political power should belong to the masses rather than the aristocracy.

Petegorsky, who made a careful study of the entire Digger movement, took his cue from Bernstein's theory that Winstanley's mystical language was merely a cloak for social designs. According to Petegorsky, Winstanley developed from a religious fanatic into a disciplined rationalist in just a few months. The Law of Freedom is the culmination of Winstanley's intense desire to disestablish the hated upper classes and to build a just and reasonable society on earth. Petegorsky felt that the motives of Winstanley remained religious; and he thought Winstanley's importance lies in his rational analysis of the problems and his attempts to solve them rationally. The class consciousness awakened by the Levellers and the Diggers did not die out, but after 1650 it expressed itself in millenary fervor.

Christopher Hill desired to prove that the English revolution contained many more elements of class revolu-
tion than is generally recognized. He points out that Winstanley and Harrington, two of the most original thinkers of the period, interpreted the war in class terms. He also recalls Clarendon's view that the war was caused largely by economic discontent of the gentry with arbitrary taxation. Hill retains the belief that the advanced Parliamentary cause drew its main supporters from the economically advanced south and east parts of England, and the Crown was supported by the economically backward north and west regions. Hill's own addition to the theory seems to be that the city capitalists quickly gained control of the finances of Parliament, and that a conflict developed between the conservative landed interests in Parliament and the up-to-date commercial interests. Local county committees, seeking to finance the Parliamentary cause, originated the practice of sequestering the land of Royalists. However, these committees had no desire to sell or in any way to break up the sequestered estates because they feared the social consequences. After March, 1643, the local committees were given considerable power by act of Parliament. They were granted arbitrary powers to levy fines, to forcibly enter a man's home, and to imprison people who refuse to pay. Many people in high
and low places succumbed to the tempting chances to make private profits. The pressure to sell the confiscated holdings became terrific as the army pay fell further behind. The conservative members of the Interregnum governments wanted no reforms that would release the tenants from their customary duties and subservience to the lords. Neither did they want the new money of city merchants to invade their private sanctuary, socially or politically.

Essentially there are two problems with their kind of analysis. A closer examination of the actual land reform legislation attempted by the various revolutionary governments will show that it is not as class conscious as the above writers suppose. Furthermore, the above writers are willing to credit Winstanley, the Levellers, Peter Chamberlen, and even Harrington, with the best of political or religious intentions. It would seem that the same courtesy should be extended to the leaders of the Presbyterian and Independent factions.

The revolutionary governments found themselves landlords to acres of confiscated royalist, church, and crown estates. As landlords, the Parliaments tried rather conscientiously to protect the best interests of its tenants. Often the Parliament granted the confiscated
lands to national heroes and government creditors, in which case the tenants then belonged to the new private owners. The rest of the lands were usually turned over to committees of local worthies which were charged with carrying out government policies in regard to the lands. Obviously because of the troubled times, it was difficult for the government to keep a tight rein on these committees. The Royalists and Levellers were able to criticize the government vigorously for the laxity of public morals in regard to these state lands. Furthermore, the government had no organ for formulating and enforcing land policies. The prerogative courts used by the Tudors and Stuarts to prevent enclosure and protect the copyholders were the first institutions abolished in the revolution. The ordinance for selling some Bishop's lands, November, 1646, provided a thirty day period in which all tenants of the former Bishops had the first option to buy the lands in which they had an interest. Of course the poorer sort had no money to buy their lands, but a Parliament selling lands to raise desperately needed money could hardly afford to give land to these poorer folk. In 1653 Parliament decided to sell some of the Royal forest lands, but they made an attempt to compensate farmers who had formerly held common rights in the forest.
The act permitted enclosure and other improvements on the lands sold, but also established a committee of Trustees to examine all claims to common rights made by the late King's tenants. The Trustees would assign a portion of land as compensation to all just claimants. If the allotted land was not enclosed within two years, the Trustees might sell one-fourth of it. A portion of the land for sale was to be auctioned at the next quarter sessions and the profit was to go directly towards the maintenance of the poor. More specific instructions were issued to the Trustees in 1657, demanding that they make public knowledge exactly how much land remained was common land, how much belonged to the commonwealth, and who owned the rest of it. As landlord, the government, as well as many private citizens, felt that their best interest lay with enclosure, but knew that the enclosure policy might work great hardships on those remnants of the manorial system, the copyholder, the cotter, and the village poor people. Several attempts were made by the various Interregnum Parliaments to pass some specific land legislation protecting tenants on privately held estates. In February, 1641, the Long Parliament appointed a commission to recommend a policy for handling wastes and commons. However, its reports,
If any, were lost in the general confusion of emerging Civil War.25 Cromwell's hand-picked Little Parliament (July through December, 1653) ordered the formation of a Committee for the Poor and charged it with offering the House a proposition regarding enclosure policy. The committee was specifically charged with finding measures to prevent depopulation and "decay of tillage." However, the bill was never written. This same Parliament debated very seriously the question of "presentments," the right of the landlord to award a church living to whomever he chose. Presentment was considered a property right, and it was attached to the land. Moreover, much social prestige went to the man having this privilege. The Parliament decided that this right was incompatible with the proper advancement of the gospel, and therefore voted to abolish it.

In 1656 Major-General Whalley brought a bill for dividing up the commons fairly, but the bill was rejected on its second reading.26 The Major-Generals could indeed enforce a land policy, and they attempted to halt rampant enclosure; but of course their efforts died with the abolition of their offices. James indicated that the reason for the unpopularity of the Major-Generals was their attempt to limit the private excesses of rapacious
However, the Major Generals were unpopular with all classes for the great number of limitations they tried to impose on the population. Furthermore, the Major-Generals were men of the landed class. In 1653 the Parliamentary committee, considering legal reforms, recommended that fines paid when a copyhold descended from father to son be limited to one year's rent. This proposal, however, was defeated in 1656 on its second reading.

Neither James, Hill, nor Bernstein, seems to weigh the fact that there was no general consensus of the poor concerning the need for land reforms. To be sure, the landlords benefitted economically from the power to enclose and to arbitrarily raise rents. But vestiges of the old manorial system were not always detrimental to the peasants. Men who violently opposed copyhold and other unfixed tenures often upheld the open field system because of the obvious advantages of being able to graze cattle in the common fields. The very poorest tenants may have stood to lose by enclosures, but the more well-to-do tenants and farmers may have been more than anxious to try individual farming techniques in hopes of making some greater profits. Enough examples of agreements between landholders and landlords and tenants
remain to suggest that in some cases the poorer tenants were quite willing to try the private farming techniques. The spasmodic rioting and tearing down of enclosures could easily have spread widely during the revolution when all customary means of enforcing the peace were disrupted. Since the riots did not spread, it seems safe to surmise that grievances remained local. An individual's own best interest depended entirely on the local traditions and economic conditions. Some fenmen issued pitiful pleas that their rights were being unfairly taken away by the draining project; and of course, those who were accustomed to hunting and fishing in the fens were deprived of their livelihood. However, another side of the situation is described by William Dugdale in his history of the draining project. He wrote that the draining had raised the fenmen from squalid wanderers to prosperous farmers and laborers. The rents are high, he noted, but prosperity is the keynote for everyone.

The men who actually held power during the revolution considered church reform and the establishment of a government based on traditional English laws their main jobs. No matter how much the Members of the Parliaments and the army leaders disagreed on the church issue,
neither group doubted that God had ordained that men possess the goods of the earth in differing quantities. To think that their religious and legal justifications for the social status quo were pious covers for a selfish, short-sighted class policy, is to misunderstand the whole temper of the best minds of the times.

Samuel Rutherford, perhaps the most representative spokesman for the Scottish Presbyterian group stated the Presbyterian view on earthly goods in a pamphlet called Lex. Rex, 1644. The law of nature, a divine law, has provided an unequal distribution of temporal goods. The Decalogue obviously presupposes private goods and inequality of possession for it forbids theft and covetousness. For most Presbyterians and Puritans, anything God seems to condone in the Bible is absolutely justified for all times. What they termed Meum and Tuum, were for the Presbyterians morally righteous concepts in which no government could interfere. A less sensitive statement of Presbyterian views is in Gangraena, Or a Catalogue and Discoverie of many of the Errors, Heresies, Blasphemies by Thomas Edwards. Among the errors he listed was the belief that all men are equally spiritual and equally able to understand matters of conscience. Edwards was enraged by the fallacious tenets that all men can preach equally
well, and that ministers should have outside jobs rather than tithes for their support. Under no circumstances does he believe that "all the earth is the Saints, and there ought to be a community of goods, and the Saints should share the Lands and Estates of Gentlemen, and the rich men." Gangraena was published before the Putney debates and before Winstanley's communism appeared. It illustrates that the concept of a community of saints emulating the communal practices attributed to the earliest Christian church was certainly not new with Winstanley.

Robert Harris was a staunch believer in Parliament and in reforming the Anglican church. In 1648 he became president of Trinity College, and held that position until his death in December, 1658. In 1654 he published a treatise on the Covenant of Grace, which was originally a sermon on the problems of social inequality.

the Lord in bestowing these outward things hath still reference to the soul of his people, and gives things so as they will best comply with the happiness of the creature: but otherwise if they were capable of these outward comforts, they would not long go without them. Besides in God's house there are many stations.

Now it is required of every servant, that he keep his place and station, that he do his own work, and that he expect
wages answerable and proportionable to his place and office.

In Harris' opinion, leather becomes the foot as much as beaver becomes the head.

Margaret James quotes Richard Baxter's lament over the evil practice of rack renting which did so much harm to the husbandmen. Baxter was a chaplain to Whalley's regiment from 1645 to 1647, and took active part in the debate against the Levellers. Although he never approved of the sect ideal, he retained much influence throughout the revolutionary period. In 1659 he published his conception of the properly governed commonwealth, The Holy State. To the democratic tendencies of the age he answered that God is the only ruler of a Christian commonwealth. All princes and magistrates hold power by virtue of God's grace. The proper end of state policy was the glorification of God.

Food and raiment and our outward wealth, are to furnish our own and others' bodies with such requisites as fit them for the serving of our souls, that both may serve God, and enjoy and please him. He that takes down this end (the pleasing and enjoying of God in Glory) takes down all the world as a means to it, and destroyeth the very use and relative nature of all things under the sun, and makes another thing of himself and all things. As his fleshly brutish end is below the high and glorious end that God appointed all things for, so doth he accordingly brutify and debase them all.
Like so many of his contemporaries, Baxter was convinced that rank, degree, and the varying privileges that went with them were ordained by God for his Holy Purposes.

Cromwell with his belief that the will of God was to be seen in "dispensations" or events rather than visions was hardly one to participate in land reforms movements. He began the wars as a member of the gentry, and his estate was increased throughout the wars by gifts of land voted him by the Parliaments. Yet long before the meeting of the Long Parliament Cromwell was well-known and respected throughout the Eastern counties for his defense of the fenmen against the Earl of Bedford's draining project. Later he persuaded the Commons to investigate an enclosure granted by the House of Lords to the Earl of Manchester. He was a conservative attempting to prevent the unfair abolition of the hereditary rights of the poorer classes. During the Putney debates he seemed willing to broaden the franchise, but his Instruments of Government, he made the qualifications for voters in the counties ownership of two hundred pounds in real or personal estate. This terribly restricted franchise was the attempt of Cromwell to establish a Parliament of the most Godly. He was just as sure that the Godly were not found in the rabble, as Winstanley was
sure that the unlettered poor were the true instruments of God on earth. Ironically, the Parliament was a failure from his point of view, and he arbitrarily established the forty-shilling freehold for the next election.

In all periods of history men act according to their own self-interest, but the definition men give to self-interest varies greatly. A close look at proposals to reform the land laws and land practices made during the English Civil Wars illustrates that the men of the period were not primarily interested in individual or class gain. The agriculturalists who preached the glories of improved farming were more than sure that with proper legislation and good planning, the benefits could be enjoyed by all classes in the society. Hartlib and Weston, as well as John Moore, held to a rather ancient view that men and their wealth had a direct relationship to God.

Winstanley, the Fifth Monarchists, the anonymous author of Chaos, and the writer of Tyranipocrit believed that men and their wealth should have a relationship sanctioned by God. However, they thought that the present
order was a perversion of justice worked by Satan. They decided that a just God who had ordained the equality of all men's souls would require equality of estate and political power among men on earth. Cromwell, Ireton, Baxter, Robert Harris, all are representative of the deeply religious men who felt just as strongly that God ordained a society of degree. From the Bible they learned that God had designed social order, just as he designed natural order, as a means of glorifying Himself. When these Puritan leaders addressed themselves to the relationship between politics and wealth, they decided that the will of God in that matter could be sought in English history. Ireton stated most clearly the belief that men with a "permanent fixed interest" in the state should continue to have the political power in England. In his mind the connection between God-given virtue and wealth must have been quite clear.

Harrington tried to make the connection between landed wealth and the right to govern a clear political principle justifiable in terms of reason and workability as well as in terms of God's ordination. Neither Harrington nor Hobbes was willing to proclaim any inalienable right to property. Both of them pointed out that individual rights should be subject to the interest of
the whole society. Hobbes proclaims that the moral duty of each man is to seek his own best interest, but he clearly expounds the unalterable right of the sovereign to stop any individual whose pursuit of self-interest impinges on the interest of the society as a whole. Hood has done an admirable job of proving that Hobbes found the justification for his political order in the pages of the Bible. The Levellers also were convinced that a just and gracious God desired a commonwealth in which all men had equal political rights and an equal opportunity to participate in economic prosperity. As far as they were concerned their manifestoes were issued in the interest of the entire nation.

The value of the work done by Margaret James, Christopher Hill, Bernstein and others who have pursued the class theory of the revolution, has been to illustrate the insurmountable problems the revolutionary politicians and reformers were facing. None of the revolutionary thinkers was able to envision a way to subject the many new economic forces and political aspirations to a religious ideal. With the Restoration, the ideal of an integrated society subject to God may have become bankrupt, but until the return of Charles II, many men in the nation had great hopes of establishing a
balanced, just, and Holy state.
Footnotes to Chapter V

1. James, 111.
2. Ibid., 117-118.
3. Bernstein, Conclusion.
4. Ibid., Conclusion.
5. Ibid., Conclusion.
6. Ibid., 132-3.
7. Ibid., 199.
8. Ibid., 201.
9. Ibid., 199.
10. Ibid., 115.
12. Ibid., 178.
13. Ibid., 235.
15. Ibid., 201.
16. Ibid., 203-204.
17. Ibid., 154.
18. Ibid., 160.
19. Ibid., 160.
20. Ibid., 158-160.
21. Ibid., 158-159.
22. Acts and Ordinances of the Revolution, I, 902. The same provisions were made in July of 1651 regarding estates confiscated from Royalists, II, 528.
23. James, 121.
24. Ibid., 121-122.
25. Ibid., 120.
26. Ibid., 120.
27. Ibid., 124-125.
28. Ibid., 120-121.
30. James, 126-127.
31. James, 125-126.
32. Haller, Liberty and Reformation, 199-209.
33. Thomas Edwards, Gangraena.
35. Ibid., 13.
36. Ibid., 13.
37. James, 129-130.
39. Ibid., 75-76.
40. C. H. Firth, Oliver Cromwell, 470.
41. Ibid., 30-34.
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