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## LEVELLER RHETORIC IN THE ENGLISH REVOLUTION

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LEVELLER RHETORIC IN THE ENGLISH REVOLUTION

Justin Schwartz

Doctoral Thesis  
King's College London, University of London  
2023

## DECLARATION

This thesis is my sole work. There have been no contributions from other scholars except insights gained at conferences or in conversations with other scholars. Unpublished insights are attributed to the relevant scholars in the footnotes. This thesis contains references to published and unpublished manuscripts, pamphlets, petitions, broadsides, letters, personal papers, and more. All quotations are cited in the footnotes. As per King's College London's regulations for the submission of doctoral theses in the Faculty of Arts & Humanities, the word count includes the following: introduction, chapters, and footnotes. It excludes the cover page, declaration, acknowledgement, abstract, list of images, table of contents, and bibliography. This thesis has not been submitted for a degree at this or any other university.

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I wish to acknowledge the Leveller men and women, ‘unjustly’ and ‘falsly so-called’, for their significant contributions to democratic ideas and action. Their legacy continues to inspire generations, and I hope readers will find their insights as enlightening as I have.

## LEVELLER RHETORIC IN THE ENGLISH REVOLUTION: ABSTRACT

This dissertation examines the Leveller authors' discourse from the late 1630s to the early 1650s, with a particular focus on the rhetorical strategies and techniques developed by John Lilburne, Richard Overton, and William Walwyn. My unique contribution to the historiographic landscape is in unearthing six discursive modes by which the Levellers intended to persuade their audiences to support their political project. I draw on J. L. Austin's speech-act theory, as well as his conception of ordinary language to illuminate Leveller interventions in the linguistic and argumentative context of the time.

A major concern of this dissertation is the structure and conventions of public discourse. It will be shown that tension existed between the ideals of consensus and the reality of political polarisation and sectarian conflict. An examination of the formal and informal rules governing debate at the General Council reveals the thinness of consensus among the Grandee officers, Agitators, Levellers, MPs, and congregational ministers.

It will be shown that the Leveller authors drew on an array of rhetorical strategies and techniques revealing the porousness between ideas and action. Richard Overton developed a satirical style of writing designed to ridicule, mock, and jest at his opponents. The Leveller women developed a rhetoric of spiritual equality and a proportional share of the nation's freedoms by subverting the conventional gendered language of petitions. John Lilburne amplified the existing conventions of martyrdom to present himself as a living martyr. In narrative tracts and newsbooks, the Levellers began presenting themselves as legal martyrs and created a roll call of martyred Leveller soldiers. They drew on the body politic metaphor in inconsistent and contradictory ways to reimagine social relations. This also enabled them to present complex ideas in a simplified form to readers. The Levellers also made use of monstrous, brutal, and animalistic language to police the boundaries of the moral community.

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## INTRODUCTION

This thesis examines the Leveller authors as political speakers, shedding light on the rhetorical strategies and tactics they developed between the late 1630s and early 1650s. It examines the Leveller authors' interventions in contemporary discourses on consensus and settlement, theories of laughter, the gendered language of petitioning, martyrdom, body politic metaphors, and the rhetorical evocation of animal, brutal, and monstrous figures. I argue that the extraordinarily rich array of communicative strategies and imagery developed by the Leveller authors were not merely rhetorical tricks or epiphenomena but integral to the substance of their thought. It will be demonstrated that language mattered to both Leveller thoughts and actions, illustrating the porous lines between these categories.

In recent decades, there has been a renewed interest in the Levellers among historians, partly in response to revisionist perspectives like Mark Kishlansky's, which downplayed the Levellers' influence on political events and thought.<sup>1</sup> Since the post-revisionist turn, historians have regarded the Levellers as significant political theorists, assigning them labels such as constitutionalists, populist republicans, liberals, democrats, Christian democrats, and libertarians.<sup>2</sup> Jason Peacey noted that much of the scholarly focus on the context of early

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<sup>1</sup> Mark Kishlansky, 'The Army and the Levellers: The Roads to Putney', *The Historical Journal*, vol.22, no.4 (1979), pp.796-7.

<sup>2</sup> Christopher Hill, *The World Turned Upside Down* (London, Penguin Books, 1991), pp.118-21 distinguished the ideas of the 'constitutionalist leaders' from more radical 'unofficial Leveller thought'; Samuel Dennis Glover, 'The Putney Debates: Popular versus Élitist Republicanism', *Past & Present*, no.164 (1999), p.51 examines the influence of the popular republican tradition on Leveller political thought; C. B. Macpherson, *The political theory of possessive individualism: Hobbes to Locke* (Oxford, Clarendon Press, 1962), p.110 characterised the Levellers as contributors to 'liberal' rather than 'radical democratic traditions of English political thought'; for works focused on the secular milieu that informed the Levellers' democratic thought see M. A. Barg, *The English Revolution of the 17<sup>th</sup> Century Through Portraits of its Leading Figures* (Moscow, Progress Publishers, 1990), p.212; Philip Baker, 'Londons Liberty in Chains Discovered: The Levellers, the Civic Past, and Popular Protest in Civil War London', vol.76, no.4, *Huntington Library Quarterly* (2013), p.56; Simon Webb, *John Lilburne: Gentleman, Leveller, Quaker* (Durham, The

modern texts has leaned towards ‘an intellectual, rather than a political one, and authors’ aims are assumed to have been intellectual, philosophical, theoretical, rather than polemical and propagandistic’.<sup>3</sup> I believe this tendency extends to scholarly work on the Levellers. Rachel Foxley’s exceptional research on the Levellers’ political radicalism underscores both the theoretical and rhetorical aspects of their discourse.<sup>4</sup> Drawing on her insights, I emphasize the interconnectedness of the theoretical and propagandistic dimensions within Leveller discourse throughout my thesis. A central argument I advance is that the lines between the Leveller authors’ ideas and actions were porous and mediated through language and rhetoric.

Appreciating the Leveller authors’ impact on public discourse demands a different approach to the history of ideas. Quentin Skinner introduced J. L. Austin’s study of ordinary language and speech-act theory to this field. Building on this foundation, I employ speech-act theory to unpack the discursive conventions, narrative strategies, rhetorical arguments, references, stereotypes, and tropes in the Leveller authors’ texts. Speech-act theory is also integral for distinguishing authorial intentions from the meanings, often inconsistent and contradictory, that audiences could derive from texts. In *How To Do Things With Language* (1962), Austin set out his formal theory of speech-acts. The basic concept of a speech-act is simple enough to grasp. The physical act of uttering a statement or sound, which Austin labelled the locutionary, can be distinguished from the illocutionary, the communicative

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Langley Press, 2020), pp.10-4; see, M. A. Gibb, *Free-Born John: The Leveller, A Christian Democrat* (London, Lindsay Drummond, 1947), D. B. Robertson, *The Religious Foundations of Leveller Democracy* (New York, Columbia UP, 2019), p.4, and Murray Tolmie, *The triumph of the saints: the separate churches of London, 1616-1649* (Cambridge, Cambridge UP, 1977) for studies about the religious foundations of the Levellers’ egalitarian and democratic thought and practices; Richard A. Gleissner, ‘The Levellers and Natural Law: The Putney Debates of 1647’, *Journal of British Studies*, vol.20, no.1 (1980), p.89 interpreted their stance on natural law as part of a ‘broad libertarian platform of commonwealthmen’.

<sup>3</sup> Jason Peacey, *Politicians and Pamphleteers, Propaganda During the English Civil War and Interregnum* (Abingdon, Routledge, 2016), pp.7-8.

<sup>4</sup> Rachel Foxley, *The Levellers: Radical Thought in the English Revolution* (Manchester, Manchester UP, 2013), pp.4-7.

effect of an utterance, and its perlocutionary actual effect on the listener.<sup>5</sup> This distinction enables Austin to demonstrate that a statement can be evaluated beyond its mere truthfulness or falsity.<sup>6</sup> A locution or utterance is, for Austin, a physical act. This applied to both oral and written communicative utterances. By uttering the sentence, the speaker or writer intended to have a communicative effect on their audience, whether it was to warn, promise, chastise, etc.<sup>7</sup> The perlocutionary effect on the listener, according to Austin, stands in a dependent relation to the illocutionary act of intending a specific communicative effect on them.

However, there is no guarantee that the intended effect (such as warning, promising, chastising, etc.) will gain purchase.<sup>8</sup> Two brief examples may help to clarify this distinction. Richard Overton figured Oliver Cromwell as the ‘great Bull of Bason’, and William Walwyn characterised the Presbyterian faction as a ‘ravenous and hungry wolfe’.<sup>9</sup> While the reference and meaning of such statements are straightforwardly clear, however, it would be unreasonable to suppose they intended literally. Therefore, asking if some kinds of statements are true or false cannot reliably advance our understanding of the author’s actual intentions when uttering their utterance. A different procedure is needed to understand what a specific performative utterance is doing with words. An examination of the ordinary usage of an utterance within a particular argumentative context reveals the author’s intention and what the performative utterance is doing. On the one hand, Overton and Walwyn intended to have

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<sup>5</sup> J. L. Austin, *How To Do Things With Words* (Oxford, Clarendon Press, 1962), pp.94-5, 98-101; concerning the locutionary act, Austin makes a further distinction between the phonetic (a mere ‘act of uttering certain noises’), phatic (the act of uttering words belonging to a certain vocabulary or conforming to grammatical rules), and the rhenic act of using those words with a ‘more-or-less definite sense and reference’.

<sup>6</sup> Austin, *How To Do Things With Words*, pp.94-5, 120, 141-2.

<sup>7</sup> Austin, *How To Do Things With Words*, pp.8-15; in this range of pages Austin specified that a performative utterance includes all gestures, sounds, words, sentences, etc. that are meant to convey some meaning within a specific context. Austin also outlines the six procedural rules that serve as criteria for assessing whether an utterance is performative or not.

<sup>8</sup> Austin, *How To Do Things With Words*, p.120.

<sup>9</sup> Richard Overton, *Overtons defyance of the Act of Pardon* (London, 1649), pp.6-7; William Walwyn, *An antidote against Master Edwards* (London, 1646), p.3.

the communicative effect of warning that Cromwell was a tyrant and the threat of religious persecution under a Presbyterian settlement. On the other hand, their utterances performed the act of attacking, defaming, insulting, etc. Cromwell and Presbyterians, respectively, by figuring them as a biblical monster and beasts of prey.

The perlocutionary effect of the Levellers' polemics and rhetoric on readers and supporters is often more difficult to assess. John Rees has pointed out that several of the Levellers' petitions received tens of thousands of signatures.<sup>10</sup> Newsbooks reported approvingly or disapprovingly on their activities and offered insight into the size and composition of the crowd at various demonstrations.<sup>11</sup> They also received support from several counties that delivered petitions to Parliament on behalf of the four imprisoned Leveller leaders.<sup>12</sup> The Leveller authors also wrote detailed narrative accounts of public meetings, debates, and performances held to persuade audiences to support their cause. A methodological difficulty arising from this information is that it tells us relatively little about the actual communicative effect of their illocutionary statements on their audiences. It also does not offer a clear sense of the persuasiveness of any given statement on its intended audience. In many instances, we are left having to rely on motivated and often conflicting or inconsistent accounts by the Levellers and their opponents to assess the purchase that an intended communicative effect had on an audience. I have attempted to pinpoint the perlocutionary effect on the Leveller authors' audiences where possible. However, my focus throughout this thesis will be on a discursive analysis of Leveller texts that makes use of speech-act theory to illuminate the porousness between their ideas and actions.

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<sup>10</sup> John Rees, *Leveller Organisation and the Dynamic of the English Revolution* (London, Goldsmiths University, D.Phil thesis, 2014), pp.15, 133.

<sup>11</sup> For contemporary newsbooks reporting on the size and social composition of the crowds at Leveller demonstrations see, Chapter 3 pages 156-68 and Chapter 4 pages 207-11.

<sup>12</sup> H. N. Brailsford, ed. Christopher Hill, *The Levellers and the English Revolution* (Nottingham, Spokesman, 1983), p.190.

Austin's philosophy of language has had a profound influence on Quentin Skinner's approach to the history of ideas. In 'Understanding and Meaning in the History of Ideas' (1969), Skinner outlined the two orthodox approaches used when a 'historian of ideas confronts a work he hopes to understand'.<sup>13</sup> The first orthodox approach seeks to understand the meaning of a text by examining its social, cultural, or political context, whereas the second orthodox approach treats the text as self-contained.<sup>14</sup> Skinner detailed how both positions use different methodologies to arrive at the meaning of a text. This insight has major implications for my approach to thinking about the relationship between intention and meaning in the Leveller authors' discourse. As Skinner has explained, 'what a given agent may be doing in uttering his utterance is not a question about meaning at all, but about a force co-ordinate with the meaning of the utterance itself, and yet essential to grasp in order to understand it'.<sup>15</sup> It follows, according to Skinner, that a methodological issue arises from the contextual approach to understanding a text because 'even if we could decode what a given statement must mean from a study of its social context... this would still leave us without any grasp of its intended illocutionary force' and thus 'no real understanding of the given statement after all'.<sup>16</sup> The potential confusion that arises from this contextual approach to the history of ideas is discussed in Chapter 3, in which I clarify the meaning of the Leveller women's claim to having a 'proportionable' or 'equal share' in the freedoms of the commonwealth.<sup>17</sup> The argumentative context makes the meaning of the sentence clear. However, the illocutionary force behind it, in this case, the assertion of a right to participate in public life in an emergency, would remain obscured were it not for an understanding of the

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<sup>13</sup> Quentin Skinner, 'Understanding and Meaning in the History of Ideas', *History and Theory*, vol.8, no.1 (1969), p.3.

<sup>14</sup> Skinner, 'Understanding and Meaning', p.3.

<sup>15</sup> Skinner, 'Understanding and Meaning', p.46.

<sup>16</sup> Skinner, 'Understanding and Meaning', p.46.

<sup>17</sup> Anon. *To the Supreme Authority of England and the Commons assembled in Parliament* (1649), p.1.

complex relationship between notions of equality and hierarchy as well as the gendered linguistic conventions of petitioning during this period. Similarly, a methodological issue arises in the text-in-itself approach when ‘various oblique strategies which a writer may always decide to adopt... disguise what he means by what he says about some given doctrine’.<sup>18</sup> I will discuss this methodological issue at length in Chapter 4, wherein a mere understanding of the definition of the term ‘martyr’ would be necessary but insufficient for arriving at what Lilburne and the other Leveller authors intended to say. Nor would the text-in-itself approach help us uncover what they were doing by developing a discourse of living, legal, and military martyrdom. Skinner pointed out that this particular kind of confusion arises through a failure to make the ‘basic distinction between meaning and use’ when examining an utterance.<sup>19</sup> This is because ‘the occurrence of the words (phrases or sentences) which denote the given idea, and the use of the relevant sentence’ by a particular agent at a specific time or place ‘with a particular intention (his intention) to make a particular statement’ can be two distinct linguistic phenomena.<sup>20</sup>

In ‘Conventions and the Understanding of Speech Acts’ (1970), Skinner offered a tentative resolution to the gap between the illocutionary effect and the actual perlocutionary ‘uptake’ of an utterance by an audience.<sup>21</sup> Skinner pointed out that Austin’s test for distinguishing genuinely illocutionary from perlocutionary acts faces an acute problem when dealing with ‘expressive’, ‘non-literal’, and ‘non-serious’ things which ‘we might be doing in using words’.<sup>22</sup> It may be possible, according to Skinner, to follow Strawson by distinguishing the rule-governed or conventional from non-conventional types of

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<sup>18</sup> Skinner, ‘Understanding and Meaning’, p.32.

<sup>19</sup> Skinner, ‘Understanding and Meaning’, p.37.

<sup>20</sup> Skinner, ‘Understanding and Meaning’, p.37.

<sup>21</sup> Quentin Skinner, ‘Conventions and the Understanding of Speech Acts’, *The Philosophical Quarterly*, vol.20, no.9 (1970), p.118.

<sup>22</sup> Skinner, ‘Conventions and the Understanding’, p.118.

illocutionary acts to resolve this apparent shortcoming in Austin's account of speech-acts.<sup>23</sup> Skinner uses the example of non-avowed illocutionary acts in polite society wherein the force of the utterance may be deliberately oblique but intelligible based on 'the conventions governing what in that particular situation' amounts to an illocutionary act, regardless of whether or not it has the intended perlocutionary effect on the audience.<sup>24</sup> A clear example of this can be found in Chapter 2, where I discuss Overton's response to supporters of the Leveller movement who took offence at his use of uncivil language. Overton's intention (or what he claimed in hindsight as his intention) was to warn them that Cromwell was a tyrant. However, he complained that his critics failed to uptake the intended message from this non-avowed illocutionary act of communication, instead focusing on the transgressive imagery used to represent Cromwell rather than his warning.<sup>25</sup> This reveals the potential gap between genuine illocutionary acts and the perlocutionary effects it may have on its audience. His flouting of social norms through uncivil language impeded the illocutionary force of his warning to gain purchase. This failure to close the gap between illocution and perlocution reflected a wider methodological problem facing the historian of ideas, as well as an example of 'expressive', 'non-literal', or 'non-serious' utterances giving rise to linguistic instability.<sup>26</sup>

The tension between the formal and informal use of the linguistic arts to do things is central to my methodological approach to disentangling the complex relationship between intention and meaning in the Leveller authors' discourse. In *Locke, Language and Early-Modern Philosophy* (2007), Hannah Dawson has called attention to the rule-governed conventions that shaped the formal use of language during the sixteenth and seventeenth

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<sup>23</sup> Skinner, 'Conventions and the Understanding', p.121.

<sup>24</sup> Skinner, 'Conventions and the Understanding', p.130.

<sup>25</sup> Richard Overton, *The baiting of the great bull of Bashan* (London, 1649), p.4.

<sup>26</sup> Skinner, 'Conventions and the Understanding of Speech Acts', p.118.

centuries.<sup>27</sup> It was commonplace during this period to think of language as a trivium consisting of logic, grammar, and rhetoric.<sup>28</sup> As Nicholas McDowell has shown, early modern thinkers inherited a conception of literacy and illiteracy from the Middle Ages that privileged knowledge of the classical languages.<sup>29</sup> It was, therefore, essential to be trained in the trivium at a grammar school or university (often with an emphasis on gaining proficiency in ancient Greek and Latin) to be considered literate in the formal sense of the word. In contrast, illiteracy did not mean an inability to read or write as it does today but signified a lack of formal training in Greek or Latin required to read the Christian scriptures in their original languages.<sup>30</sup> McDowell has also pointed out that the criteria for literacy shifted due to humanist thought to include formal education in vernacular European languages.<sup>31</sup> It is almost certain that few of the Leveller authors received a formal education in the ‘three arts of language’ or classical texts.<sup>32</sup> Both McDowell and David R. Adams have called attention to the fact that Overton attended Queen’s College Cambridge in 1631.<sup>33</sup> The future Leveller John Wildman studied at Cambridge and then at one of the inns of court in London. John Lilburne attended a provincial grammar school where he learned Latin and acquired a basic proficiency in Greek before moving to London, where he took up an apprenticeship as a clothier.<sup>34</sup> At the same time, William Walwyn showed an impressive depth of knowledge of

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<sup>27</sup> Hannah Dawson, *Locke, Language and Early-Modern Philosophy* (Cambridge, Cambridge UP, 2007), p.7.

<sup>28</sup> Dawson, *Locke, Language*, p.13.

<sup>29</sup> Nicholas McDowell, ‘Latin Drama and Leveller Ideas: Pedagogy and Power in the Writings of Richard Overton’, *The Seventeenth Century*, vol.18, no.2 (2013), pp.230-1.

<sup>30</sup> McDowell, ‘Latin Drama’, p.240.

<sup>31</sup> McDowell, ‘Latin Drama’, pp.231, 141.

<sup>32</sup> Dawson, *Locke, Language*, p.13; also see. McDowell, ‘Latin Drama and Leveller Ideas’, p.231, wherein he cites Christopher Hill, *The English Bible and the Seventeenth-Century Revolution* (Harmondsworth, Penguin, 1994), p.199.

<sup>33</sup> McDowell, ‘Latin Drama and Leveller Ideas’, p.131; David R. Adams, *The Religion of Richard Overton, the Leveller, 1642-1649* (Queen’s University, MA thesis, 1998), p.39.

<sup>34</sup> Maurice Ashley, *John Wildman: Plotter and Postmaster* (Edinburgh, J. And J. Gray, 1947), p.89; Michael Braddick, *The Common Freedom of the People: John Lilburne & the English Revolution* (Oxford, Oxford UP, 2018), p.6.



Lucian and Montaigne's essays. While most of the Leveller authors lacked the requisite educational background to be considered formally literate, an argument that Prynne and Edwards regularly used to attack them and other heterodox thinkers, they displayed a strong grasp of the rhetorical arts in their polemical writings and public performances.

A major focus of this dissertation is the rich repertoire of rhetorical strategies and techniques deployed by the Leveller authors from the late 1630s to the early 1650s. It will be shown that the illocutionary force behind their use of ordinary language (what they intended to do with words) was often contradictory or inconsistent as well as particular to a specific argumentative context. The Leveller authors often had an avowed intention of fostering agreement or consensus and persuading the audience of their views on a particular doctrine, policy, or programme through rational argumentation and disputation. They also used words as weapons to divide, disparage, libel, mock, ridicule, warn, threaten, etc. their opponents or audiences. None of these illocutionary acts were unique to the Levellers. However, a set of distinct patterns emerged whereby the Leveller authors' polemical and performative interventions served to define and then police the boundaries of the moral community. By delineating an in-group with whom their arguments gained purchase from an out-group, the Leveller authors contributed to the polarisation of public discourse. This was one of several rhetorical strategies and techniques through which the Leveller authors intended to shape the conventions and structure of the argumentative context during this period. It also marked an attempt to shape the audience's identity by urging them to own a certain label (for example, freeborn, commoner, citizen, friend, etc.) or affixing a label to them including, but not limited to, enemy, traitor, backslider, and tyrant. The Leveller authors also used reinscription as a rhetorical technique by taking an existing concept, name, or label and placing it in a non-conventional argumentative context or by performing an inversion of the conventional use of the same. It could also involve a deliberate use of innuendo, oblique, or non-literal language

(most notably to satirise, jest, mock, or ridicule), wherein the communicative effect of the utterance could be understood to hold inconsistent or contradictory meanings. As Skinner has shown, this rhetorical technique was closely associated with what formal grammarians referred to as *paradiastole*, which enabled writers to redefine vices as virtues and *vice versa*.<sup>35</sup> Its illocutionary force lay in the power to have the communicative effect of urging the audience to approve or disapprove of their message or assess the propriety of such utterances, thus reinforcing (or redrawing) the boundaries of the moral community between an in-group and out-group. This array of rhetorical strategies and techniques reveals the non-fixity of language and the Levellers' ability as polemicists to wield it as a shield and spear.

I will approach the polemical and propagandistic writings by the Leveller authors and their opponents as texts rather than sources or works. This approach is designed to take Skinner's critique of the text-in-itself methodological approach seriously in my analysis of Leveller discourse. In *Gangraena and the Struggle for the English Revolution* (2004), Ann Hughes drew an important methodological distinction between approaching writing as a source, work, or text. Hughes defined a source as a 'record of events' which may reflect reality more or less accurately, while a work is treated as a self-contained or internally consistent repository of meaning.<sup>36</sup> In contrast, a text is a 'more fluid, collaborative, participatory entity' encompassing multiple volumes, editions, accretions, images, and reader experiences, whereas a work is defined as a self-contained entity consisting of 'its main arguments, its narrative strategies, and main generic association'.<sup>37</sup> Whilst I have dealt with manuscript sources such as warrants, letters, and orders contained in the Collection of State Papers from the National Archives and personal papers at the British Library which can be

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<sup>35</sup> Sylvia Adamson, Gavin Alexander, and Katrin Ettenhuber, *Renaissance Figures of Speech* (Cambridge, Cambridge UP, 2007), p.149.

<sup>36</sup> Ann Hughes, *Gangraena and the Struggle for the English Revolution* (Oxford, Oxford UP, 2004), p.12.

<sup>37</sup> Hughes, *Gangraena*, p.12.

unproblematically interpreted as reflections of reality, most of the documents I examine in this thesis are treated as texts. The manuscripts I refer to here, as Hughes points out, have their own ‘rhetorical and institutional particularities’.<sup>38</sup> The fact that a warrant was issued or a trial took place on a specific date cannot be disputed.<sup>39</sup> However, the pamphlets, broadsides, letters, and petitions contained in the Thomason Tracts at the British Library and the *Clarke Papers* edited by Charles Firth cannot be treated in the same way. In attempting to unearth the Levellers’ rhetorical strategies and tactics using these texts, I examine their arguments, narrative strategies – just as one would a static or self-contained work – in addition to ‘the labels, categories, or stereotypes’ through which authors attempted to draw the boundaries between friend and foe, human and inhuman, and more.<sup>40</sup> I also examine how their rhetorical strategies and tactics contributed to a process of self-publicity or identity formation, the responses to these representations, and their development across texts and interactions with other texts.

This approach has its own methodological shortcomings. In ‘John Lilburne and the Long Parliament’ (2000), Jason Peacey pointed out that ‘there is a danger of succumbing to retrospective historical analysis and of being hoodwinked by Lilburne’s self-publicity.’<sup>41</sup> I have endeavoured to apply this methodological caution in my analysis of all sources, texts, and works discussed in this thesis. However, this potential difficulty should not lead to methodological scepticism that inhibits any attempt to study the development of the Levellers’ rhetorical strategies and tactics in the English Revolution. To avoid this methodological *cul-de-sac*, I have endeavoured to treat the Levellers’ discourse as texts that construct meaning rather than as sources that reflect an underlying reality or fact about the

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<sup>38</sup> Hughes, *Gangraena*, p.11.

<sup>39</sup> Hughes, *Gangraena*, p.11.

<sup>40</sup> Hughes, *Gangraena*, p.11.

<sup>41</sup> Jason Peacey, ‘John Lilburne and the Long Parliament’, *The Historical Journal*, vol.43, no.3 (2000), p.626.

world. The documents on which I rely are printed pamphlets, manifestoes, broadsides, epistles, declarations, broadsides, illustrations, petitions, and newsbooks contained in the Thomason Tracts collection at the British Library. The textuality of a tract offers basic insight into the authors' polemical and propagandistic intentions through an analysis of its main arguments, narratives, genres, and intertextual references. Its intertextual references, for instance, shed light on the influences of other texts on authors and the fostering of a participatory experience between authors and readers. A text also has a material dimension including its size, quality of paper or ink, typography, and palaeography, which offer clues about the intended audience and the material process of composing or printing it. This is evident in the Thomason Tracts, which mostly consist of cheap print works meant to be accessible and short, whereas its specialist treatises and books tended to be greater in length and less accessible in terms of purchasing price. One example is the Edgerton MS of the *Officers' Agreement* at the British Library. This manuscript is extremely large, handwritten (in fine penmanship), and the paper is made of thick vellum appropriate for a constitutional document – which it was intended to be.<sup>42</sup> However, it was also reproduced as a cheap print pamphlet found in the Thomason Tracts collection.<sup>43</sup> While the content is identical in these two texts, their material differences open new interpretive possibilities.

I have also approached the texts discussed in this thesis as performative speech-acts. The Levellers engaged in conscious acts of self-publicity as part of a process of identity formation and to cultivate a base of support for political and religious causes. H. N. Brailsford, Sammy Basu, John Rees, and others have shown that the Levellers held regular meetings in taverns, inns, private homes, and the gathered churches to promote both new or

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<sup>42</sup> British Library [hereafter omitted], London, Edgerton MS 1048, fo.89.

<sup>43</sup> Anon., *A petition from His Excellency Thomas Fairfax*, p.7-29.

upcoming texts, debated them *utramque partem* with attendees, and sold pamphlets.<sup>44</sup> They organised in the streets by holding public speeches, engaging in mass petitioning campaigns and demonstrations, and marching in funeral processions for martyred Levellers. Behind closed doors, the Levellers met with politicians (both friends and foes) as well as Independent and separatist ministers. They also corresponded among themselves and in conjunction with Agitator regiments in the army. These performative speech-acts recorded in texts were part of the narrative strategies employed by Levellers and opponents alike. However, historians have tended to draw a false dichotomy between performances which happened outside of the text but were recorded in it and the role of texts in the construction of shared meaning or identities. An analysis of texts as performative speech-acts reveals a dynamic interplay between authors and readers whereby the readers or audiences are encouraged to participate in constructing meaning within and between texts.

The deep connections between language and action in Leveller polemic were shaped by the informal education they received in London's civic and religious milieu during the 1630s. In *Leveller Organisation and the Dynamics of the English Revolution* (2014), Rees argued that the pre-history of the Leveller authors demonstrated that its 'leading figures had a considerable record of political activism...[in] the streets, taverns, gathered churches and the apprentice networks of the City of London'.<sup>45</sup> In 'London Levellers in the English Revolution: the Chidleys and Their Circle' (1978), Ian Gentles explored the 'London Leveller milieu' in which its first and second-rank leaders met and acquired a political education.<sup>46</sup> Gentles built on D. B. Robertson's *The Religious Foundations of Leveller Democracy* (1651)

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<sup>44</sup> Brailsford, *The Levellers*, pp.19-34; Sammy Basu, "'A Little Discourse Pro & Con": Levelling Laughter and Its Puritan Criticism', *International Review of Social History*, vol.52, no.15 (2007), p.109; Rees, *Leveller Organisation*, pp.12-4.

<sup>45</sup> Rees, *Leveller Organisation*, p.13.

<sup>46</sup> Ian Gentles, 'London Levellers in the English Revolution: the Chidleys and Their Circle', *Journal of Ecclesiastical History*, vol.29, no.3 (1978), pp.280-1.

by arguing that the Leveller leaders' active involvement in the 'federation of seven separatist churches in the City' in the 1630s was the crucial determinant of the democratic trajectory their activism took in later decades.<sup>47</sup> Soon after fleeing from religious persecution in Shropshire to London in 1629 with their seven children, Katherine and Daniel Chidley became active members of one such separatist congregation. This congregation – founded by John Duppa and Thomas Dyer – later joined the federation of seven separatist churches in the City.<sup>48</sup> While in London, the Chidleys' eldest son Samuel met prominent sectaries such as Henry Parker, Robert Lockyer, future Baptist preacher William Kiffin, and John Lilburne.<sup>49</sup> Lilburne became an avid reader of heterodox thinkers, including John Bastwick, William Prynne, and Henry Burton, while apprenticed as a clothier in London.<sup>50</sup> Richard Overton and William Allen attended John Goodwin's congregation at St. Stephen's on Coleman Street, where they came into contact with John Price and printer Henry Overton.<sup>51</sup>

The future Levellers were also enmeshed in London's civic milieu of corporate governance and apprentice networks. In 'Popular Politics in Sixteenth and Early Seventeenth Centuries' (2000), Ian W. Archer observed that 'citizenship provided an identity which accelerated politicization'.<sup>52</sup> The status of 'freemen' and 'citizenship' could be inherited, purchased, or conferred through membership in one of the twelve corporations of the City of London. It is estimated that fifty per cent of all men in London were classified as 'freemen' at the time.<sup>53</sup> This status conferred on them enfranchisement in wardmote elections, the right to

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<sup>47</sup> Gentles, 'London Levellers', pp.280-1; Robertson, *The Religious Foundations*, p.28.

<sup>48</sup> Gentles, 'London Levellers', pp.282-3.

<sup>49</sup> Gentles, 'London Levellers', p.283.

<sup>50</sup> Baker, 'Londons Liberty', p.561.

<sup>51</sup> Thomas Edwards, *The first and second parts of Gangraena* (London, 1646), p.8; Ellen S. More, 'Congregationalism and the Social Order: John Goodwin's Gathered Church, 1640-60', *Journal of Ecclesiastical History*, vol.39, no.2 (1987), pp.211, 214-8.

<sup>52</sup> Paul Griffith and Mark S. R. Jenner, *Londonopolis: Essays in the Cultural and Social History of Early Modern London* (Manchester, Manchester UP, 2000), p.27.

<sup>53</sup> Baker, 'Londons Liberty', p.561.

stand for election to the common council, to practice a trade, and sue for offences or damages incurred within the limits of the City walls. In 'Londons Liberty in Chains Discovered: The Levellers, the Civic Past, and Popular Protest in Civil War London' (2013), Philip Baker examined the relationship between London's civic milieu and the political education of the future Leveller leaders. Baker argued that their shared status as 'freemen' and 'citizens' inculcated the future Levellers with an ethos of civic participation. John Lilburne was apprenticed as a clothier, Thomas Prince as a cheesemonger, Samuel Chidley as a haberdasher, and Maximilian Petty as a grocer in the 1630s. This shared experience of apprenticeship forged a common civic identity among the future Levellers. Lilburne, Larner, Prince, and Chidley identified themselves as 'freemen' and 'citizens' of London. Walwyn was a member of the Company of Merchant Adventurers, signing off as a 'merchant' in several tracts.<sup>54</sup> The cheesemonger Thomas Prince sat on juries and became a liveryman for the Clothworkers' Company in 1645 and a constable of the same in 1646. Walwyn became a wardmote inquestman in 1636 and served as a parish vestryman from 1637 to 1641. Lilburne became involved in the underground world of illegal printing during the mid-1630s before coming to prominence as a leader of the anti-episcopal campaigns in the 1640s.

Many future Levellers received their political education in the 1630s as apprentices aspiring to the status of 'free men' of the City. This education in civic participation and organisation shaped their use of the language of citizenship. In 'John Lilburne and the Citizenship of 'Free-Born Englishmen'' (2004), Rachel Foxley argued that Lilburne developed a rhetoric of 'free-born Englishmen', a 'shorthand for an emerging concept of citizenship' which became a core element in the Levellers' discourse. Their use of the idiom 'freeborn Englishmen' involved a radical redefinition of the terms 'freeman' or 'citizen' using

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<sup>54</sup> Baker, 'Londons Liberty', p.562.

the language of the common law.<sup>55</sup> Foxley has shown that the label ‘free-born’ and ‘free-men’ or ‘free men’ had two distinct meanings in seventeenth-century England. On the one hand, the term ‘free men’ or ‘citizen’ referred to an exclusive status conferred on guild members, while, on the other hand, it was an inclusive term for all denizens or inhabitants of London. Foxley has pointed out that as early as 1645 in *England’s Birth-right Justified*, Lilburne was using the existing vocabulary of the common law to transform the exclusive definition of citizenship referring to ‘free-men’ or a ‘free man’ of London into a more inclusive conception of ‘freeborn Englishmen’ encompassing all ‘free Denizens’ or inhabitants of England.<sup>56</sup> This expanded conception of citizenship as a status applied to all ‘free-born’ or ‘free men’ of England became a foundational idiom in the Levellers’ rhetorical armoury. It was contrasted with the status of villeins or slaves in common law and republican traditions of thought.<sup>57</sup> Lilburne used this emerging conception of citizenship in *Rash Oaths Unwarrantable* (1647) when he asserted that ‘every free man of England, as well poore as rich, whose life estate &c. is to be taken away by the law, may have a Vote in chusing those that are to make the law’.<sup>58</sup> In *An Impeachment of High Treason* (1649), Lilburne decried the Lord Mayor and Court of Alderman’s enforcement of laws advantaging liverymen of the Clothworkers’ Company over small traders and weavers. Lilburne contended that ‘the poor Weavers, though Free-Men of London, are not only in miserable poverty, but in the miserable slavery (in the City where they by name are Freemen)’.<sup>59</sup> Foxley has demonstrated that Lilburne’s use of the language of citizenship was flexible and nonfixed. It was this inclusive conception of what it meant to be a ‘freeborn Englishmen’ that became a shared idiom among the future Leveller

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<sup>55</sup> Rachel Foxley, ‘John Lilburne and the Citizenship of ‘Free-Born Englishmen’’, *The Historical Journal*, vol.47, no.4 (2004), p.851.

<sup>56</sup> John Lilburne, *England’s birth-right justified* (London, 1645), p.28.

<sup>57</sup> Foxley, ‘John Lilburne’, p.853.

<sup>58</sup> John Lilburne, *Rash Oaths Unwarrantable* (London, 1647), p.50.

<sup>59</sup> John Lilburne, *An Impeachment of High Treason* (London, 1649), p.38.



polemicists. This conception of citizenship drew together seventeenth-century traditions of natural, neo-Roman, divine, and common law. The Levellers used these languages to marshal an array of rhetorical arguments in defence of all ‘Native’ and ‘free Denizons of England’.

The non-fixity of language was reflected in the label bestowed on the Levellers by their opponents. The label Levellers (which they rejected) was coined in late 1647 to smear the authors of *An Agreement of the People* as promoters of levelling doctrines. Its origins as a term of abuse can be tentatively traced back 40 years prior as a label affixed to those who levelled ditches as part of an anti-enclosure movement. However, the conventional sense in which the label Levellers came to be understood in the 1640s is more easily grasped through a brief examination of the argumentative context two years before its entry into the common lexicon. In *A Fresh Discovery of Some Prodigious Wandring-Blasing-Stars* (1645), Prynne accused the author of *A Sacred Decretall* of intending that ‘we [Presbyterian ministers] shall be laid level with the mechanic illiterate Laicks’.<sup>60</sup> Nicholas McDowell has pointed out that Thomas Edwards likewise saw lay preaching as a threat to social cohesion.<sup>61</sup> In *Innocency and Truth Justified* (1646), Lilburne attempted to cast off the ‘false aspersions of W. Prinn’ accusing him and other pro-toleration polemicists of ‘designing and plotting to suppress and cut off this present Parliament by Force of Armes’ and countered that Prynne was a traitor.<sup>62</sup>

The first application of the label Levellers in reference to an identifiable group came from a letter by King Charles I. The letter, later published on 11 November as *His Majesties Most Gracious Declaration* (1647), justified his escape from Hampton Court because ‘the

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<sup>60</sup> William Prynne, *A Fresh Discovery of Some Prodigious-Blasing-Wandering-Stars* (London, 1645), p.12.

<sup>61</sup> McDowell, ‘Latin Drama’, p.230-1. McDowell referenced part 1 of *Gangraena* in which Edwards denounced ‘all sorts of illiterate mechanick Preachers’ for interpreting scripture and debating religion without a formal university education, whereas I am focused on identical comments made by Prynne against Lilburne and many of the same Independent or separatist authors listed in the three parts of *Gangraena*. For more on this, see Thomas Edwards, *The first and second part of Gangraena* (London, 1646), unnumbered page.

<sup>62</sup> Lilburne, *Innocency*, unnumbered page.

Levellers, or some of that faction, had an intent to speedily murder His Majesty... [and because] the Levellers doctrine, is rather countenanced than punished' among Independent MPs and the commanders of the New Model Army.<sup>63</sup> The King used the label Levellers to describe an anti-monarchical minority within the army. It was further alleged that the Grandee officers tacitly supported the Levellers' regicidal plot. In *The Grand Designe*, published eight days later, the pseudonymous author Sirrahniho (later identified as John Harris) refuted the 'pretended designe of Levelling' and the 'false aspersions lately, cast upon the Promoters and Authors of the 'Peoples Agreement'.<sup>64</sup> Sirrahniho pointed out that opponents of the 'foundations of freedom propounded' in *An Agreement of the People* were smearing its authors as promoters of the odious doctrines of 'Parity, Community, Levelling, Destroying Magistracy, and the like'.<sup>65</sup> Sirrahniho continued:

it is indeed no other but this: That whereas now several persons are by an usurped power exalted above the law, and protected from due process at Law, (*viz*) Lords as Peers, although legally indebted, may not be touched by an arrest, not be made subject to the censure of the Law... that these things might be for the future removed, and both persons and places put under the power of the Law, and this is the whole summe of that great design of *Levelling* you hear so much of.<sup>66</sup>

The anonymous author of *The Levellers (Falsly So Called) Vindicated* (1649) likewise bemoaned the label bestowed on them:

It is wel known, and yet fresh in the publike memory, with what monstrous and hateful defamations, as *Anti-Scripturists, Libertines, Atheists, Mutiniers, Levellers, &c.* we have most falsly and maliciously been deciphered out to the people and Army,

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<sup>63</sup> Anon., *His Majesties Most Gracious Declaration* (London, 1647), pp.3, 6.

<sup>64</sup> John Harris, *The grand designe* (London, 1647), unnumbered pages.

<sup>65</sup> Harris, *The grand designe*, unnumbered page.

<sup>66</sup> Harris, *The grand designe*, unnumbered page.

on purpose to bury us under the rage and *edium* of our fellow-souldiers; and utterly to blast, and prejudice the common acceptance, against our late, lawful, and consciencious *Undertaking*.<sup>67</sup>

The label Levellers, according to this author, was ‘falsly and maliciously’ bestowed on them by their opponents. Its illocutionary function as an act of communication was to smear them as ‘*Anti-Scripturists, Libertines, Atheists, Mutiniers, Levellers*’ and to ‘blast, and prejudice the common acceptance’ of their political programmes among their audience.<sup>68</sup> Its author continued that due to this label, ‘we [Levellers] are therefore at so great a seeming disadvantage among men... that in every thing we are fore-spoken’.<sup>69</sup>

In *The Fountain of Slaunder Discovered* (1649), Walwyn expressed dismay over the label bestowed on him and other movement leaders on identical grounds, claiming,

[whenever anyone] with never so much discretion and fidelity, make known a publique grievance, or an imminent danger, and propose never so effectual means for redresse and prevention, yet if one of these subtil Politicians, or their Agents, have opportunity to buz into the ears of those that are concerned, thou proposer art an Heretique, a Blasphemer, and Atheist, a denier of God and Scriptures; or, which is worse to most rich men, that he is a Leveller, and would have all things in common: then out upon him, away with such a fellow from off the earth; better perish then be preserved by so prophane a person.<sup>70</sup>

This label, according to Walwyn, was impeding the Leveller authors’ attempts to bridge the gap between the illocutionary act of intending to and the perlocutionary act of having a desired communicative effect on their audience. He complained that the label carried with it

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<sup>67</sup> Anon., *The Levellers (falsly so called) Vindicated* (London, 1649), p.1.

<sup>68</sup> Anon., *The Levellers (falsly so called)*, p.1.

<sup>69</sup> Anon., *The Levellers (falsly so called)*, p.1.

<sup>70</sup> William Walwyn, *The fountain of slaunder discovered* (London, 1649), p.3.

connotations of a doctrine of levelling all social hierarchy that would result in bringing ‘all things [property] in common’ rather than abolishing unjustified social privileges.<sup>71</sup> So concerned were the movement’s leaders with the false charge of wanting to bring about a community of goods or abolishing all social rank and status that the Levellers included this article in *The Petition of 11 September 1648*: ‘you [the people] would have bound your selves and all future Parliaments from abolishing propriety, levelling mens estates, or making all things common’.<sup>72</sup> A year later, William Kiffin and John Price, both enemies of the Levellers, published *Walwins Wiles* (1649). It contained an account of a discussion between Walwyn and some supporters, which purported to reveal his true intentions. They reported that Walwyn claimed that ‘[the world] would not be well until all things were common’.<sup>73</sup> When asked by an interlocutor if it was possible, Walwyn replied: ‘We must endeavor it’.<sup>74</sup> Kiffin and Price used this dialogue, whether real or imagined, to perpetuate the association of the Levellers with levelling doctrines.<sup>75</sup> The Leveller leaders tried to distance themselves from the label in *An Agreement of the Free People of England* (1649), wherein they vowed:

We therefore agree and declare, That it shall not be in the power of any Representative, in any wise, to render up, or give, or take away any part of this Agreement, nor level mens Estates, destroy Propriety, or make all things Common.<sup>76</sup>

This article reflected the baggage that the label Levellers had acquired by this time. The movement and its leaders had become unjustly associated with levelling doctrines such as the community of goods, the destruction of all magistracy, and the abolition of social hierarchy.

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<sup>71</sup> Walwyn, *The fountain*, p.3.

<sup>72</sup> Andrew Sharp, *The English Levellers* (Cambridge, Cambridge UP, 2007), p.137.

<sup>73</sup> William Kiffin, John Price, *Walwins wiles* (London, 1649), p.16; this polemic has variously been attributed to John Price and William Kiffin. Its signatories included Price, Kiffin, Richard Arnald, Edmund Rosier, Henry Foster, and Henry Burnet.

<sup>74</sup> Kiffin and Price, *Walwins wiles*, p.16.

<sup>75</sup> Kiffin and Price, *Walwins wiles*, p.16.

<sup>76</sup> Sharp, *The English Levellers*, p.177.

These levelling doctrines were closely bound up with contemporary fears that the breaking of the semantic compact was leading the nation down a slippery slope from heterodox ideas and proliferation of sects, unleashing a Babylonian confusion to mob rule.

It is important to examine the audience that the Leveller authors saw themselves as addressing in their texts. This is an ongoing point of historiographic contention among revisionists and post-revisionists. Revisionist historians such as John Morrill and Mark Kishlansky challenged the notion that English society was divided into two ideologically opposed camps in the 1640s. Morrill focused on the neutralism and provincialism of ‘the middle sort of people’.<sup>77</sup> Kishlansky argued that contact between the Leveller authors and soldiers was ‘sporadic and common causes few’ and went on to challenge the existence of the movement in London altogether.<sup>78</sup> However, revisionists who do acknowledge the existence of a Leveller movement point out that just because their leaders positioned themselves as speaking on behalf of the middling sort of people, soldiers, or any other constituencies does not mean that their propaganda made significant inroads among them. It is nonetheless important to examine who the Leveller authors saw themselves as appealing to through their propaganda. An indication of their intended audience is found in *The Upright Mans Vindication* (1653), wherein Lilburne described how he and the other Leveller leaders hazarded their lives throughout the 1640s for ‘the hobnails, clouted shooes, the private soldiers, the leather and woollen Aprons, and the laborious and industrious people of England’.<sup>79</sup> Despite their stated intention to gain supporters from this broad cross-section of society, Kishlansky contended that the ‘political force’ of Leveller propaganda only appealed to a ‘loose coalition of Londoners, mostly drawn from the radical congregations’.<sup>80</sup>

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<sup>77</sup> John Morrill, *The Nature of the English Revolution* (Abingdon, Taylor & Francis, 2014), pp.217-9.

<sup>78</sup> Kishlansky, ‘The Army and the Levellers’, pp.796-7.

<sup>79</sup> John Lilburne, *The upright mans vindication* (London, 1653), p.15.

<sup>80</sup> Kishlansky, ‘The Army and the Levellers’, p.802.

Post-revisionist historians have recently begun to push back against the revisionist assessment of the effectiveness of the Levellers' polemical and propagandistic appeals to their intended audience.<sup>81</sup> This historiographic debate over whom the Leveller authors were appealing to, as I have highlighted in my discussion of Skinner, may represent a methodological failure to distinguish between the illocutionary force of their performative utterances and the perlocutionary effect it had on an audience at a particular time and place. It is entirely consistent with the available evidence to suggest that the Levellers appealed to apprentices, artisans, small tradesmen, and soldiers. However, their effectiveness in doing so by mobilising support beyond a minority within the congregational churches, apprentice and small tradesmen networks in London (especially in Southwark), several counties, as well as the most radical segments of the army remains a matter of scholarly debate.

This scholarly disagreement between revisionist and post-revisionist historians hinges on several related questions.<sup>82</sup> In Chapter 1, I examine the structure of political debate and the institutional norms or rules developed to manage it. Revisionists such as Morrill and Kishlansky have tended to understand English society as deeply committed to the ideals of consensus and the preservation of mutual compact. Post-revisionist historians such as Peacey, Rees, Ann Hughes, Peter Lake, and others have challenged this understanding of public discourse in seventeenth-century England, arguing that it should be viewed through the lens of political polarisation and sectarian conflict.<sup>83</sup> I will build on the latter position through a

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<sup>81</sup> Rees, *Leveller Organisation*, pp.8-11, 21, 154-5.

<sup>82</sup> Charles Firth (ed.), *Clarke Papers: Selections from the Papers of William Clarke - Secretary to the Council of the Army, 1647-49, and to General Monck and the Commanders of the Army in Scotland, 1651-60* [henceforth *CP*], vol.2 (London, Royal Historical Society, 1992), p.175.

<sup>83</sup> Here is a sampling of historical studies dealing with the tension between consensus and adversary politics, Mark Kishlansky, 'The Emergence of Adversary Politics in the Long Parliament', *The Journal of Modern History*, vol.79, no.4 (1977); Mark Kishlansky, 'Consensus Politics and the Structure of Debate at Putney', *Journal of British Studies*, vol.20, no.2 (1981); Peter Lake suggested that anti-popery structured consensus on the eve of the first civil war in Ann Hughes and Richard Cust, *Conflict in Early Stuart England: Studies in*

formal analysis of the tension between the ideals of consensus or mutual agreement and the reality of adversarial politics. In order to illuminate the tension between consensus and adversarial modes of politics, it is important to examine the institutional norms (both formal and informal) and procedures, such as, but not limited to, unanimity, and majority, or plurality rules developed to legitimate decisions-making. I emphasize the gradual accretion of institutional rules and procedures in my structural analysis of political debate between 1646 and 1649 in Parliament and the New Model Army. A major contention in Chapter 1 is that this shift in the structure of debate from the ideals of consensus and unanimous resolution to an adversarial style of politics was also reflected in changing institutional norms and procedures. This transition first occurred in Parliament during the Summer of 1646 and then, despite its best efforts, in the General Council. The consensus achieved by the General Council between the Grandee officers, Levellers, and Agitators at the Putney Debates (1647) was thin and short-lived. The same was true for the consensus reached at the Whitehall Debates (1648/9) between the two former groups, MPs, and congregational ministers.<sup>84</sup>

The revisionist perspective that English political culture remained deeply committed to consensus and mutual agreement throughout the 1640s war has become unfashionable, however, some useful insights can still be drawn from this scholarship. In ‘The Emergence of Adversary Politics in the Long Parliament’ (1977), Kishlansky argued that a transformation was underway in the language and institutional procedures of parliamentary politics as of the

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*Religion and Politics 1603-1642* (London, Francis and Taylor, 2014), p.81; Andrew Sharp noted that the New Model Army designed its practices to model the reconstructing of political authority on consensus in ‘John Lilburne and the Long Parliament’s “Book of Declarations”: A Radical’s Exploitation of the Words of Authorities’, *History of Political Thought*, vol.9, no.1 (1988), p.43; Woolrych examined the tensions between ideals of consensus and political conflict at Saffron Walden in May 1647 in ‘Saffron Walden I: Enemies of the State?’ in Woolrych, *Soldiers and Statesmen, The General Council of the Army and its Debates 1647-1648* (Oxford, Oxford UP, 1987), p.25.

<sup>84</sup> Jason Peacey suggested that I frame this argument in terms of the ‘thinness of consensus’ in his feedback on an early draft of Chapter 1 delivered at the British History in the 17<sup>th</sup> Century Seminar series held by the Institute of Historical Research on 22 October 2020.

Summer of 1646. The two guiding principles of the ‘parliamentary way’ of doing business were, according to him, ‘the primacy of debate and the unanimity of resolution’.<sup>85</sup> The objective of this ideal of unanimous resolution achieved through free debate was the perfecting of the king’s business.<sup>86</sup> To avoid the entrenchment of polarisation and factionalism among members of Parliament, several norms and procedures were put in place. Committees were set up by nomination to find compromises or moderate legislation before its reintroduction for a vote. Members of Parliament formed loose parties as a way of identifying competing interests to avoid the entrenchment of opposition or divisions. Kishlansky has observed that ‘the meaning of “party” underwent an important transformation’ during the first civil war as parliamentarians became increasingly polarised along the lines of a win-the-war and peace party.<sup>87</sup> The semantic instability of the term party saw its meaning shift from referring to ‘groupings of politicians’ that were ‘loose and transitory’ to a cabal, faction, or junto.<sup>88</sup> The terms party, faction, cabal, and junto became synonymous with the pursuit of particular interests rather than the common good. In the Summer of 1646, parliamentarians came to recognise the irreconcilability of their differences. The transformation in language was mirrored in the voting and committee selection procedures at Westminster, which saw an increase in the frequency of formal divisions and the establishment of standing committees.<sup>89</sup>

The relationship of the Agitators, Levellers, and the army is another major topic of contention between revisionist and post-revisionist historians. This historiographic debate is

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<sup>85</sup> Kishlansky, ‘The Emergence of Adversary Politics’, p.619; Carolyn Polizzotto examined the lack of ‘consent’ and ‘concurrence’ between the King and a majority of members in the House of Lords in ‘Speaking Truth to Power: The Problem of Authority in the Whitehall Debates of 1648-9’, *The English Historical Review*, vol.131, no.548 (2016).

<sup>86</sup> Kishlansky, ‘The Emergence of Adversary Politics’, p.619.

<sup>87</sup> Kishlansky, ‘The Emergence of Adversary Politics’, p.619.

<sup>88</sup> Kishlansky, ‘The Emergence of Adversary Politics’, pp.624-5.

<sup>89</sup> Kishlansky, ‘The Emergence of Adversary Politics’, pp.629-33.



bound up with a wider set of disagreements over the structure of political debate and the nature of political alliances or enmities during the 1640s. In 'Consensus Politics and the Structure of Debate at Putney' (1981), Kishlansky observed that the General Council committed itself to the ideals and techniques of consensus politics in response to the factionalism and polarisation in Parliament. The two ideals of consensus politics were unanimous agreement and unity.<sup>90</sup> Kishlansky argued that the participants at the Putney Debates consciously engaged in open and free debate, collective prayer designed to seek God's guidance, the eschewing of pre-engagements or individual wilfulness, pausing or redirecting discussion, issued reminders to exercise moderation when speaking, the nomination of committees, and withdrawal from the proceedings to achieve mutual agreement on the army's political programme.<sup>91</sup> However, Kishlansky's account has been debunked to the extent that he ignored the failure of informal norms of moderation to bring about consensus at Reading while simultaneously giving the erroneous impression that the General Council emerged fully-fledged at Putney rather than treating it as a consequence of the painstaking accretion of formal and informal rules learnt by trial and error.<sup>92</sup>

In *Soldiers and Statesmen* (1987), Austin Woolrych traced the institutional development of the General Council and its complex interaction with various emergent strands of radicalism through a careful reading of the *Clarke Papers*. Woolrych characterised the announcement of this 'new institution', the General Council, at Kentford Heath in June 1647, as a 'statesmanlike expedient, whereby the agitators were institutionalised and brought back within the system of command of the army as a whole'.<sup>93</sup> According to Woolrych, the General Council provided several advantages to both the Grandee officers and Agitators. It

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<sup>90</sup> Kishlansky, 'Consensus Politics', p.52.

<sup>91</sup> Kishlansky, 'Consensus Politics', p.52.

<sup>92</sup> For more in-depth critiques of revisionism and Kishlansky's perspective on the General Council see, Woolrych, *Soldiers and Statesmen*, p.20; Rees, *Leveller Organisation*, pp.8-10.

<sup>93</sup> Woolrych, *Soldiers and Statesmen*, pp.117-8.

granted the Agitators formal recognition and involved them in larger decision-making, while the Grandee officers gained an end to unauthorised *rendezvous*. The General Council held meetings with varying numbers of participants who engaged in argumentation and disputation until a resolution was reached. However, ‘consensus was not to be won easily’ as the Grandee officers failed to rein in the officers and soldiers at Reading.<sup>94</sup> It signified its resolutions through a simple majority vote. If an issue proved controversial, a committee was nominated from among its participants – oftentimes, the committee was composed of an equal number of officers and Agitators – to find compromise or encourage moderation behind closed doors. Over multiple meetings, the General Council gradually developed more formal and informal rules designed to structure its proceedings. By the Spring of 1647, the Agitators were in ‘continuous dialogue’ with the future Levellers leaders.<sup>95</sup> The Leveller authors held weekly meetings in London between late September and October to plan its propaganda campaign to make inroads with the soldiers despite their antithetical aims.

I build on this post-revisionist approach by arguing that an analysis of the gradual accretions of formal and informal rules adopted by the General Council enables a better appreciation of the argumentative context in which the Leveller authors drafted and then subsequently revised their political programme. It also exposes the ‘thinness of consensus’ achieved at Putney between the Grandee officers, Agitators, and Levellers, which was undermined a few days later by the events of the Ware mutiny (1647). I contend that this not only marked limitations in the process of consensus-building but reflected a more profound semantic disagreement over what the Grandee officers had and had not promised the Agitators in terms of the timing, place, and methods of institutional representation they would enjoy in major decision-making. The Leveller authors acted as an outside pressure group

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<sup>94</sup> Woolrych, *Soldiers and Statesmen*, p.155.

<sup>95</sup> Woolrych, *Soldiers and Statesmen*, p.164.

through their propaganda campaigns designed to reach out to the soldiers, with Edward Sexby acting as a liaison.<sup>96</sup> Only a year later, during the Whitehall Debates (1648/9), the Levellers gained formal recognition until Lilburne's unceremonious withdrawal from it. Once their recognition had been rescinded, the Leveller leaders were treated as enemies of the state. This was reflected by the Levellers waging a renewed propaganda campaign against the Grandee officers while imprisoned in the Tower on charges of high treason.

In Chapter 2, I examine the Leveller authors' development of a satirical mode of writing in their polemics. To understand what they intended to do by satirising, mocking, ridiculing, and jesting, it is important to consider the wider context of sixteenth and seventeenth-century discourse on laughter. In 'Why Laughter Mattered in the Renaissance' (2001), Quentin Skinner observed that sixteenth-century thinkers considered laughter closely bound up with the passions. It followed, according to Skinner, that 'the most important question to ask about laughter' among Renaissance thinkers was 'what emotions give rise to it'.<sup>97</sup> Skinner expanded on this analysis in 'Hobbes and the Classical Theory of Laughter' (2014), pointing out that Thomas Hobbes identified vain glory as the passion that gives rise to laughter. Vain glory achieved this by amplifying one's perception of superiority over others or through the identification of a defect in someone else. In *Uncivil Mirth: Ridicule in Enlightenment Britain* (2021), Ross Carroll has built on Skinner's insights into the relationship between passions and mirth. Carroll argued that the Hobbesian critique of laughter was not only that 'the strong would laugh at the weak but the vainglorious mockers would provoke angry retaliation from those whose dignity they managed to offend'.<sup>98</sup>

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<sup>96</sup> Woolrych, *Soldiers and Statesmen*, p.206.

<sup>97</sup> Quentin Skinner, 'Why Laughter Mattered in the Renaissance', *History of Political Thought*, vol.22, no.3 (2001), p.420; Tom Sorell and Luc Foisneau, *Leviathan After 350 Years* (Oxford, Oxford UP, 2014), p.143.

<sup>98</sup> Ross Carroll, *Uncivil Mirth: Ridicule in Enlightenment Britain* (Princeton, Princeton UP, 2021), p.9.

However, a major contention in this chapter is that laughter and, by extension, the passions that give rise to it could be used to delineate and then police the boundaries of the moral community. It does so by creating an in-group of ‘vainglorious mockers’ defined against those who find themselves as the proverbial butt of the joke.

In the sixteenth and seventeenth centuries, religious thinkers also had a lot to say about laughter and the passions that give rise to it. They tended to frame their discourse on laughter in terms of a tension between the houses of mourning and mirth. This framing device for thinking about laughter was highly influential among Christian humanists such as Erasmus as well as Protestant reformers such as Martin Luther and Jean Calvin. This framework came from several passages in the *Book of Ecclesiastes*: ‘It is better to go to the house of mourning than to go to the house of feasting’.<sup>99</sup> Luther applied a principle of moderation when interpreting this passage. It is preferable to live in the house of mourning, according to Luther, so long as it does not give rise to such heavy emotions of sorrow that it results in abject sadness or despondency. Attending the house of feasting in moderation is permissible if it does not give rise to such feelings of lightness that it leads to licentiousness. Calvin adopted this same paradigm in his discourse on laughter while eschewing the Lutheran principle of moderation. To Calvin, the passage should be read as a divine injunction to always live in the house of mourning as opposed to the house of mirth, embrace feelings of heaviness over lightness, and seek inward over outward consolation. This Calvinist interpretation of the passage as a divine injunction against the sinfulness and inherent impropriety of laughter became the mainstream view among English puritans during the late sixteenth and seventeenth centuries. In *Histriomastix* (1633), William Prynne outlined a taxonomy of the different types of laughter. This taxonomy of laughter contained a list of objectionable kinds of laughter and the passions or activities associated with them. There was

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<sup>99</sup> KJV, *Eccles.* 7:2; Geneva Bible of 1599, *Eccles.* 7:4.

one exception to the injunction against laughter. It was permissible, according to Prynne, to engage in angry laughter when it was expressed by God and His elect glorying at the misfortune of sinners. As mentioned before, many of the future Levellers began their careers as anti-episcopal polemicists. Some of their earliest polemics were written in a satirical mode intended to stir their readers to angry laughter directed at the English bishops.

Two anonymous pamphlets, now attributed to Richard Overton, attempted to stir readers to angry laughter through a combination of anti-episcopal and anti-Catholic rhetoric.<sup>100</sup> In “‘A Little Discourse Pro & Con’: Levelling Laughter and Its Puritan Criticism’ (2007), Sammy Basu outlined two ways in which jesting, ridicule, and mirth could function as a mode of political communication,

...humour might be deployed to express criticism of dominant institutions, expectations, and tropes thereby differentiating the humourist and his sympathizers and even allowing them to symbolically exit... [or] humour might be designed to evoke and reinforce the status quo dimensions of the available discursive space by producing the laughter of loyalists.’<sup>101</sup>

In *Articles of High Treason* (1642) and *New Lambeth Fayre* (1642), Overton both jested at and offered serious political commentary on current events. In this way, Overton used a satirical mode of polemic to criticise the episcopal government by smearing the English bishops as being in league with the Jesuits. This rhetorical technique functioned by demarcating the boundaries of the moral community as well as provoking an in-group of loyalists to channel their angry laughter toward the superstition and idolatry of the out-group.

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<sup>100</sup> Anon., *Articles of High Treason* (London, 1642) and Anon., *New Lambeth Fayre* (London, 1642), have been attributed to Richard Overton in both Don M. Wolfe, ‘Unsigned Pamphlets of Richard Overton: 1641-1649’, *Huntington Library Quarterly*, vol.21, no.2 (1958), p.169, and, more recently, by Adams in *The Religion of Richard Overton*, pp.88-9.

<sup>101</sup> Basu, “‘A Little Discourse Pro & Con’”, p.98.

In the next few years, Overton emerged as a formidable propagandist. In ‘Unsigned Pamphlets of Richard Overton: 1641-1649’, Don M. Wolfe examined the ‘patterns of style, thought, and satirical devices’ in the Thomason Tracts in the British Library.<sup>102</sup> Wolfe pointed out that except for Henry Walker, no other contemporary satirist used as much graphic imagery of ‘sex or excrement, or details of disembowelling’ as Overton.<sup>103</sup> His Martin Marpriest series leveraged the themes and style of the late-Elizabethan Marprelate tradition of anti-episcopal satire. In a series of pamphlets published between 1645 and 1646, Overton revived the Martin persona to ridicule, jest at, and mock the Presbyterian faction at Westminster and the Scottish Commissioners sitting both in the Westminster Assembly of Divines and on the Committee of Both Kingdoms. The Marpriest series functioned to police the boundaries of the moral community. Overton deployed labels, names, and stereotypical representations of opponents to designate them as an out-group while simultaneously attempting to provoke angry laughter among an in-group of readers. Overton bestowed names such as ‘Sir John Presbyter’, ‘Sir Symon Synod’, and ‘Mr. Persecution’ on his opponents while encouraging readers to identify with the mock-heroic persona Martin Marpriest.<sup>104</sup> A discursive analysis of the narrative strategies, arguments, and tropes contained in his Marpriest series reveals Overton’s effectiveness at couching serious political messages in polemics full of jests, mockery, and mirth.

The heresiologist Thomas Edwards took offence at Overton’s profanity. As Basu had observed, Edwards mentioned Overton throughout the three parts of *Gangraena*, accusing him and other Independent and separatist polemicists of spreading ‘damnable heresies’,

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<sup>102</sup> Wolfe, ‘Unsigned Pamphlets’, p.169.

<sup>103</sup> Wolfe, ‘Unsigned Pamphlets’, p.169.

<sup>104</sup> Richard Overton, *A sacred decretall* (London, 1646); *Martin’s eccho* (London, 1645); *The arraignment of Mr. Persecution*; *The nativity of Sir John Presbyter* (London, 1645); *The ordinance of tithes dismounted* (London, 1645).

‘strange opinions’, ‘fearful divisions’, and ‘loosnesse of life and manners’.<sup>105</sup> In *Gangraena and the Struggle for the English Revolution* (2004), Hughes has documented Edwards’ growing awareness of Overton as a polemicist. In parts one and two of *Gangraena* (1646), Edwards misattributed Overton’s *Mans Mortality* (1643) to Clement Walker. He also singled out the unknown author of *The Araignment of Mr. Persecution* (1645) and *Martin’s Eccho* (1645) for criticism.<sup>106</sup> However, by part three of *Gangraena* (1646), as Hughes pointed out, Overton had become ‘notorious’ and enjoyed the pride of place of being named in the title of Edwards’ catalogue of heresies.<sup>107</sup> The leitmotif of Edwards’ three parts of *Gangraena* was that sectarianism was gangrene spreading throughout the nation in need of a strong cure. Its main argument was that the proliferation of sects had led to a Babylonian confusion of uncivil mirth and abusive speech. Edwards expressed outrage that during his weekly lecture at Christ Church, he was ‘all the time from the beginning of the lecture’ until its end interrupted by ‘railing and wicked reports, by hubbubs and stirs, by laughing and fleeing in the face of the congregation’ by opponents, and, he went on to stress, ‘in the midst of the sermon’.<sup>108</sup> Hughes described how sermons were becoming ‘knockabout affairs’ prone to ‘heckling and disorder’ that mirrored the polemical style of disputation used by Katherine Chidley, Walwyn, and Overton in their propaganda campaign against Edwards in the press.<sup>109</sup>

Overton proposed a Leveller theory of laughter in *The Baiting of the Great Bull of Bashan* (1649). The core tenet of this theory of laughter was: ‘Mirth sure is of *Divine* instinct’.<sup>110</sup> This marked an inversion of the Calvinist injunction against the house of mirth by encouraging readers to channel their angry laughter toward Cromwell and the Council of

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<sup>105</sup> Basu, “‘A Little Discourse Pro & Con’”, pp.106-10.

<sup>106</sup> Hughes, *Gangraena*, p.65.

<sup>107</sup> Hughes, *Gangraena*, p.65.

<sup>108</sup> Hughes, *Gangraena*, p.136.

<sup>109</sup> Hughes, *Gangraena*, p.136.

<sup>110</sup> Overton, *The baiting*, p.4.

State. Overton had become the target of sustained criticism from supporters following his figuring of Cromwell as a pox-infected bull of Bashan in *Overton's Defiance* (1649).<sup>111</sup> In a mocking tone, Overton urged readers to look past his use of uncivil language for the core message of his tract, namely that Cromwell and the Council of State had beset the saints on all sides and were trampling their freedoms underfoot. Overton vowed to readers to 'take a little wine with your water, and ile take a little water with my wine, and it will temper us to the best constitution'.<sup>112</sup> This irony-steeped proposal to temper his language underscores the seriousness with which Overton jested. This rhetorical strategy was designed to rally supporters of the Leveller movement behind the fundamentals for a settlement based on the *Petition of 11 September 1648* and *An Agreement of the Free People of England*. However, as I have pointed out, using deliberately oblique language such as Overton's was to run the major risk of a breakdown in effective communication. This proposal that readers adopt the Leveller theory of laughter marked Overton's attempt to redraw the lines of the moral community by calling on an in-group of now angry supporters to redirect their offence at his uncivil language as angry laughter toward the new regime.

The importance of examining the linguistic conventions in particular discursive contexts is showcased in my examination of the Leveller women's petitions.<sup>113</sup> My main argument in Chapter 3 is that the Leveller women developed a politics of emergency to justify their interventions in matters of state. In their second petition addressed to the Commons in 1649, the Leveller women asserted their spiritual equality with men and claimed a right as Englishwomen to a proportional share in the freedoms of the commonwealth. This radical claim to a share in the liberties of freeborn Englishmen is often misunderstood in the

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<sup>111</sup> Richard Overton, *Overton's defiance* (London, 1649).

<sup>112</sup> Overton, *The baiting*, p.4.

<sup>113</sup> Anon., *To the Supreme Authority of England the Commons assembled in Parliament* (London, 1649), p.1.



scholarly literature. In ‘Women Petitioners and the Long Parliament’ (1909), Ellen McArthur explored various petition campaigns carried out by women during the English Revolution. McArthur characterised the ideas and protests by the Leveller women and their supporters from April to May 1649 as foreshadowing the suffragette movement of the nineteenth century.<sup>114</sup> Similarly, Penny A. Weiss and Megan Brueske have included the May petition in their anthology of feminist manifestos. Elizabeth Anderson has likewise described the Levellers as ‘the first egalitarian social movement’ in *Private Government* (2017).<sup>115</sup> Anderson drew attention to the Leveller women’s contention that they were spiritually equal with freeborn Englishmen in support of the claim that the movement’s leaders were committed to political egalitarianism between the sexes. While the Leveller women can – and should be – included within feminist traditions of political thought, there is a risk of misinterpreting what they intended to do in their petitions.

In her reply to Anderson’s first Tanner Lecture, Hughes pushed back against the view that the Leveller women can be straightforwardly understood as feminists *avant la lettre*. Hughes pointed out that Leveller women such as Elizabeth Lilburne, Mary Overton, Ellen Larner, and Katherine Chidley were formidable petitioners. They asserted their equality in the eyes of God and expressed a sense of entitlement to petition for redress along with the reciprocal right to receive a timely reply to the same. However, historians have tended to misconstrue their claims to a ‘proportionable share’ or ‘an equal share and interest with men in the commonwealth’ as implying the political equality between freeborn Englishmen and women.<sup>116</sup> Hughes observed that the Leveller authors, both men and women, regularly ‘fell

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<sup>114</sup> Ellen McArthur, ‘Women Petitioners and the Long Parliament’, *The English Historical Review*, vol. 24, no. 96 (1909), p.709.

<sup>115</sup> Penny A. Weiss, Megan Brueske, *Feminist Manifestos: A Global Documentary Reader* (New York, NYU Press: 2017), pp.33-5; Elizabeth Anderson, *Private Government: How Employers Rule Our Lives (and Why We Don't Talk about It)* (Princeton, Princeton UP, 2017), p.7.

<sup>116</sup> Anderson, *Private Government*, p.75.

back on a conception of society as made up of male-headed households' in their printed texts.<sup>117</sup> While there is a growing recognition among historians that women were active in the Leveller movement as illegal printers, organisers, petitioners, and polemicists, most of the evidence we have about them comes from their husbands, sporadic records in the State Papers, and hostile reporting found in contemporary newsbooks. In *Gender and the English Revolution* (2011), Hughes outlined how the Leveller men's self-identification as 'respectable householders' implied the subordination of their wives, children, and servants.<sup>118</sup> This is reflected in Walwyn's characterisation of Anne as his 'sickly wife' while denouncing rumours being circulated against him.<sup>119</sup> Lilburne described his wife Elizabeth as the 'weaker vessel' and, in later years, as 'my poor credulous wife'.<sup>120</sup> Overton and Larner made identical comments about their wives.<sup>121</sup> It is also important to note that women were excluded from the franchise in all editions of the *Agreement of the People*, while contemporary newsbooks reported that the marching order of mourners in Robert Lockyer's funeral procession was 'citizens and women' followed by 'youths and maids'.<sup>122</sup> I build on Hughes' claim that the Leveller authors locate themselves in both the private and public sphere according to the conventions of patriarchal order by considering ulterior motives for their doing so.

Our historical understanding of this complex relationship between notions of equality and hierarchy during the mid-seventeenth century has been enriched by Teresa Bejan's unearthing of two conceptions of equality in Leveller discourse. In 'What Was The Point of Equality?' (2022), Bejan demonstrated that the Leveller authors developed a conception of equality as indifference and parity. On the one hand, the conception of equality as

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<sup>117</sup> Anderson, *Private Government*, p.75.

<sup>118</sup> Ann Hughes, *Gender and the English Revolution* (Abingdon, Routledge, 2012), p.171.

<sup>119</sup> Walwyn, *The foundations*, p.11.

<sup>120</sup> Lilburne, *The upright mans vindication*, pp.5, 26.

<sup>121</sup> Richard Overton, *A defiance* (London, 1646), pp.2-11; William Larner, *A vindication of every free-man libertie* (London, 1646), p.4.

<sup>122</sup> Sharp, *The English Levellers*, pp.92-101, 168-78; Anderson, *Private Government*, p.75.

indifference is consistent with the Leveller women's claim to spiritual equality, while, on the other hand, a conception of equality as parity clarifies the Levellers' self-identification according to the conventional hierarchical relations between citizens and women, husbands and wives, and youths and maids. It is furthermore reflected in the Leveller women petitioners' often misunderstood assertion that they had a 'proportionable' or 'equal share with men in the commonwealth' because a conception of equality as parity admits a hierarchical ordering within the public and private spheres.<sup>123</sup>

In *The Power of Petitioning in Seventeenth-Century England*, Brodie Waddell, Jason Peacey, and Sharon Howard have documented the extraordinary participation of English women in public life as petitioners during this period.<sup>124</sup> I have combined their insights with Hughes' discussion of the Leveller women's petitions between 1646 and 1653 in 'Gender and politics in Leveller literature' (1985) in my discursive analysis of the conventions and gendered language of humble address contained in the Leveller petitions.<sup>125</sup> My main argument is that the Leveller women's rhetoric saw them assert their spiritual equality with men and claim a proportional share of the freedoms of the commonwealth. These radical claims were intimately bound up with their sense of entitlement to petition the Commons for redress and to receive a timely reply. I will furthermore show that the Leveller women consciously subverted the conventions and gendered language of humble address. A major contention in Chapter 3 is that the Leveller women's development of a politics of emergency illuminates the porous lines between ideas and actions.

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<sup>123</sup> Teresa Bejan, 'What Was The Point of Equality?', *American Journal of Political Science*, vol. 66, no.3 (Oxford, Oxford UP, 2022), pp.605, 608-9.

<sup>124</sup> Brodie Waddell, Jason Peacey, and Sharon Howard, *The Power of Petitioning in Seventeenth-Century England* (Online, AHRC funded project: AH/S001654, 2019-2020): <https://petitioning.history.ac.uk> [accessed 24/07/2023].

<sup>125</sup> Susan D. Amussen and Mark Kishlansky, *Political Culture and Cultural Politics in Early Modern England: Essays Presented to David Underdown* (Manchester, Manchester UP, 1995), p.165.

In Chapter 4, I trace the development of three modes of martyrdom developed in the Levellers' discourse.<sup>126</sup> It has become commonplace for historians to point out that the Leveller authors represented themselves as martyrs in their narrative accounts or as part of wider rhetorical arguments. However, less attention has been paid to the ways in which they adapted the existing patterns of martyrological discourse for their purposes.

In *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (1999), Brad S. Gregory outlined the changing semantic conventions and context of martyrdom from the late Middle Ages to the early modern period. Gregory pointed out that the most important criteria for being venerated as a martyr was the act of dying for a religious cause.<sup>127</sup> A contention in Gregory's work was that 'religious martyrs are not sui generis' to the extent that the motifs and patterns of martyrdom were subject to change over time.<sup>128</sup> In the mid-sixteenth century, the Foxeian tradition of martyrdom placed greater emphasis on the experience of pain and suffering during an ordeal as a marker and maker of a martyr.<sup>129</sup> I build on this insight to argue that Lilburne amplified the Foxeian tradition's emphasis on the experience of pain and bodily suffering in his conception of a living martyr. Lilburne's notion of a living martyr marked an amplification of the conventions of martyrdom found in John Foxe's *Acts and Monuments*. In *A Worke of the Beast* (1638), Lilburne described William Prynne, John Bastwick, and Henry Burton as 'those three renowned living martars of the Lord'.<sup>130</sup> This marked an amplification of the Foxeian tradition of martyrdom, not least because the three had survived their ordeals and yet were still elevated to the status of martyrs. Lilburne introduced the concept of a living martyr in part because he, too, had become a victim of

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<sup>126</sup> Anon., *The Moderate Impartially Communicating*, no.18 (London, 1648), p.5.

<sup>127</sup> Brad S. Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (Boston, Harvard University Press, 1999), pp.3-6.

<sup>128</sup> Gregory, *Salvation at Stake*, p.8.

<sup>129</sup> Gregory, *Salvation at Stake*, pp.67-73.

<sup>130</sup> John Lilburne, *A worke of the Beast* (Amsterdam, 1638), p.14.

religious persecution when the Star Chamber imprisoned him in the Fleet, as well as having him publicly carted, whipped, and pilloried for his crimes. In his narrative accounts of this ordeal, Lilburne drew on an array of martyrological patterns, tropes, and performative gestures which encouraged audiences to venerate him as a living martyr.

A second mode of martyrdom introduced by Lilburne was the concept of a legal martyr. This reflected yet another adaptation of the conventional narrative strategies, tropes, and gestures of martyrdom. As Skinner pointed out in *Liberty Before Liberalism* (1998), early modern thinkers within the neo-Roman tradition saw imprisonment as equivalent to experiencing social and legal death.<sup>131</sup> This explains how the figurative act of dying for the faith was reintroduced as a maker and marker of martyrdom in Lilburne's rhetoric of legal martyrdom. In *The Common Freedom of the People* (2021), Michael Braddick has pointed out that Lilburne and the other future Levellers were 'legal formalists' who regularly drew on various statutes, Magna Carta, the Petition of Right, as well as Edward Coke's *Institutes* (1628) in their legal defences.<sup>132</sup> Following their false imprisonment by the Lords in 1646, the future Levellers complained in various petitions addressed to the Commons about the mistreatment they were enduring in prison, such as insufficient food, extortion, the violation of their rights to procedural and substantive due process, as well as physical violence. They also objected to the Lords exercising legal jurisdiction over them as commoners. I will demonstrate that the Levellers' formalist approach to the law co-existed with their deployment of the languages associated with traditions of Roman, divine, and natural law when they fashioned themselves as legal martyrs. This was part of a wider rhetorical strategy

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<sup>131</sup> Quentin Skinner, *Liberty Before Liberalism* (Cambridge, Cambridge UP, 2012), p.68-71.

<sup>132</sup> Braddick. *The Common Freedom of the People*, p.x; also see Braddick, *Against Anti-Formalism: John Lilburne, the Levellers and Legal Agency* (Institute of Historical Research, 2021):  
[https://www.youtube.com/watch?v=r7xk6gJe1fQ&ab\\_channel=TopicsinEarlyModernStudies](https://www.youtube.com/watch?v=r7xk6gJe1fQ&ab_channel=TopicsinEarlyModernStudies) [accessed on YouTube 22 August 2022].

of presenting their individual cases of false imprisonment and the mistreatment they endured as standing in for the dangers faced by all commoners.

The Leveller authors and contemporary newsbooks also constructed a roll call of martyred Leveller soldiers. This became a third mode of martyrdom rhetoric, which came to prominence following the events at Ware (1647). Private Richard Arnold became the first soldier elevated to the status of a Leveller martyr following his execution as a ringleader of an unauthorised Agitator rendezvous in Corkbush Field near Ware. This marked a reinforcement and adaptation of the conventions found in patristic and Foxeian traditions of martyrdom. It reintroduced dying as the core element of becoming a martyr, while soldiers who died on the battlefield were typically seen as ineligible for that status. However, the Levellers justified the elevation of Private Arnold as a martyred Leveller soldier because he was illegally sentenced to death by a court martial held in times of peace. This reflected that the Levellers' rhetoric of legal martyrdom – drawing on formal legal arguments and neo-Roman language of liberty – was bound up with their emerging rhetoric of martyred Leveller soldiers. A year later, Colonel Thomas Rainsborough was murdered during a Royalist raid on Doncaster, and in May 1649, private soldier Robert Lockyer was executed in St. Paul's churchyard as the instigator of the Bishopsgate mutiny. The movement's supporters participated in grand funeral processions for both Rainsborough and Lockyer whom they venerated as martyred Leveller soldiers. Likewise, the names of the Burford mutineers executed in 1649 were added to the growing roll call of martyred Leveller soldiers.

In Chapter 5, I examine the inconsistent and contradictory uses to which the body politic metaphor was put in Leveller discourse. The body politic metaphor hinges on an analogy between natural bodies and the body politic.<sup>133</sup> In *The King's Two Bodies: A Study in Medieval Political Theology* (1957), Ernest Kantorowicz traced the development of

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<sup>133</sup> Overton, *The arraignment*, p.4.

conceptions of the body politic among sixteenth-century writers. Kantorowicz distinguished the natural body of the King from a body politic that ‘cannot be seen or handled, consisting of Policy and Government, and constituted for the Direction of the people, and the Management of the common weal’.<sup>134</sup> Recent scholarship has uncovered a competing model when representing this analogue between natural and political bodies. In ‘On the Knees of the Body Politic’ (2020), Lorna Hutson pointed out that many early modern thinkers envisioned a three-body model consisting of the King’s natural body and the artificial bodies of the state and body politic, respectively.<sup>135</sup> A major claim throughout this chapter is that the Leveller authors deployed a two or three-body model in inconsistent and contradictory ways. It served as a rhetorical tactic designed to delineate and then police the boundaries of the moral community. In addition, it could serve as a way of simplifying their complex criticisms of existing social and political relations, as well as their vision for a radical rearrangement of these relations and proposals for the establishment of a commonwealth.

The future Leveller polemicists used the body politic metaphor to articulate criticism of the use and abuse of speech. It had become a commonplace view that the collapse of censorship and the proliferation of heretical ideas had undermined the semantic compact. In ‘Locke on Language and (Civil) Society’ (2005), Hannah Dawson pointed out that Locke saw semantic instability as a threat to the flourishing of civil society.<sup>136</sup> The Levellers and their contemporaries made identical arguments several decades earlier that semantic instability was a major obstacle in the way of obtaining a lasting peace. Of course, each side accused the other of sowing division through uncivil language and abusive speech. In ‘Sins of the Tongue

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<sup>134</sup> Ernst Kantorowicz, *The King’s Two Bodies: A Study in Medieval Political Theology*, (Princeton, Princeton UP, 1997), p.7.

<sup>135</sup> Lorna Hutson, ‘On the Knees of the Body Politic’, *Representations*, vol.152, no.1 (2020), p.25.

<sup>136</sup> Dawson, ‘Locke on Language and (Civil) Society’, *History of Political Thought*, vol.26, no.3 (2005), p.399.

in Early Modern England' (1998), Carla Mazziio has drawn attention to the use of representations of the tongue as a metaphor for 'the use and abuse of speech'.<sup>137</sup> Similarly, in 'The Analogy of the Body Politic in Shakespeare's Coriolanus' (2006), Delphine Lemonnier-Textier has demonstrated that literary depictions of the tongue could be used as an allegory for the 'metamorphosis of the harmonious body politic' into a 'monstrous headless body of the multitude'.<sup>138</sup> This monstrous vision of a headless body politic governed by a multitude of tongues was deployed by opponents of the Levellers' programme to smear them by association with the unleashing of Babylonian confusion and mob rule.

The Levellers and their opponents also made extensive use of the language of disease. In *Gangraena and the Struggle for the English Revolution* (2004), Ann Hughes examined the narrative strategies, arguments, and tropes deployed in Thomas Edwards' infamous catalogue of contemporary heretical ideas. The leitmotif of *Gangraena* was that the proliferation of sects and unrestrained lay preaching was spreading 'heretical ideas', 'strange opinions', 'fearful divisions', and 'looseness of life and manners' like gangrene throughout the nation.<sup>139</sup> I build on Hughes' insights through an analysis of how the future Leveller authors turned the language of disease back onto Edwards and his allies. In *A Helpe to the Right Understanding* (1645), Walwyn used the language of disease when chastising Prynne for the religious bigotry and fearmongering contained in his *Truth Triumphed Over Falsehood* (1645). While far gentler and mild in comparison to Overton's style of writing, Walwyn deployed excremental imagery of Prynne uncontrollably spewing religious hatred from his diseased

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<sup>137</sup> Carla Mazziio, 'Sins of the Tongue in Early Modern England', *Modern Language Studies*, vol. 28, no. ¾. (1998), p.98.

<sup>138</sup> Delphine Lemonnier-Textier, 'The Analogy of the Body Politic in Shakespeare's Coriolanus: From the Organic Metaphor of Society to the Monstrous Body of the Multitude', *Moreana*, vol.44, no.168 (2006), p.121.

<sup>139</sup> Basu, "'A Little Discourse Pro & Con'", pp.106-10; also see Thomas Edwards, *The third part of Gangraena* (London, 1646), pp.105, 148-60, 170-1, 220, 262, 292.



bowels in a striking passage.<sup>140</sup> Likewise, in *A Parable* (1646), Walwyn responded to the first and second parts of Edwards' *Gangraena*. Walwyn painted a portrait for readers of a chorus of doctors representing Christian and civic virtues diagnosing a bedridden Edwards with a brain fistula causing him to vent hatred in the press every few months. In *A Prediction of Mr. Edwards His Conversion and Recantation, An Antidote Against Master Edwards His Old and New Poison*, and *A Whisper in the Ear of Mr. Thomas Edwards Minister*, Walwyn redirected the language of disease by making anatomy of Edwards and his anti-tolerationist tracts.<sup>141</sup>

The future Levellers such as Lilburne and Overton began making inconsistent and contradictory use of the body politic metaphor in their discourse. In *The Araignment of Mr. Persecution* (1645), Overton argued that a lasting peace would only be achieved once the 'severall members' of the body politic were 'wisely compacted in the nationall skin'.<sup>142</sup> While simplistic in its deployment, Overton found in this metaphor a powerful rhetorical device for articulating his more sophisticated political commitments. His vision of the body politic was based on the principle of popular sovereignty, wherein its inferior limbs were hierarchically arranged and compacted within a national skin.<sup>143</sup> The more immediate political commentary implicit in his use of the body politic metaphor was that the current peace negotiations between the Presbyterian party, Scottish Commissioners, and the King would bring into being a disordered and monstrous commonwealth.

In Chapter 6, I provide a formal analysis of the inconsistent and contradictory ways in which the Leveller authors used animalistic, brutal, and monstrous language in their

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<sup>140</sup> William Walwyn, *A helpe to the right understanding* (London, 1645), p.8; also see William Prynne, *Truth Triumphed over Falsehood* (London, 1645).

<sup>141</sup> William Walwyn, *A prediction of Mr. Edwards* (London, 1646); *An antidote against Master Edwards* (London, 1646); *A whisper in the ear of Mr. Thomas Edwards minister* (London, 1646).

<sup>142</sup> Overton, *The araignement*, p.4.

<sup>143</sup> Overton, *The araignement*, p.27.

discourse.<sup>144</sup> In *Perceiving Animals* (2000), *Renaissance Beasts* (2004), and *Brutal Reasoning* (2006), Erica Fudge examined the ways in which Renaissance thinkers thought of and represented animals.<sup>145</sup> Fudge has pointed out that Overton made a unique contribution to this discourse through his heterodox ideas that the soul is mortal. According to Fudge, this view blurred the ontological distinction between humans and nonhumans. On the one hand, this marked a departure from the Aristotelian notion that some men ought to rule over natural slaves and animals. On the other hand, it seemed to reinscribe his view that ‘man is by nature the political animal’ with an inclination to organise into hierarchical groups to manage collective affairs.<sup>146</sup> This equivocation between man as distinct from animals and as the superior animal imbued with the capacities for reason and language illuminates the non-fixity of language. Fudge has shown that Renaissance thinkers likewise projected animal qualities onto humans and *vice versa* despite their insistence on their distinctiveness.<sup>147</sup>

Fudge noted that classical and early modern thinkers tended to blur the lines between humans and animals. Likewise, the Leveller authors’ inconsistent and contradictory use of animalistic, brutal, and monstrous language raised this same ambiguity. From the beginning of their careers, the future Levellers’ language of monstrosity was inspired by the seven-headed Beast prophesied in *Revelations*. Lilburne’s polemics combined a millenarian worldview with anti-episcopal sentiment that the English bishops were false prophets and engaged in a Popish Plot to bring forth the Beast. This had become a mainstream view among Puritans in the early decades of the seventeenth century. Lilburne’s belief that the Last Judgment was nigh also drew on contemporary writings by Prynne, Bastwick, and Burton.

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<sup>144</sup> Overton, *Overton’s defyance*, p.6.

<sup>145</sup> Erica Fudge, *Perceiving Animals: Humans and Beasts in Early Modern English Culture* (Abingdon, Palgrave, 2016); *Renaissance Beasts: Of Animals, Humans, and Other Wonderful Beasts* (Chicago, University of Illinois Press, 2004); *Brutal Reasoning: Animals, Rationality, and Humanity in Early Modern England* (Ithaca, Cornell University Press, 2006).

<sup>146</sup> Aristotle, *Politics*, ed. Benjamin Jowett (Kitchener, Batoche Books, 1999), p.5.

<sup>147</sup> Fudge, *Perceiving Animals*, pp.1-3, 8-9.

While conventional in its formulation, this millenarian view and its associated language of monstrosity functioned to delineate the boundaries of the moral community by differentiating the self-professed saints, who saw themselves as fighting under the banner of Christ, from the Beast and its evil adherents – namely idolaters, English bishops, Catholics, and the Pope.

The Leveller authors also made much use of animalistic and brutal language in their discourse. I have focused my attention on the references to horses, dogs, sheep, wolves, and lions. Many of these metaphors were commonplace expressions used in ordinary language. In ‘Equestrian Imagery in European and American Political Thought’ (1988), Peter Schwartz outlined how equestrian portraiture used ‘[a] basic set of symbolic referents for understanding our status as political creatures.’<sup>148</sup> The Leveller authors’ representations of domesticated animals and beasts of prey were often inconsistent or contradictory and varied according to the argumentative context in which they were deployed. The Leveller authors used equestrian metaphors to criticise existing hierarchical social relations. This was reflected in their various portrayals of the people as domesticated animals or beasts of the field and their rulers as tyrants riding atop them or trampling their fundamental rights and freedoms underfoot. Readers were invited to imagine the English moral community as a green pasture inhabited by innocent sheep-like common people and loyal guard dog soldiers with ravenous wolves, cunning foxes, and a ferocious regal lion lurking in the wilderness.

The Leveller authors adapted Ancient and Medieval fables as part of a rhetorical strategy of defining an in-group likened to domesticated animals in contradistinction to an out-group represented as beasts of prey. In *An Antidote Against Master Edwards* (1646), Walwyn adapted Aesop’s *The War Between the Sheep and the Wolves* to denounce the peace

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<sup>148</sup> Peter Hammond Schwartz, ‘Equestrian Imagery in European and American Political Thought: Towards An Understanding of Symbols as Political Texts’, *The Western Political Quarterly*, vol.41, no.4 (1988), p.653.

negotiations between the King and Parliament.<sup>149</sup> Similarly, in *Vox Plebis* (1646), Overton adapted the Reynard the Fox cycle as a commentary on current events.<sup>150</sup> The Leveller authors put animalistic, brutal, and monstrous language to polemical use by labelling their opponents as cunning foxes, ravenous wolves, and raging bulls.

The themes I have outlined found their fullest expression in Overton's bull-baiting series. In *Overton's Defiance* (1649), he figured Cromwell as the Bull of Bashan with pox-infected genitals.<sup>151</sup> This imagery raised the ire of supporters. In *The Baiting of the Great Bull of Bashan* (1649) and *A New Bull-Bayting* (1649), Overton doubled down on the offending passages and chastised his readers for their complacency.<sup>152</sup> He warned that Cromwell was undermining the common freedoms of the people. In the third tract, he held out the possibility of a symbolic exit from life under a tyrannical government by imagining the Leveller leaders sending four teams of bulldogs to maul Cromwell to death. While cathartic and entertaining, this scene was in equal measure grotesque and violent. It also served a serious political purpose by calling on supporters to demand a firm constitutional settlement based on *An Agreement of the Free People of England* (1649). The porous lines between ideas and actions are illuminated by Overton's incitement of readers to overthrow 'the [Cromwellian] Government of Bears and Wolves' and demand a democratic Leveller commonwealth.<sup>153</sup>

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<sup>149</sup> Walwyn, *An Antidote Against Master Edwards* (London, 1646), p.13.

<sup>150</sup> Richard Overton, *Vox plebis* (London, 1646), p.53.

<sup>151</sup> Overton, *Overton's defiance*, p.6.

<sup>152</sup> Overton, *The baiting*, unnumbered pages; *A new bull-bayting* (London, 1649), unnumbered pages.

<sup>153</sup> Lilburne, *The upright mans vindication*, p.14.

CHAPTER 1. ‘TO BE FOR AGREEMENT PROVED TO BE A GREAT DISAGREEMENT  
AMONGST THE NATION’: THE STRUCTURE OF POLITICAL DEBATE<sup>154</sup>

On 28 October 1647, the General Council of the Army met at Putney church. While the meeting was initially called to discuss the *Case of the Army*, it soon turned into a debate about another document, *An Agreement of the People*. The General Council was composed of Agitators elected by the regiments, the Leveller John Wildman, and the officers of the New Model Army. Many soldiers attended the General Council meetings as non-participant observers. Charles Firth’s discovery of the *Clarke Papers* in the late 19<sup>th</sup> century renewed scholarly interest in the relationship between the Levellers and the New Model Army. Much of this scholarly debate has focused on the transcripts of the Putney Debates, especially as it related to the franchise debate. Constitutional historian S. R. Gardiner included the Levellers in his narrative history of the turbulent 1640s, as well as in his collection of documents relating to the English Revolution. Likewise, H. N. Brailsford gave pride of place to the Levellers and its movement by placing them at the centre of political events during this turbulent decade. It was during this debate that Colonel Thomas Rainsborough passionately defended universal manhood suffrage when he insisted that ‘the poorest he that is in England hath a life to live as much as the greatest he’ and ought to have a voice in government.<sup>155</sup> Rather than fostering agreement on the extent of the franchise, the debate on 8 November exposed deep disagreements over the underlying principle and extent of the franchise throughout the nation. In *The Political Theory of Possessive Individualism* (1962), C. B. Macpherson interpreted this as a reflection of the Levellers’ lack of democratic convictions. Macpherson has argued that the Levellers can be better understood as forerunners of the

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<sup>154</sup> Firth, *CP*, vol.2, p.175.

<sup>155</sup> Macpherson, *The Political Theory of Possessive Individualism*, pp.107-55, 266-7.

‘liberal tradition’ of possessive individualists, whereas other historians have argued that this inconsistency between the initial proposal of universal manhood suffrage and an exclusive franchise agreed at the General Council reflected the elitism of seventeenth-century notions of freedom.<sup>156</sup> In recent decades, historians have begun to examine other aspects of the Levellers’ political thought, including natural law, covenants, popular sovereignty, representation, and citizenship.<sup>157</sup> Historians have tended to interpret the various Agreements through the lens of political theory while neglecting questions about the structure of debate in different institutional settings such as the Council of War, General Council, and the press. An examination of the tension between ideals of consensus and realities of adversary politics ‘before Putney, at Putney and after Putney’, to borrow a phrase from John Rees, will shed light on the development of Leveller rhetoric throughout the English Revolution.<sup>158</sup>

Revisionist and post-revisionist historians disagreed about the timing of the emergence of adversary politics during this period. Revisionists tended to downplay conflict in favour of stressing the consensual basis of English political culture, whereas post-revisionists saw conflict and polarisation as endemic in English politics in the early decades of the seventeenth century. In ‘Consensus Politics and the Structure of Debate at Putney’ (1981), Mark Kishlansky examined the ideals and techniques of consensus politics used at meetings of the General Council held at Putney during the Autumn of 1647. Kishlansky

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<sup>156</sup> Philip Baker and Elliot Vernon, *The Agreements of the People, the Levellers, and the Constitutional Crisis of the English Revolution* (Basingstoke, Palgrave Macmillan, 2015), p.117.

<sup>157</sup> Michael B. Levy, ‘Freedom, Property and the Levellers: The Case of John Lilburne’, *The Western Political Quarterly*, vol.36, no.1 (1983), pp.116-30; J. H. Burns, *Absolutism and Revolution in the Seventeenth Century* (Cambridge, Cambridge UP, 2008), pp.412-6; Richard A. Gleissner, ‘The Levellers and Natural Law’, pp.74-82; Samuel Dennis Glover, *The Putney Debates*, (1999), pp.47-80; J.W. Gough, ‘Historical Revisions: LVI.- The Agreements of the People, 1647-49’, *History*, vol.15, no.60 (1931), pp.334-41; Christopher Thompson, ‘Maximilian Petty and the Putney Debate on the Franchise’, *Past & Present*, no.88 (1980), pp.63-9; Elliot Vernon, Philip Baker, ‘What was the First “Agreement of the People”?’’, *The Historical Journal*, vol.53, no.1 (2010), pp.39-59.

<sup>158</sup> Rees, *Leveller Organisation*, p.50.

defined consensus politics as a deliberative process designed to preserve army unity and unanimity.<sup>159</sup> To achieve agreement in this institutional setting, participants at the Putney Debates employed consensus-building techniques such as pausing the proceedings to engage in collective prayer, open and free debate irrespective of army rank, referring issues to committees, and, in the final instance, withdrawal from the proceedings to prevent divisions.<sup>160</sup> However, in an earlier article, Kishlansky demonstrated an awareness of the limitations of consensus politics. In 'The Emergence of Adversary Politics in the Long Parliament' (1977), Kishlansky argued that a change in the structure of debate and parliamentary process occurred in the Summer of 1646. This development was characterised by an intensification of polarisation and factionalism, resulting in an increase in the frequency of formal divisions during parliamentary debates.<sup>161</sup> Two indicators of the rise of adversary politics at Westminster involved the parliamentary process around committees. The size of committees increased to make them unworkable. Parliamentary leaders also began managing the process of assigning MPs to committees to ensure their faction retained control of amending proposed legislation.<sup>162</sup> Post-revisionist historians acknowledged that parliamentary politics became more adversarial in the Summer of 1646; however, they tended to deny that ideals and practices associated with consensus politics structured the proceedings of the Army General Council at Putney church a year later. This led to many post-revisionist historians overlooking that debating an issue pro and con at the Putney Debates marked a process of consensus-building whereby disagreements could be channelled toward areas of agreement. As Kishlansky pointed out in a footnote in 'Consensus Politics and the Structure of Debate at Putney' (1981), consensus did not imply the absence of any disagreement.<sup>163</sup> It

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<sup>159</sup> Kishlansky, 'Consensus Politics', p.52.

<sup>160</sup> Kishlansky, 'Consensus Politics', p.53.

<sup>161</sup> Kishlansky, 'The Emergence of Adversary Politics', pp.618, 629.

<sup>162</sup> Kishlansky, 'The Emergence of Adversary Politics', pp.631-3.

<sup>163</sup> Kishlansky, 'Consensus Politics', p.52.

is, therefore, crucial to consider the development of institutional norms and various procedures for managing disagreements alongside the actual political outcome of the debates.

Glenn Burgess has outlined a useful framework for thinking about the types of conflict that arise within a culture of consensus. According to Burgess, the ideal of consensus was a touchstone of English political culture in the early decades of the seventeenth century. However, like Kishlansky, Burgess noted that a plurality of political and religious languages existed, which tended to foster conflict and disagreement. Burgess argued that disagreement tended to occur on three levels: (1) personal animosity or interest, (2) policy regarding what was most conducive to a desired end or common good, and (3) ideological differences related to basic assumptions or theories.<sup>164</sup> This framework is helpful when analysing the different kinds of disagreements that arose between the participants at the meetings of the General Council, as well as assessing the effectiveness of the ideals and practices of consensus politics developed to reach unanimous agreement within the army. Jason Peacey has suggested that the General Council achieved a thin consensus on the *First Agreement*. This involved a deliberative process of debating issues pro and con, as well as submitting controversial issues to a committee. No sooner had a consensus been reached at Putney than it was undermined by the outbreak of the Ware mutiny. Likewise, the temporary adoption of the *Officers' Agreement* as the army's official programme at Whitehall in January 1649 reflected the 'thinness of consensus' because it was side-lined as attention shifted to the King's trial. It will be shown that following Lilburne's departure from the Whitehall Debates and the publication of his *Foundations of Freedom*, the General Council continued to structure its proceedings according to the principles and techniques of consensus politics. The breakdown of consensus politics as a method of achieving agreement had less to do with Lilburne's decision to attack the Grandee officers in the press and more to do with the

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<sup>164</sup> Burgess, 'The Politics of the Ancient Constitution', p.168.



inherent thinness of consensus. However, the breakdown of the Leveller leaders' alliance with the Grandee officers was a watershed moment as they lost the institutional legitimacy granted by their involvement with the General Council. A consequence of becoming *persona non grata* was that their *An Agreement of the Free People of England* was overshadowed by the Leveller leaders' imprisonment and the movement's efforts to secure their release.

In December 1648, the General Council convened at Whitehall at the instigation of the Levellers to ratify the *Agreement of the People* as its proposal for a settlement to the nation. A set of orders and instructions were read out at the beginning of the Whitehall Debates to structure the proceedings of the General Council according to the ideals and practices of consensus politics. On 15 January, the Levellers, Grandee officers, MPs, and congregational ministers unanimously passed the *Officers' Agreement* (1649) as their plan for a constitutional settlement. Lilburne's withdrawal from the debates over his personal animosity toward Ireton and ideological disagreement over revisions to the article concerning religion culminated in the publication of *Foundations of Freedom* (1648). The decision to attack the officers in the English press marked the rise of adversary politics. It was reflected in Cromwell's statement in the Council of State a year later that 'Sir, you have no other way to deale with these men [the Levellers], but to break them in pieces'.<sup>165</sup>

### The Constitutional Crisis

The King's surrender to the Scottish army in May 1646 deepened the constitutional crisis. Negotiations for a peace treaty between Parliament, the Scottish commissioners, and the King were conducted in an atmosphere of mutual distrust and fear that any delays would result in another war or their enemies taking the initiative from them. In July, Parliament and the

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<sup>165</sup> Lilburne, *The picture of the Council of State*, p.15.

Scottish commissioners delivered the Newcastle Propositions to the King in a bid to settle the constitution. The Newcastle Propositions would have required the King to agree to a Presbyterian church settlement and to take the Solemn League and Covenant. In response, the army commanders entered their own peace negotiations with the King.<sup>166</sup> Commissary-General Henry Ireton, Cromwell's son-in-law, and John Lambert were tasked with drafting the army's official proposal known as the Heads of Proposals. The Heads of Proposals would have placed minimal checks on the King's prerogative right. However, in the Summer of 1647, the King was simultaneously in negotiations with Parliament, the Scottish commissioners, and the army commanders as part of a divide-and-conquer strategy.

Meanwhile, at Westminster, the Presbyterian faction was attempting to disband the army. The army had become sensitive to the accusation that it was a bulwark of religious enthusiasm and, therefore, a threat to the nation. At the inaugural meeting of the General Council of the Army, Lieutenant-General Oliver Cromwell denied the charge that the army sought to 'cast down the Foundation of Presbytery, and to advance and set up Independency'.<sup>167</sup> According to Cromwell, the army stood above the factional struggles taking place at Westminster and the City of London. It remained loyal to Parliament and the people's 'just rights and liberties'.<sup>168</sup> However, frustration over a growing list of grievances led the soldiers to organise themselves by choosing representatives known as 'Agitators' or 'Agents' to pressure their commanding officers into securing redress. A letter from the Agitators addressed to Fairfax expressed resentment at this mistreatment from Parliament,

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<sup>166</sup> Kishlansky, 'The Army and the Levellers', p.796.

<sup>167</sup> General Council of the Army, *Two declarations from His Excellency Sir Thomas Fairfax* (London, 1647), p.2.

<sup>168</sup> General Council of the Army, *Two declarations*, p.2.

...severall persons, are now under unmeritfull sufferings, by consiscating their goods and imprisonment of their persons, for words spoken against the King (acting in his tyrannicall practises in the late war they having been Souldiers.)<sup>169</sup>

The complaint that ‘severall persons... under unmeritfull sufferings’ was in reference to John Lilburne, Richard Overton, and John Biddle, who had been imprisoned since the Spring of 1646.<sup>170</sup> The Agitators’ letter proceeded to assert their right as soldiers to petition for the redress of grievances, along with decrying Parliament’s refusal to consider a petition delivered by Colonel Sanderson calling for the immediate release of Captain Macguire.

The Agitators’ letter also urged Fairfax to ‘use some meanes for restoring them [the above-mentioned persons] to their freedome, and to deliver them from their Tyrannicall sufferings’ at the hands of the Presbyterian faction at Westminster.<sup>171</sup> In London, Lilburne and Overton’s friends and families petitioned the Commons to refer their cases for review. I discuss this at length in Chapter 2. In response, Parliament ordered a special committee to conduct an inquiry into the charges against them and submit its recommendations. The republican MP Henry Marten was selected to chair the committee. However, the Lords obstructed its investigation and declined to consider the committee’s final report. Lilburne vented his frustration at the lack of progress in the press. In *A Copy of a Letter* (1647), he accused Marten and his committee of ‘Delitory and unjust delaying to make my Report’ to the Commons and hastening forward ‘the ruin and destruction of me [Lilburne], my wife, and tender infants, and riveted the House of Lords fast in their tyrannicall domination’.<sup>172</sup> The Henry Marten Papers at the British Library reveal some of Marten’s feelings about Lilburne’s publicly railing against him and his committee and impugning them as members of the

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<sup>169</sup> General Council of the Army, *Two declarations*, p.3.

<sup>170</sup> Sir Thomas Fairfax, *A declaration from his Excellencie Sir Thomas Fairfax, and the general council of the Armie, held at Putney, Septemb. 9th* (London, 1647), pp.1-4.

<sup>171</sup> General Council of the Army, *Two declarations*, p.3.

<sup>172</sup> John Lilburne, *A copy of a letter written* (London, 1647), p.1.

Commons. In a manuscript copy of his observations upon visiting Lilburne in the Tower, Marten noted, 'I found Lieutenant Col. John Lilburne rhyming upon Henry Marten'.<sup>173</sup> Marten tried to reassure Lilburne that the 'delay of justice' was due to the Lords rather than any failings by him or his committee. Marten reassured Lilburne that he hoped '[that] my silence would [not] give you what I never gave you yet, just cause of offence'.<sup>174</sup> Marten went on to chastise him, 'you think fit to hang up my name for a sign-post' in *A Copy of a Letter*, however, 'I thank God I am not half so black as some knaves do paint me'.<sup>175</sup> Jason Peacey's research has corroborated much of Henry Marten's account of the reasons for the delays in his committee's work. The Lords were obstructing the committee's attempts to review John's case despite mounting pressure from within and without Parliament.<sup>176</sup>

So far, Parliament had refused to grant the army sufficient funds to settle its arrears in pay and prevent the forced billeting of soldiers in the home counties. The Agitators sent a letter to Sir Thomas Fairfax demanding satisfaction of the soldiers' arrears.<sup>177</sup> On 7 September 1647, Fairfax issued a stern warning to the Lord Mayor, aldermen, and Common Council about the fifty-thousand pounds approved but never collected,

...delay will equal denial, and cause us to think that little regard is had of us, or the endeavours now in hand, tending to the settlement of the peace of the Kingdome, which is so much desired, and hoped for by us, and all honest men.<sup>178</sup>

The Grandee officers interpreted the delay as part of a deliberate ploy to sow division between them, their soldiers, and the common people.

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<sup>173</sup> Add. MS 71532, fos.7-8; for Marten's reflections on the dispute with Lilburne see Add. MS 71532, fo.14.

<sup>174</sup> Add. MS 71532, fos.7-8.

<sup>175</sup> Add. MS 71532, fo.8

<sup>176</sup> Peacey, 'John Lilburne and the Long Parliament', pp.641-2.

<sup>177</sup> Anon., *The resolution of the agitators of the army* (London, 1647), pp.6-8.

<sup>178</sup> General Council of the Army, *Two declarations from His Excellency Sir Thomas Fairfax*, pp.4-5.

The perception that the Presbyterian faction or ‘malignant party’ at Westminster and in City government was deliberately withholding the soldiers’ arrears led to demands that the army march on London. In this heightened atmosphere of suspicion, Major Francis White asserted that ‘there is now no visible authority in this Kingdome, but the power and force of the Sword’.<sup>179</sup> White held the increasingly mainstream view within the army that Parliament had forfeited its legitimacy because it was beholden to a ‘malignant party’ attempting to disband the army and undermine the common freedom of the people. Such a seditious statement resulted in Major White’s discharge from the army.<sup>180</sup> However, Major White was one of several soldiers engaging in seditious speech. On 12 September, Fairfax wrote to William Lenthall about the ongoing cases of James Simball, Francis Wade, Robert White, and Roger Crabb.<sup>181</sup> Fairfax recommended that they be released because ‘if they be committed meerly for speaking words against the King in time of War (which thing I in no sort approve of, yet) it would do well if the men might have some inlargement’.<sup>182</sup> Fairfax’s cautious wording downplayed why the three were committed, suggesting it was unreasonable to charge them ‘meerly for speaking words against the King in times of War’. It also signalled a disavowal of their seditious speech. Fairfax recommended their release from prison for two reasons. It would lessen the tension between the soldiers and Parliament, as well as restore discipline within the chain of command.<sup>183</sup>

The statements that led to their imprisonment reflected a process of radicalisation underway within the army. Simball had mused about the King’s severed head being put on

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<sup>179</sup>General Council of the Army, *Two declarations*, p.6.

<sup>180</sup> Anon., *A copy of a letter sent to his Excellencie Sir Thomas Fairfax* (London, 1647), p.2.

<sup>181</sup> Sir Thomas Fairfax, *An humble remonstrance from his Excellency Sir Thomas Fairfax* (London, 1647), p.2.

<sup>182</sup> Fairfax, *An humble remonstrance*, p.2.

<sup>183</sup> Fairfax, *An humble remonstrance*, p.2.

display atop the Tower, and Crabb had compared the King to a golden calf. Likewise, Wade made this statement after refusing to drink a toast to the King's health,

King James said, that the King which ruled not according to his Laws, is no longer a King but a Tyrant: and that the King had put the parliament out of his protection, and in them the whole kingdome, Therefore no King.<sup>184</sup>

Fairfax designed his letter to strike a balance between avowing and disavowing seditious speech. This was in part to secure his position as a middleman between Parliament and his soldiers. It also reflected Fairfax's desire to avoid alienating the Grandee officers from the King with whom they were about to enter formal peace negotiations.

On 17 September, the Heads of Proposals was offered to the King. It contained fifteen articles for a 'lasting settlement of the kingdom in peace and unity'. However, the King notified Parliament the next day that he would accept the Newcastle Propositions.<sup>185</sup> In response, the army issued a declaration to the City demanding the fifty thousand pounds it was owed and reaffirming its desire for a 'firme peace and union' based on the Heads of Proposals. The Grandee officers sought to reassure the King that their proposal would provide a lasting peace 'without diminution to their personall Rights, or further limitation to the exercise of the Regall power'.<sup>186</sup> In the meantime, it was reported that the King had changed his mind about accepting Parliament's offer, raising the prospect of the Heads of Proposals becoming the basis for a personal peace treaty.<sup>187</sup> Following the King's rejection of

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<sup>184</sup> Fairfax, *An humble remonstrance*, pp.4-5.

<sup>185</sup> Peter Cradock, *Papers of the Treatie, at a great meeting of the generall officers of the Army* (London, 1647), p.2.

<sup>186</sup> General Council of the Army, *A declaration from His Excellencie Sir Thomas Fairfax, and the Generall Councell of the Army* (London, 1647), p.9.

<sup>187</sup> Sir Thomas Fairfax, *The resolution of both Houses of Parliament: concerning the Kings Majesties last letter* (London, 1647), p.6.

the Newcastle Propositions, Fairfax wrote to the parliamentary commissioners at the army's headquarters to insist on the immediate satisfaction of his prior demands.<sup>188</sup>

The General Council issued a declaration on 22 September to the City of London. This declaration contained six demands: a commission for settling all outstanding accounts be established, immediate payment of all its arrears in pay, no further impressment of its soldiers for a campaign in Ireland, that all remaining time for apprentices who had served the parliamentary cause be vacated, that maintenance and provisions be made for maimed soldiers and their families, and that Parliament immediately pass a second act indemnifying the soldiers of acts committed or statements made since the first act.<sup>189</sup> The General Council found itself in a position to insist on the satisfaction of its demands as the balance of power temporarily shifted away from the parliamentary Presbyterian faction, City government, and the Scottish commissioners toward the army and the Independent faction. The King's divide-and-conquer approach to negotiations was intensifying tensions between these groups. However, internal divisions were emerging within the army as the soldiers began to spontaneously organise themselves outside of the official chain of command. It is, therefore, important to examine the institutional rules developed to maintain army unity.

### The Emergence of the Agitators

On 30 March 1647, Fairfax wrote to the Commons to reassure it that the army was prepared to acquiesce to its commands. Parliamentary commissioners were sent to the army headquarters at Saffron Walden to persuade its officers to enlist their regiments for service in

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<sup>188</sup> General Council of the Army, *Severall proposalls from his excellency Sr Tho. Fairfax* (London, 1647), pp.3-5.

<sup>189</sup> General Council of the Army, *Severall proposalls*, pp.6-9.

Ireland.<sup>190</sup> Many officers denounced the parliamentary commissioners using this as a pretence to divide the army. G. E. Aylmer noted that a minority of officers and soldiers ‘turned to acting and debating through representatives’ known as ‘Agitators’ or ‘adjutators’.<sup>191</sup> This process of radicalisation among the soldiers was a watershed moment in the Revolution.

The informal stirrings of defiance among the soldiers led to the emergence of a formal Agitator organisation in the months of Spring. From that point onwards, according to Woolrych, ‘collective acts of defiance by the soldiery had become highly institutionalized’.<sup>192</sup> The ‘electo’ or ‘agents’ chosen by the soldiers operated through a combination of assemblies and executive commissars.<sup>193</sup> On 29 April, the newly established inter-regimental organisation, the Agitators, sent Edward Sexby, William Allen, and Thomas Shepard to deliver its first letter to the Commons.<sup>194</sup> It denounced all attempts to divide the army at home or abroad as an attack on the common freedom of the people. Brailsford has pointed out that in May, the Agitators formed an Agitator Council that resolved to resist all attempts by the parliamentary commissioners to impress them into an Irish campaign without first redressing their material and political grievances, as well as a firm settlement in England.<sup>195</sup> The Agitators also sent letters to Fairfax, Cromwell, and Skippon expressing discontent over the reception their petition received from Parliament.<sup>196</sup> The eight regiments of horse organised themselves into a council of action at the troop level and were soon joined by eight regiments

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<sup>190</sup> *Journal of the House of Lords* [henceforth *JHL*], vol.9 (London, His Majesty’s Stationery Office), pp.225-9; Firth, *CP*, vol.1, p.113.

<sup>191</sup> G. E. Aylmer, *The Levellers in the English Revolution* (London, Thames and Hudson, 1975), pp.22-3.

<sup>192</sup> Woolrych, *Soldiers and Statesmen*, p.60.

<sup>193</sup> Woolrych, *Soldiers and Statesmen*, p.61.

<sup>194</sup> Woolrych, *Soldiers and Statesmen*, p.57.

<sup>195</sup> Brailsford, *The Levellers*, p.187; this is revealed through ciphered letters between Cornet George Joyce of Cromwell’s Bodyguard, Lieutenant Chillenden of Whalley’s Horse and Captain Francis White of the General’s Foot.

<sup>196</sup> Woolrych, *Soldiers and Statesmen*, pp.61-2.



of foot organised at the company level.<sup>197</sup> By the end of May, the Agitator Council had doubled in size, bringing the total number of regiments to sixteen.<sup>198</sup> Woolrych has argued that Lilburne was well informed about developments within the army as of March, and both he and Aylmer pointed out that Edward Sexby was an ‘active go-between’ the Agitators and Independents at Westminster and the City of London.<sup>199</sup>

On 29 April, the Commons summoned Sexby, Allen, and Shepard to its bar to answer for the Agitators’ letter.<sup>200</sup> Members of the Commons were offended by the suggestion that enlistment for service in Ireland would ‘ruin and break the Army into pieces’.<sup>201</sup> MPs also challenged the three Agitators about the high accusations that Parliament was attempting to enslave the common people, as well as its claim that a constitutional settlement enshrining the principle of popular sovereignty was the only way to establish a lasting peace. Woolrych described how Sexby, Allen, and Shepard responded evasively to these inquiries. They distanced themselves from the potentially treasonous demands set out in the letter by pointing out that it was collectively drafted and unanimously assented to by sixteen Agitator representatives from the eight regiments of horse. Sexby, Allen, and Shepard claimed to be mere spokesmen rather than the sole authors of the letter and, therefore, unable to answer for its contents without further consultations with the sixteen Agitator representatives. The Agitator’s letter further ignited fears that the army was a bulwark of political and religious radicalism. In response, the Commons sent a delegation to army headquarters at Saffron Walden, where the Council of War was set to meet to assess its distempers.

In anticipation of the Council of War, the Agitators circulated a newsletter, *Advertisements for the Managing of the Councells of the Army* (1647), setting out 11

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<sup>197</sup> Woolrych, *Soldiers and Statesmen*, p.62.

<sup>198</sup> Brailsford, *The Levellers*, p.181.

<sup>199</sup> Woolrych, *Soldiers and Statesmen*, p.63; Aylmer, *The Levellers*, p.24.

<sup>200</sup> Firth, *CP*, vol.1, pp.430-1.

<sup>201</sup> Brailsford, *The Levellers*, p.182.

‘informal’ policies the Agitators sought to advance at Saffron Walden. Woolrych has argued that two of its policies reflected the Leveller authors’ influence among the Agitators.<sup>202</sup>

However, the Agitators stuck to issues affecting all soldiers alike. The most important policies were the establishment of a formal Agitator Council within the army, a print operation based in Oxford, correspondences with soldiers and ‘well-affected friends’ in the home counties, appointing more delegates to present the soldiers’ grievances to the Grandee officers, and instructing officers to avoid disbandment until a settlement was secured.<sup>203</sup>

On 6 May, the Agitators delivered a petition to the Grandee officers regarding the proposal to impress soldiers into service in Ireland. The Agitators declared that ‘wee with diverse other Officers are exprest in print and otherwise as ingagers of the present service in Ireland upon the terms lately proposed... yet wee were not neither as yet are resolved for that service upon those propositions’ so long as ‘false reports’ and ‘informers have blinded public authorities to the grosse abuses of Parliament and Kingdome’.<sup>204</sup> They went on to decry the ‘strange designe’ to ‘render us unfaithfull and dishonourable’ in the eyes of the public, and, therefore, the Agitators were resolved to ‘declyne the present employment’.<sup>205</sup> A letter from Skippon and Cromwell dated 9 May instructed the officers at Saffron Walden to ‘use your best endeavours to enquire into where they [the 8 Agitators regiments] had their rise’ that were ‘importing matters of dangerous consequences’ to the House of Commons and to deliver those reports to them during the upcoming meeting of the Council of War.<sup>206</sup>

The first meeting of the Council of War at Saffron Walden church took place the next day. Major General Philip Skippon chaired the Council meeting composed of parliamentary

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<sup>202</sup> Woolrych, *Soldiers and Statesmen*, p.69

<sup>203</sup> Aylmer, *The Levellers*, pp.22-4.

<sup>204</sup> Aylmer, *The Levellers*, p.32.

<sup>205</sup> Aylmer, *The Levellers*, p.32.

<sup>206</sup> Aylmer, *The Levellers*, p.32.

commissioners, 30 officers from the regiments of horse, and 150 officers from the regiments of foot. William Clarke offered this summary of the Council of War's proceedings that day,

The Field Marshall Generall first made a Narration of the occasion of their comming downe to quiet the distempers of the army that they should make it appeare that they were faithfull hearted for the publique good, that it would be conscience, justice, reason, and faithfullnesse in them that were Commanders to contribute their utmost endeavours for the alleying of all distempers.<sup>207</sup>

Skippon opened the proceedings by reminding the officers that they had sworn an oath to maintain army unity and urging them to enlist for service in Ireland. He proceeded to read out the recent votes by the House of Commons about the army. The officers were then instructed to make this information known to the soldiers under their command. In response, the officers raised the issue of the soldiers' arrears in pay. According to Clarke, there was 'some debate whether the Officers then present should deliver in any thing of what they apprehended was occasions of discontents'.<sup>208</sup> Several officers expressed a desire to consult their troops before reporting back on their willingness to enlist for an Irish campaign. Skippon dismissed the officers back to their regiments and set a date for the Council of War to reconvene.

The distempers among the regimental officers and soldiers came to the fore at the next Council of War held on 15 May. The officer reported back that their soldiers were much aggrieved by Parliament having passed an act of indemnity covering the war and granting them a fortnight's pay on the condition that each regiment peacefully disband at the time and place assigned to it.<sup>209</sup> Skippon attempted to moderate the debate by urging officers, 'I pray you lett us see our buisnesse, and see it before us, and then wee shall doe as honest men, and

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<sup>207</sup> Firth, *CP*, vol.1, p.28.

<sup>208</sup> Firth, *CP*, vol.1, p.31.

<sup>209</sup> Firth, *CP*, vol.1, pp.39-40.

I hope you will behave your selves soe too, and I can expect noe other from you'.<sup>210</sup>

However, the officers' reports led to a contentious debate among the officers in the Council of War.<sup>211</sup> The transcript of the proceedings that followed reveals that Skippon's informal rule of exercising moderation while speaking was a weak constraint on the officers' conduct. It was alleged that certain officers had volunteered their regiments for service in Ireland without their soldiers' consent. The heated debate among officers over the veracity of the regimental reports exposed the political fault lines among the officers and between some officers and their soldiers. Skippon's failure to maintain army unity among the officers at the Council of War reflected the limitations of informal rules and consensus-building techniques to foster agreement on contentious issues such as impressment or disbandment. It also revealed that certain officers could not be relied on to deliver true returns. In response, Skippon dismissed the officers back to their regiments for the night.<sup>212</sup>

The Council of War met again the following day. This meeting also saw contentious exchanges between participants over several of the officers' returns on the temper of their regiments.<sup>213</sup> Major Gooday and Lieutenant Colonel Jackson's reports about their respective troops in Fairfax's regiment capture this dynamic. Jackson and Gooday had enlisted for service in Ireland. They reported that they had consulted their soldiers and found no distempers among them and that they were prepared for service abroad.<sup>214</sup> In response, Ireton declared: 'That which was delivered I think I have seene, and it was not done'.<sup>215</sup> Ireton was casting doubt on the veracity of Jackson and Gooday's report based on their consultations with their respective troops. This comment led to an argument between Ireton and the two

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<sup>210</sup> Firth, *CP*, vol.1, p.40.

<sup>211</sup> Firth, *CP*, vol.1, pp.40-1.

<sup>212</sup> Firth, *CP*, vol.1, p.44.

<sup>213</sup> Firth, *CP*, vol.1, pp.47-9.

<sup>214</sup> Firth, *CP*, vol.1, pp.53-76.

<sup>215</sup> Firth, *CP*, vol.1, p.48.

officers, which prompted Skippon to insist: ‘Gentlemen, I doe desire it againe and againe, and I thinke it is all our desires, that you will heare one another with sobrietie’.<sup>216</sup> While Skippon managed to temporarily restore moderation, it pointed to the inadequacy of informal rules to resolve this disagreement over the temper of the soldiers in Fairfax’s regiment and the broader issue of distinguishing false reports from true returns.

Several major obstacles to maintaining army unity arose from the informal institutional rules and procedures that structured the Council of War’s deliberations at Saffron Walden. Skippon’s informal rule of exercising moderation when speaking was a weak constraint on large meetings wherein an estimated 180 officers participated at one time. His reminders to exercise moderation were frequently ignored, while his appeals to the officers’ shared identity as ‘contentious Christians in the sight of God’, ‘men faithfull and obedient to the Parliament of England’, and ‘Members of this Army’ underscores the limitations of informal consensus-building techniques to foster agreement on contentious issues.<sup>217</sup> Another limitation was that Skippon’s informal rules lacked a mechanism for distinguishing false from true returns delivered to the Council of War by the numerous regimental officers. Jackson, Gooday, and Ireton’s disagreement over the report on Fairfax’s regiment revealed that some regiments were divided on the issues of disbandment and service in Ireland.

The disagreements that arose among the officers at Saffron Walden led Skippon to task 10 officers with drawing up a summary of the returns. Colonel Hewson had recommended that a committee of senior officers be nominated for this purpose on 15 May.<sup>218</sup> The final report was written by Colonel John Lambert and sent to Skippon and the parliamentary commissioners.<sup>219</sup> According to Woolrych, Lambert framed the army’s report

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<sup>216</sup> Firth, *CP*, vol.1, p.48.

<sup>217</sup> Firth, *CP*, vol.1, p.30

<sup>218</sup> Firth, *CP*, vol.1, p.43.

<sup>219</sup> Firth, *CP*, vol.1, pp.80-2.

as ‘the unanimous consent of all, both officers and soldiers’ and moderated the contents of the returns. Lambert reported that the soldiery demanded their full arrears in pay and indemnity for acts committed during the war and since its conclusion to the present; furthermore, that service in Ireland would be voluntary. Parliament must withdraw its declarations against the army, and all apprentices who served on the parliamentary cause would have their time counted toward the fulfilment of their contract.<sup>220</sup> In addition, Lambert claimed to have moderated the ‘tautologies, impertinencies, or weaknesses answerable to the Soldiers dialect’ in the final report, glossing over their demands for liberty of conscience, confirmation of the right to petition for redress, and the release of prisoners such as John Lilburne.<sup>221</sup>

In a long parliamentary speech, Cromwell called on the Commons to redress the soldiers’ grievances while simultaneously insisting that the army was united and its officers and soldiers were obeying both the chain of command and parliamentary authority.<sup>222</sup> Cromwell, along with the other Grandee officers, attempted to strike a balance between preserving their popularity among the soldiers and their credibility with Parliament. Meanwhile, the Agitators were expanding their organisation among the soldiers in the eastern counties and elsewhere.<sup>223</sup> In *A Second Apology of All the Private Soldiers* (1647), the Agitators demanded that Parliament redress the soldiers’ material and political grievances. Its insistence that ‘the meanest subject should enjoy his right, liberty, and properties in all things’ was intended to underscore the shared interests of the soldiers and common people.<sup>224</sup>

Over the following months, the Agitators engaged in a renewed propaganda campaign to organise and spread radical ideas among the soldiers. In the Summer, its press in London was seized. However, John Harris established a base of operation in Oxford, where he began

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<sup>220</sup> Woolrych, *Soldiers and Statesmen*, pp.87-9.

<sup>221</sup> Woolrych, *Soldiers and Statesmen*, p.91.

<sup>222</sup> Woolrych, *Soldiers and Statesmen*, p.91.

<sup>223</sup> Brailsford, *The Levellers*, p.186.

<sup>224</sup> Brailsford, *The Levellers*, p.187.

printing Agitator pamphlets, letters, petitions and, later, Leveller texts. The Agitators were particularly interested in spreading their message among the soldiers in the home counties. While it is difficult to assess the impact of this propaganda campaign, it has been observed that the Grandee officers received petitions in support of the Agitators from regiments in Norfolk, Suffolk, Norwich, Herefordshire, and St. Albans.<sup>225</sup> The petitions indicated that support for the Agitators was spreading among the soldiers, although it remains unclear how representative these petitions were of support for them among the soldiers.

On 18 May, the Commons passed an act ordering the disbandment of the army, except for a few regiments that would be sent to Ireland and others assigned to home defence.<sup>226</sup> The vote on disbandment set for June would have granted the regiments of foot their full arrears in pay while withholding the payments to the regiments of horse until they arrived in Ireland.<sup>227</sup> Lieutenant Chillenden warned in a letter that this was a deliberate ploy by the Derby House Committee to sow division among the soldiers by disbanding them piecemeal.<sup>228</sup> Two days later, at Bury St. Edmunds, 14 Agitators expressed concern that granting the common soldiers' arrears in pay marked an attempt to divide them from their officers.<sup>229</sup> The army's response came the next day when eight regiments of horse and five regiments of foot at Bury St. Edmunds denounced factionalism at Westminster as a threat to the nation in an open letter to Fairfax.<sup>230</sup> Cromwell was sent to Bury St. Edmunds to address the discontented soldiers. He promised the soldiers that service in Ireland would be voluntary but that they would obey parliamentary authority regarding disbandment.<sup>231</sup> Brailsford characterised the announcement on 25 May of a set date for disbandment as Denzil Holles

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<sup>225</sup> Brailsford, *The Levellers*, p.190.

<sup>226</sup> Woolrych, *Soldiers and Statesmen*, p.94.

<sup>227</sup> Woolrych, *Soldiers and Statesmen*, p.94.

<sup>228</sup> Woolrych, *Soldiers and Statesmen*, p.94.

<sup>229</sup> Woolrych, *Soldiers and Statesmen*, p.95.

<sup>230</sup> Woolrych, *Soldiers and Statesmen*, p.95.

<sup>231</sup> Woolrych, *Soldiers and Statesmen*, p.96.

and the Presbyterian faction's 'fatal decision'.<sup>232</sup> This decision had two implications for the course of political events. The Agitators intensified efforts to foster solidarity between the common soldiers and their officers. It presented Fairfax with a dilemma whereby, at the Council of War meeting held on 29 May, he had to either disobey Parliament's attempts at disbandment or defy his soldiers.<sup>233</sup> Agitator representatives from ten regiments of horse and six regiments of foot demanded satisfaction of their grievances and the impeachment of several leaders of the Presbyterian faction in Parliament. They presented Fairfax with this ultimatum: either see to the satisfaction of their demands or 'we shall be necessitated... to do such things ourselves'.<sup>234</sup> In a series of four votes, the officers present at the Council of War passed motions with majorities ranging from 86 to 82 with a mere 3 or 5 Presbyterian officers in dissent that Fairfax demand Parliament withdraw its latest acts.<sup>235</sup>

On 1 June, Fairfax's letter was read in the Commons. In it, he related the Council of War's dislike of the 'jealousies' and 'factions' at Westminster. He also justified the summoning of a general rendezvous and his decision to disobey Parliament's orders of disbandment 'to keep the Army from disorder or worse inconveniences'.<sup>236</sup> Fairfax feared that to 'delay a generall Rendez-vous for those [distempered] parts of the Army' would invite further disorders.<sup>237</sup> Meanwhile, the Agitators were preparing for the forthcoming rendezvous. The Agitators threatened that if Fairfax failed to authorise a general rendezvous, they would do so themselves outside the chain of command. Parliament had forced Fairfax

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<sup>232</sup> Brailsford, *The Levellers*, p.193.

<sup>233</sup> Brailsford, *The Levellers*, p.193; Woolrych, *Soldiers and Statesmen*, p.104.

<sup>234</sup> Brailsford, *The Levellers*, p.195; Woolrych, *Soldiers and Statesmen*, p.104.

<sup>235</sup> Brailsford, *The Levellers*, p.195.

<sup>236</sup> Brailsford, *The Levellers*, p.196.

<sup>237</sup> Edgerton MS 1084, fo.50; also see. Council of War, *Sir Thomas Fairfax, afterwards Lord Fairfax: Letter to, from the council of the army at Bury St. Edmund's* (Bury St. Edmunds, 1647).



into a dilemma while his concession to the officers in the Council of War and radical Agitator representatives signalled a major political realignment.

The ‘general Rendezvous’ held at Kentford Heath about 4 miles from Newmarket, according to Woolrych, was ‘the rendezvous which changed the course of the Great Rebellion’.<sup>238</sup> The Grandee officers created a new forum called the General Council that brought together the army commanders with officers and soldiers. Woolrych described the General Council as a ‘statesmanlike expedient’ by the Grandee officers ‘whereby the agitators were institutionalized and brought back within the system of command of the army as a whole’.<sup>239</sup> The establishment of the General Council proved advantageous to both Grandee officers and the Agitators alike. It could only be summoned by the General and offered broader representation than the Council of War. The Agitators gained formal recognition and involvement in the army’s decision-making, while the Grandee officers gained the restoration of discipline within the chain of command by bringing an end (albeit temporarily) to unauthorised rendezvous.<sup>240</sup> In June, Fairfax summoned a series of army meetings. On 4 and 5 June, the army took a military oath called the Solemn Engagement to maintain army unity until Parliament redressed its grievances and a lasting constitutional settlement was achieved.<sup>241</sup> This was followed by further general assemblies at Triploe Heath on 10 June and the relocation of the army headquarters from Royston to St. Albans two days later. On 14 June, in its Declaration, the army announced to the nation that it was ‘not a mere mercenary Army’ but a force composed of citizen-soldiers who took up arms to safeguard the fundamental rights and liberties of the subject and parliamentary privilege.<sup>242</sup>

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<sup>238</sup> Woolrych, *Soldiers and Statesmen*, p.116.

<sup>239</sup> Woolrych, *Soldiers and Statesmen*, p.118.

<sup>240</sup> Woolrych, *Soldiers and Statesmen*, p.119.

<sup>241</sup> Woolrych, *Soldiers and Statesmen*, pp.116-26.

<sup>242</sup> Woolrych, *Soldiers and Statesmen*, p.126.

This series of general assemblies of the New Model Army, combined with the formal institutionalisation of the Agitators within the General Council, signalled its emergence as a political agent of change. It also precipitated an escalation in the conflict between the army and the Presbyterian faction at Westminster and in City government. On 6 July, the army called for the impeachment of Denzil Hollis, Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, and six other MPs associated with the Presbyterian faction. It was alleged that they had committed high treason by violating the parliamentary ordinance from October 1643 which prohibited giving aid to the King.<sup>243</sup> The army accused the 11 impeached MPs of acting contrary to the trust placed in them by helping the King through ‘evill designes’ to raise ‘unnaturall Warre’, such as passing intelligence on to the earls of Lyndsey, Southampton, Saville, and Dorset, Lord Digby, and Lady Carlisle in March and June 1647.<sup>244</sup> They were accused of having plotted to bring the King to Westminster, inviting a Scottish army to ‘come into this Kingdome in a Hostile manner’, and encouraging the Queen’s party in France to send the Prince of Wales to Scotland for an invasion of England.<sup>245</sup> The intention behind these plots, according to the author, was to secure a Presbyterian settlement of church government by negotiating a personal treaty with the King.

The first meeting of the General Council took place in Reading on 16 July. It was convened to consider recent proposals calling for the occupation of London and the drafting of the army’s official programme for a constitutional settlement.<sup>246</sup> The Agitator published a letter addressed to Fairfax setting out the following demands: (1) the impeachment of the eleven members of the Commons on charges of high treason, (2) the militia be placed in the hands of its allies within two days, (3) a declaration be made against inviting foreign

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<sup>243</sup> Anon., *A particular charge of impeachment in the name of His Excellency Sir Thomas Fairfax and the army under his command* (London, 1647), p.2.

<sup>244</sup> Anon., *A particular charge of impeachment*, pp.2-14.

<sup>245</sup> Egerton MS 1048, fos.51-3

<sup>246</sup> Woolrych, *Soldiers and Statesmen*, pp.137-53.

intervention in the struggle, (4) the immediate release of army and political prisoners (in particular, Lilburne, the Overtons, Larner, Musgrave, Tew, and Prest), and (5) that the soldiers' arrears estimated at £120,000 be paid in full.<sup>247</sup> In addition to these demands, the Agitators outlined seven reasons for occupying London within the next four days. First, the Agitators believed that Parliament had forfeited its institutional legitimacy by countenancing the Presbyterian faction, especially the eleven members it had accused of treason. A second reason was that MPs had engaged in 'violent and illegall proceedings ... [that] perverted [more] now than ever' the course of justice 'against the most cordiall and well affected people in the Kingdome, who are wrongfully imprisoned, fined, &c., and as yet left remedyless'.<sup>248</sup> The third reason was that a 'malignant party', the Presbyterian faction, had seized control of London's militia by packing it with partisan officers. A fourth reason for occupying London was that by withholding its arrears in pay and making the soldiers reliant on forced billeting for their accommodation, MPs were intentionally making them a burden on the common people. And, lastly, they reasoned that the eleven members were attempting to raise a mercenary army of Reformados by granting them in full their arrears in pay.

The General Council held at Reading on 16 July comprised an estimated 51 officers and between 19 and 24 'officer-agitators of the regiments', although no mention was made of Agitator representatives.<sup>249</sup> As Woolrych has pointed out, 'consensus was not to be won easily' at the debates that took place two days later.<sup>250</sup> From the onset, the officers in attendance bickered over whether they were meant to debate or vote on the proposal to march on London within the next four days. Ireton remarked that 'the end of the meeting was nott to have a paper [the above letter from the Agitators] brought in and read' when most of those in

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<sup>247</sup> Woolrych, *Soldiers and Statesmen*, pp.154-5; Brailsford, *The Levellers*, p.230.

<sup>248</sup> Firth, *CP*, vol.1, pp.170-3.

<sup>249</sup> Woolrych, *Soldiers and Statesmen*, p.153.

<sup>250</sup> Woolrych, *Soldiers and Statesmen*, p.155.

attendance were its authors and signatories.<sup>251</sup> Major Tulidah, on the other hand, wanted an immediate vote on the motion because ‘all the proposals [will] be of noe effect without a march on London’.<sup>252</sup> Cromwell interjected that ‘Marching uppe to London is a single proposall’, but the reasons for and against doing so needed to be considered. Cromwell explained, ‘nothing should bee done butt with the best Reason, and with the best and most unanimous concurrence’.<sup>253</sup> Tulidah wanted to decide the question of occupying London by a simple majority vote, whereas Cromwell and Ireton wanted to weigh the advantages and disadvantages of doing so before reaching a unanimous resolution. Woolrych has pointed out that the differences at Reading were over tactics rather than objectives.<sup>254</sup> In addition, it also revealed that the General Council lacked a formal rule and set of procedures to structure its decision-making process at this juncture. The Agitators advocated for a simple majority vote on all resolutions, while Ireton expressed apprehension at being outvoted by force of numbers and, therefore, wanted to decide issues based on a rule of unanimous resolution.

A newsletter reported on the second day of the debate. The General Council decided ‘now in prudence [to] admitt [the Agitators] to debate... to be unanimous in Councils, including the new persons into their numbers’.<sup>255</sup> The army would march on London to ‘obtain satisfaction in those particulars, which have been long desired’, and a committee of 12 officers and 12 Agitators to amend ‘the proposals then read’, the Heads of Proposals.<sup>256</sup>

### At the Putney Debates

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<sup>251</sup> Firth, *CP*, vol.1, p.178.

<sup>252</sup> Firth, *CP*, vol.1, p.178.

<sup>253</sup> Firth, *CP*, vol.1, p.178.

<sup>254</sup> Woolrych, *Soldiers and Statesmen*, p.156.

<sup>255</sup> Firth, *CP*, vol.1, p.215.

<sup>256</sup> Firth, *CP*, vol.1, pp.216-7.

A letter from army headquarters at Putney on 30 August formalised the orders and instructions for conducting business within the army. Fairfax established a Committee of Officers to ‘take into consideration all Businesses which shall by mee bee referred or shall otherwise be tendered unto you, that are of publique and common concernment’.<sup>257</sup> Fairfax empowered the officers or any three of them, ‘whereof Lieut. Generall Cromwell, Lieut. Generall Hamond, Commissary Generall Ireton, or Colonell Rainborow [are] to bee one’ to ‘appoint such particular and several Committees for several businesses, as there shall bee occasion’. Every committee would consist of three or more persons and present its recommendations back to the general committee from time to time. Its recommendations would then be ‘tendered and proposed unto mee [Fairfax] with your approbation, if you shall approve of the same’.<sup>258</sup> Firth noted that the Committee of Officers dealt with the movement of troops, promotions, discipline, and pay. It is important to note that these orders and instructions set the new standard for later proceedings of the General Council.

On 15 October, five regiments of horse elected new Agitator representatives. The new Agitators were more radical than their former counterparts and enjoyed considerable support from civilian Levellers in London. The Leveller John Wildman joined the new Agitators to draft a document called *The Case of the Army*. It urged the Grandee officers to honour the Solemn Engagement taken on the 5<sup>th</sup> of June, wherein the army declared that it had not been ‘hired to serve an arbitrary power of the State’ but to vindicate the common freedom of the people and defend parliamentary privilege from arbitrary authority.<sup>259</sup> The Council of War responded to *The Case of the Army* by unanimously expressing ‘dislike for the paper from the

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<sup>257</sup> Firth, *CP*, vol.1, p.224.

<sup>258</sup> Firth, *CP*, vol.1, p.224.

<sup>259</sup> Anon., *The case of the Armie truly stated* (London, 1647), p.4; this pamphlet was likely authored by John Wildman. Many early pamphlets, petitions and works by the Agitators and Levellers were collectively written and published anonymously. As a result, their attribution is sometimes uncertain.

new Agitators'.<sup>260</sup> It recommended that a new headquarters be set up for the 'better regulation' of discipline within the army.<sup>261</sup> The Council of War perceived the new Agitators as a threat to army unity while it was being attacked by the Presbyterian faction at Westminster and the City government. John Rushworth remarked that 'as some say', *The Case of the Army* was 'the Act of these Agents [the new Agitators] only, and it's conceived [and] will not carry the Approbation of the Army'.<sup>262</sup> Rushworth went on to comment that it contained 'some things in them very high, if not against the Sense of the Army in general' and was to be debated on 28 October during 'the next General Council'.<sup>263</sup>

The transcript of the Putney Debates in the *Clarke Papers* has illuminated the structure of political debate in the General Council. John Rees has pointed out that the Putney Debates revealed the oppositional political dynamics between the Grandee officers, civilian Levellers, and Agitators.<sup>264</sup> Brailsford has argued that the transcripts reveal that 'both sides [Agitators and the Grandee officers] wanted to persuade the colonels, majors and captains present at the debates' to adopt their respective plans for a constitutional settlement.<sup>265</sup> Elliot Vernon has characterised the *Agreement* presented to the General Council as a 'manifesto of a minority within the army', the Agitators and Levellers, which should also be understood in the context of the Grandee officers' attempts to stymie the spread of radical distempers throughout the army.<sup>266</sup> Rees, Brailsford, and Vernon have all interpreted the Putney Debates through the lens of adversary politics. According to them, the Agitators and Levellers

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<sup>260</sup> General Council of the Army, *Papers from the Armie concerning His Excellency and the General Councill* (London, 1647), pp.1, 8.

<sup>261</sup> General Council of the Army, *Papers from the Armie*, pp.1,8.

<sup>262</sup> John Rushworth, *Historical Collections of Private Passages of State* [henceforth *HCPPS*], vol.7 (London, 1721), pp.830-58.

<sup>263</sup> Rushworth, *HCPPS*, vol.7, pp.830-58.

<sup>264</sup> Rees, *The Leveller Revolution*, p.xix.

<sup>265</sup> Brailsford, *The Levellers*, p.195.

<sup>266</sup> Philip Baker and Elliot Vernon, *The Agreements of the People, the Levellers, and the Constitutional Crisis of the English Revolution* (Basingstoke, Palgrave Macmillan, 2015), p.198.

opposed the Grandee officers. All sides wanted to persuade the uncommitted attendees at the General Council to adopt their respective positions.

Kishlansky has challenged the tendency among historians to treat the Grandee officers and Agitators as opposing sides at the Putney Debates. Furthermore, he contended that ‘efforts to achieve unanimity [did] not imply the absence of conflict’, suggesting that the debates were structured to channel disagreement toward agreement.<sup>267</sup> The top-down orders and instructions established at Reading in July determined the agenda of the proceedings and settled the composition of the General Council, while the rhetorical tenor of its meetings was set through informal norms of moderate speech established in May at Saffron Walden. Kishlansky has distinguished between the ideal of unanimity and techniques of consensus building employed during the Putney Debates. The techniques of consensus politics included engaging in a collective spirit of seeking God’s will (eschewing personal interest or wilfulness) and an open and free debate, irrespective of rank or birth, to persuade and be persuaded through rational argumentation. It also included the appointment of committees to avoid divisions and enabled participants to withdraw from the debate rather than obstruct it from proceeding toward a unanimous resolution and agreement.<sup>268</sup>

In the morning before the meeting of the General Council at Putney, the new Agitators presented their commanders with a copy of *An Agreement of the People*. The officers had only prepared for a discussion of *The Case of the Army*, however, the General Council allowed for debate on both documents. Cromwell, who chaired the proceedings, opened its proceedings by giving ‘libertie to speake’ to all attendees with something to say about public business.<sup>269</sup> The first day of debate was dominated by participants attempting to cast off pre-engagements which would have constrained their ability to proceed toward an agreement.

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<sup>267</sup> Kishlansky, ‘Consensus Politics’, p.52.

<sup>268</sup> Kishlansky, ‘Consensus Politics’, p.52.

<sup>269</sup> Firth *CP*, vol.1, p.226.

This was an important precondition to a discussion of the two documents because the army and its soldiers had taken overlapping oaths, covenants, and engagements that bound them to perform certain duties since the beginning of the war.<sup>270</sup> The participants wanted to sort through which of these engagements remained in effect and which could be eschewed without becoming oath-breakers. Many participants expressed the notion that members of the malignant party at Westminster had violated their oaths to them and the nation when they attempted to disband the army and forced votes in Parliament under threat of violence. There was some disagreement on issues around whether they were bound to advocate for parliamentary supremacy or popular sovereignty and over the constitutional role, if any, of the King. Everyone agreed that they were bound by the Solemn Engagement to maintain army unity and avoid divisions or disbandment before a settlement had been achieved. However, there was disagreement when interpreting the nature of the threats which tended to sow divisions within the army. Ireton argued that the Agitators were the primary threat to that unity, while other participants contended that army unity could only be preserved through a settlement safeguarding the rights and liberties of freeborn Englishmen.

Firth published the *Clarke Papers* in the late nineteenth century, which contained the remarkable discovery of a transcript of the General Council's proceedings at Putney church. The second day of debates on the franchise has been the most commented on by historians. On 29 October, the General Council began its discussion of the contents of *An Agreement of the People*. Most of the day was dedicated to debating the principles and extent of the electoral franchise. This has become the most well-known part of the Putney Debates because of its implications for the history of political thought. An examination of the debate on the franchise underscores the extent to which techniques of consensus were used to resolve deep ideological disagreements between participants. Colonel Thomas Rainsborough took the view

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<sup>270</sup> Egerton MS 1048, fo.47.



that freeborn Englishmen had a natural right to exercise a voice in electing their representatives in Parliament. Ireton, however, wanted to limit the franchise to persons with a permanent or settled interest in the kingdom and vehemently opposed Rainsborough's application of a theory of natural rights. Maximilian Petty adopted a middle position whereby women, servants, apprentices, and alms-takers would be excluded from the franchise on the republican grounds that they were dependent on the arbitrary will of another and, therefore, incapable of exercising free consent. The participants put forward three criteria for enfranchisement based on divergent principles: natural right, property qualification, or permanent interest and independence. Rainsborough, Ireton, and Petty agreed that the franchise belonged only to freemen but disagreed over the conditions for attaining that status. The below exchange will demonstrate the effectiveness of consensus techniques in helping the General Council move beyond this ideological impasse,

Ireton: All the main thing that I speak for, is because I would have an eye to property... For here is the case of the most fundamental part of the constitution of the kingdom, which if you take away, you take away all by that... I wish we may all consider of what right you will challenge that all the people should have right to elections. Is it by the right of nature? If you will hold forth that as your ground, then I think you must deny all property too, and this is my reason.

Rainsborough: [on the charge of anarchy] God hath set down that thing as to propriety with this law of his, *Thou shalt not steal*. And for my part I am against any such thought, and, as for yourselves, I wish you would not make the world believe that we are for anarchy.

Cromwell: [intervening to clarify Ireton's point] No man says that you have a mind to anarchy, but the consequence of this rule tends to anarchy, must end in

anarchy; for where is there any bound or limit set if you take away this, that men that have no interest but the interest of breathing? Therefore I am confident on't, we should not be so hot one with another.<sup>271</sup>

Cromwell's intervention was designed to clarify Ireton's objections to Rainsborough's advocacy for universal manhood suffrage; however, it did little to abate the quarrel between Ireton and Rainsborough. The reminder to 'not be so hot one with another' marked another attempt to use a consensus technique to preserve open and free debate and get them to exercise moderation in their speeches. The clarification also pointed to a broad agreement that neither Rainsborough nor Ireton wanted to bring about a state of anarchy or the destruction of property. Ireton remained combative in his speech throughout the day's proceedings as he opposed every attempt to redirect the debate to more productive channels. Rainsborough wanted the question on the franchise put to a vote. His motion was rejected because it was contrary to the ideals of consensus politics. Instead, the participants agreed to nominate a special committee to seek compromise on the matter. The rest of the proceedings on the 29<sup>th</sup> were acrimonious, but this was only reflected in a small portion of the debates.

An examination of the proceeding meetings reflects the effectiveness of consensus techniques in promoting agreement and unanimity. On 30 October 1647, several committees delivered their recommendations regarding six articles of the *Agreement of the People*. The committees recommended the dissolution of the current session of Parliament, biennial parliamentary elections, and that the new Parliament would meet at a predetermined place assigned to it by the previous session of Parliament or Council of State. Parliament would have the power to appoint a Council of State or particular committees to govern during its intervals, the King would lose the power to summon a new Parliament before the appointed

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<sup>271</sup> A. S. P. Woodhouse, *Puritanism and Liberty, being the Army Debates (1647-9) from the Clarke Manuscripts* (Chicago, University of Chicago UP, 1951), pp.114-6.

time, the number of MPs would be chosen according to ‘some rule of equality of proportion’, and Parliament would become the supreme authority when it came to ‘enacting, altering, and repealing of lawes’.<sup>272</sup> Cromwell opened the meeting of the General Council the following day by inviting all participants to individually express their thanks to God for having answered their prayers. John Wildman grew impatient with the delay caused by this exercise in consensus-building; however, the participants’ entering a collective spirit marked a turning point, as the remainder of the Putney Debates were relatively free of disagreements. On 2 November 1647, the General Council unanimously approved the first six articles along with four articles that ‘the people electing [Parliament] reserved to themselves’ concerning freedom of conscience, the abolition of impressment, an act of oblivion, and constraining Parliament from altering the second, fifth, and sixth articles of the *Agreement*.<sup>273</sup>

The General Council then set up a committee to tender its demands to Parliament on behalf of the kingdom. On 8 November, it debated placing the militia in the hands of its former commanders for ten years and the abolition of tithes for a land-rent tax. Captain William Bray then raised Ireton and Cromwell’s statements that the *Agreement* would tend toward anarchy to dispel this misapprehension. In response, Cromwell put this question to a vote, ‘Whether that the Officers and Agitators bee sent to their Quarters, yea, or noe’?<sup>274</sup> It was unanimously resolved that the officers and Agitators would return to their respective regiments or companies until a general rendezvous was soon called. A committee was then

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<sup>272</sup> Firth, *CP*, vol.1, pp.363-7, 407; the provision that representatives would be apportioned according to ‘some rule of equality of proportion, so as to render the House of Commons as neere as may bee an equall a Representative of the whole body of the people that are to Elect’ should not be misinterpreted as an endorsement of proportional representation. Instead, Charles Firth clarified in a footnote on p.299 that term ‘rule of equality of proportion’ found in the *Agreement* should be interpreted according to its use in the Heads of Proposals wherein it referred to a reapportioning of MPs to ‘take off the Elections of Burgesses for poor, decayed, or inconsiderable townes, and to give some present addition to... some great counties, that have now less than their due proportion’.

<sup>273</sup> Firth, *CP*, vol.1, p.409.

<sup>274</sup> Firth, *CP*, vol.1, p.412.

appointed to ‘drawe uppe instructions for what shall bee offer’d to the Regiments att the Rendezvous’, consider the letter sent to Parliament regarding the army’s intentions and demands, and what else should be demanded of them.<sup>275</sup> The following day, a committee was assigned to examine *The Case of the Army* and the *Agreement of the People* to ‘consider how farre any thinge contain’d in the same are consistent’ with the Solemn Engagement and the army’s other declarations and interests.<sup>276</sup> The General Council made these preparations because Parliament was close to presenting the King with a personal treaty. The army wanted to tender their own proposal for a settlement based on these documents in such an eventuality.

The Putney Debates concluded on 11 November when the King was reported to have escaped from army custody at Hampton Court. The King’s letter indicated that he fled out of fear that Levellers were plotting to murder him and that such malcontents were countenanced rather than punished by the army. On the same day, the Committee of Officers met to discuss the revelations of the King’s escape. At this meeting, the officers signalled their radical intention to abolish the negative voices of both the House of Lords and the King. They declared that by ‘usurping power in the law’, the King was that ‘Man of Bloud’ who caused the war, and they unanimously resolved ‘to prosecute him’ as such.<sup>277</sup>

### After Putney

The King’s escape from Hampton Court heightened fears of a second civil war. The Grandee officers had promised the Agitators another general rendezvous of the army at Putney; however, the looming threat of a renewed civil war led them to call for this rendezvous to take place at three sites rather than one. The Agitators resolved to disobey Fairfax’s

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<sup>275</sup> Firth, *CP*, vol.1, p.413.

<sup>276</sup> Firth, *CP*, vol.1, p.415.

<sup>277</sup> Firth, *CP*, vol.1, p.417.

instruction by organising an unauthorised rendezvous in Corkbush Field, near Ware, to subscribe *en masse* to the *Agreement*. Cromwell was dispatched to suppress the so-called Ware mutiny by riding through the ranks, plucking Agreements and other pamphlets from soldiers. The ringleaders were rounded up and made to cast lots for their lives. Private Richard Arnold faced a court-martial in the field and was summarily executed by firing squad. The Grandee officers seized the rhetorical opportunity presented by the Ware mutiny by arguing that the Agitators had violated the Solemn Engagement by sowing division within the army. In response, the Agitators accused the Grandee officers of having deceived them with false promises of holding one general rendezvous rather than three. This occurred in a heightened atmosphere of fear. The King was at large preparing for another civil war while the Presbyterian faction at Westminster and in City government was intent on purging the Independent faction from Parliament and disbanding the New Model Army.

In the meantime, the army commanders focused on winning the second civil war and renewing its peace negotiations with Parliament and the King. From 15 November 1647 to 8 January 1648, parliamentary commissioners met with the army at Windsor to a peace treaty called the *Four Bills*. The King was imprisoned at Hurst Castle at the time, where he continued negotiations with Parliament. The King rejected the *Four Bills* because it would have impinged on his prerogative right. Meanwhile, the Scottish commissioners also entered the peace negotiations by signing an engagement with the King. The Grandee officers accused the King of dealing in bad faith for playing the three sides against each other. The Grandee officers and their Independent allies in the Commons presented a bill of no further address to end peace negotiations with the King. It was designed to prevent their opponents in the Presbyterian faction to outmanoeuvre them. In response to Parliament's failure to pass the bill, the Grandee officers renewed their prior threats to occupy London.

The Ware mutiny exposed the ‘thinness of consensus’ achieved at Putney. The Grandee officers were convinced that the Agitators were a major threat to army unity, while the Agitators and London agents felt betrayed by the Grandee officers’ false promises. On 25 November, Cromwell delivered a speech in the House of Commons disavowing the Ware mutiny. Cromwell echoed the rhetoric in the King’s letter from Hampton Court, claiming that the mutineers were incited by persons ‘not of the army... [who] drive at levelling and parity’ to disobey their marching orders.<sup>278</sup> The claim was that outside provocateurs, soon to be labelled as the Levellers, were sowing divisions within the army. It was further alleged that these provocateurs aimed at ‘levelling’ men’s estates and social ‘parity’, which became an epithet for years to come. It also served as a disavowal of the mutineers by distancing Cromwell and the other Grandee officers from their responsibility for promising them a general rendezvous. Soon after the Commons released John Lilburne from prison, the Levellers emerged as an organised group with a populist movement in London. The core personnel of the organisation included Lilburne, John Wildman, Richard Overton, William Walwyn, and two treasurers, Thomas Prince and Samuel Chidley.<sup>279</sup> Edward Sexby served as a go-between the London-based Leveller organisation and the Agitator regiments in the army.<sup>280</sup> The Levellers held meetings at the Whalebone, The Nags Head, Windmill, and Saracen’s Head taverns to refine their ideas through debate and develop their rhetorical skills of persuasion. The meetings also served as an opportunity to gather subscriptions for their latest petition or manifestos, collect money to fund their propaganda campaigns, and grow the movement’s base of support.

A year of Leveller organising across England culminated in them presenting the Commons with a mass petition popularly referred to as *The Petition of 11 September 1648*.

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<sup>278</sup> Sharp, *The English Levellers*, p.xxvii.

<sup>279</sup> Rees, *Leveller Organisation*, pp.74-9.

<sup>280</sup> Woolrych, *Soldiers and Statesmen*, p.63.

This became the centrepiece of the Leveller political programme and was constantly referred to in their pamphlets and subsequent petitions throughout 1649. In its preamble, the Levellers lamented that Parliament had not ‘made good the supremacy of the people’.<sup>281</sup> This reflected the Levellers’ commitment to popular sovereignty as the fundamental principle of the constitution they wanted Parliament to enact. The Levellers also called for the dissolution of the current session of Parliament and the institution of annual elections for a new representative to prevent the inconveniences and abuses of power that result from the same persons remaining in positions of authority for too long. They argued that annual elections would make members of Parliament more accountable to the common people because they would be forced to return to their constituents to seek re-election. The common people would be sovereign, according to the Levellers, because a constitution based on the principles set out in *The Petition of 11 September 1648* would empower them to renew or withdraw the trust placed in individual members of the representative assembly every year. It also called for the establishment of a Council of State appointed by MPs to administer the law during the interval between the dissolution of one Parliament and the convening of the next.

The Levellers’ rhetoric in *The Petition of 11 September 1648* was designed to appeal to both the common people and soldiers alike. To the common people, the Leveller leaders expressed their strong belief that the just freedoms of the subject could be discovered through the application of ‘right reason’. They demanded equality under the law and the publication of the entire *corpus* of the law in plain language so that it would be intelligible to all men.<sup>282</sup> This appeal to the common freedoms of the people or freeborn Englishmen, according to the Levellers’ preferred idiom, was followed by demands for the redress of their material needs. The Levellers demanded reparations for injuries incurred by victims of the late prerogative

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<sup>281</sup> Woodhouse, *Puritanism and Liberty*, p.347; Sharp, *The English Levellers*, p.135.

<sup>282</sup> Sharp, *The English Levellers*, p.132.

courts. They also demanded that immediate supply be granted by the City to redress the soldiers' arrears in pay and that Parliament pass an act of indemnity covering the entire period from the outbreak of the civil war to the present.<sup>283</sup> In an appeal to potential supporters in the countryside, the Levellers called for Parliament to decree that all recent enclosures of common land be levelled with the ground unless they benefited the poor.

Over the following months, the army became the dominant political force in England. The King lost the second civil war but continued personal negotiations for a peace treaty with all sides. On 25 November 1648, the General Council met at army headquarters in Windsor and recommended the King be removed to Carisbrook Castle on the Isle of Wight. A newsletter reported that the officers, having sought 'God by prayer', were 'united every man's heart as one man in the prosecution of this business' of bringing the King to justice as a man of blood.<sup>284</sup> Thomas Rainsborough's regiment spearheaded the army's march into London. On 1 December, Fairfax ordered that the King move closer to London in preparation for his trial for high treason. Four days later, Parliament voted to continue negotiations with the King, which led the army to expel 180 of 470 members of the Commons from Parliament on 6 December 1648.

#### At and After the Whitehall Debates

On 14 December 1648, a General Council met at Whitehall. It was composed of four delegates sent by the Levellers, congregational churches, MPs, and Grandee officers to debate the issue of finding a lasting constitutional settlement. The question was whether the *Agreement of the People* should be that programme. Like the Putney Debates, these debates

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<sup>283</sup> Woodhouse, *Puritanism and Liberty*, p.348.

<sup>284</sup> Firth, *CP*, vol.2, pp.55-8.



at Whitehall were structured by the ideals and techniques of consensus politics. Resolutions were to be arrived at unanimously through a process of open and free debate among participants who were expected to persuade others and be persuaded by rational argumentations. However, in contrast to Putney, the following three orders were established as rules ‘for the discussion’ at Whitehall: (1) ‘those who are of opinion in the affirmative begin (if they will) to lay downe the grounds [of the question]’ under discussion, (2) ‘the discussion [was to] be alternate’, following a strict pro & con format, and (3) issues were to be dealt with systematically, ‘that if none arguing in the affirmative give grounds [on a specific question]... then none in the negative to speake against any other’.<sup>285</sup> When disagreement arose (which it did), participants had recourse to the usual consensus techniques of asking for clarification, redirecting the conversation to areas of broad agreement, or referring issues to a committee. The discussion could also be paused so participants could seek God’s providential will through collective prayer, or they could withdraw from the debates if their conscience prevented them from entering into a unanimous agreement. Once debated, questions were put to a vote by majority acclaim. The rules to constrain debate at Whitehall were devised to channel differences of opinion toward a unanimous resolution. It also tended to reinforce a conservative consensus as participants were instructed to exercise moderate speech and allow for compromise so that business could proceed without delay.

The composition of the General Council meeting at Whitehall sheds light on the challenges of fostering consensus among multiple groups. Sixteen delegates from the ‘honest partie’ in the nation initially met at army headquarters at Windsor Castle to participate in the debates.<sup>286</sup> However, once the army had occupied London, the meeting of the General Council was relocated to Whitehall. This so-called honest party included Independent and

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<sup>285</sup> Firth, *CP*, vol.2, pp.72-3.

<sup>286</sup> Carolyn Polizzotto, ‘What Really Happened at the Whitehall Debates? A New Source’, *The Historical Journal*, vol.51, no.1 (Cambridge, Cambridge UP, 2014), p.35.

republican members of the Commons, congregational ministers, Levellers, and the army.<sup>287</sup> A notable absence from the General Council was the Agitators, whose council had been dissolved after the Ware mutiny. Each group put forward a list of potential delegates that was vetted by the Grandee officers. The Levellers nominated Lilburne, Overton, and Wildman. They had originally nominated Walwyn as a delegate instead of Overton. However, Walwyn was vetoed because he was considered a dangerous sectarian on the advice of John Price, who had powerful friends in the army. Of the four parliamentary delegates, only Henry Marten attended the General Council at Whitehall, where he conferred with the Levellers in their chambers.<sup>288</sup> The congregational ministers John Goodwin, Philip Nye, Joshua Sprigge, and Dr. Parker joined the debates because they were powerbrokers and shapers of mainstream opinion among Independents in London. This reflected the Grandee officers' intention to get the buy-in of the 'honest partie' in civil society for its proposal for a firm settlement before presenting it to Parliament for ratification and then for subscription by the common people.<sup>289</sup>

The first meeting of the General Council at Whitehall was a day filled with disagreement and acrimonious debate. Carolyn Polizzotto has asserted that the debate 'threatened to descend into chaos' after six short speeches led to many participants calling for clarification on whether God gave the magistrate the authority to compel matters of conscience.<sup>290</sup> Ireton was the most combative debater and took on Lilburne, Overton, Sprigge, Colonel Nathaniel Rich, and Colonel Thomas Harrison successively.<sup>291</sup> While this was permissible within the orders for the debate, Ireton appeared to be the only dissenter, whereas the other participants were engaged in esoteric disagreements. The entire meeting was spent debating a single clause of the *Agreement*. Lilburne was committed to the principle

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<sup>287</sup> Polizzotto, 'What Really Happened', p.84.

<sup>288</sup> John Lilburne, *The legal fundamentall liberties* (London, 1649), p.33.

<sup>289</sup> Polizzotto, 'What Really Happened', p.84.

<sup>290</sup> Polizzotto, 'What Really Happened', p.35.

<sup>291</sup> Polizzotto, 'What Really Happened', pp.41-2.

of toleration and enshrining a constitutional right to liberty for tender consciences. In a striking rhetorical inversion, Ireton defended the magistrate's interference in matters of religion using a combination of divine and natural law theories. Ireton asserted that 'there are some thinges of perpetuall and naturall right, that the Scripture of the Old Testament doth hold forth', including the 'perpetuall right' of the magistrate to compel in matters of religion.<sup>292</sup> This marked a departure from Ireton's position at the Putney Debates, wherein he decried theories of natural rights. However, at Whitehall, Ireton deftly combined the languages of natural right, divine law, and scriptural exegesis while advocating for the existence of a national church and the magistrate's power to compel obedience in matters of religion.<sup>293</sup> While Ireton attempted to persuade the delegates to adopt his point of view, he was opposed by Lilburne and most of the congregational ministers. A committee was eventually assigned to consider the question behind closed doors.

Ireton was one of the delegates selected for the committee tasked with making recommendations for a compromise solution. When the committee returned its report to the General Council, Lilburne withdrew from the Whitehall Debates in protest. On the one hand, this reflected the effectiveness of the consensus-building techniques to enforce a conservative consensus among participants by fostering compromise on controversial items such as the magistrate's power to compel in matters of religion. At the conclusion of the Whitehall Debates, on 20 January 1649, the General Council unanimously passed the *Second Agreement* or *Officers' Agreement* as its proposal to Parliament and the nation for a peace settlement. On the other hand, Lilburne's acrimonious withdrawal from the Whitehall Debates was a harbinger for the open conflict between the Levellers and Grandee officers to come following his decision to pursue the disagreement with Ireton in the English press.

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<sup>292</sup> Firth, *CP*, vol.2, p.101.

<sup>293</sup> Firth, *CP*, vol.2, pp.101-2.

On 15 November, Lilburne published his own version of the Second Agreement in a pamphlet titled *Foundations of Freedom*. This pre-empted the General Council having its edition of the *Second Agreement* published by over a month. Lilburne's *Foundations of Freedom* (December 1648) and the *Officers' Agreement* (January 1649) contained interesting similarities and differences.<sup>294</sup> In terms of their similarities, both set out an identical model for a constitution based on the principle of popular sovereignty wherein the Commons would become the supreme authority in England while the Lords and monarchy were abolished. Both made direct rhetorical appeals to the rights and liberties of the common people and proposed biennial Parliaments with a franchise excluding women, servants, apprentices, and alms-takers, as well as those who owned less than forty shillings worth of real property or were below the age of 21 years old. The *Second Agreements* diverged in one crucial respect, which has been entirely overlooked by historians. The *Officers' Agreement* was drafted on a large sheet of vellum befitting a constitutional document, whereas Lilburne's *Foundations of Freedom* was published as a cheap print pamphlet.<sup>295</sup> The common reader of the two competing Second Agreements would have done so in print, however, the scale and material differences between them belied a profound difference with political implications for the Levellers. The *Officers' Agreement* had the institutional imprimatur of the army and derived its legitimacy as a proposal from the unanimous resolution of the participants at the Whitehall Debates. After withdrawing from the debates, Lilburne's *Foundations* amounted to little more than counterprogramming presented to the common people of England on behalf of a private individual.

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<sup>294</sup> Lilburne, *Foundations of freedom*, pp.1-15; it was accompanied by another text; Anon., *An appendix to the Agreement for the people published for the satisfaction of tender consciences* (London, 1648), p.1-8; also see Egerton MS 1048, fos.91-92; Anon., *An agreement of the people of England and the places therewith* (London, 1649), p.1; Anon., *An Agreement prepared for the people of England* (London, 1649), pp.1-30.

<sup>295</sup> Egerton MS 1048, fos.91-2.

Nevertheless, there were other differences between Lilburne's *Foundations of Freedom* and the *Officers' Agreement*. In *Foundations of Freedom*, the Commons was to consist of 400 members, 356 of which were proportionally allocated to counties, cities, and boroughs according to their estimated population, with a remainder of 44 unassigned seats to be apportioned later by Parliament. The *Officers' Agreement* only allocated 285 of the 400 proposed seats in the Commons, leaving the remaining 115 seats unassigned.<sup>296</sup> The practical implications of these differences in apportioning parliamentary seats remain somewhat unclear. However, it appears that Lilburne's constitutional proposal in *Foundations of Freedom* would have gone further in decentralising political power by distributing electoral seats more widely across the nation than the *Officers' Agreement*.

In *Foundations of Freedom*, Lilburne argued that the current Parliament should be dissolved 'to prevent the many inconveniences arising from the long continuance of the same persons in authority'.<sup>297</sup> In addition, he outlined an electoral map for a more equal distribution of representative seats in the Commons. Five clauses were dedicated to setting out a procedure for fair and free elections. It also promoted a quorum rule during parliamentary sessions whereby at least 60 members of Parliament would be needed to hold a preliminary debate on a motion, while 150 members would need to be present to hold a vote. It set forth clear rules and procedures for the dissolution and summoning of a new Parliament. Moreover, it contained a proviso aimed at preventing factionalism and corruption by prohibiting public officers and the people's representatives from receiving money from the treasury. The Commons, described as the 'People's Representatives', was granted the authority to alter, repeal, and execute the laws. However, its legislative authority was constrained only by the reserves annexed to the model constitution in *Foundations of*

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<sup>296</sup> Anon., *An agreement of the people*, p.1; Anon., *An Agreement prepared for the people*, pp.9-15.

<sup>297</sup> Lilburne, *Foundations of freedom*, p.4.

*Freedom*, which were designed to secure the just rights and liberties of the subject. As mentioned above, the *Officers' Agreement* called for 'biennial Representatives', whereas *Foundations of Freedom* does not specify how often elections should occur.<sup>298</sup> Lilburne gave the impression from the first clause concerning the inconveniences of persons remaining in a position of authority for too long that elections would be at least as frequent as stipulated by the *Officers' Agreement*. This was a conspicuous omission given that both documents called for establishing a Council of State tasked with executing the law while Parliament was in recess and during the interval before a new representative met.

The reserves for safeguarding the rights and liberties of the English people marked another set of differences between the *Officers' Agreement* and *Foundations of Freedom*. The *Officers' Agreement* featured 10 reserves found in 3 articles, whereas *Foundations of Freedom* featured 10 reserves 'essential to our just freedoms' alongside 15 particulars touching 'the most eminent grievances, to be addressed by the next Representative'.<sup>299</sup> In the *Officers' Agreement*, its preamble to the reserves read: 'That no Representative may in any wise render up, or give, or take away, any of the foundations of common right, liberty, and safety contained in this Agreement'.<sup>300</sup> This was identical to Article 7 in *Foundations of Freedom*, which treated the rights and liberties of the subject as prior to the state's authority. However, the *Officers' Agreement* included a proviso that the representative could not violate the Agreement 'nor level men's Estates, destroy Property, or make all things common'.<sup>301</sup> The insertion of this clause against levelling may have represented a rhetorical attack on the Levellers, perpetuating the aspersion frequently cast on them that they wanted to erase the

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<sup>298</sup> Anon., *An agreement prepared for the people*, pp.16, 21; Anon., *An agreement of the people*, p.1.

<sup>299</sup> Lilburne, *Foundations of freedom*, p.13.

<sup>300</sup> Lilburne, *Foundations of freedom*, p.12.

<sup>301</sup> Anon., *An Agreement prepared for the people*, p.24; Anon., *An agreement of the people*, p.1.

distinction between mine and thine. It may have also represented an attempt by the General Council to pre-emptively defuse the same criticism.

The *Officers' Agreement* and *Foundations of Freedom* contained many similarities; however, their differences reveal the emergence of personal, political, and ideological disagreements between the Grandee officers and Levellers, especially after Lilburne's withdrawal from the Whitehall Debates to denounce the former in the partisan English press. This demonstrated the limitations of consensus politics to achieve a unanimous resolution of disagreements outside of the institutional setting of a General Council.

### The Third Agreement

The *Officers' Agreement* became the army's constitutional programme but was never presented to Parliament. The opening of the King's trial at Whitehall on 20 January 1649 and his execution on 30 January temporarily drew the nation's focus away from securing a constitutional settlement. On 27 March, Sergeant Dendy received a warrant from the Council of State for the apprehension of John Lilburne, Richard Overton, William Walwyn, and Thomas Prince on suspicion of high treason. The warrant alleged that the four Levellers were the 'Authors, Contrivers, framers or publishers of a certain scandalous and seditious Bookes printed intituled Englands new Chaines discovered' impugning Parliament's authority and the Council of State.<sup>302</sup> It was further ordered that 'Mr. Holland, Mr. Scot, Mr. Marten & Col. Jones bee appointed a Committee' to examine the four Levellers.<sup>303</sup> It was recorded the next day that Lilburne, Overton, Walwyn, and Prince had been apprehended and remanded to the Tower in anticipation of their appearance before the committee.<sup>304</sup> Their fellow Levellers and

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<sup>302</sup> The National Archives, State Papers Office [hereafter SP], 25/62, fo.125.

<sup>303</sup> SP 25/62, fo.125.

<sup>304</sup> SP 25/62, fo.126.

wives, Elizabeth Lilburne, Ellen Larner, and Mary Overton, delivered petitions to the Commons in 1646 and 1647 containing tens of thousands of signatures calling for their immediate release.<sup>305</sup> The Leveller women undertook a further petitioning campaign at Westminster throughout April and May 1649, to which the Commons replied that they should not meddle in politics and return to their housewifery.<sup>306</sup> I will examine the Leveller women's petitions in Chapter 3. Meanwhile, a Leveller-inspired army mutiny at Bishopsgate, discussed in detail in Chapter 4, led to further intensification of conflict between the Grandee officers and Levellers. The execution of private soldier Robert Lockyer in St. Paul's churchyard became a rallying cry for the Leveller movement, and a grand funeral procession was held through the streets of London. Lockyer was also memorialised as a martyred Leveller soldier in the press. The Levellers in the Tower wrote and published tracts in which they railed against Cromwell, Ireton, the Commons, and the Council of State as the latest usurpers of the common freedom of the people.

On 1 May 1649, traditionally a day of festive misrule, the four Levellers published *An Agreement of the Free People of England* or *Third Agreement* for popular subscription. Unlike the former Agreements, this document was contrived by the Levellers without the input of officers, congregational ministers, or members of Parliament. It was the most far-reaching proposal of its kind and, at the same time, perhaps the least politically impactful of their programmes because of its lack of institutional support. The Third Agreement has

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<sup>305</sup> Elizabeth Lilburne, *To the chosen and betruſted knights, citizens, and burgesſes, aſſembled in the High and Supream Court of Parliament* (London, 1646), p.1; Mary Overton, *To the Right Honourable, the knights, citizens, and burgesſes, the Parliament of England, aſſembled at Weſtminſter; the humble appeale and petition of Mary Overton, priſoner in Bridewell* (London, 1647), pp.2, 7-8.

<sup>306</sup> Anon., *To the Supreme Authority of England the Commons aſſembled in Parliament* (London, 1649), p.1; Anon., *To the Supreme Authority of this Nation the Commons Aſſembled in Parliament* (London, 1649), pp.1-3; Melissa Mowry, "Commoners Wives who ſtand for their Freedom and Liberty"- Leveller Women and the Hermeneutics of Collectivities', *Huntington Library Quarterly*, vol.77, no.3 (2014), pp.327-8.



received much scholarly attention over the years. Brailsford has described it as ‘the most important and original item in the whole Leveller programme’, while Brian Manning has characterised it as a ‘blueprint for a society of self-governing local communities, with a large degree of voluntarism’.<sup>307</sup> Elliot Vernon has pushed back on Brailsford and Manning’s characterisations of the *Third Agreement*, asserting that it represented ‘the fundamentals of settlement’ at a time of unprecedented national crisis rather than a utopian ‘blueprint’ for a decentralised state or ‘the most important and original item’ of genius lawgivers born centuries before their time.<sup>308</sup> Vernon draws our attention to the context in which it was published by arguing that the *Third Agreement* marked a political response by the four Levellers to the creation of new centralised authorities.

The preamble of the *Third Agreement* described it as advancing the fundamentals of a constitutional settlement designed to provide for the ‘peace and prosperity of the commonwealth’ with the intention to bring an end to factionalism and divisions. It went on to advocate for a written and unalterable constitution grounded in the principle of popular sovereignty.<sup>309</sup> It identified the supreme authority of the nation as the representatives in the Commons elected by ‘we the free people of England’.<sup>310</sup> It proposed a franchise that included all men over 21 years of age who were not currently servants, apprentices, or receiving alms. According to the authors of the *Third Agreement*, the unicameral legislature should consist of no more than 400 representatives chosen by the common people through free and fair annual elections. The fundamental rights and liberties of the people would be secured from state interference through a list of reserves. The four Levellers characterised the *Third Agreement*

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<sup>307</sup> Brailsford, *The Levellers*, p.321; Brian Manning, *The English People and the English Revolution* (London, Bookmarks, 1991), p.410; Baker and Vernon, *The Agreements of the People*, p.97.

<sup>308</sup> Baker and Vernon, *The Agreements of the People*, p.191.

<sup>309</sup> Sharp, *The English Levellers*, p.170.

<sup>310</sup> Sharp, *The English Levellers*, p.170.

as ‘the ultimate end and full scope of all our desires and intentions concerning the Government of this Nation’.<sup>311</sup> They also called on Parliament and the common people of England to authorise it through a mass public subscription campaign modelled on a national oath or covenant. It would have also guaranteed equality before the law, the abolition of privilege or inherited rank, indemnity for acts committed on behalf of Parliament during the late wars, the abolition of monopolies, the abolition of impressment into military service, the election of all public offices and army officers, term limits for members of the representative, speedy justice, trial by jury of twelve sworn men of good standing from the neighbourhood, and liberty of conscience in matters of religion. It would have done away with the Council of State because it was a danger to free people.

On 18 April, the Commons ordered James Chaloner, Ireton, and Thomas Scot to write a declaration against the Levellers. It asserted the state’s intention to ‘discover the design of the contrivers and publishers of diverse scandalous and seditious books... [who] by their Agents and Correspondence employed and maintained in ye City, ye Armye and in ye several counties’ to deceive the common people into overthrowing the same. It further alleged that the Levellers aimed at the ‘diminishing of parliamentarye authoritie and of all magistracye in General’, ‘raising and fomenting of differences in ye Armye’, the destruction of property, ‘endeavouring such a Libertie of Conscience as if allowed would in all likelihood introduce nothing but Heresie’ through lawless anarchy and chaos.<sup>312</sup> The Levellers complained that it was ‘un-christian like’ and the ‘sign of an ill cause... when aspersion supply the place of Arguments’.<sup>313</sup> Critics accused them of pretending to speak on behalf of the common people to advance their interests or level all property. John Gauden denounced the ‘many headed

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<sup>311</sup> Anon., *An agreement of the free people of England* (London, 1649), pp.1-2.

<sup>312</sup> Anon., *An agreement of the free people*, pp.1-2.

<sup>313</sup> Sharp, *The English Levellers*, p.169.

Hydra, call'd The Agreement of the people' because it would have established a 'headless Chymera' based on the principles of popular sovereignty and democratic governance.<sup>314</sup>

The Levellers' problems ran deeper than partisan criticisms in the press. In an official confession after the Restoration, Thomas Scot outlined the concerted effort on the part of the major institutions of the commonwealth to squash the Levellers. Scot was assigned to the committee to examine the four Levellers. With the resources and institutional backing of the Committee of Both Kingdoms, Committee of Public Safety, and the Council of State, Scot and other prominent members of the intelligence services during the Interregnum were busy suppressing the Leveller movement. Scot recalled: 'The first business that I remember to have transacted in, was in relation to the Levellers, who endeavoured to raise disturbances in the Armie and elsewhere'.<sup>315</sup> Scot went on to detail how he had '4 of that party, Lilburne, Walwin, Prince, & Overton were Committed' to the Tower in 1649 based on evidence from 'some [ap]prentices, & young men' who were paid weekly salaries as informants.<sup>316</sup>

On 18 September 1649, the Council of State informed the Lieutenant of the Tower that it was prepared to bring Lilburne to trial for high treason.<sup>317</sup> In early October, Lord President of the Council of State John Bradshaw related to Colonel Purefoy that the date for Lilburne's trial at Guildhall had been set. Bradshaw ordered that Purefoy, the Marshall, the Governor of Warwick Castle, along with 'all further witnesses of those parts that can testify concerning the books [Englands New Chaines Discovered]... be present' at Whitehall.<sup>318</sup> On the 13<sup>th</sup> of October, Lord Chief Justice Oliver St. John and Lord Chief Baron Wylde met at the Sergeant's Inn to prepare for the trial.<sup>319</sup> The trial occurred between the 24 and 26 October

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<sup>314</sup> John Gauden, *Cromwell's bloody slaughter-house* (London, 1649), p.57.

<sup>315</sup> SP 29/445, fo.82.

<sup>316</sup> SP 29/445, fo.82.

<sup>317</sup> SP 25/94, fo.473.

<sup>318</sup> SP 25/63/2, fo.46.

<sup>319</sup> SP 25/94, fo.486.

and concluded with the grand jury acquitting Lilburne of high treason. The four Levellers were released from the Tower but did not secure the *Third Agreement* as the basis for a constitutional settlement; instead, they turned themselves into enemies of the state.

### Conclusion

Throughout this chapter, I have examined the institutional context of transformations in the structure of debate during the English Revolution. In the Summer of 1646, the ‘parliamentary way’ of consensus politics gave way to polarization and factionalism. A hallmark of adversary politics in Parliament was the closer management of parliamentary committees and a marked increase in the number and intensity of divisions. It was around this time that the army entered the political arena. At Saffron Walden, the army commanders established the General Council, intending to preserve army unity in the face of attempts by the Presbyterian faction in parliament to disband it. While formal instructions and orders had been issued to the officers before their meeting at Saffron Walden, Skippon’s reminders to exercise moderation in speech and appeals to their collective identities as Christians, soldiers, and patriots were insufficient constraints to quell distempers and divisions. However, it did serve as a learning experience. Through multiple iterations and a careful process of refining the orders and instructions of debate, the General Council managed to preserve a conservative consensus between Grandee officers, Agitators, and the Levellers until the Whitehall Debates.

In June 1647, the army and its soldiers took a Solemn Engagement not to disband or campaign in Ireland until its grievances had been redressed. Its material grievances included arrears in pay, indemnity, forced billeting of soldiers, and impressment into service in Ireland. The soldiers also had a list of political demands concerning the imprisonment of fellow soldiers, such as John Lilburne, who were being held without charge for publishing

scandalous pamphlets or exercising their free speech. In order to pressure their commanding officers to lobby Parliament for redress on the soldiers' behalf, some regiments began electing Agitators who were in contact with their friends in the Independent party. In mid-July, the General Council met at Reading to debate whether to march into London and purge Parliament of the 'malignant party' seeking to disband the army. The debates were structured around top-down orders to exercise moderation in speech and to weigh the reasons for and against the army taking such extraordinary action. Cromwell was much more effective than Skippon at managing the debates at Reading, where it was resolved that the army would gradually approach but not occupy London. It also marked the official recognition of the Agitator Council and their invitation to future meetings of the General Council. In the meantime, the Agitators continued to pressure their commanding officers to secure redress of their grievances. Their manifestos, *The Case of the Army* and *An Agreement of the People*, were presented to the Grandee officers on the eve of the meeting of the General Council at Putney in the Autumn of 1647. The Putney Debates were structured around the ideals and techniques of consensus politics. The debate on the franchise led to disagreement between several participants; however, reminding participants to moderate their speech, offering clarification to prevent misapprehensions, and using committees to find compromise facilitated a brief consensus to emerge on the *Agreement* until the events of the Ware mutiny.

Lilburne's withdrawal from the General Council's proceedings at Whitehall and the publication of his *Foundations of Freedom* signalled the end of the temporary alliance between the Levellers and Grandee officers. The *Officers' Agreement*, unlike Lilburne's *Foundations of Freedom*, had institutional backing from the army as its official political programme. Following Lilburne's departure, the Grandee officers resumed their propaganda campaign against the movement and its leaders in the press. While the General Council did ratify the *Officers' Agreement* as its political programme, its proceedings only built a thin

consensus among the remaining participants at the Whitehall Debates. On 13 January, Mr. Erbury ‘delivered a long speech declaring his dissent to the [Officers’] Agreement’, wherein he called attention to the thinness of consensus among the participants. Mr. Erbury offered this argument in his dissent, ‘as it was with the Parliament in [imposing] the Covenant, that which they look’t for to bee for agreement proved to bee a great disagreement amongst the Nation, soe [with us] this [Agreement would prove] to bee a Hellish thinge, and altogether tending to disagreement’.<sup>320</sup> Mr. Erbury’s pointed out that whilst he agreed with ‘the greatest parte of that Agreement’, the articles on religion were likely to ‘doe much hurt’ when promoting it among members of Parliament and the common people.<sup>321</sup> The Levellers’ *Agreement of the Free People of England* faced the same challenges as the movement’s supporters focused on securing the release of its leaders from the Tower. The thin consensus achieved at the Putney and Whitehall Debates gave way to adversarial political debate over the next few decades as successive regimes failed to impose a firm settlement.

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<sup>320</sup> Firth, *CP*, vol.2, p.175.

<sup>321</sup> Firth, *CP*, vol.2, p.175.

CHAPTER 2. 'MIRTH SURE IS OF *DIVINE* INSTINCT': LEVELLER POLITICAL  
SATIRE<sup>322</sup>

In recent decades, laughter has become a topic of interest among many historians of the early modern period. In 'Why Laughter Mattered in the Renaissance' (2000) and 'Hobbes and the Classical Theory of Laughter' (2004), Quentin Skinner outlined a 'classical theory of laughter' that emerged in Europe during the early sixteenth century.<sup>323</sup> The most important question to ask for Renaissance thinkers, according to Skinner, was: 'What emotions does [laughter] give rise to?'<sup>324</sup> The passions typically associated with laughter were joy, superiority, or contempt. As Mark Knights and Adam Morton have pointed out, there was also a social dimension to laughter and satire. The early modern period, according to them, was a time of 'linguistic inventiveness... when new words to describe types of laughter were forged or when old words acquired new meanings'.<sup>325</sup> This approach to thinking about satire as a discursive mode, as opposed to a literary genre, illuminates the porous line between words and action. Laughter and satire could be used in inconsistent and multiple ways, such as expressing one's feelings of superiority over another, fostering sociability by laughing with others, calling for the reforming of vice or defects, expressing surprise at an incongruity, and as a source of physical relief.<sup>326</sup> Writing in 1651, two years after the suppression of the Leveller movement, Thomas Hobbes identified feelings of superiority as the passion that gives rise to laughter. As Patrick Giamario pointed out, Hobbes' identification of superiority

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<sup>322</sup> Overton, *The baiting of the great bull of Bashan*, p.4.

<sup>323</sup> Skinner, 'Why Laughter Mattered', p.418; This paper was first delivered as a lecture at Durham University on 10 March 2000; also see Sorell and Foisneau, *Leviathan After 350 Years*, p.141.

<sup>324</sup> Skinner, 'Why Laughter Mattered', p.419.

<sup>325</sup> Mark Knights and Adam Morton, *The Power of Laughter and Satire in Early Modern Britain: Political and Religious Culture, 1500-1800* (Martlesham, Boydell Press, 2017), p.1.

<sup>326</sup> Knights and Morton, *The Power of Laughter*, p.2.

as the passion giving rise to laughter reflected a deep concern for its democratic and ‘counter-sovereign’ potential to bring forth a laughing body politic.<sup>327</sup> Knights and Morton have observed that this reflected ‘the danger in laughter’, which, by undermining social status, authority, or belief, ‘became a potent weapon of polemical protest’.<sup>328</sup> To this purpose, the leading Leveller authors deployed their satirical wits, developing polemical styles designed to police the boundaries of the moral community, humiliate or attack their opponents, and foster an in-group of supporters for their political projects.

In the first section, I will trace the inconsistent and contradictory views on the relationship between the passions and laughter among early modern thinkers. Religious thinkers typically framed their discourse on laughter in terms of a tension between the house of mourning and the house of feasting or mirth. Erasmus warned readers in *Preparation to Deathe* (1538) that many Christians had been led astray by vain pursuits in the metaphorical house of feasting. Martin Luther applied a principle of moderation, whereby it was permissible to live in the house of feasting or mirth from time to time, but similarly warned that it was preferable to live in the house of mourning so long as it did not lead to inconsolable sorrow. This Lutheran framing of the discourse on laughter distinguished between the heaviness or lightness of emotions and the inward or outward expressions associated with the two houses. Jean Calvin adopted the Lutheran framework for thinking about laughter but interpreted the scriptural references to the two houses as a divine injunction against living in the house of feasting. The only exception to this divine injunction against mirth, according to Calvin and his English followers during the sixteenth and seventeenth centuries, was the outward expression of angry laughter by either God or His godly elect at the ruin of sinners.

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<sup>327</sup> Patrick Giamario, ‘The Laughing Body Politic: the Counter-Sovereign Politics of Hobbes’s Theory of Laughter’, *Political Research Quarterly*, vol.69, no.2 (2016), p.309.

<sup>328</sup> Knights and Morton, *The Power of Laughter*, p.3.



The Calvinist theory of laughter — that it is always better to live in the house of mourning than a house of mirth — became the mainstream view among English Puritans during the seventeenth century. In ‘The Paradoxes of Early Modern Laughter’ (2008), Indira Ghose observed that contemporaries saw a ‘paradoxical mixture of emotions: joy and sorrow’ in laughter.<sup>329</sup> This led to a variety of opinions among English Puritan thinkers on the propriety or impropriety of certain kinds of laughter in different social settings. As Christopher Hill has pointed out in *The English Bible and the Seventeenth-Century Revolution* (1992), the culture of bible-reading that developed in England during this period made it the most important source of authoritative knowledge.<sup>330</sup> This is reflected in the conventional framing of early modern discourses on laughter as a tension between the two houses, as well as the tendency among English commentators to seek justification for their views on laughter by referencing the Bible and other authoritative classical texts. This tendency was reflected in William Prynne’s taxonomy of different kinds of objectionable laughter in *Histriomastix* (1633).<sup>331</sup> Prynne railed against the myriad vices and social contexts that give rise to laughter but made an exception for feelings of superiority giving rise to angry laughter directed at sinners. This view was shared among Presbyterian authors Thomas Edwards and John Vicars, as well as Independent minister John Goodwin and heterodox writers such as Henry Burton.

The second section focuses on anti-episcopal polemics attributed to the future Leveller Richard Overton. Don M. Wolfe and David R. Adams have advanced our

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<sup>329</sup> Indira Ghose, ‘The paradoxes of early modern laughter: Laurent Joubert’s *Traité du ris*’, *SPELL*, vol.28 (2008), p.19.

<sup>330</sup> Christopher Hill, *The English Bible and the Seventeenth-Century Revolution* (Harmondsworth, Penguin Books, 1994), pp.7, 20.

<sup>331</sup> William Prynne, *Histriomastix* (London, 1633), pp.292, 294-7, 300, 317-8, 423, 606.

understanding of Overton's polemical style and illicit printing operations.<sup>332</sup> Adams identified Overton as the author of *Articles of High Treason Exhibited Against Cheap-side Crosse* (1642), *New Lambeth Fayre* (1642), and other unsigned pamphlets from the early 1640s.<sup>333</sup> Wolfe has argued that graphic representation of 'sex or excrement, or details of disembowelling' were hallmarks of Overton's satirical style of writing.<sup>334</sup> These details were designed to stir feelings of disgust in readers while urging them to channel their angry laughter toward the English bishops whom Overton smeared by associating Arminian theology with Catholicism.<sup>335</sup> This is consistent with Helen Pierce's findings in 'Anti-Episcopacy and Graphic Satire in England, 1640-1645' (2004) and James Maclear's insights in 'Anticlericalism in the Puritan Revolution' (1956) that, despite the Calvinist injunction against mirth, there was a growing market for cheap satirical polemics in England.<sup>336</sup>

In the third section, I examine Overton's Martin Marpriest series. The Martin Marpriest character was inspired by the late Elizabethan Martin Marprelate tracts. Overton revived the anti-episcopal Martin persona in response to the breakdown of alliance between Presbyterians, Independents, and separatist churches following the collapse of episcopal church government. In "The wilderness of Tropes and Figures' Figuring Rhetoric in Leveller Pamphlets' (2013), Rachel Foxley argued that a major achievement in Overton's Marpriest tracts was the development of a 'polemical discourse on rhetoric'.<sup>337</sup> Nigel Smith has observed that Overton's Marpriest tracts reveal 'a persuasive attempt to inculcate

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<sup>332</sup> David R. Adams, 'The Secret Printing and Publishing Career of Richard Overton the Leveller, 1644-46', *The Library*, vol.11, no.1 (2010), p.5; Wolfe, 'Unsigned Pamphlets of Richard Overton', p.171.

<sup>333</sup> Adams, *The Religion of Richard Overton*, pp.68, 91-2.

<sup>334</sup> Wolfe, 'Unsigned Pamphlets of Richard Overton', p.171.

<sup>335</sup> Wolfe, 'Unsigned Pamphlets of Richard Overton', p.171.

<sup>336</sup> Helen Pierce, 'Anti-Episcopacy and Graphic Satire in England, 1640-1645', *The Historical Journal*, vol.47, no.4 (2004), p.833; James Maclear, 'Anticlericalism in the Puritan Revolution', *Journal of the History of Ideas*, vol.17, no.4 (1956), pp.444, 448.

<sup>337</sup> Rachel Foxley, "The wilderness of Tropes and Figures' Figuring Rhetoric in Leveller Pamphlets', *The Seventeenth Century*, vol.21, no.2 (2013), p.272.

toleration in the minds of the public by means of popular forms of symbolism and jest'.<sup>338</sup>

Smith draws attention to Overton's resourcefulness in deploying imaginative names and labels, arguments, different perspectives, and generic associations to define an in-group of readers against an out-group of opponents and police the boundaries of the moral community.

The fourth section focuses on the rhetorical strategies and techniques developed by the future Leveller authors in their pamphlet war waged against anti-tolerationists such as Prynne and Edwards. Edwards had denounced Overton, Walwyn, Chidley, Goodwin, and other prominent independents in the three volumes of *Gangraena* (1646). Walwyn developed a far gentler style than Overton's satirical and Chidley's disputatious style of polemic writing. This milder and gentler tone and plain style was reflected in Walwyn's inversion of the leitmotif of Edwards' *Gangraena*. Edwards argued in his catalogue of contemporary heresies that sectaries were spreading 'strange opinions', 'fearful divisions', and 'looseness of life and manners' like gangrene throughout the body politic.<sup>339</sup> Walwyn deployed the language of disease against the Presbyterian opponents of toleration by imaging them as sick fear-mongers spreading the disease of religious intolerance among the imaging people.

In the final section, I examine Overton's inversion of the Calvinist theory of laughter into a Leveller theory of laughter, which served to chastise the movement's supporters. Overton was facing criticism for figuring Cromwell as a pox-infected bull in *Overton's Defyance* (1649). In *The Baiting of the Great Bull of Bashan* (1649) and *A New Bull-baiting* (1649), he responded by accusing his critics of policing his uncivil language rather than defending their birthright. The core tenet of the Leveller theory of laughter was that mirth is a divine instinct. Overton inverted the Calvinist theory of laughter to urge readers to channel

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<sup>338</sup> Thomas N. Corns, *The Literature of Controversy: Polemical Strategy from Milton to Junius* (London, Frank Cass & Co., 1987), p.39.

<sup>339</sup> Basu, "'A Little Discourse Pro & Con'", pp.106-110.

their angry laughter against Cromwell and the Council of State.<sup>340</sup> It called on the movement's supporters to demand (by force of arms if necessary) on a constitutional settlement based on the *Agreement of the People* and thereby transform the nation into a laughing body politic.

### The House of Mourning

The tension between the house of mourning and the house of mirth became a commonplace framing in the seventeenth-century discourse on laughter. This framing device drew on several passages from *Ecclesiastes* in which King Solomon said: 'It is better to go to the house of mourning than to go to the house of feasting'.<sup>341</sup> King Solomon went on to assert: 'The heart of the wise is in the house of mourning, but the heart of fools is in the house of mirth'.<sup>342</sup> In this second passage, he reflected on the inner passions which corresponded to the two houses, adding: 'It is better to hear the rebuke of the wise, than for a man to hear the song of fools'.<sup>343</sup> In the sixteenth and seventeenth centuries, these biblical aphorisms became touchstones for commentators who interpreted them as endorsing an antagonism between the house of mourning and the house of mirth. It became the basis for theories on how inner passions give rise to outward expressions of either weeping or laughter.

An examination of sixteenth-century Christian humanist and protestant commentaries on *Ecclesiastes* reveals divergent views on this relationship between the passions and outward expressions of laughter or weeping. In *Preparation to Deathe*, Erasmus quoted King Solomon's dictum, 'wyse man judgeth it better to go to the house of mourning, than to the

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<sup>340</sup> Overton, *The baiting*, p.2.

<sup>341</sup> KJV, *Eccles.* 7:2; Geneva Bible of 1599, *Eccles.* 7:4.

<sup>342</sup> *Ibid*, *Eccles.* 7:4; *Ibid*, *Eccles.* 7:7.

<sup>343</sup> *Ibid*, *Eccles.* 7:5; *Ibid*, *Eccles.* 7:8.

house of feastynges'.<sup>344</sup> Erasmus used this passage when chastising fellow Christians for choosing to pursue the fleeting pleasures associated with the house of mirth as opposed to living in the house of mourning with its promises of the eternal joys of salvation in the next life. Erasmus argued that many Christians had been led astray by their passions, which manifested in uncontrollable outward expressions of laughter. In contrast, he believed that a true appreciation of Christ's passions on the cross would give rise to emotions of sadness as well as outward expressions of weeping or lamentation. Laughter, according to Erasmus, was the sign of a foolish heart because it was fleeting, whereas weeping was virtuous because it would lead to a lifting of the veil of tears and the joys of eternal salvation.

In *An Exposition of Salomons Booke Called Ecclesiastes* (1573), Martin Luther offered a different interpretation of this dilemma between the house of mourning and the house of mirth. Luther's intervention in this theological controversy offered clarification on the relationship between the internal stirring of the passions and outward expressions of the same. With reference to *Ecclesiastes* 7:3, the verse that immediately preceded the one about the house of mourning and feasting, Luther reminded his reader that King Solomon asserted: 'Anger is better then laughter, for by a sad looke, the harte is made better'.<sup>345</sup> Luther used this verse to draw a distinction between the lightness or heaviness of inner passions and outward expressions of emotion associated with them. Luther explained, 'He [King Solomon] speaketh rather of sadnes then anger' in the above-mentioned verse, and 'not that foolish sadnes which men counterfet'.<sup>346</sup> This served to clean up the terminological confusion around the use of terms like anger and sadness by categorising the passions according to the heaviness or lightness of the feeling they aroused in people. Luther also distinguished

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<sup>344</sup> Desiderius Erasmus, *Preparation to death* (London, 1538), p.35.

<sup>345</sup> Martin Luther, *An exposition of Salomons booke called Ecclesiastes* (London, 1573), pp.108-9; KJV, *Eccles.* 7:3.

<sup>346</sup> Luther, *An exposition of Salomons*, p.110.

between the inner and outward expressions of those emotions. This distinction between the heaviness or lightness and inner or outward expressions of the passions was bound up with a Lutheran principle of moderation. Luther argued that too many Christian theologians had created a false dilemma between joy or sadness and the houses of mirth or mourning. Luther went on to defend his principle of moderation by referencing King Solomon, saying: ‘It is good to rejoice. &c. [and therefore]...’, according to some mistaken theologians, ‘[King Solomon] seemeth to affirm a contrary [because] these two seem not to agree’.<sup>347</sup> Luther interpreted King Solomon as pointing out that although it may be preferable to be in the house of mourning as opposed to the house of feasting, it did not follow that all experiences of joy were sinful. In a rebuke to the unnamed theologians, Luther asserted that ‘godly matters are always difficult [and] they are always wrested to a contrary sence’. According to Luther, King Solomon would have recognised that godliness ‘requireth neither sadnes alone, not mirth alone, but will have a meane kept between them bothe’.<sup>348</sup> To the ancient Israelites, according to Luther, the house of mourning signified ‘not that building only which is made of timber and stone... [but the] place so ever any thing is donne in’, suggesting that the tension between the houses of mourning and mirth was a metaphor for the soul of man.<sup>349</sup>

Jean Calvin also intervened in the sixteenth-century theological debate on the house of mourning and mirth. Calvin adopted the Lutheran two-fold system of classification of passions according to their heaviness or lightness and inner or outward expressions of the same but completely rejected the principle of moderation. Calvin argued that the house of mourning was always better than the house of mirth. Furthermore, Calvin interpreted King Solomon as issuing a divine injunction against all mirth and feelings of pleasure that could give rise to outward expressions of laughter or tears of joy. Calvin believed that the godly

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<sup>347</sup> Luther, *An exposition of Salomons*, p.111.

<sup>348</sup> Luther, *An exposition of Salomons*, p.111.

<sup>349</sup> Luther, *An exposition of Salomons*, p.112.

elect would live in a perpetual house of mourning and experience feelings of heaviness and sadness. In contrast, the damned would live in the metaphorical house of mirth, where they would experience feelings of lightness and the fleeting joys of the vanities. These feelings would be outwardly expressed through tears. However, Calvin argued that the sadness of the elect would be expressed as tears in imitation of Job and Christ, while the damned would cry tears of joy like their persecutors. Arthur Golding pointed out in the introduction to his 1580 English translation of Calvin's commentary on the *Book of Job* that God laughed His 'enemies to scorn', while the biblical figures who were most worthy of imitation regularly wept in the face of misfortune.<sup>350</sup> The hardliner Calvinist interpretation of the tension between the house of mourning and the house of mirth led to a rejection of the Christian humanists' acceptance of some temporal pleasures and the Lutheran principle of moderation. Calvin and his followers came to view the rejection of the ungodly house of mirth in favour of the boundless feelings of sorrow in the godly house of mourning as a sign of God's grace.

The Calvinist injunction against the house of mirth became the dominant view among Puritans during the seventeenth century. Commentators such as William Prynne applied this Calvinist perspective when railing against stage plays and other forms of popular entertainment. Much like Calvin, Prynne argued that mirth led to a corruption of manners and degeneracy associated with seeking sensual delights and stirring ungodly emotions such as joy that give rise to laughter. Prynne also associated feelings of heaviness with sorrow and mourning, exemplified by Job in the Old Testament, Christ, and those witnessing his crucifixion in the New Testament. This Calvinist-inspired Puritan theory of laughter was not exclusive to fanatical polemicists like Prynne but became the dominant view among Independent and separatist nonconformists. The anger these groups felt toward the Laudian

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<sup>350</sup> Arthur Golding, *Sermons of Maister John Calvin* (London, 1580), pp.376, 408, 510, 592.

innovation in the Church of England found expression in the anti-episcopal literature which appeared in the English press in the early decades of the seventeenth century.

William Prynne rhetorically framed his polemic against pastimes in terms of a contest between the house of mirth and mourning. In *Healthes = Sicknesse* (1628), Prynne denounced all ‘popular and lovely titles of hospitality, good-fellowship, courtesy, entertainment, joviality, mirth, generosity, liberality, open house keeping... and the like’ as morally degenerate and socially dangerous pastimes.<sup>351</sup> The apologists for the house of mirth, according to Prynne, tended to redescribe virtues as vices and *vice versa*; otherwise known in classical rhetoric as *paradiastole*. Prynne continued, ‘drunkards are... magnified, and applauded [in] termes of good-fellowes, wits, poets; courteous, sociable, merrie’, however, they should be condemned because they ‘invitest men to mirth, and yet [sic] forcest them to [eternal] death’.<sup>352</sup> Prynne went on to outline the slippery slope from mirth to damnation,

...men for the most part doe, because they begin their Healthes to draw on others to Drunkenesse and excesse, or to carnall mirth and jolitie.<sup>353</sup>

This passage clarified Prynne’s contention that feelings of ‘jolitie’ gave rise to ‘carnal mirth’.<sup>354</sup> In contrast, those who adhered to ‘Patternes of Temperance, and Sobrietie’ are made the ‘laughing stockes of Drunkenesse, and presidents of Healths, and Riot heretofore’, suggesting that the corruption of manners through pastimes had far-reaching social consequences beginning with drunkenness and culminating in a breakdown in public order.<sup>355</sup>

In *Histriomastix* (1633), Prynne provided an extensive system of classification for different types of laughter and their associated pastimes. There was ‘theatricall laughter’, ‘secular laughter’, ‘christian laughter’, ‘carnall laughter’, ‘immoderate laughter’, ‘petulant

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<sup>351</sup> William Prynne, *Healthes = Sicknesse* (London, 1628), unnumbered pages.

<sup>352</sup> Prynne, *Healthes*, unnumbered page.

<sup>353</sup> Prynne, *Healthes*, p.55.

<sup>354</sup> Prynne, *Healthes*, p.55.

<sup>355</sup> Prynne, *Healthes*, p.86



laughter', 'immodest laughter', 'exorbitant laughter', 'disorderly laughter', 'uncivill laughter', and 'unseasonable laughter', which he contrasted with the 'great laughter' of truly wise men.<sup>356</sup> Prynne asserted: 'none but Sarah' and Noah's son laughed in the Bible, however, Sarah was reprov'd by the voice of God and Noah's son was a free man who became a slave due to his own wickedness.<sup>357</sup> Prynne claimed: 'I speake not to take away laughter altogether, but that I might quite extinguish all dissolutenesse of life' inspiring socially and morally undesirable forms of laughter.<sup>358</sup> Although Prynne claimed to not be categorically against feelings of joy that give rise to outward expressions of laughter, it seems that he only found the laughter of wise men to be permissible because it functioned as a moral corrective to the wicked. In *imitatio Christi*, Prynne returned to endorsing the Calvinist rejection of the house of mirth. Prynne argued, 'our Saviour had left us such an example, whom we read to have wept, but that he laughed we never read... because weeping is a picking of the heart, laughter a corruption of manners'.<sup>359</sup> To Prynne, the reader should imitate Christ's tears of sadness by refraining from expressing mirth through tears of joy. This was part of a wider criticism that popular pastimes encouraged the corruption of manners.

Many other contemporaries shared Prynne's Calvinist-inspired interpretation of the houses of mourning and mirth. In *The Happiness of Enjoying* (1640), Alexander Gross echoed the dominant Puritan view of laughter in his interpretation of *Ecclesiastes*. Gross pointed out, '[King] Solomon sometimes said of Laughter, It is mad', and encouraged his intended readers to follow King Solomon's injunction against laughter as madness and to 'turn our laughter into mourning'.<sup>360</sup> Independent minister and polemicist John Goodwin published a sermon titled *The Saints Interest in God* (1640) in which he prophesied that

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<sup>356</sup> Prynne, *Histriomastix*, pp.292, 294-7, 300, 317-8, 423, 606.

<sup>357</sup> Prynne, *Histriomastix*, p.403.

<sup>358</sup> Prynne, *Histriomastix*, p.403.

<sup>359</sup> Prynne, *Histriomastix*, p.526.

<sup>360</sup> Alexander Gross, *The happiness of enjoying* (London, 1640), pp.25, 226.

Christ would '[fill] our mouthes with laughter' on Judgement Day. God would lift the veil of tears from the saints and transform their feelings of sorrow into feelings of joy in eternal salvation. However, according to Goodwin and many contemporaries, those who were weighed in God's balance and found wanting on the Day of Judgment would face His's wrath and be condemned to the pain and sorrow of eternal damnation.<sup>361</sup>

In *Christs Communion With His Church Militant* (1640), Nicholas Lockyer made an important distinction. Lockyer asserted that 'laughter is one thing, and spirituall consolation another'.<sup>362</sup> In *A Divine Discovery* (1640), Lockyer expanded on this point by remarking that 'in the midst of laughter', men are often sad.<sup>363</sup> This was consistent with Calvin's view that feelings of lightness gave rise to laughter. However, this outward joy concealed an inner heaviness of feelings such as sadness. Lockyer added nuance to the discourse on laughter by arguing that laughter was often mistaken for spiritual consolation. John Pigott made an identical observation in *Hierusalem Bedewed with Teares* (1640) when he wrote, 'even in laughter the heart is sorrowful'.<sup>364</sup> The implication here was likewise that laughter was a light feeling compared to the heaviness of feelings such as sorrow. These commentators were committed to a Calvinist-inspired Puritan theory of laughter. This Puritan theory of laughter became mainstream among zealous Puritans who opposed the Laudian innovations in the Church of England and the Stuart Court by the early decades of the seventeenth century. In *An Antipathie of the English Lordly Prelacie* (1641), Prynne denounced the 'unchaste affections', 'profuse laughter', 'filthy songs', and carnal feasting among the English bishops.<sup>365</sup> In contrast, in *The Utter Routing* (1646), John Bastwick pointed to a 'paradox on the matter of laughter', arguing that it was praised as much as it was condemned in the

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<sup>361</sup> John Goodwin, *The saints interest in God* (London, 1640), p.297.

<sup>362</sup> Nicholas Lockyer, *Christs communion with his church militant* (London, 1640), p.59.

<sup>363</sup> Nicholas Lockyer, *A divine discovery* (London, 1640), p.2.

<sup>364</sup> John Pigott, *Hierusalem bedewed with teares* (London, 1640), p.7.

<sup>365</sup> William Prynne, *An antipathie of the English lordly prelacie* (London, 1641), p.296.

Bible.<sup>366</sup> This was a minority view among contemporaries, who tended to emphasise that Christ never laughed, nor Lazarus after he was raised from the dead. John Vicars recommended that readers prepare to take up arms against the sectaries whom he accused of exposing ‘us [Presbyterians] to the laughter of our enemies’.<sup>367</sup>

### Come Mirth or High Treason

The central tenet of the Puritan theory of laughter was that it is better to be in a house of mourning than a house of mirth. Emotions such as sorrow were praised for their heaviness and for giving rise to tears of sorrow, whereas feelings of joy were thought to lead to carnal pleasures and tears of laughter associated with the corruption of manners. However, Overton defied this Puritan injunction against mirthfulness and laughter in his satirical works. Don M. Wolfe has characterised Overton’s style as unrivalled in its vivid imagery of sex, excrement, and death.<sup>368</sup> This satirical repertoire was designed to titillate readers, encouraging them to laugh enemies to scorn. Thomas Hobbes’ account of laughter a decade later echoed this view, albeit drawing the opposite conclusion. In *Leviathan* (1651), Hobbes contended that ‘*Sudden Glory*’ was the passion that gives rise to outward expressions of laughter,

and is caused either by some sudden act of their own, that pleaseth them; or by the apprehension of some deformed thing in another, by comparison whereof they suddenly applaud themselves.<sup>369</sup>

The Hobbesian view was that feelings of superiority in oneself or the recognition of faults in others stirred outward expressions of laughter. In contrast, ‘*Sudden Dejection*, is the passion

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<sup>366</sup> John Bastwick, *The utter routing of the whole army* (London, 1646), p.142.

<sup>367</sup> John Vicars, *The schismatick sifted* (London, 1646), p.43.

<sup>368</sup> Wolfe, ‘Unsigned Pamphlets of Richard Overton’, p.171.

<sup>369</sup> Thomas Hobbes, ed. Richard Tuck, *Leviathan* (Cambridge, Cambridge UP, 2010), p.43.

that causeth WEEPING; and is caused by such accidents, as suddenly take away some vehement hope, or some prop of their power... But in all cases, both Laughter, and Weeping, are sudden motions... For no man Laughs at old jests; or Weeps for an old calamity'.<sup>370</sup>

Hobbes implicitly used the tension between the house of mourning and the house of mirth to frame his discussion of laughter. Furthermore, Hobbes noted that feelings of '*Sudden Glory*' or '*Sudden Dejection*' frequently led to uncontrollable outward expressions such as physical contortions of the body and tears of laughter or weeping, respectively.

In *De Cive* (1651), Hobbes wanted his readers to know about the social consequences of uncontrolled laughter. Hobbes reformulated his definition of laughter as follows,

for Pleasure, and Recreation of mind, every man is wont to please himself most with those things which stirre up laughter, whence he may (according to the nature of that which is Ridiculous) by comparison of another mans Defects and Infirmities, passe the more currant in his owne opinion; and although this be sometimes innocent, and without offence; yet it is manifest they are not so much delighted with the Society, as their own Vain glory.<sup>371</sup>

Those who laughed were more interested in their 'own Vain glory', according to Hobbes, than the 'Society' of those they were with.<sup>372</sup> He noted that feelings of superiority which give rise to uncontrolled laughter in 'the combate of Wits [foster] the fiercest, the greatest discords which... must necessarily arise from this Contention'.<sup>373</sup> This leads to a rhetorical dilemma whereby contending in a war of wits was odious, while giving no reply to an offence would be perceived as a tacit admission of error. Moreover, to dissent from another's view was to implicitly call them a fool. It followed that there could be 'no Warres so sharply wag'd as

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<sup>370</sup> Hobbes, *Leviathan*, p.43.

<sup>371</sup> Thomas Hobbes, ed. Sterling P. Lamrecht, *De Cive: Or the Citizen* (New York, Appleton-Century-Crofts, 1949), pp.22-3.

<sup>372</sup> Hobbes, *De Cive*, pp.22-3.

<sup>373</sup> Hobbes, *De Cive*, p.26.

between Sects of the same Religion, and Factions of the same Commonweale'.<sup>374</sup> Hobbes went on to elaborate: 'since all the pleasure, and jollity of the mind consists in this... its impossible but men must declare sometimes some mutuall scorn and contempt either by Laughter, or by Words, or by Gesture, or some signe or other', however, 'there is no greater vexation of mind; and than from which there cannot possibly arise a greater desire to doe hurt' than the feelings of sudden dejection stirred from being laughed at to scorn.<sup>375</sup> The natural inclination to avoid dishonour meant that 'most men would rather lose their lives, (that I say not their Peace) than suffer reproach' and, therefore, 'no man either by deeds, or words, countenance, or laughter, doe declare himselfe to hate, or scorne another'.<sup>376</sup> Hobbes presented this injunction against immoderate 'deeds, or words, countenance, or laughter' as a law of nature. The issue was partly that laughter was an uncontrollable expression of feelings of vain glory that could ignite interpersonal conflict. It also possessed the counter-sovereign or democratic potential to undermine peace in the commonwealth.

Many contemporaries rejected the house of mirth and the passions that gave rise to laughter because it was seen as a degenerate corruption of manners or a counter-sovereign threat to public order. However, the early decades of the seventeenth century saw an outpouring of polemic and satire in literature embracing mirth. Overton employed his profane wit to ridicule, mock, and jest at his enemies. In his two earliest pamphlets, *Articles of High Treason Exhibited Against Cheap-side Crosse* and *New Lambeth Fayre*, Overton mocked Laudianism and the collapse of episcopacy by associating it with the Popish Plot. The Popish Plot was a conspiracy theory that the head of the Roman Catholic Church was in league with the Antichrist, who was attempting to destroy Christendom. Overton combined anti-episcopal

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<sup>374</sup> Hobbes, *De Cive*, p.26.

<sup>375</sup> Hobbes, *De Cive*, p.26.

<sup>376</sup> Hobbes, *De Cive*, pp.49-50.

and anti-Catholic satirical rhetoric in his two earliest polemics as a commentary on the downfall of the episcopal church government.

*Articles of High Treason Exhibited Against Cheap-side Crosse* (1642) marked Overton's debut as an anti-episcopal polemicist. The English bishops had recently fled from London following riots that had become increasingly violent. The rioters had directed their ire toward the bishops and idolatrous monuments or objects associated with England's Catholic past. Overton satirised these events in a fictional dialogue between a Jesuit and an anthropomorphised Cheapside Cross.<sup>377</sup> The fictional Jesuit character functioned to remind the reader of the Catholic origins of Cheapside Cross, built in 1290 during the reign of King Edward I to commemorate the path of Queen Elinor of Castile's funeral procession. Cheapside Cross was in the heart of London's nonconformist communities. It was considered an idolatrous monument among zealous Puritans. In Overton's polemic, the personified Cheapside Cross lamented that it no longer enjoyed protection from the Laudian bishops.

The Jesuit character represented the threat of Catholicism and served to associate it with the Arminianism of the English bishops. The Jesuit expressed alarm at the Anabaptists, Brownists, and other sectaries who were intent on tearing down the idolatrous monument.<sup>378</sup> Cheapside Cross had been vandalised on multiple occasions. Overton was suggesting that it be torn down in this satirical polemic. Rumours had been circulating for years that English Catholics and visiting Jesuit priests would cross themselves when passing Cheapside Cross in the street. This widespread fear that the Catholic faith would be restored in England went beyond criticism of Laud's doctrine of the 'beauty of holiness', recent innovations in the form of worship, or long-standing rumours of secret idolatrous signs being made in the streets. The Catholic Queen Henrietta Maria held a weekly mass at Somerset House. It appeared to

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<sup>377</sup> Overton, *Articles of high treason*, p.2.

<sup>378</sup> Overton, *Articles of high treason*, p.6.

zealous Puritans that the threat posed by the Popish Plot had managed to insinuate itself into the Stuart Court. Overton's satirical rhetoric was intended to enflame anti-Catholic and anti-episcopal sentiments among his readers. It functioned by ridiculing Cheapside Cross using the absurd premise of putting an inanimate object on trial for high treason. This was an attempt to smear the English bishops with the stain of a Jesuitical or international Popish Plot to dethrone Christ and destroy Christendom.

*New Lambeth Fayre* (1642) was the spiritual successor of *Articles of High Treason*. It narrated the fictional flight of Jesuits from England back to the Vatican.<sup>379</sup> The satire opened with a scene in which Jesuits desperately attempted to sell their inferior spiritual wares in Lambeth market. Lambeth Palace was the residence of the Archbishop of Canterbury William Laud, implying a connection between Laudianism and the Jesuits. Overton stressed that the Jesuits were unable to sell their spiritual wares at the market because the common people were against episcopacy and Catholic dogma and forms of worship despite recent innovations in the Church of England, such as the doctrine of the 'beauty of holiness', the reintroduction of stained-glass windows in churches and railings, or moving the altar. The Jesuits complained that the common people of England preferred the doctrine of the sufficiency of the spirit and unmediated interpretation of the word of God over the Latin mass, confessions, and the pomp and ceremonialism of Catholicism. Overton's representation of the Jesuits as desperate to unload their surplus stock of spiritual wares was intended to ridicule them as obsessed with material things and money as opposed to spiritual consolation. Overton encouraged the reader to channel angry laughter toward the perceived hypocrisy of the English bishops and Jesuits for enjoying carnal delights, ornaments, and baubles.

Overton's earliest satirical works were designed to tap into long-standing anti-episcopal and anti-Catholic sentiments among English Puritans. Overton's early polemical

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<sup>379</sup> Overton, *New lambeth fayre*, p.9.

style featured less profanity and violent, sexual, or grotesque imagery in comparison to his later texts. These two polemics offered an alternative to the Puritan rejection of mirth. Overton wanted his readers to channel their angry laughter toward the English bishops by smearing them by association with unpopular idolatrous monuments and Jesuit priests. Overton went on to develop this polemical style following the parliamentary alliance's collapse into factionalism and religious sectarianism.

### The Arraignment of Mr. Persecution

Following the outbreak of civil war, the Presbyterian party became the dominant faction in Parliament, and together with its allies, the Scottish commissioners, established the Westminster Assembly of Divines in 1643 to bring about a further reformation of the church. Two years later, Overton introduced contemporary readers to 'young Martin Mar-Priest' in *The Arraignment of Mr Persecution* (1645). Overton's Martin was figured as the son and successor to the late-Elizabethan Marprelate tradition of anti-clerical polemical literature.<sup>380</sup>

In the first tract of the Marpriest series, *The Arraignment of Mr. Persecution*, Overton imagined the newest generation of Martins holding an arraignment of a Presbyterian-coded character named Mr. Persecution.<sup>381</sup> The name Mr. Persecution referenced the intolerance of Presbyterian politicians, divines, polemicists, and activists. They wanted a synodical government with powers to compel religious nonconformists. The Presbyterian faction majority in the Lords, on parliamentary committees such as the Committee of Both Kingdoms and the Westminster Assembly of Divines, and in City government advanced intolerant policies despite having been themselves victims of the Laudian persecution.

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<sup>380</sup> Overton, *The arraignment*, p.1.

<sup>381</sup> Overton, *The arraignment*, p.1.



According to Overton, speaking through the Martin persona, Mr. Persecution was once a bishop but had ‘turn'd a reverend *Synodian*, disguis'd with a Sylogisticall pair of Britches’ to deceive the common people of his intentions to persecute nonconformists.<sup>382</sup> This transformation from a bishop into a ‘Synodian’ was designed to call attention to the hypocrisy of overthrowing the oppressive bishops only to persecute Independents and separatists once they found themselves in positions of authority. Once discovered, Mr. Persecution put on another ‘Rhetoricall Cassok... girt up his loynes with a Sophisticall Girdle, fleeing into the ‘wildernesse of *Tropes*, and *Figures*’ to avoid capture.<sup>383</sup> Overton’s Martin and his Independent brethren then,

trac'd him [Mr. Persecution] through the various winding; subtile by-Pathes, secret tracts, and cunning Meanders [among] the evening wolves, wild Boares and Beasts of the Forrest in the briery thickets of Rhetoricall Glosses, Sophistications, and scholastick Interpretations.<sup>384</sup>

Overton represented Martin and his brethren hunting the Presbyterian Mr. Persecution as he fled into the ‘wilderness of Tropes, and Figures’ for justifications to persecute religious dissenters. In ‘*The wilderness of Tropes and Figures*’ *Figuring Rhetoric in Leveller Pamphlets*, Rachel Foxley argued this reflected a ‘polemical discourse on rhetoric’ whereby Overton sought to denounce the learning, scholasticism, and rhetorical glosses that the Presbyterian divines used to deceive the common people.<sup>385</sup> The narrative continued with Mr. Persecution taking sanctuary in the national pulpits where he railed against the proliferation of religious sects such as the Anabaptists, Brownists, and Familists who wanted to remain apart from the established church whether it had an episcopal or synodical government. When

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<sup>382</sup> Overton, *The arraignment*, p.1.

<sup>383</sup> Overton, *The arraignment*, p.1.

<sup>384</sup> Overton, *The arraignment*, p.2.

<sup>385</sup> Foxley, “The wilderness of Tropes and Figures”, p.272.

Martin and his brethren discovered him again, Mr. Persecution began skipping from ‘University to University’, ‘College to College’, and ‘parsonage to parsonage’ collecting tithes throughout Christendom.<sup>386</sup> Martin reported a sighting of Mr. Persecution in London, where he disguised himself as a godly minister, preaching in favour of the Twelve Articles and then ‘turn'd *reverend Imprimatur*’ in charge of licencing new books.<sup>387</sup>

Overton employed a variety of rhetorical tactics in *The Araignment of Mr. Persecution*. It used the Martin persona to hypocrisy shame Presbyterians for persecuting fellow religious nonconformists when they had denounced the English bishops for having done so a few years earlier. Overton also ridiculed their justifications for such policies on the grounds that they were mere rhetorical glosses and scholastic syllogisms designed to deceive the common people. The references to Mr. Persecution transforming from a bishop to a presbyter and moving from university to university, college to college, pulpit to pulpit, and so on, were meant to impugn their designs as driven by an insatiable appetite for tithe money and power to persecute their Protestant brethren. An especially contentious issue was the Westminster Assembly of Divines replacing the *Book of Common Prayer* with the *New Directory*.<sup>388</sup> The Presbyterian party aimed at enforcing religious unity and conformity by suppressing nonconformity. Overton also used the Martin persona to raise objections to introducing learned ministers to interpret the word of God for the common people of England. Independent and separatist congregations preferred to choose their own ministers. Without being granted freedom in matters of religion, it would become impossible for Independent and separatist congregations to worship in ways consistent with their consciences. Foxley has pointed out that the Levellers refused to acknowledge the figurativeness of their polemical assaults on Presbyterians and expressed a deep suspicion at

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<sup>386</sup> Overton, *The araignement*, p.2.

<sup>387</sup> Overton, *The araignement*, p.2.

<sup>388</sup> Sloane MS 1985 fos.21-69b.

the radical disjunction between words and deeds.<sup>389</sup> Overton seized on these reasons when he used the Martin persona as a mouthpiece to denounce the Assembly of Divines as a ‘Classicall Club’ of Presbyterian ministers who relied on ‘Rhetoricall Glosses, Sophistications, and scholastick Interpretations’ to confound or deceive the common people rather than persuading them through reasoned argumentations.<sup>390</sup> Overton used the Martin character to encourage readers to imagine Mr. Persecution arraigned for high treason. Martin became a recurring character through which Overton voiced criticisms of the Presbyterians and the Scottish commissioners during the factional struggles at Westminster.

Two months later, Overton’s *A Sacred Decretall* (1645) appeared in print. It presented itself as a mock-decree by ‘the Parliament of Divines, now assembled in holy Convocation at Westminster’ to examine ‘the goodly fat Benefices’, ‘their sweet, their wholesome and nourishing Revenues’, and ‘toothsome Tithes’, which they had inherited from ‘our Fathers, the late Lord Bishops’.<sup>391</sup> However, their ability to collect the benefices and tithes that ‘becommeth Divines of our own Guts’ had been ‘retarded in our hands by the enemies of our peace, who most trayterously and blasphemously endeavored to turne us to *the goodnesse of the people*’, namely the author of ‘divers hereticall books, as the *Compassionate Samaritane*, *The Bloody Tenent*, and especially by that dangerous and destructive Booke to the Clergy, intituled *The Araignment of Persecution*’.<sup>392</sup> This self-referential advertisement for *The Araignment of Mr. Persecution* signalled continuity between it and *A Sacred Decretall*. Both Marpriest texts were also linked to two other recent anti-Presbyterian tracts, Roger Williams’ *The Boudy Tenet* (1644) and Walwyn’s *The Compassionate Samaritane* (1644).<sup>393</sup> In

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<sup>389</sup> Foxley, “The wilderness of Tropes and Figures”, p.278-80.

<sup>390</sup> Overton, *The araignement*, pp.9, 2.

<sup>391</sup> Overton, *A sacred decretall*, p.1.

<sup>392</sup> Overton, *A sacred decretall*, pp.1-2.

<sup>393</sup> Roger Williams, *The bloody tenent* (London, 1644); William Walwyn, *The compassionate Samaritane* (London, 1644).

*Unsigned Pamphlets of Richard Overton* (1958), Don Wolfe observed that self-referential advertisements, ‘ironical publication imprints and permissions’ were recurring elements of Overton’s satirical polemics.<sup>394</sup> The mock decree featured in *A Sacred Decretall* identified the anonymous author of *The Araignment of Mr. Persecution* as ‘that inveterate Malignant Arch-enemy to the Clergy, Young MARTIN MAR-PRIEST... [who] hath stung us to the very hearts, wounded our reputations, detected our Policy, and made us a By-word, a Scoffe, and derision in the mouthes of the people’.<sup>395</sup> The fictional Presbyterian authors of the decree went on to lament: ‘O prophane MARTIN! O wicked MARTIN! O sacrilegious MARTIN! O blasphemous MARTIN!’ has appeared like a bull ‘tossing Sir John [Presbyter] upon his hornes, and stamping the blessed Ordinance for Tythes under his cloven feet’.<sup>396</sup> The fictional authors of the decree promised a reward to any reader who had information on the true identity of the pseudonymous Martin Marpriest. This passage reflected an inversion of the ‘polemical discourse on rhetoric’ observed by Foxley. Overton used the mock-decree to criticise his own satirical rhetoric and polemical style for having denounced the Westminster Assembly of Divines as a ‘Classical Club’ which sat for ‘neere two yeers’ in convocation to turn their ‘Fourty thousand foure hundred pound *Directory*, [into] a *Directory* of Fourscore thousand and Eight hundred pound’ book of learned nonsense.<sup>397</sup> This mock decree was written from the point of view of a Presbyterian divine with matching mock-learned prose and logic to ridicule the same. It also ridiculed the tendency among Presbyterian divines and polemicists to excoriate everything said by their enemies on the flimsiest pretences.

The fictional Presbyterian divines then imagined what they would do were they to apprehend ‘this cunning-pated Oedepys’, otherwise known as Martin Marpriest.<sup>398</sup> They

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<sup>394</sup> Wolfe, ‘Unsigned Pamphlets of Richard Overton’, p.170.

<sup>395</sup> Overton, *A sacred decretall*, p.2.

<sup>396</sup> Overton, *A sacred decretall*, p.2.

<sup>397</sup> Overton, *A sacred decretall*, p.3.

<sup>398</sup> Overton, *A sacred decretall*, p.3.

called on ‘all ye Divines’ to ‘curse him... all ye presbyters, knock-out his braines... all ye Assembly of certaine Tith-Boxe-piggs snash upon MARTIN, run at him open mouth’d, rend and teare him with your young small Presbyterian tusks... all yee divine white-faced Bull-calves, gloore, bellow and roare like the mad Bulls of Bason, and tosse him (if you can finde him upon your hornes, till yee shake him out of his Bulls Hide’.<sup>399</sup> The Presbyterian divines called on all their brethren and supporters to attack Martin because he will ‘never leave thumping, as long as he heares us Curse, or call for Vengeance against *Anabaptists, Brownists, &c.* or heares a Tithe-pigge but squeeke in Sir Johns pocket’.<sup>400</sup> While couched in a satirical style, Overton was attempting to convey a serious political critique of the Presbyterian reformation as a ‘step by step’ encroachment on the rights and liberties of the common people by establishing a ‘Monopole of the Spirit’ through its ordinance of 26 April 1645 that banned preaching and interpreting the word of God without a licence. The Presbyterian party thought the ‘King should come home againe’ and wanted to use their power in the ‘Pulpits, Presses, and in our Directory’ to convince the ‘Vulgar’ people that a settlement that secured a Presbyterian reformation of the church represented a full satisfaction of their birthright.<sup>401</sup> The authors of the mock decree then praised the censorship of books and its factional control over the printing press as a way of preventing the spread of heretical ideas that they had endorsed only a few years prior. Throughout, Overton accused the Presbyterian divines and members of Parliament of hypocritically wanting to return to the persecution of nonconformists as it had been under the late English bishops. Overton also impugned their motives as a desire for offices of authority, tithes, and benefices to fund their luxurious lifestyles. To achieve these ends, the Presbyterians had to silence their critics. This was reflected in the fictional narrator’s lamentation that Martin’s speech was too profane,

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<sup>399</sup> Overton, *A sacred decretall*, p.3.

<sup>400</sup> Overton, *A sacred decretall*, p.3.

<sup>401</sup> Overton, *A sacred decretall*, pp.5, 23.

sacrilegious, and blasphemous to be countenanced. Overton's polemical style in the Marpriest series was designed to heap scorn on his enemies' motivations, intentions, and hypocritical policies. In doing so, Overton also used the characters in the Marpriest series to make a positive case for the general toleration of religious nonconformists. It also functioned by stirring feelings of disgust and anger in readers and encouraging them to channel those feelings outward as expressions of angry laughter toward the Presbyterians.



Richard Overton, *A sacred decretall* (London, 1645)<sup>402</sup>

<sup>402</sup> Image published with permission of ProQuest. Further reproduction is prohibited without permission; also provided courtesy of the British Library Board, General Reference Collection E.286.(15.), p.A2.

On 27 March, the next tract in the Marpriest series appeared in print. Overton's *Martin's Echho* (1645) advertised itself as a remonstrance sent from the narrator of *A Sacred Decretall* to 'his superlative holinesse Sir Symon Synod'.<sup>403</sup> In this passage, Overton attempted to draw an implicit contrast between the false learning of Sir Symon Synod and Martin's plain speech. Martin boasted that he had made them a laughingstock among the common people through 'serious and deliberate consideration' of their persecution of nonconformists in *The Araignment of Mr. Persecution* and hunger for tithes in *A Sacred Decretall*. In *Martin's Eccho*, the Martin character accused Sir Symon, Mr. Persecution, and Sir John Presbyter of professing to 'free us from Episcopall persecution, [only] to devour us with Presbyterian cruelty' instead.<sup>404</sup> Martin then positioned himself among the 'Faithfull Servants of God and their Country,' in particular 'Barrow, Greenwood, Penry, and others', whom he claimed all bore testimony to Presbyterian malice against the saints.<sup>405</sup> The allusion to Penry was important because he was believed to be the author of the late-Elizabethan Marprelate tracts. The original Martin character attacked the English bishops but not the Presbyterians. However, Overton's adaptation of the Martin persona remained true to its anti-clerical roots by using him as a mouthpiece to ridicule church authorities.

In *Eccho*, Sir Symon Synod was invited to Toleration Street, wherein Martin would 'freely offereth plenary Pardon and full Remission to that Trayterous blood-thirsty Man-eater, Sir Symon Synod, for his foule ingratitude, his malicious, mischievous, *murtherous Debates, Consultations and Conclusions*'.<sup>406</sup> The preconditions for a pardon was that he,

render up all the goodly fat Benefices... pay their Arreares in the Army... and not (*out of Synodean State-policy*) to save their Charity, subject the innocent Babes to be *led*

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<sup>403</sup> Overton, *Martin's eccho*, p.1.

<sup>404</sup> Overton, *Martin's eccho*, p.2.

<sup>405</sup> Overton, *Martin's eccho*, p.3.

<sup>406</sup> Overton, *Martin's eccho*, p.3.

*by the Spirit into Indian Deserts and Wildernesses, and under pretence of Authority, rob the tender Mothers of the fruit of their wombs (a wickednesse insufferable in a Common-Wealth) and to send the Freeborne out of their native Protection, to Forraign Destruction.*<sup>407</sup>

These preconditions would have amounted to an unconditional surrender. Moreover, it recalled what Thomas Hobbes later described as the seventh law of nature in *De Cive*, namely that: ‘no man either by deeds, or words, countenance, or laughter, doe declare himselfe to hate, or scorne another’.<sup>408</sup> This was yet another example of Overton’s use of the Martin persona to heap calumnies on Sir Symon Synod before calling on him to renounce the same rhetorical tactic. If Sir Symon Synod refused to debate Martin for a full pardon, he would send Martin Claw-Clergy, Christopher Scale-Skie, Rowland Rattle-Priest, and Bartholomew Bang-Priest to ‘turn up the foundation of your Classicall Supremacy, and pull downe your Synodean Spheare about your eares’.<sup>409</sup> This thinly veiled threat of linguistic and actual violence was in part entertainment, but it also served to encourage readers to mock their enemies as cowards and imagine their violent downfall. Sir Symon Synod then accepted Martin’s challenge to a debate on Tolerations Street. Martin promised Sir Symon Synod to ‘leave off jeasting’ altogether in the debate.<sup>410</sup> In his opening speech, Martin derided the replacement of an episcopal for a synodical church government. Martin then mocked William Prynne, John Bastwick, and Thomas Edwards as the chief promoters of this foolishness.<sup>411</sup> Martin told the crowd, ‘Rejoyce! Rejoyce, good people, for this blessed Reformation’ wherein the wolf-like Presbyterian divine will devour his flock of saints.<sup>412</sup>

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<sup>407</sup> Overton, *Martin’s eccho*, p.4.

<sup>408</sup> Hobbes, *De Cive*, pp.49-50.

<sup>409</sup> Overton, *Martin’s eccho*, p.4.

<sup>410</sup> Overton, *Martin’s eccho*, p.6.

<sup>411</sup> Overton, *Martin’s eccho*, pp.2, 8, 12.

<sup>412</sup> Overton, *Martin’s eccho*, p.16.





Anon., *Reall Persecution, or the Foundations of a general Toleration displayed and portrayed by a proper emblem* (London, 1647)<sup>413</sup>

The title at the top of the image reads: 'The Picture of an English Persecutor or a Foole Ridden & Ante Presbyterian Sectary'. The donkey-eared figure of a sectary being ridden is saying, 'My cursed speeches against Presbytry Declares unto the World my foolery', and in his right hand is a copy of *Martin's echo*.

<sup>413</sup> Image published with permission of ProQuest. Further reproduction is prohibited without permission; also provided courtesy of the British Library Board, General Reference Collection 669.f.10.(114.), p.1.

In *The Nativity of Sir John Presbyter*, Overton set out the eponymous anti-hero's origin story. Its foreword was written by Martin's friend Christopher Scale-Sky, an astrologer, who dedicated the tract to an 'ASS: Of Divines Assembled at Westminster',

Taking into serious consideration, the depth of your [the divines'] learning, the accutenesse of your witts, to get money by all trades, my thoughts were ravished, and I in a maze, when I saw, how you could make Laws, to serve God, to stuffe your gutts, to persecute your enemies, and pull Christ out of his Throne...<sup>414</sup>

Christopher Scale-Sky made a 'serious consideration' of Sir John Presbyter's birth chart. Scale-Sky discovered that Sir John Presbyter 'transcends the Papists' in cruelty.<sup>415</sup> He went on to accuse Sir John Presbyter of an insatiable desire to 'stuffe your gutts' with tithes, meats, and wines. Scale-Sky read in Sir John Presbyter's astrological chart a desire to 'persecute your enemies', much like the bishops and Pope before him, with the goal of dethroning Christ in the House of God.<sup>416</sup> Born in the Saturnalian 'house of death', Sir John Presbyter was a 'fugitive (newly come out of *Scotland*) base-minded, a vile man, negligent, fearfull, sad, pensive, covetous, a witch, stubborne, a Roague, suspicious, superstitious, a deceiver, a railer' delighting in 'black just like his father the Divell'.<sup>417</sup> This linked Presbyterianism to the Popish Plot to murder 'the Saints that walke in white... [in] the glorious light of the Gospel'.<sup>418</sup> Sir John Presbyter pretended to want the 'Old Law' of the ancient Israelites but was actually 'exacting Tithes' and 'crucifying Christ in his members'.<sup>419</sup>

On 29 December 1646, *The Ordinance of Tithes Dismounted* appeared in print. This was the final tract of Overton's Marpriest series. In its preface, Martin began: 'O Reader',

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<sup>414</sup> Overton, *The nativity*, p.3.

<sup>415</sup> Overton, *The nativity*, p.3.

<sup>416</sup> Overton, *The nativity*, p.3.

<sup>417</sup> Overton, *The nativity*, p.6.

<sup>418</sup> Overton, *The nativity*, p.6.

<sup>419</sup> Overton, *The nativity*, p.6.

...stand amazed at their [the Presbyterians'] wit! down upon thy knees, up with thy hands, and gloor (*Presbyter-like*.) with thine eyes, admiring and adoring this *happy Reformation*, and sing *Hallalujab* for ever, and for ever, that we are blest with such a *Parliament*, such a *Synod*, such a *Presbytery*, such *abomination bundance of Ordinances*.<sup>420</sup>

Martin was a mouthpiece for denouncing the 'Ordinances upon Ordinances; whole Carteloads of contradictory Ordinances' issued by the Westminster Assembly of Divines.<sup>421</sup> Meanwhile, widows, children, and the common people of England were impoverished. A Presbyterian reformation based on persecution was hypocritical. Overton used the Martin persona to advocate for poor relief. Martin recommended this solution,

*Were the Tythes, which are a vast, and almost unvaluable wealth, but proportionably divided amongst the Poore throughtout every Parish in the Kingdome, all would have sufficient, and none would want.*<sup>422</sup>

Martin imagined a redistribution of tithe money. This served as a critique of Presbyterian greed. A redistribution of tithe money would leave them only 'a little abatted in their Pride; *Their great Buttons would no more neatly fashion forth their shoulders... their Wives would scarce have Fannes to coole their beauties*', yet the people 'would have sufficient, and none would want.'<sup>423</sup> It also functioned as a rhetorical appeal to the people's material needs. The Presbyterians would have '*the Fatherlesse to goe naked, lousy; tatter'd and torne, begge, and ready to perish in the streets*'.<sup>424</sup> Overton's polemical strategy in the Marpriest series was to stir anger and disgust in readers, encouraging them to channel their anger towards ridiculing, mocking, and heaping scorn on the Presbyterians.

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<sup>420</sup> Overton, *The ordinance*, p.2.

<sup>421</sup> Overton, *The ordinance*, p.2.

<sup>422</sup> Overton, *The ordinance*, p.12.

<sup>423</sup> Overton, *The ordinance*, p.12.

<sup>424</sup> Overton, *The ordinance*, p.12.

### The Cure for Mirth

The breakdown in the relationship between the common use of words and the construction of shared meanings, a situation that invited uncontrollable outbursts of laughter, was showcased in the pamphlet war between Presbyterian and Independent polemicists. In *Reasons against the Independant Government* (1641), Thomas Edwards denounced prominent Independents and separatists as ‘Idle, & busibodies, tatlers’ who promoted dangerous ideas.<sup>425</sup> Katherine Chidley responded to Edwards’ anti-tolerationist polemic in *The Justification of Independent Churches* (1641). In the introduction, Chidley compared herself to the biblical figure Jael, who ‘tooke an hammer in her hand’ and drove a nail through her husband’s head. Chidley attempted to drive the metaphorical nail through Edwards’ head that separation from the established church was consistent with the biblical prohibition of false worship and the maintenance of public order.<sup>426</sup> This allusion to Jael must have caught his attention because several years later, in *The Third Part of Gangraena* (1646), Edwards derided Chidley as the ‘brasen-faced audacious old woman resembled unto *Jael*’.<sup>427</sup> This insult underscored Chidley’s meaning by comparing herself to Jael. Chidley was calling Edwards a blockhead incapable of decency or understanding, encouraging her readers to laugh him to scorn.

In *A New-Years-Gift* (1645), Chidley renewed her polemical attacks against Edwards for continuing to advocate for the persecution of religious nonconformists. Chidley recounted the martyrdoms of ‘Barrow, and Greenwood, and Penry, and all the rest of the people of God’, much like Overton, for opposing the prelates of their time.<sup>428</sup> This reference to ‘Honest

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<sup>425</sup> Katherine Chidley, *The Justification of independant churches* (London, 1641), p.33; also see Thomas Edwards, *Reasons against the independant government* (London, 1641), p.21.

<sup>426</sup> Chidley, *The Justification*, unnumbered page; also see KJV, *Judges* 4:21.

<sup>427</sup> Edwards, *The third part of Gangraena*, p.170.

<sup>428</sup> Katherine Chidley, *A new-years-gift* (London, 1645), p.9.

Penry' was important for two reasons.<sup>429</sup> First, the Levellers were developing a rhetoric of martyrdom, which I will discuss in Chapter 4. Second, it suggests that Chidley was consciously evoking the Marprelate tradition in her polemical attacks on Presbyterianism. The main argument in *A New-Years-Gift* was that religious persecution was an affront to God, whether it was carried out by Catholics against Protestants during the reign of Queen Mary I, Protestants against Catholics during the reign of Queen Elizabeth I, Protestants against nonconformists during the reigns of King James I & VI and King Charles I, or Presbyterians against Independents and separatist congregations. Chidley advocated for voluntary membership in a national church without powers of compulsion so that everyone would be empowered to seek salvation according to the dictates of their conscience.

In the three parts of *Gangraena* (1646), Edwards catalogued the proliferation of heretical ideas and sects since the outbreak of the civil war. The main conceit of *Gangraena* was that religious sectarianism was a gangrenous affliction of the body politic. Sammy Basu has pointed out that Edwards categorised the errors of Independents and separatists according to the following schema: 'damnable heresies', 'strange opinions', 'fearfull divisions', and 'loosenesse of life and manners'.<sup>430</sup> Edwards identified Samuel and Katherine Chidley, Jeremiah Burroughs, Henry Walker, John Lilburne, William Walwyn, William Kiffin, John Cosen, and Thomas and John Goodwin as promoters of dangerous ideas.<sup>431</sup> Edwards accused them of disseminating their 'damnable heresies' and 'strange opinions... In books printed and dispersed up and down' the country. Through their 'fearfull blasphemies', the above-named persons were sowing 'fearful divisions' in Parliament to obstruct a peace settlement and spreading a 'loosnesse of life and manners' among the common people.

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<sup>429</sup> Chidley, *A new-years-gift*, p.8.

<sup>430</sup> Basu, "'A Little Discourse Pro & Con'", p.95.

<sup>431</sup> Edwards, *The third part of Gangraena*, pp.32, 90-1.

One of the most frequently cited promoters of such errors across all three parts of *Gangraena* was Richard Overton.<sup>432</sup> Overton was mentioned eight times in total. Edwards recounted a public debate in Spitalfields wherein Overton espoused the idea of the mortality of the soul. Edwards characterised this as a ‘damnable heresy’ for denying the immortality of the soul. The debate took place on a day of thanksgiving. Edwards decried the meeting as an example of ‘loosenesse of life and manners’.<sup>433</sup> His account of it bordered on the farcical, as the Lord Mayor declared it an unlawful assembly. As the Mayor attempted to disperse the meeting, he was drawn into the debate. Overton then stood up in a most ‘sornfull proud manner’, according to Edwards, and encouraged the speakers to continue.<sup>434</sup> The audience then began debating whether the Lord Mayor had the authority to disperse them. It was unanimously resolved an hour later that he had no authority, and the debate resumed.

Edwards mentioned ‘the *Arraignment of persecution, The Sacred Synodycall Decretall, Martin’s Eccho &c*’ by title and went on to denounce their author for ‘profaning and abusing the holy and dreadfull Name of God in a most fearfull manner, [and] scoffing at the holy Ghost’ for sport.<sup>435</sup> As Hannah Dawson pointed out in *Locke, Language and Early-Modern Philosophy* (2007), ‘the semantic contract that joins words and meanings’ was fragile.<sup>436</sup> Edwards accused Overton of breaking that contract by ‘making a most blasphemous Prayer... wherein the Passion, Death, Resurrection and Ascension of Christ are in a scoffing way alluded unto’.<sup>437</sup> Edwards added that mirthful allusions to divinity were

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<sup>432</sup> Thomas Edwards, *The first and second part of Gangraena* (London, 1646), pp.7-8; Overton made the same argument in a 1644 pamphlet titled *Mans mortalitie*. In it, Overton expressed the opinion that the soul is mortal but would rise again after Christ’s return.

<sup>433</sup> Basu, “‘A Little Discourse Pro & Con’”, p.95.

<sup>434</sup> Edwards, *The first and second part of Gangraena*, p.14.

<sup>435</sup> Edwards, *The third part of Gangraena*, p.33.

<sup>436</sup> Dawson, *Locke, Language*, p.64.

<sup>437</sup> Dawson, *Locke, Language*, p.64.

contrary to the mourning that was most becoming of saints and that ‘I [Edwards] will not foul paper with transcribing’ the offending passage for the reader.

In a reference to Overton’s *The Araignment of Mr. Persecution, Martin’s Eccho* (1646) and *The Ordinance of Tithes Dismounted* (1646), Edwards asked,

What hath beene more familiar and common with the Sectaries in their Pulpits and Books, then to call the Presbyterian Government Antichristian, a lim of Anti-christ, Tyrannicall, Lordly, cruell, a worse bondage then under the Prelates, a bondage under Taskmasters as the Israelites in Egypt, besides many bitter jeares and scoffs have beene made both of the Government and Ordinances.<sup>438</sup>

Edwards lamented the onslaught of blasphemous print over ‘these two last yeers or thereabouts’, citing Overton’s *The Araignment of Mr. Persecution, Martin’s Eccho*, Lilburne’s *Letter to Mr. Pryn* and *Tender Conscience Religiously Affected*, exemplars of the ‘*railing, bitter, disgracefull passages*’ designed to turn the Westminster Assembly of Divines into a laughingstock. Edwards was offended by Overton’s polemical style of mirth, profanity, and name-calling.<sup>439</sup> In a postscript, Edwards appealed to the ‘indifferent Reader’, asking them to join him in recognising dangers posed by the blasphemies and errors contained in ‘*Lilburnes and Overtons Books*’.<sup>440</sup> Edwards asserted that these tracts were sufficient proof that ‘there never was a more desperate, ungodly, false, hypocriticall, unthankfull, proud, ambitious, covetuous, uncleane, cruell, atheisticall generation then many of our Sectaries in England are’.<sup>441</sup> This acknowledged the effectiveness of Lilburne and Overton’s rhetoric and positioned them as standard bearers among Independent and separatist polemicists.

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<sup>438</sup> Edwards, *The third part of Gangraena*, pp.33, 221.

<sup>439</sup> Edwards, *The third part of Gangraena*, p.230.

<sup>440</sup> Edwards, *The third part of Gangraena*, pp.259-60.

<sup>441</sup> Edwards, *The third part of Gangraena*, pp.259-60; here Edwards singles out the following seven Independent tracts by their respective titles: *The araignement of Mr. Persecution*, *Martin’s eccho*, *Englands birth-right*, *Thirty eight quaeries upon the ordinance against*

### A Leveller Theory of Laughter

In the Summer of 1649, Overton published the last pamphlet in his Marpriest series. *The Baiting of the Great Bull of Bashan* lampooned Cromwell for being a tyrant. Overton figured Cromwell as the Bull of Bashan who beset the true believer on all sides.<sup>442</sup> This pamphlet appeared at a significant time for the Leveller movement. Its four leaders had been imprisoned in the Tower on charges of high treason, the Leveller women were petitioning and holding mass protests at Westminster to secure their release, and a failed mutiny at Burford had resulted in the executions of several Leveller soldiers. Sammy Basu has argued that Leveller rhetoric underwent a profound transformation in 1649 in response to these setbacks.<sup>443</sup> It was in this context that Overton set forth a Leveller theory of laughter.

In the preamble to *The Baiting of the Great Bull of Bashan*, Overton observed: ‘All pallates are not pleased with that Sheet entitled *Overtons Defiance, &c...* [and] many are offended, and chiefly with that figurative passage of the *Bull*’ in which he represented Cromwell with pox ridden genitals. Overton complained that critics made this objection,

But ther's uncivill language, such as becommeth not the Gospell of Christ. I answer (my Brethren) he or she (how pure or nice soever to the eye) that is not guilty of reall grosse incivilities both in word and deed, let him or her throw the first stone at that seeming incivillity.<sup>444</sup>

Critics had taken offence at his use of ‘uncivill language’ and profanity. This was reminiscent of Edwards’ claim in *Grangraena* that Overton had profaned the Gospel. Overton answered these critics by reminding them of the biblical parable of Christ saving the adulterous woman

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*heresies, toleration justified, A demur to the bill against heresies and The English Scottish game.*

<sup>442</sup> Sloane MS 1985 fos.66-82b.

<sup>443</sup> Basu, “‘A Little Discourse Pro & Con’”, p.98.

<sup>444</sup> Overton, *The baiting*, p.2.



by challenging the angry mob as follows: ‘He that is without sin among you, let him first cast a stone at her’.<sup>445</sup> Similarly, Overton drew a distinction between ‘uncivil language’ and ‘reall grosse incivilities both in word and deed’ and then issued this challenge: ‘let him or her throw the first stone at that seeming incivility’.<sup>446</sup> Overton went on to chastise his offended supporters for being ‘dull of hearing, having closed their eyes’ to the meaning of the parable about the adulterous woman. Overton reminded the reader that Christ had used plain speech and, therefore, his readers should keep an open mind to ‘see, hear, understand and be converted’ by the moral of his story, in which Cromwell was figured as the Bull of Bashan.<sup>447</sup> Overton also responded to another objection raised against him, that if ‘it jears’ then it cannot be ‘the language of Canaan’. Overton went on to cite scripture to defend uncivil language,

Is it not recorded that Eliah mocked the Priests of Baal, and said, Cry aloud for he is god, either he is talking or he is pursuing his Enemy, or he is in a journey, or peradventure he sleepeth, and must be waked.<sup>448</sup>

This recalled Bastwick’s observation that many Puritans had rejected laughter; however, a closer examination of scripture revealed to him a ‘paradox [on the] matter of laughter’ wherein biblical figures and God mocked, ridiculed, and derided the wicked.<sup>449</sup> Overton used this rhetorical approach to construct a Leveller theory of laughter. Overton then posed this question to his intended reader: ‘[if] *Elijah* bid them cry aloud, &c. and ‘tis justified; then why now may not I cry ha---looe---ha---looe---&c. and not be condemned?’<sup>450</sup> This was designed to undermine the core tenet of the Puritan theory of laughter. Overton reminded the reader

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<sup>445</sup> *KJV*, John 8:7; *Geneva Bible of 1599*, John 8:7.

<sup>446</sup> Overton, *The baiting*, p.2.

<sup>447</sup> Overton, *The baiting*, p.2.

<sup>448</sup> Overton, *The baiting*, p.2.

<sup>449</sup> Bastwick, *The utter routing of the whole army*, p.142.

<sup>450</sup> Overton, *The baiting*, p.2.

that ‘Christ himselfe useth the simile of a Piper, saying, *we have Piped unto you and ye have not danced*’.<sup>451</sup> Overton then compared the Levellers in the Tower to Christ, explaining that,

I think we (the four poor Sea green Fidlers in the Tower) may take up the same saying, *We have Piped unto you ever since the first of May, the most pleasant tune of the AGREEMENT of the PEOPLE, but yet have not danced up so roundly as so sprightly a tune deserves.*<sup>452</sup>

Overton envisioned a laughing body politic dancing to music by the ‘four poor Sea green Fidlers in the Tower’ piping the tune of the *Agreement of the Free People of England*.<sup>453</sup> However, Overton felt that their merry song had fallen on dull ears.

Overton explained that his supporters needed to abandon the house of mourning and enter the house of mirth. He lamented that ‘I had thought with two or three merry Jiggs to attempt an uproar in all the laughters in *England*’, and he continued, ‘but I see you [the English people] are a company of dull souls, mirth with you is like a Shoulder of Mutton to a sick Horse’, completely useless.<sup>454</sup> Overton argued that it was better to live in the house of mirth if the alternative was to cry tears of sorrow in a perpetual house of mourning. Moreover, according to Overton, ‘you [Puritans] strait convert [joy] into malancholy, trample it under your feet, turne againe, and are (some of you) ready to rent me; He that had cast Pearls before Swine could have expected no lesse’.<sup>455</sup> Overton chastised his supporters for being eager to ‘rent me’ over the slightest offence or incivility whilst they ignored Cromwell undermining their fundamental rights and liberties.

The commonwealth was sleepwalking toward a precipice, according to Overton, so ‘I came abroad with that ignorant Sheet’, *An Agreement of the Free People of England*, and ‘it

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<sup>451</sup> Overton, *The baiting*, p.2.

<sup>452</sup> Overton, *The baiting*, p.2.

<sup>453</sup> Overton, *The baiting*, p.2.

<sup>454</sup> Overton, *The baiting*, pp.2-3.

<sup>455</sup> Overton, *The baiting*, p.3.

found you in a deed sleep, as men in a *Trans*, portending, as if the *Champions of the Eleventh of September* had been *Sparrow-blasted* [suppressed] with the businesse of *Burford*'.<sup>456</sup> This passage underscored the disillusionment surrounding the Leveller cause in 1649 as its four leaders were imprisoned in the Tower, and the Burford mutiny was suppressed by Cromwell and the Grandee officers. And yet, 'I essayed, to put you [the English people] out of your dumps, and mind you of the *Agreement of the People*... but it seems it proved but as musick to the house of Mourning'.<sup>457</sup> Overton chastised the people for resigning to life in a perpetual house of mourning rather than resisting Cromwell's tyrannical regime.

Overton remarked, 'But (my friends) your *gravity* (which I am affraid hath too much of Melancholy in it)'.<sup>458</sup> The main argument here was that their godly mourning had turned into abject melancholy and a threat to fundamental rights and common freedom. Overton declared that critics 'cannot more move me to a more serious Dialect, then my own affections incline me', just as melancholy was natural to them.<sup>459</sup> Overton added that when it came to mirth and melancholy, 'I prize both in their places',

As I affect the one, I respect the other: for sure, modest mirth tempeted with due gravity makes the best composition, most naturall and harmonious.<sup>460</sup>

This statement offered insight into the development of Overton's approach to satirical rhetoric: modest mirth combined with due gravity makes for the best composition. Although said in jest, he suggested that sorrow without mirth was encumbering the people. It also stressed the undercurrent of seriousness couched in Overton's satirical writings.

In *The Baiting of the Great Bull of Bashan*, Overton set out a Leveller theory of laughter. In the beginning, 'God in the temper of our natures' made man out of earth and

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<sup>456</sup> Overton, *The baiting*, p.3.

<sup>457</sup> Overton, *The baiting*, p.3.

<sup>458</sup> Overton, *The baiting*, p.4.

<sup>459</sup> Overton, *The baiting*, p.4.

<sup>460</sup> Overton, *The baiting*, p.4.

‘enlivened that dull lump with the *Element of Fire*, which is the *forma formans*, the giver and preserver of being and motion’.<sup>461</sup> This fiery element, according to Overton, was the ‘Original of that habit of laughter’.<sup>462</sup> The above passages combined an allusion to the *Book of Genesis* with medical theories about the four elements to explain the origins of laughter. The core tenet of the Leveller theory of laughter was ‘*Mirth* sure is of *Divine* instinct’.<sup>463</sup> Overton’s intervention in the discourse on laughter was framed as a tension between the two houses; however, he used this framing to endorse mirth as a ‘Divine instinct’.<sup>464</sup> Mirth was a divine instinct instilled in mankind by God. According to this Leveller theory of laughter, mirth was ‘more naturall then Melancholy’ because it reflected the natural state of mankind before ‘Death, sorrow, tears, pains, &c’.<sup>465</sup> This marked an inversion of the core tenet of the Puritan theory of laughter. Overton held that the emotions listed above had not been present in the Garden of Eden, whereas his Puritan critics had mistakenly come to think of them as natural since the creation of mankind.<sup>466</sup> This rhetoric naturalised the ‘pure and good’ feelings of joy giving rise to laughter and contrasted it to the unnatural melancholy that gives rise to sorrow.<sup>467</sup> In these conditions, Overton anticipated, ‘And thus comes it to passe; my mirth is heightned to such a transgression, even to cast me under the present *Anathama* of the now godly party.’<sup>468</sup> However, he offered the following as a compromise: ‘my Brethren of the *Sea green Order*; take a little wine with your water, and ile take a little water with my wine, and it will temper us to the best constitution’, thus balancing their constitutions for the sake of a reaching a settlement based on *An Agreement of the Free People of England*.<sup>469</sup>

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<sup>461</sup> Overton, *The baiting*, p.4.

<sup>462</sup> Overton, *The baiting*, p.4.

<sup>463</sup> Overton, *The baiting*, p.4.

<sup>464</sup> Overton, *The baiting*, p.4.

<sup>465</sup> Overton, *The baiting*, p.4.

<sup>466</sup> Overton, *The baiting*, p.4.

<sup>467</sup> Overton, *The baiting*, p.4.

<sup>468</sup> Overton, *The baiting*, p.4.

<sup>469</sup> Overton, *The baiting*, p.4.

## Conclusion

In the sixteenth and seventeenth centuries, the discourse on laughter was framed in terms of tension between the house of mourning and the house of mirth. Different accounts of what emotions gave rise to laughter and its social consequences can be traced through the works of Christian humanists like Erasmus and Protestant reformers Martin Luther and Jean Calvin. Over the course of the sixteenth century, the Calvinist injunction against mirth became the dominant view among Puritans. In the seventeenth century, Prynne used this Calvinist injunction to rail against pastimes and laughter as degenerate and leading to the corruption of manners, while Edwards compared it to a gangrenous infection on the body politic. Despite this Puritan injunction against mirth and laughter, satirical and anti-episcopal literature became popular among the reading public on the eve of the English Revolution.

Overton made his debut as a polemicist in this context. In his two earliest works, Overton drew on the upswell in anti-episcopal and anti-Catholic sentiment to satirise current political events, such as the collapse of episcopacy, fears over popular riots, and acts of iconoclasm taking place in London. Over subsequent years, Overton turned his satirical wit against the persecution of religious nonconformists by the Presbyterian faction that came to dominate Parliament through the Committee of Both Kingdoms and The Westminster Assembly of Divines. Future Levellers Walwyn and Chidley joined Overton to wage a pamphlet war against Edwards and other Presbyterian polemicists. In several pamphlets that appeared in print between 1641 and 1646, Walwyn and Chidley defended separation from the national church and the toleration of nonconformists. In response, Edwards published three volumes of *Gangraena* in which he denounced the ‘damnable heresies’, ‘strange opinions’, ‘fearful divisions’, and ‘loosness of life and manners’, which he attributed to the propaganda

authored by Independent and separatist polemicists.<sup>470</sup> The central premise was that these errors were a gangrenous infection that needed to be cured if the nation's wounds were to heal and a lasting peace settlement achieved.

Overton's Marpriest series appeared in print between 1645 and 1649. It was modelled on the late-Elizabethan Martin Marprelate tradition and included characters such as Mr. Persecution, Sir John Presbyter, and Sir Symon Synod representing the Presbyterian party and its cause. Overton used Martin and his brethren, including the astrologer Christopher Scale-Sky, Martin Claw-Clergy, Rowland Rattle-Priest, and Bartholomew Bang-Priest, as mouthpieces designed to channel the angry laughter of his readers toward their enemies. This reflected a major development in Overton's satirical rhetoric as he began appealing to the common people to support their right to liberty of conscience and freedom of speech.

Overton's rhetoric was designed to expose the hypocrisy, greed, and cruelty of the Presbyterians to the public by drawing an association between them and the Popish Plot. The anonymous author of *The Hampton-Court Conspiracy* (1647) used name-calling as a rhetorical tactic by representing the Levellers and Agitators as Sir Anthonyes, cobblers, and tub-preachers engaged in a plot led by Cromwell and the army to overthrow Parliament.<sup>471</sup>

The year 1649 marked a turning point for the Leveller movement. Independents became a majority in Parliament and City government, while the Grandee officers and the congregational ministers had sidelined and then imprisoned their former Leveller allies. Writing from the Tower to his supporters, Overton excoriated them for criticising his use of uncivil language. To restore their common rights and freedom, Overton proposed that the people abandon the puritanical house of mourning for the Leveller house of mirth by organising themselves into a laughing body politic for the sake of a democratic settlement.

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<sup>470</sup> Basu, "A Little Discourse Pro & Con", pp.106-10.

<sup>471</sup> Anon., *Hampton-Court Conspiracy* (London, 1647), pp.1,4.

CHAPTER 3. SPIRITUAL EQUALITY AND A ‘PROPORTIONABLE SHARE’:  
RHETORIC, GENDER, AND PETITIONING<sup>472</sup>

From late April to May 1649, the Leveller women petitioned the Commons to release their four brethren in the Tower. The Leveller women gave the following justification for their political intervention in a second petition titled *To the Supreme Authority of England* (1649),

That since we are assured of our Creation in the Image of God, and an interest in Christ, equal unto men, as also a proportionable share in the freedoms of this Commonwealth, we cannot but wonder and grieve that we should appear so despicable in your eyes, as to be thought unworthy to Petition, or represent our Grievances to this Honourable House.<sup>473</sup>

This passage from the May 1649 petition has been the subject of ongoing debate among historians for over a century. Their claims to both spiritual equality between men and women and a ‘proportionable share’ in the rights of all freeborn Englishmen are helpful for contextualising the Levellers’ rhetoric around equality and gender relations.<sup>474</sup>

Over a century ago, in *Women Petitioners and the Long Parliament* (1909), Ellen McArthur interpreted the Leveller women’s insistence on their right to petition the Commons as an anticipation of future struggles for female emancipation.<sup>475</sup> Similarly, in *Feminist Manifestos* (2017), Penny A. Weiss and Megan Brueske included the Leveller women’s May 1649 petition in their anthology of feminist manifestos.<sup>476</sup> More recently, in *Private Government* (2017), Elizabeth Anderson characterised the Leveller women as proto-feminists

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<sup>472</sup> Anon., *To the Supreme Authority of England the Commons assembled in Parliament* (London, 1649), p.1.

<sup>473</sup> Anon., *To the Supreme Authority*, p.1.

<sup>474</sup> Anon., *To the Supreme Authority*, p.1.

<sup>475</sup> McArthur, ‘Women Petitioners and the Long Parliament’, p.709.

<sup>476</sup> Weiss, Megan Brueske, ‘The Humble Petition of Divers Well-Affected Women England’, pp.33-5.

and the Leveller movement as ‘the first egalitarian social movement of the modern world’.<sup>477</sup> These historians and many others have been impressed by the Leveller women’s assertion of their spiritual equality with men. They have tended to interpret their claim to a proportional or equal share in the commonwealth as a shorthand for equal political rights with freeborn Englishmen. The picture of gender relations within the Leveller movement that emerged was of egalitarianism centuries before its time. While women were crucial to the organisation of Levellers’ mass subscription campaigns, demonstrations, and printing, it would be anachronistic to conclude that they were forerunners of female emancipation.

Some historians have begun to reassess the Leveller women’s assertions of their spiritual equality with men and a proportional or equal share in the commonwealth. This development was made possible by recent studies on the language of petitions and gender. In her article *Mistress Stagg’s Petitioners: February 1642* (1998), Patricia-Ann Lee argued that petitioning was a ‘traditionally submissive form’, wherein petitioners were expected to supplicate and defer to the authorities. This was reflected in the linguistic convention of presenting it as a ‘humble petition’ or ‘representation’. The Leveller women identified themselves as the ‘weaker vessel’ or ‘fraile sex’ in their petitions.<sup>478</sup> According to Lee, women petitioners may have been ‘modestly radical in their politics’, however, they were ‘consciously conservative in defining the framework within which they operated’ while petitioning Parliament.<sup>479</sup> In his study of Fifth Monarchist women, Marcus Nevitt argued that ‘seemingly oppressive, preponderant or hegemonic discourses can be subtly deployed by

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<sup>477</sup> Anderson, *Private Government*, p.7.

<sup>478</sup> Patricia-Ann Lee, ‘Mistress Stagg’s Petitioners: February 1642’, *The Historian*, vol.60, no.2 (1998), p.241; Anon., *To the Supreme Authority of this Nation* (London, 1649), pp.1,3, 4; Anon., *To the Supreme Authority*, p.1; Anon., *The Womens Petition* (London, 1651), p.1; Anon., *To the Parliament of the Commonwealth of England* (London, 1653), p.1; Anon., *Unto every individual Member of Parliament* (London, 1653), p.1.

<sup>479</sup> Lee, ‘Mistress Stagg’s Petitioners’, p.241.



women to claim a space in the public sphere'.<sup>480</sup> Similarly, the Leveller women framed their petitions in the language of humble address and used it to justify the radical claim that English women had a right to intervene in public life in exceptional circumstances.

In the first section, I examine gender relations within Leveller households by analysing pamphlets, newsbooks, and unpublished manuscripts in the State Papers. In 'Gender and politics in Leveller literature' (1995), Ann Hughes pointed out that the Leveller men tended to minimise the role of women in the movement.<sup>481</sup> They presented themselves according to the stereotype of masculine and 'respectable householders', whereas their wives, servants, and children were figured as the 'weaker vessel', 'fraile sex', 'sickly', and 'distracted'.<sup>482</sup> In *Gender and the English Revolution* (2011), Hughes argued that the 'apparently harmonious mutuality that the Levellers projected' has hoodwinked some scholars into overstating the movement's commitment to egalitarianism.<sup>483</sup> Hughes pointed out that this assessment 'might be shaken by the complexities of everyday social organisation as well as by ideological unease surrounding female assertiveness'.<sup>484</sup> I build on this insight by analysing the motivations for minimising women's roles in their activities.

In the second section, I analyse the raids in 1646 on the Lilburne, Overton, Walwyn, and Larner households. It will be demonstrated that the future Leveller men and women decried the raids as threshold violations that upset the harmonious relations within their households. To the Leveller men, the Lords had encroached on their political rights as households and commoners, whereas Elizabeth Lilburne, Mary Overton, and Ellen Larner's petitions stressed that the raids were an illegal encroachment into their domestic sphere. In

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<sup>480</sup> Marcus Nevitt, "Blessed, Self-Denying, Lamb-like"? The Fifth Monarchist Women', *Critical Survey*, vol.11, no.1 (1999), p.87.

<sup>481</sup> Amussen and Kishlansky, *Political Culture and Cultural Politics*, p.165.

<sup>482</sup> Amussen and Kishlansky, *Political Culture and Cultural Politics*, p.171.

<sup>483</sup> Hughes, *Gender and the English Revolution*, p.61.

<sup>484</sup> Hughes, *Gender and the English Revolution*, p.61.

both cases, the Leveller husbands and wives contended that the mistreatment they experienced during the raids was an attempt by the Lords to reputation shame them.

In the third section, I examine the tension between hierarchy and gender equality within the Leveller movement. In *What Was The Point of Equality?* (2022), Teresa Bejan recovered two concepts of equality in the Levellers' texts: equality as indifference and equality as parity.<sup>485</sup> An analysis of the Leveller women's petitions in April and May 1649 on behalf of the four Leveller men in the Tower using these two conceptions of equality will offer clarification of their assertions of spiritual equality with men and a proportional or equal share in the commonwealth.<sup>486</sup> It is also important to examine contemporary newsbooks that reported on the organisation of the petitioning campaign and the mass demonstrations the Leveller women held at Westminster. It will be demonstrated that the Leveller women developed a complex rhetorical strategy in their petitions, which combined the language of humble address with radical assertions of their right as freeborn Englishwomen to intervene in public life in exceptional circumstances.

In the fourth section, I examine the Leveller women's petitions on behalf of John Lilburne in 1651 and 1653. In these petitions, the Leveller women drew on several precedents from English history and scripture as justification for their intervention in public life. They expressed a sense of entitlement to petition and to receive a reply to the same. While the petitions were framed in the language of humble address, the rhetoric within them challenged the masculinity of members of Parliament who refused to engage with them. This rhetorical tactic reflected how the linguistic conventions of submission and deference in petitioning could be subverted to advance radical political claims. The Leveller women developed a radical rhetoric to assert their rights as freeborn Englishwomen.

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<sup>485</sup> Bejan, 'What Was The Point of Equality?', pp.605, 608-9.

<sup>486</sup> Bejan, 'What Was The Point of Equality?', pp.610-2.

'My wife', the Leveller

Much of what we know about the Leveller women comes from their husbands. An examination of their literature will enable me to trace the development of the Levellers' rhetorical representations of gender relations between husbands and their wives, relatives, children, and servants over time. The public face of the Leveller movement was overwhelmingly gendered male, with the exceptions of Katherine Chidley's polemics and Elizabeth Lilburne's relatively well-documented involvement in the Levellers' activities. Ann Hughes has argued that Leveller rhetoric tended to reinforce paternalistic tropes and representations of gender relations within their own early modern English households. This was reflected in the Leveller men's representations of themselves as exemplars of masculinity and their dependants as needing their stewardship and protection. There are several reasons why the Leveller men would have to deploy this masculinist and paternalistic rhetoric of gender. On the one hand, the Levellers believed that a natural hierarchical order existed between the sexes and between the masculine head of household and its subordinate members. On the other hand, it served to obfuscate or downplay the involvement of wives and servants in the movement's illegal activities, such as printing and distributing censored books, as well as organising mass demonstrations and petition campaigns. In *Gender and politics in Leveller literature* (1995), Hughes pointed out that these factors led the Leveller men to diminish the importance of women to the Leveller movement in their literature.<sup>487</sup>

The Leveller men made various passing references to members of their households in their literature. Elizabeth Lilburne (née Dewell) was mentioned in sixteen of John's tracts. Richard Overton, William Larnier, and William Walwyn referenced their wives, children, relatives, and servants in their texts. Melissa Mowry has characterised this as a 'hermeneutics

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<sup>487</sup> Amussen and Kishlansky, *Political Culture and Cultural Politics*, p.165.

of collectivities' to describe the process whereby the Leveller men portrayed themselves as godly heads of households.<sup>488</sup> They represented themselves to readers as exemplars of the masculine qualities of reason and civic responsibility while juxtaposing this against the unmanliness of their enemies and the feminine qualities of domesticity and obedience among their wives, children, and servants. In *Gender and the English Revolution* (2011), Hughes noted that the construction of collective identity was not exclusive to the Leveller men, as the Leveller women articulated their own collective identity as women when petitioning authorities for redress.<sup>489</sup> The evocation of collective masculine and feminine identity was a powerful rhetorical strategy to advance their political agenda. Leveller men had an interest in depicting themselves as respectable householders speaking on behalf of all freeborn Englishmen. The Leveller women developed complementary rhetoric around a collective feminine identity as a justification for political interventions in exceptional circumstances on behalf of their imprisoned husbands and fellow Levellers.

In *England's birth-right justified* (1645), John complained about the conditions of his imprisonment in Newgate prison because of its effects on his pregnant wife. Elizabeth had been 'great with Childe, & neer her time' when she joined John in Newgate.<sup>490</sup> Wives and servants were sometimes granted permission to join their husbands in prison in this period. John represented Elizabeth as a dutiful wife who chose to accompany him in prison at significant risk to herself and their unborn child. While in Newgate, the Lilburne residence was ransacked by officials searching for evidence of scandalous or libellous books and papers. John continued, an 'old Gentle-woman', a servant watching the household in their absence, was present at the time of the raid. The servant reported that Hunscoth and his men 'stole out of his wives Drawers, divers pieces of her Child-bed linnens and such other things

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<sup>488</sup> Melissa Mowry, "'Commoners Wives'", p.314.

<sup>489</sup> Hughes, *Gender and the English Revolution*, p.99.

<sup>490</sup> John Lilburne, *England's birth-right justified* (London, 1645), p.42.

as they pleased', suggesting that Hunscoth and his men had committed two threshold violations.<sup>491</sup> John characterised the raid as an assault on his native birthright. John also accused Hunscoth of stealing linens and other items that Elizabeth needed to fulfil her responsibilities as a mother. The juxtaposition of the story about Elizabeth accompanying John to Newgate prison and Hunscoth's robbery underscored the political message that wrongful imprisonment and illegal searches posed a threat to all English households.

John was committed to Newgate prison once again in June 1646. On 16 June, the Commons accepted an appeal from John. However, his enemies in the Lords were incensed at this attempt to circumvent them by seeking relief from the Commons, so they summoned him to appear before them six days later. John sent a letter to Wollaston, the chief keeper under the sheriffs of London at Newgate prison, declaring that the House of Lords had no jurisdictional authority to summon him to their bar under the common law. John reported that this letter was delivered to Wollaston by 'my wife and a friend', alluding to another instance in which Elizabeth was involved in advocating on behalf of her imprisoned husband.<sup>492</sup> The Lords responded by ordering that John be kept under close imprisonment. For three weeks, John was denied access to ink, pen, and paper to prevent him from writing more appeals to the Commons or publicising his case. John went on to report that he and Elizabeth Lilburne were restricted to their chamber and subjected to repeated searches.

Elizabeth found innovative means of maintaining John's correspondence with friends after the Lords ordered that his privileges be withdrawn. John complained that his maintenance grant was insufficient, putting severe strain on his physical and mental health. However, 'my wife [Elizabeth] obtained so much favour from a neighbour to speake with me out of their windowes, at the distance of about 40 or 50 yards'.<sup>493</sup> The guards soon discovered

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<sup>491</sup> Lilburne, *England's birth-right justified*, p.42.

<sup>492</sup> John Lilburne, *An anatomy of the Lords tyranny* (London, 1646), p.2.

<sup>493</sup> Lilburne, *An anatomy*, p.2.

this line of communication and threatened ‘to stop up the poore mans [John’s fellow prisoner] windowes, if he would not cease to permit my wife to look out of them’ to speak with him and also threatened to relocate John from his current chamber into the dungeons to enforce the order of non-communication.<sup>494</sup> *An Anatomy of the Lords Tyranny* (1646) was designed to draw attention to the cruel methods employed against John to delay justice and the tenacity of his keepers at Newgate prison to enforce the Lords’ orders. It also revealed that Elizabeth was the principal go-between John and his friends.

On 10 July, the Lords issued a summons for John to appear before them. While standing at the bar the following day, John repeated the assertion that the Lords lacked any legal jurisdiction over him because, as a commoner, they were not his peers. Therefore, he ought to be tried by the Commons or a court of common law. John refused to enter a plea. The Lords found John guilty and ordered him committed as a prisoner to the Tower. As he was handed over to Lieutenant of the Tower Colonel Francis West’s custody, and in the presence of his brother Major Henry Lilburne, Colonel Wetton, Elizabeth, and his friends, John reported, ‘my spirit was a little refreshed... in regard I was freed from my close and cruell imprisonment [in Newgate prison], and now should enjoy the society of my wife and friends’ upon his enlargement while imprisoned in the Tower.<sup>495</sup> However, Colonel West informed John of his intention to observe strict enforcement of the Lords’ orders to prevent him from publishing any works against Parliament. This included restrictions on visitors as well as denying John access to ink, pen, and paper. John then remarked to the reader, ‘I perceiving my wife to be much troubled at his words’ made this appeal to Colonel West,

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<sup>494</sup> Lilburne, *An anatomy*, p.2.

<sup>495</sup> Lilburne, *An anatomy*, p.16; John related a slightly different version of this conversation with the Lieutenant of the Tower in another tract published a year later. In it, John promised ‘not to write a line, nor reade a line written, while he enjoyed that privilege’ of being visited by his wife in the Tower, see. Lilburne, *Regal tyranny discovered* (London, 1647), p.48.

*Sir, my wife is all the earthly comfort that now in this world I have left unto me... And truly Sir, I must tell you, God hath so knit in affection, the hearts and soules of me and my wife, and made us so willing to help to bear one anothers burdens, that I professe, as in the sight of God, I had rather you should immediatly beat out my braines, then deprive me of the society of my wife.*<sup>496</sup>

Hughes pointed out that love and affection were important in early modern marital relations.<sup>497</sup> Lilburne pled for mercy. He and Elizabeth were joined in ‘hearts and soules’ and ‘willing to help to bear one anothers burdens’, which spoke to their affection for each other. It also functioned to stress the cruelty of his enemies in the Lords and of Colonel West, who wanted to deprive John of the only ‘earthly comfort’ he had left. There was also the practical consideration that if the order to deprive John of all visitors was strictly enforced, it would have prevented Elizabeth from acting as his messenger. John then complained that ‘I was divorced from my wife’ for the next five days.<sup>498</sup> On 16 September, John related that the conditions of his imprisonment improved somewhat after the Lords ordered a partial restoration of his privileges.<sup>499</sup> John was permitted to speak with Elizabeth and his other friends in the presence of a warden, and the Lieutenant of the Tower was to keep a list of all visitors. John saw this as an attempt to entrap him and his friends.<sup>500</sup>

In the same year, the Lords targeted the extended Overton household. At 5 or 6 o’clock in the morning in August 1646, the Stationers’ Company raided the Overton residence in search of an illegal printing press and evidence of scandalous papers or books.

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<sup>496</sup> Lilburne, *An anatomy*, p.16.

<sup>497</sup> Hughes, *Gender and the English Revolution*, p.99.

<sup>498</sup> Lilburne, *An anatomy*, p.16; the circumstances in which John saw Elizabeth five days later are unclear based on the information provided in Lilburne, *An anatomy of the lords tyranny*.

<sup>499</sup> Lilburne, *An anatomy*, p.16; in another pamphlet John explained that the Lieutenant of the Tower sought this new order from the Lords to justify denying Elizabeth visitation rights after the fact, see, Lilburne, *The oppressed mans oppressions* (London, 1647), p.1.

<sup>500</sup> Lilburne, *An anatomy*, p.16.

According to Richard, ‘my wife [Mary] as I came near her [was] ready to swoon at that sudden affright’ as Robert Eeles burst through the door to their master bedroom unannounced.<sup>501</sup> As the Overtons attempted to get dressed, according to Richard, Eeles rummaged through his pockets and stole the contents of a nearby trunk. Richard looked out the window to the sight of musketeers guarding the threshold of the Overton residence. The agents of the Stationers’ Company reportedly ‘uttered many reproachfull and menacing words and speechs’ to the Overtons during the raid. Richard then commented that he felt much distempered at ‘my wife and childrens lamentable case’.<sup>502</sup> This was nearly identical to the raid on the Lilburne household as both John and Richard drew the reader’s attention to the plight of their wives and families as well as the misconduct of those charged with conducting the raids. Richard positioned himself as the masculine and godly head of household, which he contrasted with the cruelty of the Lords and agents from the Stationers’ Company. Moreover, the reference to Mary swooning and to ‘my wife and childrens lamentable case’ emphasised how this threshold violation was undermining the harmony of his household.

Richard went on to represent the threshold violations ordered by the House of Lords as tyrannical and carried out by the agents of the Stationers’ Company as a threat to all households. For asserting his rights as a freeborn commoner of England, ‘I [Richard Overton] must be thrown and lie in the most contemptuous Goal of Newgate, to the undoing of my self, my wife, and children’.<sup>503</sup> This statement echoed John Lilburne’s rhetorical tactic of making his case stand in for the peril faced by all commoners. In *The Commoners Complaint* (1646), Richard expanded on the circumstances surrounding the raid on his residence. Having been imprisoned for six months at the time of its publication, Richard denounced the

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<sup>501</sup> Overton, *A defiance*, p.2.

<sup>502</sup> Overton, *A defiance*, p.11.

<sup>503</sup> Overton, *A defiance*, p.24.



imprisonment of ‘his wife and his brother also’ without formal charges.<sup>504</sup> Looking back on the raid on 3 November, Richard recalled that Mary ‘(with her tender babe of half a years age in her armes) was... dragg'd most barbarously and inhumanely head-long upon the stones through the streets in the dirt and mire’.<sup>505</sup> The raid was conducted before Richard, Mary, or his brother were presented with a formal warrant for their apprehension. Mary and her baby were publicly humiliated and, six months later, still held without formal charges. The two eldest Overton children fled to a neighbour for protection. Mary was detained and imprisoned, according to Richard, and humiliated while being dragged with their baby through the streets to ‘the place of execution’ in front of the entire neighbourhood.<sup>506</sup>

In a letter dated 1 February 1646 addressed to the chairman of the Committee for the Commoners’ Liberties, Richard complained about the arbitrary practices he and his family had endured. Richard denounced the members of the House of Lords for issuing ‘yet another prerogative order against my wife... not counting it miserable and dishonourable enough, that she should lye in the Goale at *Mayden-lane*’, she had been transferred to ‘the most infamous Goale of *Bride-well*, that common Centre and receptacle of bauds, whores, and strumpets’.<sup>507</sup> Richard stated, Bridewell prison was ‘more fit for their wanton renegade Ladies, then for one, who never yet could be taxed of immodesty, *either in countenance, gesture, words, or action*’.<sup>508</sup> Richard’s comment denied Mary’s involvement in his illegal printing operation while also representing her as an innocent wife and mother, and thus undeserving of being imprisoned among the ‘wanton renegade Ladies’ of Bridewell prison.<sup>509</sup>

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<sup>504</sup> Overton, *The commoners complaint*, unnumbered page.

<sup>505</sup> Overton, *The commoners complaint*, unnumbered page.

<sup>506</sup> Overton, *The commoners complaint*, unnumbered page.

<sup>507</sup> Overton, *The commoners complaint*, p.17.

<sup>508</sup> Overton, *The commoners complaint*, p.17.

<sup>509</sup> Overton, *The commoners complaint*, p.17.

Richard's account of the circumstances of Mary's initial arrest and imprisonment shed further light on the Levellers' use of the rhetoric of domesticity. In *The Commoners Complaint*, Richard described a conversation between Mary and a City Marshall wherein she refused all obedience to the orders of the 'mercilesse cruelty of the whole House of Norman-prerogative tyrants [the Lords]', at which point the 'Gentleman Goaler' excoriated her.<sup>510</sup> The Marshall tried to rip their baby out of Mary's arms and then had her dragged through the street. In this account, Mary is represented as defying the illegal and arbitrary orders of the agents of the Stationers' Company in defence of the common law rights of the English subject. Richard continued that Mary's defiance was borne of 'her resolution and honest intentions for the freedoms of her Country'; therefore, she deserved praise rather than repeated humiliation and imprisonment.<sup>511</sup> This account of Mary's arrest was a rhetorical tactic designed to represent one specific case of arbitrary and illegal mistreatment as a threat to every commoner throughout the nation. According to Richard, the porters who witnessed the scene were so moved by Mary's protestation that they refused to carry her away to prison, insisting that the goalers and lifeguards do it themselves. Richard continued, 'by this inhumain barbarious usage' the goalers and guards tried to 'render her infamous in the streets' by calling her names such as 'Strumpet and [wild whore]' to,

blast her reputation for ever, and to beget such a perpetuall odium upon her, that for the future (if ever delivered from her bondage) she should not passe the streetes upon her necessary occasions any more without contumely and derision, scoffing, hissing, and poynting at her...<sup>512</sup>

Richard explained that the Lords had specifically ordered the agents of the Stationers' Company to mistreat Mary as a deterrent to 'the free Commoners wives who stand for their

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<sup>510</sup> Overton, *The commoners complaint*, p.17.

<sup>511</sup> Overton, *The commoners complaint*, p.17.

<sup>512</sup> Overton, *The commoners complaint*, pp.19-20.

Freedoms and Liberties' from daring to defy them.<sup>513</sup> With each retelling of the story, Richard added new details. In the former, Mary and the other members of the Overton household were described as innocent and passive bystanders caught up in the raid. In the latter account, Mary was represented as actively defying the Lords and their agents in word and deed. Both accounts presented the Overton household as a microcosm of the nation. The inconsistencies between these two accounts of the raid suggested that Richard was deliberately giving a partial relation of events for propagandistic purposes.

The Walwyn household was also targeted by the Lords, their agents, and the press. In *The Fountain of Slaunder Discovered* (1649), William complained that his critics were accusing him of being a polygamist and that 'this is such a slander as doggs me at the heels home to my house; seeking to torment me even with my wife and children, and so to make my life a burthen unto me'.<sup>514</sup> William suggested that the motivation behind such slanders and rumour-mongering was to torment him and his family. He represented such slanders as a threshold violation. The lies flowed out from the press onto the streets of London and followed William at his heels 'home to my house'.<sup>515</sup> William argued that baseless slanders 'produceth the contrary' of his critics' intentions. William and Anne Walwyn had been married for over twenty-one years and raised over twenty children together at their home in Moorfield.<sup>516</sup> In all that time, William had earned a reputation for both honest dealing in trade and good conversation among his neighbours, and, therefore, slanders of this kind discredited his critics more than him. He then turned the tables on his critics, remarking that it was strange that self-professed 'religious people' would spread lies 'which may be the undoing of my wife and children' by attempting to discredit the household.<sup>517</sup>

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<sup>513</sup> Overton, *The commoners complaint*, p.20.

<sup>514</sup> Walwyn, *The fountain of slaunder*, p.19.

<sup>515</sup> Walwyn, *The fountain of slaunder*, p.19.

<sup>516</sup> Walwyn, *The fountain of slaunder*, p.19.

<sup>517</sup> Walwyn, *The fountain of slaunder*, p.8.

William framed his account of the raid on the Walwyn household in an identical way to those of Richard Overton and John Lilburne. On 28 March, according to William, the Council of State issued an order summoning him to appear before them. John Bradshaw, whom we met in Chapter 1, signed the warrant.<sup>518</sup> Deputised by Hardress Waller, a ‘strong body of horse and foot’ led by Adjutant General Stubber from Colonel Whalley’s regiment carried out the early morning raid.<sup>519</sup> Stubber and his soldiers surrounded the Walwyn residence to prevent anyone from escaping. In William’s account of the raid, he juxtaposes his own calm disposition with the fear and terror felt by members of his family,

to the great terror of my Family, my poor maid comming up to me, crying and shivering, with news that Souldiers were come for me, in such a sad distempered manner (for she could hardly speak) as was sufficient to have daunted one that had been used to such sudden surprisals.<sup>520</sup>

William denounced the raid ‘much more for my wife’ than himself because Anne, ‘being also so weakly a woman’, had never known her husband to be in trouble.<sup>521</sup> William continued, ‘I cannot say she hath enjoyed a week together in good health’ over the last twenty-one years, thereby suggesting that the fright Anne experienced during the raid was a threat to her already fragile health.<sup>522</sup> Similarly, ‘my eldest Daughter... hath continued sick ever since’ the raid, which troubled William because ‘my Children and I having been very tender one of another’.<sup>523</sup> William paints a portrait of harmonious relations within the Walwyn household being upended by this threshold violation. William remarked: ‘Nor were my neighbours lesse troubled for me’ during the raid because of his good standing in the neighbourhood.

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<sup>518</sup> Walwyn, *The fountain of slaunders*, p.11.

<sup>519</sup> Walwyn, *The fountain of slaunders*, p.11.

<sup>520</sup> Walwyn, *The fountain of slaunders*, p.11.

<sup>521</sup> Walwyn, *The fountain of slaunders*, p.11.

<sup>522</sup> Walwyn, *The fountain of slaunders*, p.11.

<sup>523</sup> Walwyn, *The fountain of slaunders*, p.11.

William Kiffin, Thomas Edwards, and John Price's polemic was such a 'corrupt *Fountain of Slander*... full of malice, treachery and impudence', according to William, that it was necessary to respond to it in the press.<sup>524</sup> William complained that they were attempting to 'wound the reputation of the Family whereof I am'.<sup>525</sup> Their lies 'too much wound with grief my dear and ancient Mother, whom I have the greatest cause to love' and 'my Wife and Children also are deeply wounded... whom I value ten-fold above my life'.<sup>526</sup> William pointed to the impact of such slanders on his extended household and represented himself as an exemplar of masculine virtue as a loving husband, father, son, householder, and citizen. He concluded, 'whensoever I shall leave the world... [I shall] leave no blemish' on the Walwyn family despite the slanders of his critics.<sup>527</sup> William framed the slanders against him and his family as a problem facing all commoners. He continued, to give 'full satisfaction to all men... [and to stop] the mouth of slander itself' the reader should seek out the Levellers' *An Agreement of the Free People of England*.<sup>528</sup> This programme would 'take off that scandall then upon us [the Levellers]' and demonstrate to the common people of England that they intend only the 'good of the Nation' contrary to the libels, slanders, and lies made against them and spread by their many enemies.<sup>529</sup>

#### Leveller Women's Petitions of 1646

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<sup>524</sup> Walwyn, *The fountain of slaughter*, p.24; For the works referred to here by William Walwyn see, Edwards, *The first and second parts of Gangraena*; Edwards, *The third part of Gangraena*; Kiffin, Price, *Walwins Wiles*.

<sup>525</sup> Walwyn, *The fountain of slaughter*, p.24.

<sup>526</sup> Walwyn, *The fountain of slaughter*, p.24.

<sup>527</sup> Walwyn, *The fountain of slaughter*, p.24.

<sup>528</sup> Walwyn, *The fountain of slaughter*, p.24.

<sup>529</sup> Walwyn, *The fountain of slaughter*, pp.24, 26.

The Lords imprisoned John Lilburne, Richard Overton, and William Larnier in 1646. Their wives responded by delivering petitions for the release of their husbands. On 23 September, Elizabeth presented a petition titled *To the Chosen and betruſted Knights, Citizens, and Burgesses* to the Commons, demanding it intervene in John's case before the Lords. Elizabeth identified herself as the 'Wife to Leut. Coll: John Lilburne, who hath been for above eleven weeks by paſt, moſt unjuſtly divorced from him'.<sup>530</sup> This ſame argument that John's imprisonment was like a forced divorce from Elizabeth was repeated in *An Anatomy of the Lords Tyranny*, wherein he likened the withholding of viſitation privileges to the ſame.<sup>531</sup>

The preamble of the petition is rhetorically framed in terms of the conventional language of a humble addreſs. Elizabeth 'humbly prayeth' that the Commons would allow John to ſubmit a full legal defence in a trial or release him.<sup>532</sup> Patricia-Ann Lee has argued petitions were an inherently conſervative form of appeal during this period becauſe they relied on certain linguistic conventions of ſubmiſſion, deference, and ſupplication.<sup>533</sup> This language of humble addreſs was reflected in Elizabeth's appeal that imprifoning John was to impoſe a *de facto* divorce on her, depriving her of his companionship and their family of his ſtewardſhip as its head of houſehold. However, Marcus Nevitt has obſerved that the conventions and patterns of humble addreſs in petitions could alſo be ſubverted to put forward radical demands. This is reflected in Elizabeth's couching of her radical demands that the Commons intervene in the buſineſs of the Houſe of Lords relating to her huſband uſing the language of humble addreſs.<sup>534</sup> Elizabeth argued that becauſe John was held as a cloſe priſoner and his appeals were being ignored, ſhe was juſtified in petitioning the

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<sup>530</sup> Elizabeth Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses, aſſembled in the High and Supream Court of Parliament* (London, 1646), p.1.

<sup>531</sup> John Lilburne, *An anatomy*, p.17.

<sup>532</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

<sup>533</sup> Lee, 'Miſtreſs Stagg's Petitioners', p.241.

<sup>534</sup> Nevitt, "Bleſſed, Self-Denyng, Lamb-like", p.87.

Commons on his behalf. Elizabeth pointed to the declaration on 23 October 1642, reminding the Commons that ‘it is your duty to use your best endeavours, that the meanest of the *Commonality*, may enjoy their own *birth right, freedome, and liberty* of the *Lawes* of the *Land*, being *equal* (as you say) *intituled thereunto With the greatest subject*’.<sup>535</sup> Elizabeth argued that this declaration, ‘comming from your own mouths and pen... imboldeneth your *Petitioner* (with confidence) to make her humble addresses to you’.<sup>536</sup> This rhetorical tactic was designed to establish her standing as a petitioner. It also used the language of humble address to demand ‘with confidence’ that the Commons defend the birthright under the law of the ‘meanest of the *Commonality*’.<sup>537</sup>

Elizabeth continued that the fundamental laws of England are the birthright of the ‘meanest of the *Commonality*’ as well as ‘the greatest subject’, asserting that the Commons have a duty to administer the law equally irrespective of rank.<sup>538</sup> According to Elizabeth, the law of the land was ‘the Common Birthright of English-men... who are born equally free’.<sup>539</sup> These statements implied a conception of equality as indifference, wherein all commoners or freeborn Englishmen were entitled to equal protection under the law. Elizabeth combined a tradition of thinking about equality based on natural law with common law jurisprudence. Elizabeth cited 29 of *Magna Carta*, Edward III 14:5, and Coke’s *Institutes* (1628) in support of her interpretation of the birthright of freeborn Englishmen to speedy justice and a fair trial. These touchstones of common law jurisprudence were pillars of the ancient constitution, guaranteeing the English commoner a fundamental right to equal protection under the law. It also implied a second conception of equality as parity whereby the Lords were peers unto themselves and, therefore, lacked the jurisdiction over ‘*your Petitioners husband, or any*

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<sup>535</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

<sup>536</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

<sup>537</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

<sup>538</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

<sup>539</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

*other Commoner whatsoever*'.<sup>540</sup> Elizabeth asserted that the Commons alone had jurisdiction over John because they were his peers. It followed that the imprisonment of John Lilburne was arbitrary and illegal. The Lords had also violated John's right to due process by obstructing the Commons, through its Committee of Examinations chaired by Henry Marten, from reviewing the case of a commoner. Elizabeth claimed that John's rights to substantive due process had been infringed when the Lords ordered that he be denied access to counsel along with pen, ink, and paper because these measures prevented him from appealing to the Commons for relief on his own behalf. In these exceptional circumstances, according to Elizabeth, she was authorised to present a humble address to the Commons.

Elizabeth was physically assaulted in Westminster Hall while waiting to deliver her petition to the Commons. In *London's liberty in chains discovered*, John provided an account of the incident. According to John, 'my wife [Elizabeth]... with eight Gentlewomen' were assaulted while awaiting an audience with the Commons.<sup>541</sup> The women were 'peaceably wayting there', according to John, when Ensign Richard Vaughan of the parliamentary guard approached the gentlewomen and asked for Elizabeth by name.<sup>542</sup> Ensign Vaughan then threw Elizabeth down several stairs leading toward the Court of Requests and followed her down the hall, where he grabbed Elizabeth by the neck. Undeterred by this physical assault, Elizabeth delivered her petition to the Commons.<sup>543</sup>

In the same year, Mary Overton petitioned the Commons on behalf of her husband Richard. Mary framed *To the right Honourable, the Knights, Citizens, and Burgesses, the Parliament of England, assembled at Westminster* (1646) using the linguistic conventions of a humble petition. It presents itself as a 'humble Appeale and Petition' concerning Richard's,

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<sup>540</sup> Lilburne, *To the Chosen and betruſted Knights, Citizens, and Burgesses*, p.1.

<sup>541</sup> Lilburne, *London's liberty*, p.32.

<sup>542</sup> Lilburne, *London's liberty*, pp.32-3.

<sup>543</sup> Lilburne, *London's liberty*, p.33.



her brother-in-law Thomas Overton's, and her own arbitrary imprisonment in Bridewell.<sup>544</sup> In the section above, I have discussed the circumstances of her initial arrest and act of being dragged through the streets as a public shaming tactic. Nonetheless, her petition contains some material passages that showcase the ways in which the Leveller women's petitions were framed using the language of deference and supplication but functioned rhetorically to open a space for them to exercise their voices in public affairs.

On 24 March 1646, Mary Overton petitioned the Commons on behalf of herself, Richard, and his brother. Mary also justified her appeal based on a passage from chapter 29 of *Magna Carta* which read, '[no] Free-man shall be taken, or imprisoned, or [disseized] of his Freehold or Liberties, or Free-Customes, or outlawed, or exiled, or otherwise destroyed... but by lawfull Judgement of his Peers'.<sup>545</sup> Mary echoed Elizabeth Lilburne's argument that the Lords had no jurisdiction over the lives, liberties, or estates of commoners and called on the Commons to intervene on behalf of the Overtons. She went on to cite 25 Edw. 3. c. 4., that 'no man from henceforth shall be attacked for any Accusation, nor fore-judged of life, nor limbe, against the forme of the great Charter', reaffirming the same.<sup>546</sup> Mary asserted that the Commons should determine whether it wanted to charge her and Richard with any crimes or misdemeanours. She claimed that the Lords' delay in justice had illegally deprived the Overtons' right to procedural and substantive due process according to *Magna Carta*. Furthermore, Mary cited the following passage from 42 Edw. 3. c. 3., concerning the prevention of gross miscarriages of justice against commoners, '[that] none be put to answer without presentment before Justices, or other matter of Record, or by due Processe, or by some Writ Originall' according to the law of the land.<sup>547</sup> Mary argued that because neither she

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<sup>544</sup> Mary Overton, *To the right Honourable, the Knights, Citizens, and Burgesses, the Parliament of England, assembled at Westminster* (London, 1646), p.1.

<sup>545</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.4.

<sup>546</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.4.

<sup>547</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.5.

nor her husband or brother-in-law were presented with warrants at the time of arrest and were imprisoned without formal charges, their apprehension and imprisonment were illegal and arbitrary. The petition referenced several authoritative works that confirmed this interpretation of the common law, including statute 1 Eliz. c. 1., concerning a minimum of two witnesses to face the accused in open court, Crompton's *Justice of the Peace*, Foxe's *Acts and Monuments*, *Biblioteca Santa*, and many more.<sup>548</sup> Mary repeated that these authoritative works confirmed that 'in direct opposition to all the fore-cited Lawes, Statutes, Antiquaries, &c.,... the House of Lords did without Summons, or Processe for appearance, not only attach, apprehend, and imprison your Petitioners husband [Richard]' and sent Stationers' Company agents to raid 'your Petitioners house... and beare away her goods' without any formal warrant, indictment, or presentment as required by the common law.<sup>549</sup> This passage presented Richard's wrongful imprisonment along with the threshold violation against her in their family home as standing in for the threat the Lords posed to all commoners.

Mary also recounted the raid on the Overton household. She detailed how Richard and Thomas refused to incriminate themselves or each other. Mary continued that, likewise, 'your Petitioner', with a baby in her arms, refused to 'make an oath against her husband or her self'.<sup>550</sup> Her assertion of her right to non-incrimination led to her being dragged through the streets. However, it also functioned as a rhetorical device to remind the reader that the wrongful imprisonment and illegal proceedings against the Overtons and the threshold violation of raiding their household were not private matters but concerned all freeborn commoners. The officers who dragged Mary and her baby along the 'stones through all the dirt and the mire in the streets', calling her a 'Whore, Strumpet, &c.', had attempted to

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<sup>548</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.6.

<sup>549</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.6.

<sup>550</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.7.

discredit her. However, as William Walwyn pointed out years later, they only brought disrepute onto themselves through such base words and deeds.<sup>551</sup>

Mary was incarcerated in Bridewell prison on 8 January 1646 for three months before being granted permission to deliver her petition to the Commons. In the interim, Mary complained that her and Richard's cases were 'referred to one Committee or other', however, nothing came of these developments. The committee submitted its report to the Commons, but its recommendation to release the Overtons was blocked by the Lords.<sup>552</sup> This was a rhetorical tactic, already seen deployed in Elizabeth Lilburne's petition of 1646, designed to justify her exercising a voice in matters of state. Mary explained that 'shee humbly prayeth this honourable House [of Commons]' would not think it presumptuous that she was petitioning them on behalf of her husband and brother-in-law. She called on the Commons to release the Overton family from its prolonged imprisonment. The petition concluded with Mary calling on the Commons to uphold 'the rest of their Nationall brethren the Free Commoners of England from the like Prerogative-insolencies'.<sup>553</sup>

Ellen Larner delivered a petition to the House of Lords assembled in March 1646 on behalf of her husband, William. *To the Right Honourable, the LORDS assembled in Parliament* was much more brief and far less radical in its contents than Elizabeth and Mary's petitions. This was likely due to Ellen addressing the House of Lords rather than the Commons. It was the Lords who ordered the raid on her household, and, therefore, it would have been unwise to employ a rhetorical strategy of denouncing them as tyrannical usurpers of the commoners' liberties and freedom. Nevertheless, it sheds light on the gendered language of petitioning. Ellen framed the petition in the conventional language of a humble

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<sup>551</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, p.7.

<sup>552</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, pp.8-10.

<sup>553</sup> Overton, *To the right Honourable, the Knights, Citizens, and Burgesses*, pp.11-2.

address for redress. It contained two demands: Securing William's enlargement or release, as well as compensation for damages.<sup>554</sup>

Ellen focused on the economic impact of William's imprisonment on the Larner household. A major complaint in the petition concerned the conduct of the Beadle of the Stationers' Company, Hunscomb, and his wardens during the raid of the Larner household. Ellen alleged that they saw to it to 'ransack and break open your Petitioners Trunks, and injuriously carry away her goods'.<sup>555</sup> She argued that the Lords had acted 'contrary to Law' by ordering the raid and that the 'Warrant that they [the Beadle and wardens] could produce' made no mention of seizing their goods.<sup>556</sup> Ellen also complained that she was pregnant at the time and, therefore, 'upon seeing the violent apprehension of her husband, fell into a dangerous sicknesse, to her great charge and dammage'.<sup>557</sup> Due to the added expense of her medical treatment for the 'dangerous sicknesse' that she experienced following the raid and the legal and maintenance fees for William while he was imprisoned, 'Your Petitioners estate is totally consumed'.<sup>558</sup> The Larner family was, according to Ellen, 'in extreme want... [because] her husband [William] is greatly indebted' to his creditors and cannot provide for his 'aged Father and Mother, who are past labour' without the money due to them from Parliament.<sup>559</sup> She was asking the Lords to order the release of these funds and an enlargement for William so that he could resume his trade.<sup>560</sup> Ellen avoided the confident assertion of her rights as a commoner like Elizabeth Lilburne and Mary Overton had done, however, there were hints of this line of thinking in her petition. Ellen focused instead on the misconduct of the agents of the Stationers' Company and the debt owed to creditors. She represented herself as the dutiful

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<sup>554</sup> Anon., *A true relation of all the remarkable passages* (London, 1646), p.7.

<sup>555</sup> Anon., *A true relation*, p.8.

<sup>556</sup> Anon., *A true relation*, p.8.

<sup>557</sup> Anon., *A true relation*, p.8.

<sup>558</sup> Anon., *A true relation*, p.8.

<sup>559</sup> Anon., *A true relation*, p.8.

<sup>560</sup> Anon., *A true relation*, p.8.

‘wife of William Larner’, mother, and daughter-in-law when humbly requesting the Lords to release or grant some enlargement to her husband.<sup>561</sup>

In June, Ellen Larner delivered a second petition to the Lords on behalf of William and their servants, John Larner and Jane Hale. Ellen complained that ‘upon a false suggestion of *Hunscors* [Hunscott]’, the Beadle of the Stationers’ Company, the three had been imprisoned for over eight weeks.<sup>562</sup> Hunscott had also conducted the raid on the Lilburne residence. The second petition on behalf of William and the members of the Larner household was also framed in the language of humble address. It focused on the misconduct of the agents of the Stationers’ Company rather than the illegal and arbitrary proceedings against them by the House of Lords. Ellen continued, ‘Your Petitioner [Ellen] most humbly beseecheth your Honours [the Lords], to commiserate our deplorable condition’ and release them from prison.<sup>563</sup> Ellen shifts from addressing the Lords as ‘your Petitioner’ to using the collective ‘our’ to stress that their release from prison would bring about a harmonious restoration of relations between husband and wife and master and servant, which were foundational to the proper management of a godly household.<sup>564</sup>

### The Leveller Women’s Petitions of 1649

On 27 March 1649, the Council of State issued warrants to apprehend John Lilburne, Richard Overton, William Walwyn, and Thomas Prince on charges of high treason for scandalous passages in *The Second Part of Englands New Chaines Discovered* (1649).<sup>565</sup> The four Levellers were remanded to the Tower while awaiting trial. The Leveller women began

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<sup>561</sup> Anon., *A true relation*, p.1.

<sup>562</sup> Larner, *A vindication of every free-man libertie*, p.4.

<sup>563</sup> Larner, *A vindication*, p.4.

<sup>564</sup> Larner, *A vindication*, p.4.

<sup>565</sup> SP 25/62, fo.125.

organising mass demonstrations and petitioning campaigns between April and March in support of the four Levellers. The Leveller women's rhetoric in the two petitions of 1649 combined the language of humble address with radical assertions of their political rights.

In *To the Supreme Authority of this Nation the Commons Assembled in Parliament* (1649), the petitioners identified themselves as 'humble' and 'well-affected Women inhabiting the City of London, Westminster, the Borough of Southwark, Hamblets, and places adjacent' and 'Affecters and approvers' of the late *petition of 11 September 1648*.<sup>566</sup> Rees pointed out that the *Manifestation* (1649) and *Third Agreement* (1649) had a print run of 20,000, and the *Humble Petition of Diverse Well-Affected Women* (1649) boasted an estimated 10,000 signatures demanding the immediate release of imprisoned Levellers.<sup>567</sup> The petition began, it is with 'sorrow and affliction under the grievous weight of the publick Calamity and distress' that the Leveller women could not 'undergoe the woe and misery thereof, or longer sit in silence', and, therefore, had gathered to petition the Commons for redress.<sup>568</sup> The Leveller women couched their rhetorical justification for coming to Parliament in the language of humble address, namely that in exceptional circumstances of a national calamity or the imprisonment of the four Levellers in the Tower, they were authorised to exercise their voices through demonstrations and petitions.

The Leveller women signalled their transition away from a language of humble address to a language of protestation on behalf of their imprisoned husbands and the nation. This rhetorical shift was signalled in their petition when they posed the question, 'if oppression make a wise man mad, how is better to be expected from us that are the weaker vessel?'<sup>569</sup> The Leveller women acknowledged that they were the 'weaker vessel' while

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<sup>566</sup> Anon., *To the Supreme Authority of this Nation*, pp.1,3.

<sup>567</sup> Rees, *Leveller Organisation*, pp.15, 133.

<sup>568</sup> Anon., *To the Supreme Authority of this Nation*, p.3.

<sup>569</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

simultaneously using their inferior status as women to open a space for their intervention in public affairs. The Leveller women explained, ‘we [women] are not able to keep in our compass [the household], to be bounded in the custom of our sex’ by remaining silent,

...for indeed we confess it is not our custom [as women] to address ourselves to this House in the Publick behalf, yet considering that we have an equal share and interest with men in the Common-wealth... we can neither eat, nor drink in peace, or sleep in quiet...<sup>570</sup>

This was a clear example of the collective hermeneutics pointed to by Melissa Mowry, whereby the Leveller women argued that ‘we’, as women, ‘have an equal share and interest with men’ in the commonwealth and therefore have a right to seek redress by petitioning Parliament.<sup>571</sup> The Leveller women positioned themselves as speaking on behalf of all English women when demanding the immediate release of ‘our husbands, our children, brethren, and servants’, whose ‘Petitions and addresses (while we in silence have sate at home)’ have been ‘sleighted or rejected, some burned by the hand of the Common Hangman, others voted treasonable or seditious’.<sup>572</sup> The Leveller women justified breaking their silence in exceptional circumstances on matters of public concernment on the grounds that the Commons had slighted, rejected, and condemned the appeals of their oppressed husbands, children, brethren, and servants, and, therefore, something needed to be done.

The Leveller women then pointed to several precedents where ‘God hath wrought many deliverances for severall Nations... by the weak hand of women’.<sup>573</sup> Was it not by the weaker hand of Deborah and the hand of Jael that Israel was delivered from the tyranny of the King of the Cannanites? Moreover, did not ‘British women’ overthrow the tyrannical rule

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<sup>570</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

<sup>571</sup> Mowry, ““Commoners Wives””, p.314.

<sup>572</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

<sup>573</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

of the Danes or, more recently, the downfall of ‘Episcopall tyranny in Scotland [sic] first begun by the women of that Nation?’<sup>574</sup> The Leveller women petitioners ‘take the blodnesse’ to remind the Commons that ‘our Husbands, our selves, and friends’ have spared no expense on their behalf, esteeming nothing ‘too deare and pretious,... our mony, our plate, jewels, rings, bodkins, &c’ in support of the parliamentary cause.<sup>575</sup> Having achieved success in that national struggle against the King, all that remained was the removal of remaining yokes that were inhibiting the full enjoyment of the freedom and prosperity ‘by which good men were invited to your service’ during the civil wars.<sup>576</sup> These biblical and historical precedents of women delivering their nations from bondage and tyranny functioned as a rhetorical justification for the Leveller women’s intervention on behalf of their four brethren in the Tower. They connected their cases to the fate of the commonwealth.

The petition identified the immediate circumstances authorising women to exercise their political voices as the imprisonment of John Lilburne, Richard Overton, William Walwyn, and Thomas Prince in the Tower, Captain William Bray in Windsor Castle, and William Sawyer at Whitehall.<sup>577</sup> The Leveller women objected to the charge of high treason against the four in the Tower for the publication of *The Second Part of Englands New Chaines Discovered* according to the Treason Act of 1649. They asserted that because ‘no particulars being mentioned by you, how or wherein it is treasonable’, their imprisonment

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<sup>574</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

<sup>575</sup> Anon., *To the Supreme Authority of this Nation*, p.4.; also see Mary E. Fissell, *Vernacular Bodies: The Politics of Reproduction in Early Modern England* (Oxford, Oxford UP, 2005), pp.110-1 for a discussion of their references to historical and biblical heroines.

<sup>576</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

<sup>577</sup> The Leveller women’s petition made no mention of the arrest of Leveller printer William Larnier. The State Papers contains a warrant dated 9 April 1649 authorising George Cofield to apprehension Larnier as well as to search his papers, books, chests, etc. for ‘unlicenced & scandalous books & papers’. The omission of Larnier from the list of imprisoned Levellers suggests that the Leveller women’s petition was printed before or close to this date and delivered to the Commons on 23 April 1649; see. SP 25/62, fos.165-6.



violated the fundamental laws of the land and Parliament's own declarations.<sup>578</sup> The Treason Act, according to the Leveller women, was designed so that 'our Husbands, Children, and Servants, whereby unawares may be entrapt in our discourses about any thing contained in the said Book'.<sup>579</sup> This speculation is consistent with manuscript records from the Council of State, which ordered that several polemicists, printers, and booksellers be searched for scandalous or libellous papers authored by the Levellers.<sup>580</sup> The Treason Act, according to the Leveller women, granted the Commons an 'arbitrary Power' destructive to 'civil society'.<sup>581</sup> Moreover, 'the continuance of Authority Civil or Military, beyond the time limited by Trust or Commission' also undermined civil society by enabling a few men to become 'absolute Judges over them... [and] masters of all things, answerers hitherto of all petitions, and the directors of all things concerning their tryall'.<sup>582</sup>

Contemporary newsbooks reported on the events taking place at Westminster between 18 and 23 April. *The Impartial Intelligencer* reported on 18 April 1649 that a petition had been delivered to the Commons. Its reply addressed to the 'Gentlemen', suggesting that it was not the Leveller women's petitions, attempted to assure the petitioners that the four Levellers in the Tower were being proceeded against 'upon just and mature considerations, appointed to be brought unto a legall tryall for crimes against Lawes preceding the Fact, and not as it is suggested'.<sup>583</sup> Rumours had circulated that the Treason Act of 1649 was designed to entrap the Levellers and their supporters; therefore, it is interesting that the Commons took the time to dispel this misapprehension in its reply to the Gentlemen's petition. It is revealing that the Leveller women's petition made the same claim, that the four Levellers were charged

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<sup>578</sup> Anon., *To the Supreme Authority of this Nation*, p.7.

<sup>579</sup> Anon., *To the Supreme Authority of this Nation*, p.7.

<sup>580</sup> SP 25/120, fo.6; SP 18/6, fos.60-6, 87-8; SP 18/6, fos.92-3.

<sup>581</sup> Anon., *To the Supreme Authority of this Nation*, p.4.

<sup>582</sup> Anon., *To the Supreme Authority of this Nation*, p.8.

<sup>583</sup> Anon., *The impartial intelligencer*, no.8 (London, 1649), p.59; also see. Anon., *The moderate intelligencer* (London, 1649), p.430.

with ‘no particulars being mentioned by you [the Council of State], how or wherein it [*The Second Part of Englands New Chaines Discovered*] is treasonable’.<sup>584</sup> It also points to the existence of overlapping petitioning campaigns designed to pressure the Commons into releasing the four in the Tower. The postscript on the Leveller women’s petition offers insight into the organisation of the subscription campaign and demonstration that was to take place. It asked: ‘All those Women who are Approvers thereof, and desire to subscribe it’ to deliver a signed copy of the petition to ‘the women which will be appointed in every Ward and Division to receive the same’.<sup>585</sup> It furthermore instructed all women who support the movement to assemble in front of Westminster Hall on 23 April 1649 between 8 and 9 o’clock in the morning to pressure MPs to release the four Leveller leaders from the Tower.

A day before the mass demonstration at Westminster, *Perfect occurrences* reported that ‘this day a Petition was promoted at Severall Congregationall Meetings in and about the City of London’.<sup>586</sup> *Continued heads of perfect passages* reported on 23 April that a demonstration held by the Leveller women at Westminster had attracted over five hundred supporters.<sup>587</sup> It furthermore related that the Commons had refused an audience to the Leveller women. The newsbook did not provide any further commentary on the composition of the crowd outside of Westminster, however, it did faithfully reproduce for its readers a list of their demands and noted that the Leveller women had appointed agents to collect signatures in every ward of London and its suburbs.<sup>588</sup>

*Mercurius pragmaticus* commented on the composition of the crowd the following day. It described the crowd as a ‘Meke-hearted congregation of Oyster-wives, together with the sisterhood of Oranges and Lemons, and likewise the Mealy-mouth’d Mutton-mongers

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<sup>584</sup> Anon., *To the Supreme Authority of this Nation*, p.6.

<sup>585</sup> Anon., *To the Supreme Authority of this Nation*, p.6.

<sup>586</sup> Anon., *Perfect occurrences*, no.121 (London, 1649), p.990.

<sup>587</sup> Anon., *Continued heads of perfect passages in Parliament* (London, 1649), pp.11-2.

<sup>588</sup> *Ibid*, p.12; also see. Anon., *Impartial intelligencer*, no.8 (London, 1649), p.62.

wives', who delivered a 'well penn'd Petition in the behalf of the State-routers, Lilburne, and his pestiferous Comrades' to the Commons.<sup>589</sup> While intended to mock the Leveller women as a 'sisterhood of Oranges and Lemons', suggesting that they were street vendors, and 'Mealy-mouth'd Mutton-mongers wives' using the misogynistic tropes recalling the *Parliament of Women* tracts, it did acknowledge that the petition and its arguments were 'well penn'd'. The author went on to mock them further, asserting that with the Leveller women at Westminster, 'all the Brothels about Town would presently want custome', and further noted they were turned away because the 'Sisterhood cannot pierce the eares of the hard-hearted Fraternities [the Commons]'.<sup>590</sup> In the next issue, *Mercurius pragmaticus* ridiculed the Leveller women again, this time calling them 'Troops of Amazons', 'blessed Shee-reformers', 'brave Lasses', and 'levelling sisters' marching at Westminster in a war-like posture with 'an abundance of courage exceeding the ordinary sort of *Women*'.<sup>591</sup>

*Mercurius pragmaticus (for King Charles II)*, reporting on the third day of demonstrations held at Westminster, referred to the Leveller women as 'lusty Lasses'.<sup>592</sup> It further related that 'the Sergeant-At-Arms bade them goe home to their housewiferie, the House having no minde to deale with them in publick matters, whatever they meane in private'.<sup>593</sup> Unsurprisingly, this was the extent of the Commons' reply (delivered second-hand) to the petitioners. While the Leveller women's rhetoric was designed to combat this kind of outright dismissal based on their sex, its effectiveness was dependent on the Commons receiving their petition. On 1 May, the Levellers' *An Agreement of the Free People of England* (1649) or *Third Agreement* appeared in print while the four were still imprisoned

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<sup>589</sup> Anon., *Mercurius pragmaticus*, no.51 (London, 1649), p.A2.

<sup>590</sup> Anon., *Mercurius pragmaticus*, no.51 (London, 1649), p.A2.

<sup>591</sup> Anon., *Mercurius pragmaticus*, no.52 (London, 1649), p.Qqqa-Qqqb.

<sup>592</sup> Anon., *Mercurius pragmaticus (for King Charles II)*, no.2 (London, 1649), p.B2; also see. Anon., *The moderate*, no.42 (London, 1649), p.474.

<sup>593</sup> Anon., *Mercurius pragmaticus (for King Charles II)*, no.2, p.B2.

in the Tower. This coincided with more Leveller demonstrations at Westminster and a funeral procession for the martyred Leveller soldier Robert Lockyer, executed in St. Paul's churchyard following the suppression of the recent Bishopsgate mutiny. The funeral procession ended at Westminster, where the mourners joined the ongoing mass demonstration. It was also reported that the Commons sent for reliable troops from both Colonel Pride's and Colonel Hewson's regiments to guard the Tower in anticipation of disturbances. Meanwhile, John Lilburne was held close prisoner without access to pen, ink, and paper to prevent him from further inflaming tensions within the City.

*The kingdoms impartial and faithfull scout* offered further insight into the presentation of a parallel petition to that of the Leveller women. It reported on 2 May 1649 that 'another petition, in the name of many thousand well-affected of the county of Bucks' was received by the Commons.<sup>594</sup> The Buckinghamshire petitioners demanded, in 'moderate language', for the release of the four Levellers in the Tower as well as other particulars which they argued were necessary preconditions for 'the peace of the Nation, & freedom of the people'.<sup>595</sup> The author went on to suggest that the Leveller women's petition was ignored because it contained language unbecoming of women petitioners and, therefore, was offensive to Parliament, whereas the petition from Buckinghamshire was moderate in its tone. The Commons chose to receive only the latter for due consideration. Nevertheless, the Leveller demonstration at Westminster grew to include many thousands of men and women from across London, its suburbs, and the home counties. *Mercurius elencticus* reported: 'Two other Petitions were delivered in his [John Lilburne's] behalf', referring to the above-mentioned Buckinghamshire petition and another petition from Essex.<sup>596</sup> It went on to

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<sup>594</sup> Anon., *The kingdoms impartial and faithfull scout*, no.144 (London, 1649), p.112.

<sup>595</sup> Anon., *The kingdoms impartial and faithfull scout*, no.144, p.112.

<sup>596</sup> Anon., *The kingdoms impartial and faithfull scout*, no.144, p.112.

describe the Leveller women's petition as 'very high and peremptory' in tone compared to the other two petitions despite making identical demands for the immediate release of the four.<sup>597</sup>

In May, the Leveller women published a second petition. I have quoted from *To the Supreme Authority of England* at the beginning of this chapter, however, it is important to examine their assertions in further detail. The Leveller women identified themselves as the framers of a 'humble Petition of diverse well-affected WEOMEN' of London, Westminster, and its suburbs to the Commons. While its preamble showed due deference toward the Commons as the supreme authority of the nation, its contents were radical. One such radical claim was that: 'we [women] are assured of our Creation in the image of God, and of an interest in Christ, equal unto men'.<sup>598</sup> This theory of spiritual equality between the sexes was grounded on a heterodox reading of *Genesis* in which Adam and Eve were created as co-equal as opposed to the more commonplace interpretation of the text, wherein God created Adam in His own image and Eve was created from Adam's ribs to be his wife.

This same heterodox account of creation myth appeared in several of John Lilburne's pamphlets. A postscript in *To the right honourable the chosen and representative body of England* claimed that Adam and Eve were 'by nature all equall and alike in power, dignity, authority, and majesty, none of them having (by nature) any authority dominion or majesteriall power, one over or above another'.<sup>599</sup> So far, this aligns with what Teresa Bejan described as a conception of equality as indifference.<sup>600</sup> Men and women were created in God's image and, therefore, were naturally equal in social standing and dignity.<sup>601</sup> The

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<sup>597</sup> Anon., *The kingdoms impartial and faithfull scout*, no.144, p.112.

<sup>598</sup> Anon., *To the Supreme Authority*, p.1.

<sup>599</sup> John Lilburne, *To the right honourable the chosen and representative body of England assembled in Parliament* (London, 1646), p.11; this same passage appeared in John Lilburne, *The free-mans freedom vindicated* (London, 1646), p.11.

<sup>600</sup> Bejan, 'What Was The Point of Equality?', p.605.

<sup>601</sup> Bejan, 'What Was The Point of Equality?', p.605.

Leveller women claimed that women had ‘an interest in Christ, equal unto men’.<sup>602</sup> This represented a democratic retelling of the creation myth combined with theories of natural law.

The Leveller authors offered a radical retelling of *Genesis*. According to John Lilburne, after the Fall, the institution of government occurred through ‘mutuall agreement or consent, given, derived, or assumed...for the good benefit and comfort each of other’.<sup>603</sup> It was in this postlapsarian context that hierarchical relations could be established for the management of mankind’s wellbeing.<sup>604</sup> This notion that a mutual compact or agreement was the basis for the first institution of government implied a set of differentiated social relations between a ruler or an assembly and the ruled. It aligns with the second conception of equality as parity. This conception of equality as parity sheds light on the Leveller women’s assertion that they had a ‘proportionable share in the Freedoms of the Common-wealth’.<sup>605</sup> According to the second conception of equality, men and women have different but proportional interests in matters of public concern and, therefore, should have a voice in them. Leveller women were not claiming that women were politically equal with men as has been sometimes supposed. Instead, to the extent that the institution of government was designed to secure the safety and well-being of the common people, the Leveller women were claiming an equal right to protection under the law and a shared interest in the freedom of the commonwealth. This claim to equal protection under the law was clarified by this rhetorical question,

Have we not an equal interest with the men of this Nation, in those liberties and securities contained in the Petition of Right, and other good Lawes of the Land, are any of our lives, limbs, liberties, or goods to be taken from us more then from Men,

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<sup>602</sup> Lilburne, *To the right honourable*, p.11.

<sup>603</sup> Lilburne, *To the right honourable*, p.11.

<sup>604</sup> Lilburne, *To the right honourable*, p.11.

<sup>605</sup> Anon., *To the Supreme Authority*, p.1.

but by due process of Law, and convicted of twelve sworn men of the  
Neighbourhood?<sup>606</sup>

The Leveller women went on to ask, ‘can you imagine us so sottish or stupid... when daily those strong defences of our Peace and welfare are broken down, and trodden under-foot by force and arbitrary power’ to demand anything less?<sup>607</sup> Moreover, they demanded to know: ‘Would you have us keep at home in our houses’, referring to the Sergeant-at-arms’ reply to them at Westminster Hall.<sup>608</sup> The Leveller women expressed outrage that they were told to remain at home in silence, while ‘men of such faithfulness and integrity’ as ‘our friends in the *Tower*’ were being forced out of their homes and into prisons to the ‘affrighting and undoing of themselves, their wives, children, and families’.<sup>609</sup> This was an important detail because it showcased how the Commons and Council of State were committing threshold violations against the petitioners by removing the four men from their homes, then hypocritically telling the Leveller women petitioners to return home and remain silent in the face of such injustices. Alluding to the Commons’ initial reply, the Leveller women went on to ask, ‘and must we keep at home in our houses, as if we, our lives and liberties and all, were not concerned’.<sup>610</sup> The argument was that men and women had an equal stake in the fundamental laws of the land and were entitled to equal treatment under the law and a right to intervene in politics in extraordinary circumstances. The Leveller women demanded that the Commons ‘review our last Petition in behalf of our friends above mentioned, and not to slight the things therein contained, because they are presented unto you by the weake hand of Weomen’.<sup>611</sup> The

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<sup>606</sup> Anon., *To the Supreme Authority*, p.1.

<sup>607</sup> Anon., *To the Supreme Authority*, p.1.

<sup>608</sup> Anon., *To the Supreme Authority*, p.1.

<sup>609</sup> Anon., *To the Supreme Authority*, p.1.

<sup>610</sup> Anon., *To the Supreme Authority*, p.1.

<sup>611</sup> Anon., *To the Supreme Authority*, p.1; it is interesting to note that the publication of the Leveller women’s petition in May 1649 predated Robert Lockyer’s execution. In this petition, his case is central to their arguments that the Army was exercising an illegal and arbitrary power in times of peace.

petitioners reminded them that God had been known to ‘by weake meanes to work great effects’, referring to biblical and historical heroines mentioned in their petition of April 1649.

The Leveller women also demanded the repeal of the new Treason Act. The Treason Act criminalised all speech against the Commons and the Council of State. They declared, ‘we are no whit satisfied with the answer you gave unto our Husbands and Friends’ that the Levellers in the Tower were involved in ‘a legall tryall for crimes against Lawes preceding the Fact’.<sup>612</sup> Furthermore, all commoners were ‘lyable to those snares laid in your Declaration, which maketh the Abettors, of the Booke laid to our Friends charge, no lesse then Traytors’ for possessing or having knowledge of them.<sup>613</sup> In effect, this criminalised all speech because ‘any discourse can be [said to be] touching the affairs of the present times,... So that all liberty of Discourse is thereby utterly taken away’.<sup>614</sup> According to the Leveller women, ‘there can be no greater slavery’ than removing the right to free speech.<sup>615</sup> The petition concluded with the Leveller women asserting that their ‘houses being made worse than Prisons to us, and our Lives worse then death’ under such oppressions.<sup>616</sup> They called on the Commons to bring an end to all this ‘grief and sorrow’ and urged them ‘harden not your hearts against Petitioners’ by granting them their ‘evidently just and reasonable’ demands.<sup>617</sup>

Contemporary newsbooks reported on the demonstrations associated with the second Leveller women’s petition. On 5 May, *A Modest Narrative of Intelligence* commented that,

This day were also divers Women with a Petition, in the behalf of M. Lilburn and the other three (with their Sea-green Ribbond, which they wore at the burial of Lockier

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<sup>612</sup> Anon., *To the Supreme Authority*, p.1; Anon., *The impartial intelligencer*, no.8 (London, 1649), p.59.

<sup>613</sup> Anon., *To the Supreme Authority*, p.1.

<sup>614</sup> Anon., *To the Supreme Authority*, p.1.

<sup>615</sup> Anon., *To the Supreme Authority*, p.1.

<sup>616</sup> Anon., *To the Supreme Authority*, p.1.

<sup>617</sup> Anon., *To the Supreme Authority*, p.1.



their fellow Creature) their Petition was very high, and they very urgent for an Answer; not satisfied with what they had to their former.<sup>618</sup>

This author linked Lockyer's funeral on 29 April to the Leveller demonstrations at Westminster. The women wore sea-green ribbons to the funeral procession and protests alike. On 8 May, *England's moderate messenger* reported that many women wearing sea-green ribbons were at Bishopsgate to witness the cashiering of two soldiers, which it further linked to the outbreak of another army mutiny in Oxfordshire.<sup>619</sup> On the same day, *Mercurius elencticus* reported, 'a whole hoarde of vertuous horseleeches... came in full croud to Westminster, with a [second] Petition' on behalf of the four.<sup>620</sup>

#### Leveller Women's Petitions of 1651 and 1653

The Leveller women also petitioned in 1651 and 1653. Historians have tended to focus almost exclusively on the petitions of 1649 while neglecting these later two. This was in part because the former petition contained striking rhetoric and radical political claims regarding spiritual equality as well as their proportional or equal share in the nation's freedom. However, I will demonstrate that the Leveller women deployed sophisticated rhetorical strategies and tactics to advance their agenda in their petitions in 1651 and 1653.

*The Women's Petition* of 1651 was addressed to the 'the most Noble and Victorious Lord General Cromwell' on behalf of the 'many thousands of poor enslaved, oppressed, and distressed Men and Women of this Land'.<sup>621</sup> While it was framed as the 'humble petition' of

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<sup>618</sup> Anon., *A modest narrative of intelligence*, no.6 (London, 1649), p.42.

<sup>619</sup> Anon., *England's moderate messenger*, no.3 (London, 1649), p.19.

<sup>620</sup> Anon., *Mercurius elencticus communicating the unparallel'd proceedings of the rebels at Westminster*, no.1 (London, 1649), p.6.

<sup>621</sup> Anon., *The women's petition, To the Right Honourable, his Excellency, the most Noble and victorious Lord General Cromwell* (London, 1651), p.1.

women for redress against the ‘Norman Yoke and Bondage’ which continued to oppress the nation, they were simultaneously ‘humbly complaining’ on behalf of men and women about the imprisonment of John Lilburne. This was yet another example of the tactical manoeuvre I have described throughout this chapter whereby the language of supplication became intertwined with a language of protestation. *The Women’s Petition* was more measured in tone compared to the petitions of 1649. Moreover, the petitioners omitted any references to the Levellers. So why have I chosen to include it in my analysis of Leveller petitions? Simply put, the substance of the women’s petition aligned closely with the demands made in *An Agreement of the Free People of England* and other Leveller literature. In particular, the petitioners complained about the ‘destructive Imprisonment of Men and Women for Debt’.<sup>622</sup> They argued that ‘several prisons, Goals, Counters, holes, and Dungeons’ had become ‘the most cruel Slaughter-houses to all the poor Debtors’.<sup>623</sup> Meanwhile, the ‘rich, obstinate and, wilful Debtors’ treated these same prisons as ‘Sanctuaries and places of Freedom’ from their creditors.<sup>624</sup> This introduced rhetoric of class difference into their complaint that the rich and poor debtors receive disparate treatment under the law. For the former, prison was a place to avoid creditors, while the latter languished in those places at the pleasure of the ‘rich and mighty’.<sup>625</sup> As a result, the ‘poor and simple hearted Men and Women’ were oppressed by their ‘Creditors, or [sic] *Fee* Lawyers and Goalers... [who] upon false and gained Actions (for many years)’ compounded their debts through fines, fees, and repeated imprisonment.<sup>626</sup>

The petitioners then returned to using the gendered rhetoric of supplication, claiming, ‘We have for many years (but in especial since 1647) chattered like Cranes, and mourned like

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<sup>622</sup> Anon., *The women’s petition*, p.1.

<sup>623</sup> Anon., *The women’s petition*, p.1.

<sup>624</sup> Anon., *The women’s petition*, p.1.

<sup>625</sup> Anon., *The women’s petition*, p.1.

<sup>626</sup> Anon., *The women’s petition*, p.1.

Doves' over the abuses, yet nothing had been done to remedy them.<sup>627</sup> The year referenced, 1647, was when the Levellers emerged as a movement. In *An Impeachment of High Treason Against Oliver Cromwell* (1649), in reference to another petition, John Lilburne advocated for the exclusion of lawyers from taking a seat as a member of Parliament or from pleading a case before its committees. He reasoned that lawyers had too much sway with judges and, therefore, an MP who was also a lawyer could simultaneously write the law while interfering in its interpretation.<sup>628</sup> Multiple pro-Leveller petitions and *An Agreement of the Free People of England* objected to the eligibility of lawyers to become members of Parliament,

And to the end all publick Officers may be certainly accountable, and no Factions made to maintain corrupt Interests... any Lawyer shall at any time be chosen [as a representative], he shall be incapable of practice as a Lawyer, during the whole time of that Trust. And for the same reason, and that all persons may be capable of subjection as well as rule.<sup>629</sup>

The references to the 'many sighs and tears', 'mourning like Doves', and 'bitter grief' of the framers of *The Women's Petition* were juxtaposed with 'our enemies [who] have opened their mouths wide against us'.<sup>630</sup> The women petitioners 'humbly conceive' that calling 'a new Representative; from which Lawyers, and all ill affected persons to be excluded' would help to bring about a 'Restoration of this Nation's fundamental Laws, Rights and Liberties'.<sup>631</sup>

In June 1653, 'diverse afflicted women' presented a 'humble petition' to the Commons on behalf of John Lilburne, who was imprisoned in Newgate prison.<sup>632</sup> In keeping

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<sup>627</sup> Anon., *The women's petition*, p.1.

<sup>628</sup> Lilburne, *An impeachment*, p.51.

<sup>629</sup> John Lilburne, Richard Overton, William Walwyn, Thomas Prince, *An agreement of the free people of England* (London, 1649), p.3; also see the Surrey petition reprinted in both Anon., *An outcry of the youngmen and apprentices of London*, p.11 and Anon., *The youngmens and the apprentices outcry* (London, 1649), p.11.

<sup>630</sup> Anon., *The women's petition*, p.1.

<sup>631</sup> Anon., *The women's petition*, p.1.

<sup>632</sup> Anon., *To the Parliament of the Commonwealth of England* (London, 1653), p.1.

with earlier petitions, the Leveller women drew on the biblical and historical precedents just as they had done in the petition of 1649. In an allusion to the Christian idiom of strength out of weakness, the petitioners reminded Parliament that God had ‘raised up the weakest means to work up the mightiest effects’.<sup>633</sup> This was the case when ‘the holy Prophet David himselfe was prevented, by the timely addresses of [a] weak woman... from the shedding of Blood’.<sup>634</sup> The main argument was that, like David, parliamentarians should also heed women petitioners’ advice to refrain from spilling John Lilburne’s innocent blood.

The women petitioners went on to say, ‘our hearts are melting in tenderness’ at John Lilburne’s suffering and lamented that ‘no word of comfort’ had been given to him despite the presentation of many petitions on his behalf.<sup>635</sup> Much like before, the petitioners’ tears, hearts, and sorrow were coded as feminine. In a further analogy to the biblical examples of Jacob and Esau, who neglected ‘the Petitioners, Prisoners, the Widdow and the Fatherless’ of the time, so too was the late Rump Parliament cruel and unyielding in its ‘barbarous proceedings’ against John by passing an Act of banishment.<sup>636</sup> The women petitioners called on the Commons to ‘not walk in any way of their evil ways’ by distancing themselves ‘Pharasee-like’ from the people. Much like the *Women’s Petition*, the petitioners pivoted to a rhetoric of class difference. Their argument was that members of Parliament had set themselves apart in ‘Apparel, Diet, housing, and Fantastique fashions’ from the common people.<sup>637</sup> Meanwhile, the common people were being taxed ‘without measure’, and their petitions were scorned while the Commons declared that ‘none durst approach their doore with word concerning the *Liberties of the Nation*’.<sup>638</sup>

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<sup>633</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>634</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>635</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>636</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>637</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>638</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

The petitioners stated, ‘You see the thing is so gross, that even women perceive the evil of it’, challenging members of the Commons to engage in self-reflection. Their rhetoric shifted from a language of protestation back to supplication, saying: ‘We beg you therefore, as upon our knees, not to persist in your resolution of making good an Act [of banishment] so notoriously evil’.<sup>639</sup> The imagery of the women petitioners kneeling while imploring the Commons not to banish Lilburne was designed to convey deference to their authority. They wanted the Barebones Parliament to ‘put a stop to M. Lilburns Tryal’ and to make a full inquiry into the Rump Parliament’s Act of banishment against him.<sup>640</sup>

The women petitioners returned to Westminster with another petition on behalf of John Lilburne.<sup>641</sup> This petition offers further insight into the complaint that ‘our undoubted Right of Petitioning’ was denied when ‘having attended several days at your House-door with a humble Petition’, Parliament refused to receive it. The Leveller women saw it as their right to receive a timely reply to their petitions.<sup>642</sup> However, the petitioners went on to acknowledge that ‘it is ours and the Nations undoubted right to petition, although an Act of Parliament were made against it’.<sup>643</sup> In an attempt to justify their right to petition, the women drew an analogy between their petitioning on behalf of John and the biblical story of Queen Esther. Esther petitioned King Ahasuerus, despite the injunction against it, to prevent Haman from massacring Mordecai and the Israelites. Queen Esther ‘adventured her life to petition against so unrighteous an Act’. Likewise, the petitioners entreated Parliament to,

consider whether the late unjust and illegal Act against Mr. Lilburne was not obtained by such an enemy as proud as Haman was, having no more cause for doing so, then that Haman had; neither do we hope that your Honours, upon mature consideration,

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<sup>639</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>640</sup> Anon., *To the Parliament of the Commonwealth of England*, p.1.

<sup>641</sup> Anon., *Unto every individual member of Parliament* (London, 1653), p.1.

<sup>642</sup> Anon., *Unto every individual*, p.1.

<sup>643</sup> Anon., *Unto every individual*, p.1.

will have less regard unto our Petition, although women; judging that you will not be worse unto us, then the Heathen King was to Esther...<sup>644</sup>

They reminded the MPs that King Ahasuerus listened to Esther's plea, rescinded the Act, and punished Haman. Likewise, the women petitioners recommended that the Barebones Parliament punish members of the Rump Parliament. The women petitioners gave the example of 'never-to-be-forgotten good women of England' who delivered the nation from the Danes.<sup>645</sup> The 'good women' of their time 'think neither their lives, nor their husbands and servants lives and estates to be too dear a price' for their rights and liberties. It concluded with the women asking Parliament to repeal John Lilburne's banishment and to 'not slight the persons of your humble Petitioners' nor deny them their right to petition.<sup>646</sup>

### Conclusion

This chapter has traced the development of the Levellers' rhetoric of gender between 1646 and 1653. On the one hand, the Leveller men represented themselves as exemplars of civic and Christian manhood while depicting women according to the prescriptive roles of mothers, wives, or servants within the domestic sphere. On the other hand, the Leveller men expressed affection and love for their families. I have suggested that there were also practical reasons to downplay their wives' involvement, and when weighed together, these factors highlight the complex set of gender relations within the Leveller movement.

The Leveller wives' petitions of 1646 were designed to secure the release or enlargement of their husbands and, in the case of Mary Overton, herself. The main rhetorical tactic deployed in these petitions was to draw a connection between their cases and the

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<sup>644</sup> Anon., *Unto every individual*, p.1.

<sup>645</sup> Anon., *Unto every individual*, p.1.

<sup>646</sup> Anon., *Unto every individual*, p.1.

fundamental rights and liberties of the common people. While framed using the language of humble address, the Leveller wives' petitions also contained language of protestation against arbitrary and illegal authority, whether exercised by Parliament or the Council of State. The petitions also contained formal legal arguments referring to the *Magna Carta*, *Petition of Rights*, statutes, and Parliament's declarations. The Leveller petitions and prison writing also featured detailed accounts of the mistreatment they experienced through threshold violations and repeated instances of false imprisonment.

The Leveller women's petitions of April and May 1649 involved many demonstrations at Westminster. While framed using the language of humble address, the women petitioners justified their demands for the release of their Leveller brethren on spiritual equality and a proportional share in the fate of the nation. I have shown, by building on Bejan's two concepts of equality, that the former claim implied a conception of equality as indifference. In contrast, the latter implied a conception of equality as parity that authorised women to intervene in public life in exceptional circumstances. The Commons refused an audience to the Leveller women because their petition was perceived as high and peremptory and bid them return home to meddle with their housewifery. Several newsbooks also reported on the identities of the Leveller women petitioners, their organisation of a mass petitioning campaign and many demonstrations at Westminster, as well as the composition of the crowd.

In 1651 and again in 1653, the Leveller women returned to Westminster to petition on behalf of John Lilburne. I have argued that historians have tended to ignore these later petitions because they were far more moderate and deferential in tone when compared to the two petitions of 1649. A close examination of the Leveller women's demands in 1651 for John Lilburne's release from prison and in 1653 for his return from exile reveals a radical political assertion of their right to petition the Commons and to a timely reply. They drew on

biblical and historical precedents, such as Queen Esther, the English women who drove out the Danes, and the Scottish women overthrowing episcopacy, to support these claims.

An examination of the Levellers' literature revealed a complex set of gender relations within the movement between 1646 and 1653. This literature served a propagandistic and polemical function and, as a result, cannot be interpreted as a straightforward reflection of the Levellers' attitudes on gender relations. This is reflected in the Leveller men's tendency to construct a persona for themselves as exemplars of masculinity in comparison to the unmanliness of their enemies and reducing Leveller women to stereotypical roles of wife, mother, or servant. While the Leveller women's petitions were framed in the language of humble address and deference to established authority, they often employed the language of protestation to advance radical claims. The Leveller women developed a rhetoric of emergency in their petitions of 1649. They pointed to their spiritual equality with men, their proportional or equal interest in the commonwealth, and their right as women to petition and receive a timely reply as justifications for their interventions in public life.



CHAPTER 4. 'HERE BIDS THE NOBLE LEVELLERS ADIEU': LIVING, LEGAL, AND  
MILITARY MARTYRDOM<sup>647</sup>

The Leveller authors developed three discursive modes of martyrdom throughout the 1640s. In *Salvation at Stake* (1999), Brad S. Gregory outlined the standard definition of a martyr as someone who experienced tremendous suffering and, most importantly, died for their faith.<sup>648</sup> In the sixteenth and seventeenth centuries, the patterns of martyrdom established during the Middle Ages underwent significant changes.<sup>649</sup> The Foxeian tradition amplified the importance of testimony by eyewitnesses along with the extreme bodily pain and suffering when elevating someone to the status of a martyr.<sup>650</sup> Many historians have observed that Lilburne's early auto-martyrological narratives were directly inspired by his reading of John Foxe's *Acts and Monuments*, Protestant biographies, and contemporary anti-episcopal tracts.<sup>651</sup> While it is well known that the Leveller authors represented themselves as martyrs, insufficient attention has been paid to the rhetorical strategies and techniques they used when doing so. Lilburne pioneered the Leveller authors' inventive adaptations of the existing conventions and patterns of hagiography using rhetorical techniques such as amplification and reinscription. The main argument in this chapter is that the Leveller authors developed three modes of martyrological rhetoric in their discourse. Lilburne began fashioning himself

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<sup>647</sup> Anon., *The moderate impartially communicating*, no.18 (London, 1648), p.5.

<sup>648</sup> Gregory, *Salvation at Stake*, pp.3-6.

<sup>649</sup> Gregory, *Salvation at Stake*, pp.3-6.

<sup>650</sup> Gregory, *Salvation at Stake*, pp.3-6.

<sup>651</sup> Krista J. Kesselring, 'Law, Status, and the Lash: Juridical Whipping in Early Modern England', *Journal of British Studies*, vol.60 (2021), p.528; Andrea McKenzie, 'Martyrs in Low Life? Dying "Game" in Augustan England', *Journal of British Studies*, vol.42, no.2 (2003), p.194; Peacey, John Lilburne and the Long Parliament, p.625; Edward Vallance, 'Reborn John? The Eighteenth Century Afterlife of John Lilburne', *Historical Workshop Journal*, vol.74 (2012), p.5; David R. Como, 'An Unattributed Pamphlet by William Walwyn: New Light on the Prehistory of the Leveller Movement', *Huntington Library Quarterly*, vol.69, no.3 (2006), p.358; John R. Knotts, *Discourses on Martyrdom in English Literature, 1563-1694* (Cambridge, Cambridge UP, 1993), pp.4, 8, 144; Foxley, *The Levellers*, p.132.

alongside Prynne, Bastwick, and Burton as living martyrs beginning in 1638. In 1641, he and the other Leveller authors combined this self-representation as a living martyr with the neo-Roman conceptions of legal martyrdom. And, finally, between 1637 and 1649, they created a roll call of martyred Leveller soldiers in their propaganda.

The first section details John Lilburne's inventive amplification and adaptation of the Foxeian tradition of martyrdom. The main innovation put forward by Lilburne involved locating himself alongside William Prynne, John Bastwick, and Henry Burton, whom he characterised as 'those three renowned living marters of the Lord' following the Star Chamber's judgement against him for attempting to distribute censored books.<sup>652</sup> This marked a departure from the core definition of a martyr as someone who died for their faith. It simultaneously reflected an amplification of the Foxeian tradition's emphasis on the martyr's experience of extreme bodily suffering and pain alongside the testimony of witnesses in elevating victims of religious persecution to the status of martyr. The experience of suffering, bodily pain, and testimony was part of a whole economy of marks, symbols, and gestures surrounding the martyr's body according to the Foxeian tradition.

In the second section, I examine the inventiveness with which Lilburne began combining the concept of a living martyr with a discourse of legal martyrdom. In 'John Lilburne and the Long Parliament' (2000), Jason Peacey pointed out that the future Levellers found themselves imprisoned with 'surprising regularity' during this period.<sup>653</sup> Their prison writing was part of a wider narrative strategy of publicising their cases to the public while representing their unjust imprisonment as a danger facing all commoners. In *The Common Freedom of the People* (2018), Michael Braddick built on Peacey's research by arguing that the future Levellers developed a formalist approach to the law in 1645 informed by Edward

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<sup>652</sup> Lilburne, *A worke of the Beast*, p.14.

<sup>653</sup> Peacey, 'John Lilburne and the Long Parliament', p.625

Coke's *Institutes* (1628), the *Magna Carta*, *Petition of Right*, and various statutes enacted by the Kings and Queens of famous memory.<sup>654</sup> However, I locate the legalist turn in the future Levellers' discourse to the early 1640s by demonstrating that they combined traditions of divine, natural, neo-Roman, and common law jurisprudence in their legal defences. It will be shown that by representing themselves as legal martyrs, the Leveller authors drew on a contemporary neo-Roman conception of the loss of one's liberty as a form of social death. The Leveller authors' self-fashioning as legal martyrs was bound up with their aim of securing their personal liberty while also vindicating the common freedoms of the people.

The final section will examine the growing roll call of martyred Leveller soldiers between 1647 and 1649. Private Richard Arnold was executed as a ringleader of the Ware mutiny. The Leveller authors and contemporary newsbooks venerated Private Arnold as the first martyred Leveller soldier. This marked a departure from existing patterns of martyrdom as soldiers who died on the battlefield were typically ineligible for veneration as martyrs. The concept of a martyred Leveller soldier simultaneously reintroduced the core element of literally dying for a cause (as opposed to undergoing extreme pain or a social death) in their martyrological discourse. The substitution of the act of dying for a religious cause for a secular one marked a broadening of the definition of a martyr. In 1648, Thomas Rainsborough was assassinated at Doncaster; Robert Lockyer was executed following the Bishopsgate mutiny (1649) and three mutineers executed near Burford in 1649. The growing roll call of martyred Leveller soldiers became a rallying cry for the movement's demands for revenge on those who shed the innocent blood of their fallen Leveller brethren.

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<sup>654</sup> Braddick, *Against Anti-Formalism: John Lilburne, the Levellers and Legal Agency*; This is an unpublished paper presented at the Institute of Historical Research on 20 July 2021 as part of its Early Modern Seminar series. It is available here: [https://www.youtube.com/watch?v=r7xk6gJe1fQ&ab\\_channel=TopicsinEarlyModernStudies](https://www.youtube.com/watch?v=r7xk6gJe1fQ&ab_channel=TopicsinEarlyModernStudies); also see Braddick, *The Common Freedom of the People*, p.x.

## Living Martyrs

In *A Worke of the Beast* (1638) and *The Christian Mans Triall* (1641), John Lilburne positioned himself alongside those ‘three renowned living marters of the Lord’, Prynne, Bastwick, and Burton, as victims of Laudian persecution.<sup>655</sup> Lilburne’s rhetoric in these auto-martyrological polemics marked an amplification of, as well as a departure from, the established patterns of hagiographic literature from the sixteenth century. This martyrological literature was informed by patristic works and early Protestant biographies. Early Protestants were typically venerated as martyrs of conscience who suffered and died for the reformed faith. Allan Pritchard has pointed out that a narrative shift occurred between the sixteenth and seventeenth centuries whereby Anglican biographers substituted the figure of the ‘fierce controversialist’ dying for the reformed faith with a ‘man of peace’.<sup>656</sup> This changing pattern of martyrdom reflected the institutionalisation of the reformed faith within the national church. However, Puritans and nonconformists tended to adhere to the Foxeian pattern of martyrdom with its emphasis on the martyr’s endurance of extreme pain and suffering before death, as well as their militant defiance of the authorities. By the late 1630s, Prynne, Bastwick, and Burton were venerated as martyrs of Laudian persecution. Lilburne leveraged this emerging pattern of martyrdom by placing himself alongside the three, whom he venerated as ‘living marters of the Lord’ suffering extreme pain, torture, fines, and imprisonment at the hands of religious authorities but survived their ordeals.<sup>657</sup>

This emerging pattern of martyrdom simultaneously drew on and departed from the Foxeian tradition. It combined the Foxeian emphasis on bodily suffering and the testimony of

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<sup>655</sup> Lilburne, *A worke of the Beast*, p.14; *The Christian mans trial*, p.26.

<sup>656</sup> Allan Pritchard, *English Biography in the Seventeenth Century: A Critical Survey* (Toronto, University of Toronto Press, 2005), p.37.

<sup>657</sup> Lilburne, *A worke of the Beast*, p.14.

witnesses as a marker and maker of a martyr's status with anti-episcopal sentiment. Most importantly, it broadened the core definition of a martyr as someone who died for their faith to include those who survived their ordeal. This redescription of how one becomes a martyr was an invitation to readers to venerate Lilburne alongside the three as living martyrs.<sup>658</sup>

In 1633 and 1636, Prynne, Bastwick, and Burton were brought before the prerogative courts of the Star Chamber and High Commission regarding seditious libel contained in their works against Queen Henrietta Maria as well as the profession and calling of the English bishops. All three were found guilty and handed excessive fines, tortured, and imprisoned for life. Much to the horror of their supporters, Prynne's ears were clipped for a second time, whereas Bastwick and Burton's underwent the same mutilation. Jason Peacey has pointed out that it was around this time that Lilburne, an avid reader of Bastwick's work, was introduced to him by a mutual acquaintance. Bastwick mentored Lilburne in the art of illegal printing, bringing him to the attention of the authorities.<sup>659</sup> Lilburne fled to Holland after the arrest of the three, where he printed censored books to be smuggled into England. Upon returning to London, he met with Edmund Chillenden and John Chillburn (John Wharton's servant) about purchasing a recent shipment of Bastwick's books. The meeting was an ambush. Stationers' Company agents apprehended Lilburne and brought him to the Fleet Street prison. The King's Attorney-General, Sir John Bankes, interrogated Lilburne in January 1637. Lilburne categorically denied any wrongdoing. On 13 February, Lilburne and his co-defendant John Wharton were summoned to the bar of Star Chamber to answer for 'the unlawful Printing and Publishing of Libellous and Seditious Books, Entituled News from Ipswich, &c'.<sup>660</sup> Lilburne and Wharton refused the *ex officio* oath or to enter a plea. Thus, the Star Chamber found them guilty. It sentenced them to 'undergo very sharp, severe, and exemplary Censure' as a

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<sup>658</sup> Lilburne, *A worke of the Beast*, p.14.

<sup>659</sup> Peacey, 'John Lilburne and The Long Parliament', p.625.

<sup>660</sup> John Rushworth, *HCPPS*, vol.2 (London, 1721), pp.461-81.

deterrent to others. They were imprisoned in the Fleet at the pleasure of the court, fined £5,000 each, and Lilburne was to be whipped from Fleet Street to the Pillory erected at Westminster.<sup>661</sup>

Lilburne's early works reveal the intellectual and practical influence of the three on his rhetorical development as an anti-episcopal propagandist. In *A Light for the Ignorant* (1638), Lilburne drew a threefold distinction between civil, true ecclesiastical, and false ecclesiastical state governments.<sup>662</sup> This view was derived from Lilburne's close reading of Bastwick's *Letany*, in which he criticised the calling and profession of the English bishops for attempting to institute a *jure divino* over the saints. In *Come Out of Her My People* (1639), Lilburne remarked that 'Worthy Doctour Bastwicke... [proved] damnable Doctrines' dominated the current Church of England and aligned it with 'the Filthy Whore & Strumpet of Rome'.<sup>663</sup> Lilburne joined Bastwick in expressing alarm at the recent Laudian innovations in the official liturgy and forms of worship as well as sermons preached at the Stuart court, wherein 'that monstrous and horrible Doctrine of *Transubstantiation*' was espoused.<sup>664</sup>

In *A Worke of the Beast*, Lilburne expressed admiration for the 'three renowned living martyrs of the Lord' who, much like himself, had suffered extreme punishments under the English bishops' false ecclesiastic state.<sup>665</sup> Lilburne asserted that Prynne and Burton were 'worthie and learned men, but yet did not in manie things write so fullie as the Dr. [Bastwick] did', that the English bishops were part of a Popish Plot, and that the Pope was in league with the Antichrist.<sup>666</sup> Lilburne was clearly aware of several of their writings. Edmund Chillington

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<sup>661</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>662</sup> John Lilburne, *A light for the ignorant* (Amsterdam, 1638), p.3.

<sup>663</sup> John Lilburne, *Come out of her my people* (Amsterdam, 1639), p.33.

<sup>664</sup> Lilburne, *Come out of her*, p.33.

<sup>665</sup> Lilburne, *A worke of the Beast*, p.14; According to Lilburne's account of his arrest, Chillington betrayal him and Wharton. Chillington also signed an affidavit against them to the King's Attorney-General.

<sup>666</sup> Lilburne, *A worke of the Beast*, p.14.

signed an affidavit claiming that Lilburne had printed ‘10. or 12. thousand Bookes in *Holland*’ and was searching for a copy of Bastwick’s *The Unmasking the Mystery of Iniquitie* (1627) for the same purpose.<sup>667</sup> In another affidavit, John Oldham accused Lilburne of printing Bastwick’s *The Vanitie and Mischiefe of the Old Letany* (1637). Lilburne responded, ‘I have seen & read it [The Unmasking], in written hand, before the Dr. [Bastwick] was censured’, implying that it had been available for some time in England and, therefore, there was no need to print it abroad.<sup>668</sup> Lilburne admitted to having read two pages of *The Vanitie* and Bastwick’s *Flagellum* (1634) and *Apologeticus* (1636), both of which could be purchased in English bookshops. It is difficult to assess the truthfulness of his claims. Nevertheless, by his own admission, Lilburne read the censored works and knew where to purchase them.

A year later, ‘this sentence [was] executed with utmost rigour on Lilburne, who was smart whipped from Fleet to Westminster’.<sup>669</sup> In two early tracts, Lilburne set out his narrative account of the ordeal. The tension he described between infliction of bodily pain and spiritual joy was an inheritance from the Foxeian tradition. While being whipped and carted, according to Lilburne, ‘[God] heard my desire & granted my request, for when the first stripe was given I felt not the least paine’.<sup>670</sup> This should have overwhelmed his ‘naturall strength’, yet ‘my God in whom I did trust was higher and stronger then my selfe, whoe strengthened and enabled mee not onely to undergoe the punishment with cherefullnes’ but empowered him to rejoice at suffering for the faith.<sup>671</sup> This juxtaposition of spiritual consolation and joy against bodily pain positioned the readers as a sympathetic witness to his ordeal. It also undermined the Star Chamber’s intention of using exemplary punishment as a ‘deterrent to others’.

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<sup>667</sup> Lilburne, *A worke of the Beast*, p.10.

<sup>668</sup> Lilburne, *A worke of the Beast*, p.12.

<sup>669</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>670</sup> Lilburne, *A worke of the Beast*, p.5.

<sup>671</sup> Lilburne, *A worke of the Beast*, p.5.

Lilburne used martial language to describe his sense of spiritual consolation and joy. The martyr's righteousness was a 'Spiritually armour' against the pain inflicted by the hangman's whip and the hot sun.<sup>672</sup> This imagery of faith as a shield and buckler protecting the martyr was echoed in an etching of John Bastwick from 1646, depicting him with a shield and in spiritual armour.<sup>673</sup> In *The Christian Mans Triall*, Lilburne expanded on this theme of strength out of weakness. Lilburne attributed his survival in prison to 'the assurance of Gods love reconciled unto me in the precious blood of his Sonne JESUS CHRIST'.<sup>674</sup> Lilburne wielded this sense of salvation in Christ as a 'Shield and Buckler...to keepe off all the assaults of my enemies' by portraying himself as a living martyr.<sup>675</sup>

Witness testimonies of his endurance of extreme pain and suffering were crucial aspects of Lilburne's rhetoric of living martyrdom. This was consistent with the Foxeian emphasis on the public spectacle of the martyr's ordeal. A crucial difference between the Foxeian martyrs in *Acts and Monuments* and Lilburne's auto-martyrological narrative was that the former died, whereas the latter survived. At key moments throughout the ordeal, Lilburne recounted conversations he had with witnesses, such as a woman who visited him in prison. John Hawes, the porter, brought the woman in to clean his chamber and dress his wounds left from the shackles. Lilburne stated, 'the woman [told] me she hoped I should not have so sore a punishment laid on me'.<sup>676</sup> She wished that 'I might have things brought me from my friends' to comfort him while imprisoned in the inner wards.<sup>677</sup> Lilburne responded that he no longer cared whether he lived or died and went on to cite biblical examples of righteous men enduring extreme punishment, 'for *Jeremyes Dungeon*, or *Daniels Den*, or the

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<sup>672</sup> Lilburne, *A worke of the Beast*, p.19.

<sup>673</sup> Thomas Cross, *John Bastwick* (1646), National Portrait Gallery, London.

<sup>674</sup> John Lilburne, *The Christian mans triall* (London, 1641), p.7.

<sup>675</sup> Lilburne, *The Christian mans triall*, p.7.

<sup>676</sup> Lilburne, *The Christian mans triall*, p.37.

<sup>677</sup> Lilburne, *The Christian mans triall*, p.37.



three *Childrens Furnace*, is as pleasant and welcome to me as a Palace'.<sup>678</sup> The claim that a dungeon, lion's den, or furnace would be as welcome to him as a palace underscored this conversation's main point to readers.



Thomas Cross, John Bastwick (1646), National Portrait Gallery, London<sup>679</sup>

The inscription inside the shield reads, 'I Fight the good Fight of Faith', while the inscription below the image reads: 'Heere stands One Arm'd, who hath Truths cause maintain'd Gainst Errors Captaines, forces, vaunts, high boasts, Gods word's his weapon, might and strength he'th gaind [illegible words] all from the great Lord of hoasts'.

<sup>678</sup> Lilburne, *The Christian mans triall*, p.37.

<sup>679</sup> This image was provided courtesy of © The Trustees of the National Portrait Gallery.

Lilburne recounted that a crowd of well-wishers gathered along the Strand to witness him being whipped and carted from Fleet to Westminster. Early modern punishments were public events and often attended by large crowds. It allowed the church and state to assert its authority by bringing offenders to justice. However, this public transcript designed to restore order and reinforce obedience through the spectacle of punishment could be subverted if the crowd identified with the cause or suffering of the victim. This was precisely what Lilburne sought to achieve through his anecdotes about witnesses bearing testimony to his blamelessness and innocence. Before being mounted onto the cart, Lilburne related his conversation with the hangman. The hangman confessed to him, ‘I have whipt many a Rogue, but now I shall whip an honest man, but be not discouraged (said hee) it will be soone over’.<sup>680</sup> This passage was revealing for several reasons. The hangman appeared to sympathise with Lilburne, namely that his punishment was unjust. Lilburne invited readers to agree with the hangman, who foreshadowed his status as a martyr. Nevertheless, the hangman signalled his intention to carry out the punishment and then attempted to console Lilburne by reminding him that it ‘will be soone over’.<sup>681</sup> The consolation from the hangman was reminiscent of the story of Job, wherein several witnesses consoled him but were powerless to alleviate his suffering. This was evident in the hangman’s characterisation of Lilburne as ‘an honest man’ before tying him to the cart to be whipped from the Fleet to Westminster.<sup>682</sup>

Lilburne was more explicit when patterning his account of the ordeal on the story of Job in *A Worke of the Beast*. In the preface to the reader, the anonymous publisher of Lilburne’s pamphlet referenced the following proverb from *Job*,

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<sup>680</sup> Lilburne, *The Christian mans triall*, p.19.

<sup>681</sup> Lilburne, *The Christian mans triall*, p.19.

<sup>682</sup> Lilburne, *The Christian mans triall*, p.19.

OF The wicked it is truly said in *Job*. their *Light shalbee Put out*: Now wee see, in a *Candle*, beeing almost extinguished, that after it hath glimmered a while, it rayseth some few blazing flashes, and soe suddenly vanisheth.<sup>683</sup>

On the Strand, ‘many friends spoke to me & asked me how I did, & bid me be cheerfull, to whom I replied, I was merry and cheerfull: and was upheld with divine and heavenly supportation’.<sup>684</sup> At Charing Cross, ‘some *Christian friends* spake to me and bidd me be of good cheere’. While passing by King Street, Lilburne recounted that ‘many encouraged me, and bidd me be cheerfull’, and strangers who knew nothing about his case were so moved by his cheerfulness that they ‘beseched the Lord to blesse me and strengthen me’.<sup>685</sup> While passing through the gates at Westminster, a ‘Multitude of people came to look upon me’ and asked him what was the matter. When Lilburne replied that he was made to suffer as an object of the Prelates’ cruelty and malice, a warden of the Fleet interrupted to tell him that his suffering was just and that he should hold his tongue.<sup>686</sup> Undeterred by the warden, Lilburne continued his speech before being released from the cart and brought to a nearby tavern, where his friends ‘exceedingly rejoyced to see my courage’ as they waited for a surgeon to come and tend to his wounds.<sup>687</sup> Lilburne was approached by Mr. Lightburne, a Tipstaff sent by the Star Chamber, to offer him a deal.<sup>688</sup> The offer was that if he made a full admission of guilt and recanted, the Star Chamber would spare him from the pillory. Lilburne refused the offer and mounted the pillory. This incident was clearly modelled on *Job*, wherein Satan tempted Job to renounce God for allowing such misfortunes to befall him. Job remained faithful to his convictions. Likewise, Lilburne refused the offer to stay his punishment and

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<sup>683</sup> Lilburne, *A worke of the Beast*, p.2.

<sup>684</sup> Lilburne, *A worke of the Beast*, p.6.

<sup>685</sup> Lilburne, *A worke of the Beast*, p.7.

<sup>686</sup> Lilburne, *A worke of the Beast*, p.7.

<sup>687</sup> Lilburne, *A worke of the Beast*, p.7.

<sup>688</sup> Lilburne, *A worke of the Beast*, p.8.

trusted God to deliver him through the rest of his ordeal. These encounters between Lilburne and the crowd of onlookers, cruel tipstaff men and wardens, and his friends were part of a narrative of martyrdom that combined words and performance.

Once in the pillory, according to the records of Star Chamber, Lilburne ‘uttered scandalous Speeches’ and threw three pamphlets among the gathered crowd.<sup>689</sup> A member of the crowd began to revile and jeer him, much like Job’s three friends had done. In his speech, Lilburne railed against the bishops for attempting to bring about a *jure divino* and the prerogative courts for handing down punishments crueller than the ‘Heathan Roman Governors’ did against St. Paul, who refused to take oaths to incriminate himself, and declared: ‘I am a Souldier fighting under the banner of the great and mightie Captaine the Lord Jesus Christ’.<sup>690</sup> An unnamed ‘fat Lawier...commanded me to hold my peace & leave my preaching’.<sup>691</sup> Lilburne replied, ‘Sir, I will not hold my peace but speak my minde freely though I bee hanged at Tiburne for my paines’. According to Lilburne, the lawyer seemed ‘gauled and touched’ like the lawyers in Christ’s time. He complained to the Star Chamber about Lilburne’s scandalous pillory speech against them.

Lilburne’s performance while in the pillory culminated in him throwing three pamphlets among the crowd. In combination with his speeches and the courage he displayed in bearing the extreme suffering throughout his ordeal, this gesture was essential to his self-representation as one among the ‘three renowned living marters of the Lord’.<sup>692</sup> This rhetoric of living martyrdom borrowed from the Foxeian tradition by emphasising the testimonies of witnesses to the martyr’s courage and steadfastness throughout their ordeal. It also focused on the martyr’s insensitivity to pain, expressed by figuring God’s grace as a spiritual armour or

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<sup>689</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>690</sup> Lilburne, *A worke of the Beast*, pp.8, 20.

<sup>691</sup> Lilburne, *A worke of the Beast*, p.20.

<sup>692</sup> Lilburne, *A worke of the Beast*, p.14.

shield. In *A Worke of the Beast* and *The Christian Mans Triall*, Lilburne drew analogies between his ordeal and those suffered by New and Old Testament figures, including Job, Paul, and Christ, to rhetorically fashion himself as a living martyr.

### Legal Martyrdom

Over recent decades, historians have examined the Levellers' martyrdom rhetoric through the lens of their development of a language of freeborn Englishmen. In *Free-Borne John* (1947), M. A. Gibb pointed out that since the 1630s, 'the way of martyrdom was familiar to [Lilburne]'. However, his martyrdom rhetoric shifted from its initial emphasis on the religious dimensions of martyrdom to publicising himself as a legal martyr. Gibb described a crucial rhetorical strategy whereby 'John made his own case a test case, his own grievance the grievance of every free-born man in England'.<sup>693</sup> Gibb argued that this marked a fundamental rhetorical shift from presenting himself as a religious to a legal martyr. The main argument in this section is that Lilburne expanded his initial rhetorical strategy of presenting himself as a living martyr of Laudian persecution to include the rhetoric of legal martyrdom.

In the early years of the 1640s, Lilburne cultivated a public reputation for himself as a martyr of conscience who was being held in false imprisonment at the whim of the prerogative court of Star Chamber. Upon his release from prison in 1641 and participation in anti-episcopal riots by apprentices and sailors on Christmas Day, he enlisted in the parliamentary army following the outbreak of war. He was captured at Brentford and imprisoned by the Royalists at Oxford Castle, where he continued his practice of prison writing to call attention to his case. After his release from prison, Lilburne rose to the rank of Lieutenant Colonel and served with distinction at the battle of Marston Moor in 1644. In

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<sup>693</sup> M. A. Gibb, *Free-Born John*, p.128.

‘Lilburne and the Long Parliament’ (2000), Jason Peacey observed that Lilburne became a ‘target of parliament’ because of his involvement in the Saville affair. In *The Triumph of the Saints* (1977), Murray Tolmie observed that Lilburne was considered ‘ungovernable’ by contemporaries. This opinion was shared among his enemies, including Colonel King and the Earl of Manchester, both powerful members of the Presbyterian-dominated House of Lords, whom he once served under in the Eastern Association and was set to testify against in Parliament. In these years of regular imprisonment, Lilburne and the other future Levellers constructed a public image for themselves as legal martyrs.<sup>694</sup>

More recent studies on the social backgrounds of the leaders of the Leveller movement have provided important context for their development of legal martyrdom rhetoric. M. A. Barg’s *The English Revolution of the 17<sup>th</sup> Century* (1990) and Simon Webb’s *John Lilburne: Gentleman, Leveller, Quaker* (2020) called attention to Lilburne’s self-description as the ‘son of a gentleman’ born into a ‘provincial gentry family’ in Durham.<sup>695</sup> At an IHR conference in 2021, Michael Braddick argued that Lilburne’s upbringing in a provincial gentry family inculcated in him gentry values and codes of honour that informed his identity as a gentleman. Braddick connected these gentry values and codes of honour to Lilburne’s development of a formalist approach to the law beginning in 1645.<sup>696</sup> However, this formalist approach to the law was only one aspect of Lilburne and the other Levellers’ rhetorical strategies. The concept of legal formalism implies an adherence to and application of the letter of the law. Braddick focused on Lilburne’s *In the 150 Page of the Book* (1645), *England’s Birth-right Justified* (1645), *The Charters of London* (1646), and *The Legall Fundamentall Liberties of the People of England* (1649) as evidence of his commitment to

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<sup>694</sup> Murray Tolmie, *The triumph of the saints*, pp.147-8 cited in Peacey, ‘John Lilburne and the Long Parliament’, p.625.

<sup>695</sup> M. A. Barg, *The English Revolution*, p.212; Simon Webb, *John Lilburne: Gentleman, Leveller, Quaker*, pp.10-4; for the original passage see. Lilburne, *A worke of the Beast*, p.20.

<sup>696</sup> Braddick, *Against Anti-Formalism: John Lilburne, the Levellers and Legal Agency*.

the letter of the law. However, these same pamphlets reveal that Lilburne was just as concerned with the spirit and equity of the law as with the letter; he simultaneously appealed to concepts drawn from traditions of Roman, natural, and divine law alongside the common law. It is limiting to conceive of Lilburne and the other Levellers as legal formalists. The Levellers' rhetoric of legal martyrdom took the letter, spirit, and equity of the law into consideration. They used this as a rhetorical strategy to present their case as representative of the legal challenges facing the nation.

To understand the rhetoric of legal martyrdom developed by the Levellers, it is crucial to examine the economy of symbolic functions of early modern judicial punishment. In 'Law, Status, and the Lash' (2021), Krista Kesselring observed that early modern judicial punishments, such as carting, whipping, torture, and imprisonment, functioned as a 'marker and maker of status'.<sup>697</sup> Punishments served to shape the identities and social standing of the condemned.<sup>698</sup> John Rushworth offered insight into this process of using judicial punishment to mark and make status in *Private Passages of State*. Looking back on the arbitrary and illegal punishments handed down by the prerogative courts on Lilburne and the three living martyrs, Rushworth wrote,

That *Imprisonment* is a Man buried alive, is made *Corpus immobile Legis*, the immoveable Subject of the Law... but a Close Imprisonment may presume a Famishment, and so Death.<sup>699</sup>

Rushworth appealed to the tradition of Roman law in this passage. To be imprisoned was to become 'the immovable Subject of the law', while he equated close imprisonment with a famishment unto death. Rushworth continued, '[whipping is] painful and shameful, *Flagellation* [a punishment] for Slaves' and, therefore, unfit for a freeman. Krista Kesselring

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<sup>697</sup> Kesselring, 'Law, Status, and the Lash', p.511.

<sup>698</sup> Kesselring, 'Law, Status, and the Lash', p.511.

<sup>699</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

likewise noted that whipping was understood during the early modern period as a status-based disciplinary tool associated with the punishment of slaves. John Pym likewise described whipping and pillorying of offenders as ‘servile engines’ designed to debase free subjects into slaves.<sup>700</sup> In *The Legall Fundamentall Liberties of the People of England*, Lilburne described these punishments as ‘imbasing the hearts of the people’, which altered the status of a once freeborn Englishman by placing him in a ‘servile condition’.<sup>701</sup> Lilburne’s insistence on his gentry pedigree during his trial in the Star Chamber and again at Oxford Castle reflected this understanding based on concepts drawn from Roman law that the marks of judicial punishment could shape identities and status.<sup>702</sup>

I have already discussed the marks and markers of judicial punishment inflicted on the three living martyrs and Lilburne during the 1630s. However, in addition to the cropping of ears, brandings, whippings, pillorying, and long terms of imprisonment as a close prisoner or in exile, Lilburne also put forward formal legal arguments about the illegality and arbitrariness of the proceedings based on contemporary interpretations of the common law. In January 1637, Lilburne and John Wharton, his co-defendant and associate of Bastwick, were interrogated by Attorney-General Sir John Bankes regarding the printing and publication of ‘Libellous and Seditious Books’ from the Low Countries. Both, according to the Star Chamber records, ‘refused to take an Oath to answer Interrogatories, saying it was the Oath *ex Officio*’ and, therefore, contrary to their legal right not to self-incriminate.<sup>703</sup> Their refusal to engage in self-incrimination was the centrepiece of Lilburne’s argument that the

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<sup>700</sup> John Pym, *The speech or declaration of John Pym, Esq* (London, 1641), p.7.

<sup>701</sup> Lilburne, *The legall fundamentall liberties*, p.40.

<sup>702</sup> This claim to gentry status is confirmed by a family pedigree located in BL, Add. MS 27380, fos.76B-8. This document shows the pedigree of the Lilburne family going back several generations and is associated with papers relating to a land dispute in Durham which took place in 1657 between Robert Lilburne (John’s brother) and Ralph Caxton.

<sup>703</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.



proceedings of the prerogative courts were contrary to the fundamental laws of the land.<sup>704</sup> In *Private Passages of State*, Rushworth observed that Lilburne and Wharton refused to take the *Ex officio* oath during their interrogations and at the bar in Star Chamber because ‘no free-born *English* man ought to take it, not being bound by the Law to accuse himself,’ and that ‘whence ever after he [Lilburne] was called *Free-born John*’.<sup>705</sup> Lilburne refused the oath for two reasons. The formalist argument against taking the Star Chamber oath was that it was contrary to the rights of the subject outlined in the *Magna Carta* and *Petition of Right*. However, Lilburne also argued that Christ set a precedent by refusing to engage in self-incrimination when brought before Pontius Pilate. Therefore, he too had no obligation to do so.<sup>706</sup> This reflects the extent to which Lilburne developed a sophisticated set of rhetorical tactics whereby he simultaneously represented himself as a living and legal martyr.

Lilburne also presented formalist legal arguments about violations of procedural and substantive due process in his early works. He had refused to answer Attorney-General Bankes without knowing the charge against him and pointed out that no subpoena or bill of attainder had been presented to him at the time of his apprehension. Thus, his apprehension and imprisonment in the Fleet were illegal and arbitrary.<sup>707</sup> The illegality of his imprisonment was compounded when his writs of habeas corpus were ignored. The Attorney-General then indicated that he had two sworn affidavits that implicated Lilburne in the unlicensed printing and publishing of censored books. Again, Lilburne refused to answer any potentially self-incriminating questions and reminded the Attorney-General that the common law granted him the right to face his accusers in open court. Moreover, he challenged the Attorney-General on

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<sup>704</sup> Lilburne, *The Christian mans triall*, p.2; it is important to note that Lilburne dates the interrogation by Sir John Bankes to 14 January 1637 rather than 14 February as it appears in John Rushworth clarified that the interrogation occurred on 24 January and the sentencing at the bar of Star Chamber on 14 February, see Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>705</sup> Lilburne, *The Christian mans triall*, p.2.

<sup>706</sup> Lilburne, *A worke of the Beast*, p.13.

<sup>707</sup> Lilburne, *The Christian mans triall*, pp.5-6.

the legality of those affidavits because it was necessary to produce two witnesses to a crime to secure a conviction.

Lilburne and Wharton combined the common law and divine law traditions in their legal defences when called to appear at the bar in the Star Chamber. The co-defendants refused to take the Star Chamber Oath, also known as the *ex officio* oath, engage in self-incrimination, or enter a plea to the charges because their rights under the common law to procedural and substantive due process and habeas corpus had been violated. Simon Webb has pointed out that the Star Chamber oath was legal. Nevertheless, both Lilburne and Wharton repeatedly described the *ex officio* oath as a ‘false oath’ contrary to the ‘law of God’ and the ‘Law of the land’.<sup>708</sup> They argued that divine and common law were consistent with one another and that the prerogative courts represented an illegal encroachment on both. This same line of reasoning appeared in *A Light for the Ignorant*, wherein Lilburne drew a distinction between ‘civil’, ‘true ecclesiasticall’, and ‘false ecclesiasticall’ states. In this same pamphlet, Lilburne claimed that the English bishops were attempting to establish a ‘false ecclesiasticall’ state based on a principle of *jure divino* designed to undermine the spiritual and civic birthright of the common people of England.<sup>709</sup>

The influence of traditions of divine law on Lilburne’s legal arguments was more fully reflected in his *The Poore Mans Cry* (1639). Lilburne drew on the contemporary Pauline tradition of scriptural exegesis, arguing that the mistreatment that he experienced in the Fleet was analogous to Paul the Apostle’s imprisonment,

I am now in Pauls condition when hee first answered before Nero, had none to stand by him, but all foresooke him.<sup>710</sup>

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<sup>708</sup> Lilburne, *The Christian mans triall*, pp.8-9; Simon Webb, *John Lilburne: Gentleman, Leveller, Quaker* (Durham, The Langley Press, 2020), pp.10-4.

<sup>709</sup> Lilburne, *A light for the ignorant*, p.3; *A worke of the Beast*, pp.2, 14; *The poore mans cry*, p.2; *A copy of a letter*, p.14; *The Christian mans triall*, p.26.

<sup>710</sup> Lilburne, *The poore mans cry*, p.11.

The Pauline tradition was a recurring motif in Lilburne's work. In *Come Out of Her My People*, Lilburne pointed out that Paul was a 'great doctor of the law' before his conversion to Christianity and later renounced the legal profession as a corrupt trade.<sup>711</sup> This analogy between himself and Paul served as the basis for Lilburne's arguments against lawyers and the legal profession. This denunciation of the legal profession undercuts the legal formalism that Braddick attributed to Lilburne and the other Levellers. Over the course of his career as a polemicist, Lilburne consistently expressed the view that in a civil or true ecclesiastical state, divine and temporal law would be mutually reinforcing. However, were a conflict to arise between them, he opined that the former should take precedence over the latter.

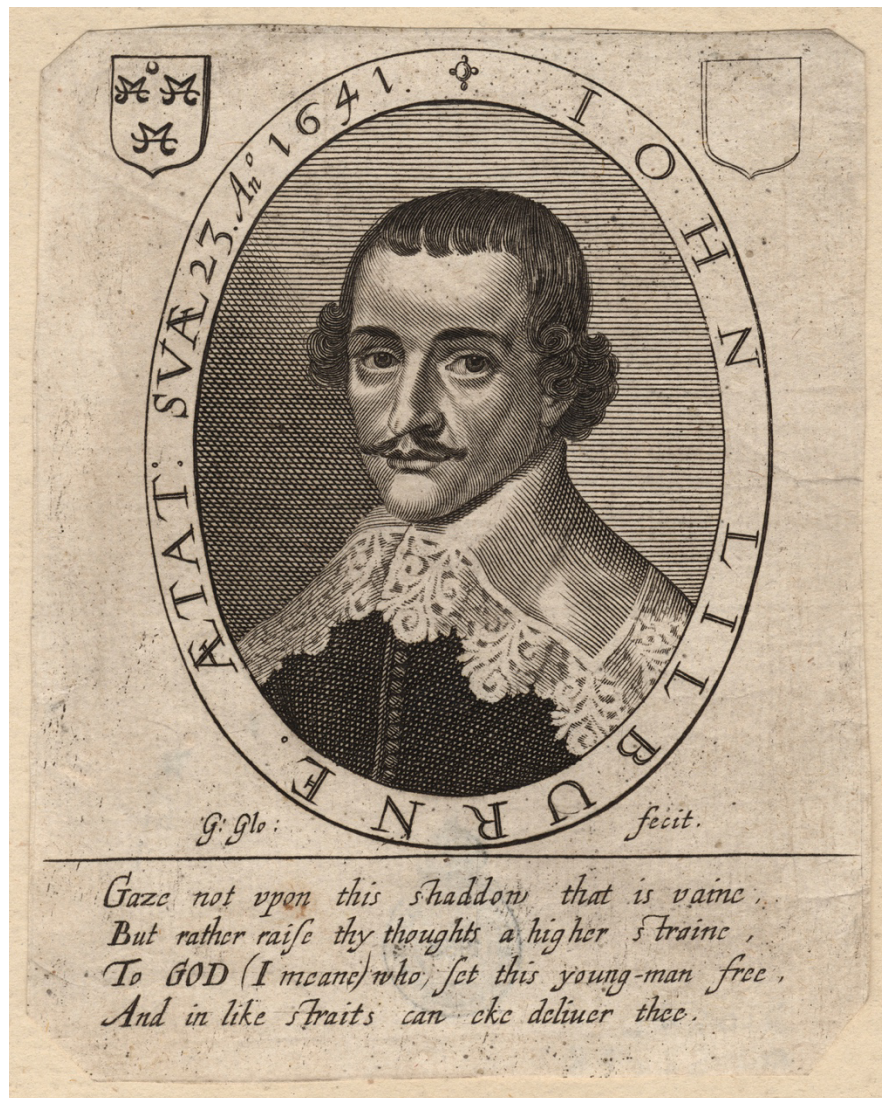
Lilburne also combined his self-representation as a living and legal martyr in a letter complaining about his treatment while imprisoned in the Fleet. It accused the Warden of the Fleet, Martin Ingram, of violating his rights. Ingram held Lilburne under conditions of close imprisonment. This involved denying him access to pens, ink, and paper, as well as visitors. Lilburne contended that imprisonment under such conditions effectively denied him the right to petition the Commons for redress and to submit writs of *habeas corpus*. Lilburne also complained about being kept in the common wards in cold irons and fetters, 'night & day', which caused him to be in 'constant Extraordinarie bodily paines and torments'.<sup>712</sup> According to Lilburne, Ingram wanted to 'torture my poore weake body... [to] take away my life privately in a hole and corner' away from public view. This represented a departure from the rhetoric of living martyrdom, where he was shielded from bodily pain, as his narrative of legal martyrdom required cruel mistreatment and wrongful imprisonment. Contemporaries understood these judicial punishments as a 'marker and maker of status' that turned a freeman into a slave and were understood to bring about the social death of the condemned.<sup>713</sup>

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<sup>711</sup> Lilburne, *Come out of her*, p.19.

<sup>712</sup> Lilburne, *The poore mans cry*, pp.3-4, 10.

<sup>713</sup> Kesselring, 'Law, Status, and the Lash', p.511.



George Glover, John Lilburne (1641), The National Portrait Gallery, London<sup>714</sup>

The inscription below the image reads: ‘Gaze not vpon this shaddow that is vaine, But rather raise thy thoughts a higher straine, To GOD (I meane) who set this young-man free, And in like straits can eke deliuer thee’.

<sup>714</sup> This image was provided courtesy of © The Trustees of the National Portrait Gallery.

Lilburne declared that he feared neither the axe at Towerhill, the stake at Smithfield, the halter at Tyburn, ‘whipping at a Carte-arse’, the pillory in the Westminster Palace-yard, being gagged, the cutting of his ears and nose, the branding of his forehead and cheeks, nor banishment into exile.<sup>715</sup> This statement has been interpreted as a mere provocation.

However, it also reflected the contemporary understanding of judicial punishments as shaping the status of the condemned and, in the most extreme instances, imposing a social death on them. Lilburne argued that these punishments were unbefitting a provincial gentleman such as himself and debasing to a freeborn people. It should also be remembered that these were the same judicial punishments meted out to his mentors Prynne, Bastwick, and Burton, whom Lilburne represented as the three living martyrs. The implication of this request to have the full ‘extremity of the law’ applied to him at Tyburn or Smithfield, in other words, judicial execution, was that Lilburne preferred to die in full public view rather than a social death while imprisoned in the Fleet without anyone to bear witness to his martyrdom.<sup>716</sup>

On 3 November 1640, the Long Parliament took up the case of Lilburne’s wrongful imprisonment. A few months later, Lilburne petitioned the Lords to make a full inquiry into the circumstances surrounding his convictions by the Star Chamber and to review his case.<sup>717</sup> In May 1641, a committee tasked with examining such cases reported back to the Lords that ‘the Sentence in the *Star-Chamber* given against *John Lilburn*, is Illegal, and against the Liberty of the Subject, and also Bloody, wicked, Cruel, and Tyrannical’, and, therefore, recommended that he be released from prison and granted reparations for his suffering.<sup>718</sup> The specific findings in the report detailed the Star Chamber’s violation of his rights to procedural and substantive due process as well as habeas corpus guaranteed to all subjects by

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<sup>715</sup> Lilburne, *The poore mans cry*, pp.33-5.

<sup>716</sup> Lilburne, *The poore mans cry*, p.4.

<sup>717</sup> Rushworth, *HCPPS*, vol.4 (London, 1721), pp.239-79.

<sup>718</sup> Rushworth, *HCPPS*, vol.4, pp.239-79.

the *'Law of Land, and Magna Charta'*.<sup>719</sup> While the committee's report offered formalist legal reasoning for its recommendations, it is important to recognise that Lilburne's rhetoric of legal martyrdom combined this formalist approach to the letter of the common law with multiple other traditions, including Roman, natural, and divine law.

Following his release, Lilburne joined the apprentices leading the anti-episcopal riots in London. Lilburne enlisted in the parliamentary army following the outbreak of war. He was captured by Royalists at Brentford and imprisoned in Oxford Castle. On 6 December 1642, a commission of Oyer and Terminer convened at Oxford to try Captain Lilburne along with other parliamentary soldiers for high treason. The records of the Commission of Oyer and Terminer mention that a soldier by 'the Name of *John Lilburn, Yeoman*, [was brought to the bar] for High-Treason, in actual levying War against the King'.<sup>720</sup> In his characteristic style, Lilburne refused to enter a plea, however, he did insist on correcting the record to reflect that he was a 'Gentlemen' from Durham whose family had enjoyed this status since the time of William the Conqueror. While the rest of the proceedings are not documented, we know that Lilburne was found guilty of high treason and remanded to close imprisonment until the death sentence could be carried out.

While awaiting execution, Lilburne pressured Parliament to intervene on his behalf. In *A Letter Sent From Captaine Lilburne* (1643), he promised his readers 'true intelligence... [of the] miserable conditions of my present torture, and the strictness of my close imprisonment'.<sup>721</sup> The letter detailed the conditions of his incarceration at Oxford Castle. Lilburne complained that he was 'loden with Irons' until the King ordered them removed.<sup>722</sup>

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<sup>719</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>720</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>721</sup> John Lilburne, *A letter sent from Captaine Lilburne* (London, 1643), p.3.

<sup>722</sup> Lilburne, *A letter sent*, p.3.

Lilburne's self-fashioning both as a living and legal martyr was a rhetorical tactic to pressure members of Parliament to intervene with the Royalists on his behalf,

...truly I should very cheerfully have received my death, being secured by the innocence of my own conscience, that I should have dyed *Gods true religious, and my Countries Martyr*, for whose sake I put on Armes.<sup>723</sup>

This passage reflected a departure from his, at times, formalist approach to the letter of the law. There could be no doubt that Lilburne had 'put on Armes' to fight against the King and committed high treason.<sup>724</sup> However, Lilburne pointed out that as a close prisoner in Oxford Castle, he languished 'under daily death'.<sup>725</sup> This reflected the contemporary view that metaphorically and legally speaking, imprisonment was to be 'buried alive' and experience a social 'famishment' unto death.<sup>726</sup> In keeping with his rhetorical strategy, Lilburne constructed himself as a martyr for 'Religion' and 'Countrie' and as the 'Common-Wealths true friend' when calling on Parliament to pay the ransom for his release.<sup>727</sup>

On 7 December 1642, in response to the death sentence pronounced against Lilburne and other parliamentary soldiers, Parliament issued a threat of *lex talionis*. Should the Royalists carry out the sentence against them, Parliament would execute the same number of Royalist prisoners. In its declaration, Parliament highlighted that its prisoners, 'having been most barbarously used [at Oxford] are now condemned to death' for carrying out their orders 'according to the Ordinances of both the said Houses' under the command of the Earl of Manchester.<sup>728</sup> The declaration also noted that Parliament had likewise captured Royalist soldiers for doing the same but had not dared set a date for their execution. Parliament

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<sup>723</sup> Lilburne, *A letter sent*, p.4; the italics are my own.

<sup>724</sup> Lilburne, *A letter sent*, p.4

<sup>725</sup> Lilburne, *A letter sent*, p.4

<sup>726</sup> Rushworth, *HCPPS*, vol.2, pp.461-81.

<sup>727</sup> Lilburne, *A letter sent*, p.8.

<sup>728</sup> Lilburne, *A letter sent*, p.8.

portrayed the Royalists as punitive and cruel while simultaneously attempting to excuse its own soldiers of wrongdoing on the grounds that their actions were undertaken for the ‘Defence of the true Protestant Religion, the King, Parliament, and Kingdom’.<sup>729</sup> The main argument of this declaration was that the parliamentary soldiers should be spared exemplary punishment. The Royalists released the parliamentary soldiers imprisoned at Oxford Castle following a prisoner exchange with Parliament and the payment of ransoms.

Over the ensuing years, solidarity among parliamentarians fractured along sectarian lines into a peace and win-the-war party. The factional struggle between Presbyterians, who wanted a negotiated peace settlement, and the Independents, who wanted to prosecute the war against the Royalists, was enflamed by the Saville affair. Lilburne was set to deliver his testimony against John Lenthall and the Earl of Manchester in the Commons when he was imprisoned on orders issued by the House of Lords in June 1645.<sup>730</sup> While imprisoned, Lilburne published *In the 150 page of the Book* (1645) and *England’s Birth-right Justified* (1645). Both texts set out various legal arguments as to why his imprisonment was contrary to the birthright of all freeborn Englishmen. Lilburne began turning Parliament’s declarations and decrees against the Lords. *In the 150 Page of the Book*, Lilburne distinguished between the letter, spirit, and equity of the law.<sup>731</sup> The former required an examination of the literal wording of relevant statutes, declarations, orders, and jurisprudence, whereas the spirit and equity of the law involved an assessment of the intention behind relevant legislation and its impact. Lilburne used this distinction to argue that ‘the Commander [lawgiver] going against its [the law’s] equity, gives libertie to the Commanded [the people] to refuse obedience to the letter’.<sup>732</sup> Moreover, he pointed out that Parliament was equally bound by its own laws as the

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<sup>729</sup> Lilburne, *A letter sent*, p.8.

<sup>730</sup> Peacey, ‘John Lilburne and the Long Parliament’, p.631.

<sup>731</sup> Lilburne, *England’s birth-right justified*, pp.2-3; *In the 150 page of the Book* (London, 1645), p.1.

<sup>732</sup> Lilburne, *In the 150 page of the Book*, p.1.



subject as well as divine law, which stood above both.<sup>733</sup> According to Lilburne, it followed that ‘the letter [of the law] is controlled by equity; otherwise the King enjoys an absolute power’.<sup>734</sup> Lilburne challenged Parliament to live up to its stated principles back when it took up arms against the King on the grounds that no one was above the law.

In *England’s Birth-right Justified* (1645), Lilburne accused John Lenthall of crimes and misdemeanours related to the ‘Manchester treason’ while serving on the Committee of Examinations.<sup>735</sup> William Lenthall, John’s brother, was the Speaker of the House of Commons and a powerful opponent of the Independent faction. Lilburne complained that John Lenthall had abused his position on the Committee and as an MP by administering illegal oaths. Lilburne pointed to the injustice whereby he was left to languish in ‘New-gate, committed originally, no one knows wherefore’, while both William and John Lenthall avoided accountability for their various crimes and misdemeanours.<sup>736</sup>

An entry in the *Journal of the House of Lords* dated 11 June 1646 recorded that Lilburne was summoned to the bar to answer for a libellous and scandalous book.<sup>737</sup> Jason Peacey has shown that the timing of Lilburne’s imprisonment suggests it was intended to prevent him from testifying before the Common to the gross incompetence of William Lenthall, Colonel King, and the Earl of Manchester, the commander of the armies of the Eastern Association.<sup>738</sup> On 17 September, the House of Lords passed this judgement,

The said *John Lilburne*, intending to scandalize and dishonour the said Earl [of Manchester]... in a certain Book hereunto annexed, and by him contrived and caused to be printed and published, intituled, “*The just Mens Justification, or a Letter by Way*

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<sup>733</sup> Lilburne, *In the 150 page of the Book*, p.1.

<sup>734</sup> Lilburne, *In the 150 page of the Book*, p.1.

<sup>735</sup> Lilburne, *England’s birth-right justified*, p.17.

<sup>736</sup> Lilburne, *England’s birth-right justified*, p.16.

<sup>737</sup> *JHL*, vol.8, pp.369-371.

<sup>738</sup> *Calendar of State Papers Domestic* [henceforth *CSPD*], Charles I, vol.503: November 1644 (ed. Hamilton, William Douglas) (London, 1890), pp.87-170.

of *Plea in Barre*,” hath falsely and scandalously, in certain Passages of the said Book, affirmed and published concerning the said Earl of *Manchester*, and his Demeanor in his said Office and Employment.<sup>739</sup>

It went on to list specific passages criticising Manchester and various commanding officers for failing to prosecute the war.<sup>740</sup> The same can be found in his *England's birth-right justified*.<sup>741</sup> In *The Freemans Freedom Vindicated*, Lilburne argued that his imprisonment was contrary to chapter 29 of ‘the Great Charter of England’ and the ‘petition of Right’.<sup>742</sup>

Lilburne declared that ‘your Lordships shall not sit in judgment, or passe sentence in Criminall causes, upon any Commoner of England, either for life, limbe, liberty or estate, but that all Commoners in such cases shall be tryed only by their Peeres and equalls’.<sup>743</sup>

According to Lilburne, his ‘Peeres and equalls’ were the members of the Commons.<sup>744</sup>

Lilburne identified himself as a ‘Free man of England’ who had been imprisoned for wanting the ‘vindication and freeing of the whole Kingdome (according to their long and just expectation)’ in his petition to the Commons.<sup>745</sup> Lilburne declared that ‘your Petitioner shall ever be ready to spend his life for you’, the Commons, in defence of the rights and liberties of the nation.<sup>746</sup> Lilburne positioned himself as a legal martyr in his petitions to the Commons. His primary rhetorical strategy was to present his case as the case of all English commoners. In these polemics and petitions, Lilburne claimed that powerful members of the House of Lords had conspired to keep him illegally and arbitrarily imprisoned.

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<sup>739</sup> *JHL*, vol.9, pp.426-31.

<sup>740</sup> John Lilburne, *The just mans justification* (London, 1646), pp.2, 4-5, 17, 19-20.

<sup>741</sup> Lilburne, *England's birth-right justified*, pp.16-8.

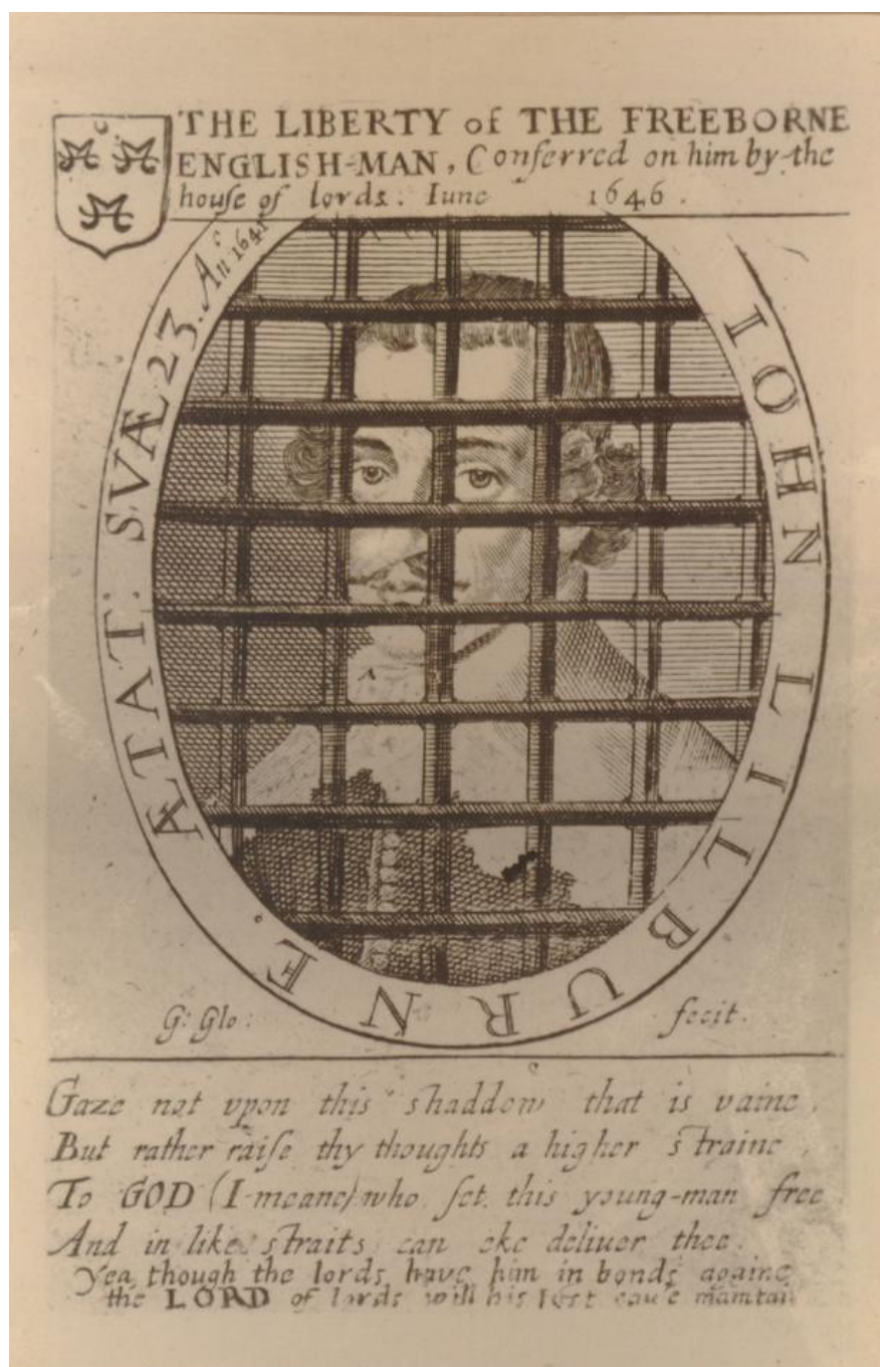
<sup>742</sup> Lilburne, *The free-mans freedom*, p.6.

<sup>743</sup> Lilburne, *The free-mans freedom*, p.6.

<sup>744</sup> Lilburne, *The free-mans freedom*, p.6.

<sup>745</sup> Lilburne, *The free-mans freedom*, p.11.

<sup>746</sup> Lilburne, *The free-mans freedom*, p.11.



George Glover, John Lilburne (1646), The British Museum, London<sup>747</sup>

The inscription above the image reads, 'THE LIBERTY of THE FREEBORNE ENGLISH-MAN, Conferred on him by the house of Lords. June 1646'. The inscription below beginning: 'Gaze not upon this shaddow that is vaine...' is identical to that found on George Glover, John Lilburne (1641), The National Portrait Gallery, London with this additional line, 'Yea though the Lords have him in bonds againe the Lord of lords will his just cause maintain'.

<sup>747</sup> This image was provided courtesy of © The Trustees of the British Museum.

### Military Martyrdom

The Levellers emerged as an identifiable movement in 1647. Its leaders were Lilburne, Wildman, Overton, Walwyn, Prince, and Samuel Chidley. Edward Sexby was the point of contact between them and new agents among the seven regiments of horse in the New Model Army.<sup>748</sup> The Levellers set out the fundamentals for a settlement in a document called *An Agreement of the People* and the *Petition of 11 September 1648*, which inspired three mutinies within the army between 1647 and 1649. The deaths of several Leveller soldiers led the Leveller propagandists to memorialise them using a rhetoric of military martyrdom. The Leveller-inspired mutinies at Corkbush Field in November 1647, Bishopsgate in April 1649, and Burford in May 1649 resulted in the deaths of several Leveller soldiers. The Grandee officers justified the violent suppression of these mutinies on the grounds that the mutineers were a threat to army unity and promoters of dangerous ideas. The death of Colonel Thomas Rainsborough in 1648 and the private soldier Robert Lockyer in 1649 became rallying cries for the Leveller movement. Their funerals became public spectacles for the Leveller movement, and the latter's funeral also coincided with a mass demonstration at Westminster on behalf of the four Leveller spokesmen in the Tower. An examination of the Levellers' literature and newsbooks reveals the development of a rhetoric of military martyrdom.

I have already discussed in Chapter 1 that the General Council at Putney resolved on 8 November 1647 to hold a rendezvous of the whole army.<sup>749</sup> The Grandee officers attempted to hold three separate rendezvous. On 15 November, the Agitators held their own mass rendezvous at Corkbush Field outside of Ware. Mark Kishlansky has argued that 'there was

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<sup>748</sup> Woolrych, *Soldiers and Statesmen*, pp.74, 206.

<sup>749</sup> Firth, *CP*, vol.1, p.412.

no mutiny at Ware'.<sup>750</sup> This was true from the perspective of the Agitators such as Colonel Rainsborough, who presented Cromwell with a copy of the *Agreement of the People* upon his arrival to disperse the unauthorised rendezvous as well as the soldiers wearing papers reading 'Englands Freedom, and Soldiers Rights' in their hats. The army commanders saw the Agitators as mutineers for disobeying orders and as breakers of the Solemn Engagement who threatened the maintenance of army discipline and order.<sup>751</sup>

On 16 November 1647, the Commons received a letter from Sir Thomas Fairfax acquainting it with a rendezvous of several regiments 'in *Corkbush field* between *Hertford* and *Ware*', which had taken place three days earlier.<sup>752</sup> According to Fairfax, Lieutenant General Cromwell was dispatched to restore order and army discipline. Standing at the head of each regiment, Cromwell 'expressed himself very gallantly... to live and die with them for those Particulars which were contained in a Remonstrance'.<sup>753</sup> It is further noted that Cromwell persuaded the soldiers to return to their barracks, 'notwithstanding the Endeavours of Major *Scot* and others to animate the Soldiers to stand to a Paper, called, *The Agreement of the People*'.<sup>754</sup> This passage speaks to the perceived intention of the mutinous regiments among the Grandee officers, namely that the Agitator regiments of horse were assembling to advance the first *Agreement*. Following the suppression of the Ware mutiny, Colonel Eyre, Major Scot, and Captain Bray were committed to army custody for their roles in 'insinuating divers seditious Principles unto the Soldiers, incensing them against the General and General Officers'.<sup>755</sup> Colonel Eyre was delivered to Field Marshal for court martial and Major Scot,

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<sup>750</sup> Mark Kishlansky, 'What Happened at Ware?', *The Historical Journal*, vol.25, no.4 (1982), p.839.

<sup>751</sup> Anon., *A full relation of the proceedings at the rendezvous* (London, 1647), pp.1-6.

<sup>752</sup> Rushworth, *HCPPS*, vol.7, pp.858-922; also see. Anon., *The Kingdoms Weekly Intelligencer*, no.236 (London, 1647), pp.742-3.

<sup>753</sup> Rushworth, *HCPPS*, vol.7, pp.858-922.

<sup>754</sup> Rushworth, *HCPPS*, vol.7, pp.858-922.

<sup>755</sup> Rushworth, *HCPPS*, vol.7, pp.858-922.

who was also a sitting MP, was placed in Edmund Chillenden's custody to be delivered to the Commons. Three other soldiers were also taken and scheduled to face court-martial.

*Perfect Occurrences* reported what happened to the three other soldiers court-martialled as ringleaders of the Ware mutiny. It detailed how '[the three soldiers] cast lots for their lives, and 2. shot the 3.[rd] to death' at the head of the regiment.<sup>756</sup> This illegal use of martial law in times of peace and exemplary punishment was meant to be a deterrent. Interestingly, the author of *Perfect Occurrences* blamed the 'factions & discord' within the army on 'diverse Citizens' from London, alluding to the influence of the Levellers acting as *agent provocateurs*.<sup>757</sup> The implication was that, except for those soldiers taken into custody or Private Richard Arnold, who was summarily executed, the soldiers at Corkbush Field were deceived and, therefore, not representative of the army. *Moderate Intelligencer* offered insight into the consequences of the mutiny for the seven Agitator regiments and Levellers. It also reported that the Lords recommended that the Commons issue letters of thanks to Cromwell for his handling of the situation. Furthermore, Colonel Rainsborough was to be recalled until such time as he was cleared of any involvement, all Agitator Councils were forthwith abolished, and the soldiers' arrears in pay were settled.<sup>758</sup>

Private Richard Arnold became the first Leveller military martyr. Private Arnold's execution and the disciplining of other mutineers became a *cause célèbre* for the Leveller propagandists and polemicists. The Levellers developed a rhetoric of military martyrdom that connected the mistreatment of Leveller soldiers to the usurpation of the rights and liberties of the English people. In *The Peoples Prerogative and Privileges* (1648), Lilburne condemned 'that murder committed upon the Soldier [Private Arnold], that was shot at *Ware*' and

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<sup>756</sup> Anon., *Perfect Occurrences*, no.46 (London, 1647), p.318; also see. Anon., *The Kingdoms Weekly Intelligencer*, no.235 (London, 1647), pp.733-4.

<sup>757</sup> Anon., *Perfect Occurrences*, no.46, p.318.

<sup>758</sup> Anon., *The Moderate Intelligencer*, no.139 (London, 1647), p.1379.

attributed it to ‘Ireton and Cromwell, and [their] under Creatures’, including his brother Henry Lilburne and Paul Hobson.<sup>759</sup> Lilburne explained that it was a murder. He cited Edward Coke’s *Institutes* that stipulated that the fundamental rights of the English subject laid out in the *Magna Carta* and *Petition of Right* prohibited the use of martial law during peacetime.<sup>760</sup> Lilburne demanded that those responsible for Private Arnold’s death ‘be apprehended, indicted, and tryed as wilfull murderers’.<sup>761</sup> Lilburne complained that Cromwell and Parliament ‘now keepest me in Prison (to the apparent hazard of my totall destruction)’, like Private Arnold, for daring to advocate for his fundamental rights and liberties.<sup>762</sup>

Over subsequent years, Lilburne repeated the accusation that Cromwell had murdered Private Arnold. At his trial at Guildhall for high treason in 1649, a clerk confronted Lilburne with a letter in which he said: ‘I positively accuse Mr. *Oliver Cromwell*, for a wilfull murtherer’.<sup>763</sup> Lilburne responded by reiterating this accusation of murder in open court,

Doth not the Petition of Right absolutely condemne all such acts in time of Peace; when the Courts of Justice are open, and the judgment of the Earle of *Strafford* doth abundantly condemne it, who lost his life for a Traytor, for doing the very same act in kind and likenesse, at that time, when he in the eye of the law, was as legal a General, as the General was that condemned that man.<sup>764</sup>

This drawing of a parallel between Cromwell and the late Earl of Strafford was intended as a provocation. Lilburne was right to point out that Strafford had been impeached and executed for illegally using martial law during peacetime. The implication was that the same judgement should apply to Cromwell for the murder of Private Arnold.

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<sup>759</sup> John Lilburne, *The peoples prerogative and privileges* (London, 1648), p.57.

<sup>760</sup> Lilburne, *The peoples prerogative*, pp.45, 49-51, 70-1, 75; Lilburne cited Andrew Horn, *The Mirror of Justice* as the source of this information.

<sup>761</sup> Lilburne, *The peoples prerogative*, pp.45, 49-51, 70-1, 75.

<sup>762</sup> Lilburne, *The peoples prerogative*, pp.45, 49-51, 70-1, 75.

<sup>763</sup> John Lilburne, *The triall of Lieut. Collonell John Lilburne* (London, 1649), p.108.

<sup>764</sup> Lilburne, *The triall of Lieut. Collonell*, p.108.

In *The Hunting of the Foxes* (1649), Lilburne expanded on these thinly veiled threats. At Ware, we are told, ‘insolent & furious Cromwell’ had Colonel Evers imprisoned and Private Arnold summarily executed. This reflected a competing narrative of what happened at Ware. Lilburne’s characterisation of Cromwell was the opposite of Rushworth’s account, wherein he ‘expressed himself very gallantly’ in a speech to talk down the Agitators.<sup>765</sup> In addition, according to Lilburne, Cromwell made it ‘death to observe the *Engagement*, or but speak for the *Agitators*’, referring to the broken promise made at Putney to hold a general rendezvous and the dissolution of the Agitator council after Ware.<sup>766</sup> Lilburne accused Cromwell of first breaking the Newmarket oath — not the mutineers who assembled in Corkbush Field. Lilburne declared, ‘O let that day never be forgotten!’ when Private Arnold was murdered, and Cromwell and the other Grandee officers revealed themselves to be enemies to all freeborn Englishmen and traitors to the nation.<sup>767</sup>

On 29 October 1648, Colonel Rainsborough became the next Leveller military martyr when he was killed in a Royalist raid on Doncaster. Rainsborough had been a champion of universal manhood suffrage during the Putney Debates and was present at Ware. *The Moderate Intelligencer* reported on 1 November that ‘3 Gent came to his lodging, pretending they had letters from L. Gen. *Cromwell*, which occasioned him to let them into his chamber’.<sup>768</sup> *The Moderate Intelligencer* added that Rainsborough was stabbed to death in the ensuing struggle against his captors. The newsbook’s editor suggested that the Royalists assassinated Rainsborough as part of a larger plot to murder eighty parliamentarians at Westminster. However, rumours were spreading that the army commanders arranged for or

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<sup>765</sup> Rushworth, *HCPPS*, vol.7, pp.858-922; also see. Anon., *The Kingdoms Weekly Intelligencer*, no.236 (London, 1647), pp.742-3; Rushworth’s account aligns with the account found in Anon., *A full relation of the proceedings at the rendezvous* (London, 1647), pp.1-6.

<sup>766</sup> John Lilburne, *The hunting of the foxes* (London, 1649), p.5.

<sup>767</sup> Lilburne, *The picture of the Council of State*, p.22.

<sup>768</sup> Anon., *The Moderate Intelligencer*, no.189 (London, 1648), p.1726.



were complicit in the assassination. Lilburne argued that the Grandee officers had Rainsborough killed because he ‘had *ever opposed their unjust Proceedings*’. Moreover, Lilburne pointed out that Rainsborough had been withdrawn from the army after Ware and given command at sea.<sup>769</sup> Several months later, Lilburne continued, the Grandee officers ‘finding him [Rainsborough] as inflexible to their ends as formerly, they put him upon that dangerous and unhappy Service’ at Pontefract Castle despite the appointment of a new commander there by the Committee of York.<sup>770</sup> In fact, Rainsborough was assassinated at his lodgings in Doncaster. What was even more suspicious, according to Lilburne, was that the Grandee officers were obstructing William Rainsborough from ‘searching after, and prosecuting the causers of that so bloody and inhumane a *Butchery*’ done to his brother.<sup>771</sup> The implication was that the army commanders had tacitly allowed the Royalist plot to assassinate Rainsborough or had personally arranged it. Lilburne had no evidence to support this theory, however, his insistence on it revealed that he and the other Leveller authors were representing the Grandee officers as murderers and traitors. They also encouraged supporters to venerate Private Arnold and Colonel Rainsborough as martyred Leveller soldiers.

The Levellers held a funeral procession for Rainsborough in London. This marked a further opportunity to construct a posthumous reputation for him as a promoter of *An Agreement of the People* and elevate him to the status of a martyred Leveller soldier. The funeral took place on 14 November. Rainsborough’s body was laid to rest in St. John’s churchyard in Wapping.<sup>772</sup> According to the *Kingdoms Weekly Intelligencer*, ‘he [Rainsborough] was attended with about forty Coaches, and many hundreds of Horse’.<sup>773</sup> *The*

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<sup>769</sup> John Lilburne, *The second part of Englands new-chaines discovered* (London, 1649), p.10.

<sup>770</sup> Lilburne, *The second part of Englands new-chaines* p.11.

<sup>771</sup> Lilburne, *The second part of Englands new-chaines*, p.11.

<sup>772</sup> A commemorative plaque was unveiled in that spot by Cllr Rania Khan, John Rees and Tony Benn in 2013 where it can still be visited today.

<sup>773</sup> Anon., *The Kingdoms Weekly Intelligencer*, no.286 (London, 1648), p.1157.

*Moderate Intelligencer* estimated the number of horses at one thousand five hundred, while *Mercurius Militaris* counted ‘fifty or sixty Coaches, and near three thousand Gentlemen and Citizens on horseback’ mourners for ‘that gallant Heroe’.<sup>774</sup> Its author lamented, ‘I cannot passe by the thought of his Hearse, without sacrificing a Teare to... Rainsboroughs martyrdom’.<sup>775</sup> The official Leveller newsbook, *The Moderate*, offered this in memoriam,

He that made King, Lords, Commons, Judges shake,  
 Cities, and Committees quake,  
 He that sought nought but his dear Countreys good,  
 And seal’d their right with his last blood.  
 Rainsborow the just, the valiant, and the true,  
 Here bids the noble Levellers adieu.<sup>776</sup>

This poem underscored the development of a rhetoric of martyred Leveller soldiers in response to the death of Colonel Rainsborough. *The Moderate* went on: ‘dedicated to the use of his friends’,

Sound, sound a Call ye shouts, beat loud the Drum;  
 Back from the North brave Rainsborow is come,  
 A Butchered, Martyr’d Saint, whose gallant hand  
 Aw’d once the sea, and twice hath aw’d the land.<sup>777</sup>

To the Levellers and other contemporaries, Rainsborough was a ‘Martyr’d Saint’ of the movement. *The Moderate* called on the Leveller movement’s supporters to revenge themselves against those responsible for spilling his blood.

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<sup>774</sup> Anon., *The Moderate Intelligencer*, no.191 (London, 1648), p.1750; Anon., *Mercurius militaris, or, the armie scout*, no.5 (London, 1648), p.37.

<sup>775</sup> Anon., *Mercurius militaris, or, the armie scout*, no.5 (London, 1648), p.37.

<sup>776</sup> Anon., *The Moderate Impartially Communicating*, no.18 (London, 1648), p.5.

<sup>777</sup> Anon., *The Moderate Impartially Communicating*, no.18, p.5.

On 24 April 1649, another Leveller mutiny took place at Bishopsgate in London. It began when Whalley's regiment defied orders to attend a rendezvous in Mile-Inn Green and establish new quarters in Essex. *The Moderate* reported that Captain Groves' troops did not receive its orders, while Captain Savages' troops refused to march without receiving their arrears in pay. In response to the marching orders, fifteen troopers barricaded themselves in the Bull Inn and took a defensive position atop its gallery with 'swords and pistols [drawn]'.<sup>778</sup> The Bull Inn was a frequent meeting place for the Levellers and their supporters.<sup>779</sup> Cromwell, meanwhile, was in Hyde Park overseeing a large muster. The next day, Cromwell arrived at Bishopsgate with a retinue of troops and persuaded the soldiers to surrender. *The Moderate Intelligencer* reported that the mutiny was suppressed without incident. An emergency Council of War convened at Whitehall to try the mutineers under martial law. It was reported that 'one [mutineer] was condemned to be shot to death', private soldier Robert Lockyer, while 'five others were condemn'd, but left to the mercie of the Generall [Cromwell]'.<sup>780</sup> Like Private Arnold before him, Lockyer's execution as a ringleader of the Bishopsgate mutiny was meant as a deterrent to others but made him a martyr.

*The Army's Martyr* tied together the deaths of Private Arnold, Colonel Rainsborough, and Lockyer within the rhetorical framework of martyred Leveller soldiers. The anonymous author described Cromwell as having a 'bloody and red look' at Ware when he 'murdered [Private Richard] Arnold'. However, Cromwell's 'Saint-like thirst [for death],' explained the author, 'could be satisfied with nothing but his [Private Arnold's] blood'.<sup>781</sup> Similarly, it accused Cromwell of murdering Lockyer following the suppression of the Bishopsgate

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<sup>778</sup> Anon., *The Moderate Impartially Communicating*, no.42 (London, 1649), p.475.

<sup>779</sup> Rees, *Leveller Organisation*, pp.80, 198-9.

<sup>780</sup> Anon., *The Moderate Intelligencer*, no.215 (London, 1649), p.2013.

<sup>781</sup> Robert Lockyer, *The Army's Martyr* (London, 1649), pp.4-5; the pamphlet is attributed to Robert Lockyer but is unlikely to be authored by him. It also contains a petition written on his behalf to Cromwell by the Levellers John Lilburne and Richard Overton.

mutiny. It also offered a detailed narrative account of the Council of War deliberations when it sentenced Lockyer to death, as well as Robert Shaw and Mr. Atkinson's appeal to Cromwell for a stay of execution. The most striking aspect of the tract was its narrative of Lockyer's execution in St. Paul's churchyard. In preparation for his imminent execution, according to the author, Lockyer found comfort in God and expressed a desire that his innocent 'bloud speak Liberty and Freedom to all England'.<sup>782</sup> It also featured testimony from eyewitnesses who vouched for Lockyer's innocence and the injustice of the sentence carried out against him. The martyrological pattern in this narrative mirrored Lilburne's early works. It described how a crowd of well-wishers and officers gathered in St. Paul's churchyard to witness the execution.<sup>783</sup> Lockyer prayed and delivered a speech defending his actions and denouncing the opponents of *An Agreement of the People* as traitors. Following his execution by firing squad, Lockyer became the third soldier venerated as a Leveller martyr.

On 27 March 1649, *The Calendar of State Papers* recorded the issuing of the following warrant,

To apprehend John Lilburne, [Wm.] Walwin, [Richard] Overton, and Thomas Prince for high treason, as being the authors, framers, or publishers of "The second part of England's new chains discovered".<sup>784</sup>

The four Levellers were accused of seditious libel against the Council of State and imprisoned in the Tower while awaiting trial. Two days later, according to *The Calendar of State Papers*, Lilburne, Walwyn, Prince, and Major Cobbet were summoned by the Council of State for interrogation about a meeting held in Winchester House, where they read out the offending passages and elicited subscriptions to the tract. Overton was questioned about

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<sup>782</sup> Lockyer, *The Army's Martyr*, pp.8-9.

<sup>783</sup> Lockyer, *The Army's Martyr*, pp.10-11.

<sup>784</sup> *CSPD*, Warrants, Interregnum, 1649-50 (ed. Mary Anne Everett Green) (London, 1875), pp.526-70; for the original copy of the Council of State's warrant see, SP 25/62, fo.125.

several copies of *The Second Part of Englands New Chaines Discovered* found in his residence during a search. When the four Levellers were asked whether they were the ‘authors, contrivers, framers, or publishers’ of that seditious and libellous book, they unanimously ‘refused to answer, and disputed the Council's authority’ to imprison commoners.<sup>785</sup> The four Levellers were returned to the Tower while the Council of State prepared for their trials. On 16 April, Sergeant-at-arms Dendy conducted a search of their chambers for ‘books, papers, &c’ that could be used against them at trial.<sup>786</sup>

The imprisonment of the four Levellers in the Tower, Captain Bray in Windsor Castle, and William Sawyer in Whitehall sparked a petitioning campaign and demonstrations at Westminster between late April and May 1649. On 1 May, *An Agreement of the Free People of England* appeared in print. It set out the fundamentals for a constitutional settlement by mutual agreement addressed to the common people of England and its soldiers.

On 6 May, Captain Thompson published *Englands Standard Advanced* (1649) ‘on behalf of the oppressed People of the nation’. The document was drafted at an initial rendezvous of Agitator companies in Oxfordshire near Banbury.<sup>787</sup> It contained a list of grievances, including the Grandee officers’ breaking of the army’s engagements at Triploe Heath and Newmarket, the dissolution of the Agitator Council, the use of martial law in peacetime, the suppression of the right to petition Parliament for the redress of grievances,

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<sup>785</sup> *CSPD*, vol.1, Interregnum, 1649-50: March 1649 (ed. Mary Anne Everett Green) (London, 1875), pp.24-65.

<sup>786</sup> *CSPD*, vol.1, pp.24-65; A series of later warrants reveal the difficulty that the authorities had in preventing the Levellers from both composing and distributing their works. On 4 July, another search was conducted in their chambers and sixteen days later another warrant was issued over the publication of Lilburne, *An impeachment against Cromwell, and his son in law, Henry Ireton* (London, 1649). On 17 October, George Poole was sent to the Gatehouse for distributing scandalous works authored by Lilburne. Similarly, after Lilburne’s acquittal in trial, on 6 December, a search warrant was issued for a warehouse at Porter’s Quay and Robert Robinson and Joseph Pearson’s vessel bound for Hull and York suspected of transporting scandalous books written by Lilburne.

<sup>787</sup> William Thompson, *Englands standard advanced* (London, 1649), p.A2

the abuse in word and deed of humble petitioners, the emergence of new ‘bloody and tyrannical Courts’, and the sword taking the seat of magistracy and usurping the law of nature and common law.<sup>788</sup> Thompson accused the Grandee officers of having ‘Arnold shot to death at Ware’ in cold blood and being responsible for the deaths of ‘Robert Lockyer, and diverse others who of late by Martial Law were murdered at London’.<sup>789</sup> Thompson declared his support for a lasting settlement based on *An Agreement of the Free People of England* (1649) and called for the ‘Deliverance of *Lieut. Col. John Lilburn, M. Will. Walwyn, M. Thomas Prince, M. Richard Overton*’ from their arbitrary and illegal imprisonment in the Tower.<sup>790</sup> Thompson’s *Englands Standard Advanced* combined the Agitators’ grievances with the rhetoric of martyred Leveller soldiers. It also functioned as a call for disgruntled soldiers to join Thompson in Oxfordshire for a mass rendezvous.

*The Moderate Intelligencer* reported from Salisbury on 7 May 1649 that ‘there comes news that some of the horse in the West are still in discontent’ over the imprisonment of the four Levellers.<sup>791</sup> *The Kingdoms Weekly Intelligencer* confirmed this initial report, adding: ‘a great part of Collonel Scroopes Regiment, and of Collonel Reynolds his Regiment and some of Captain Smiths Troope began to sign an ingagement against the Parliament, and the Councell of State’.<sup>792</sup> It went on to report that some of Major General Skippon’s troops were aggrieved by the ‘Death of Mr. Lockyer, and the Imprisonment of Mr. Walwyn, Mr. Lilburne, Mr. Prince, and Mr. Overton’.<sup>793</sup> Moreover, ‘it was advertised that Commissary General Iretons Regiment had drawn to a Rendezvous without order from their Officers’ along with soldiers from Colonel Marten’s regiment, who went over to Lieutenant Rawley’s regiment of

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<sup>788</sup> Thompson, *Englands standard advanced*, p.2.

<sup>789</sup> Thompson, *Englands standard advanced*, p.2.

<sup>790</sup> Thompson, *Englands standard advanced*, p.2.

<sup>791</sup> Anon., *The Moderate Intelligencer*, no.216 (London, 1649), p.2025.

<sup>792</sup> Anon., *The Kingdoms Weekly Intelligencer*, no.311 (London, 1649), p.1353.

<sup>793</sup> Anon., *The Kingdoms Weekly Intelligencer*, no.311, p.1353.

county troops in Oxford.<sup>794</sup> Soldiers in Captain Smith's regiment joined with Captain Hutchinson's regiment along with many private soldiers who came up to them from London, 'their numbers growing daily' as they gathered in Oxford to enter into a new engagement.<sup>795</sup> These newsbooks noted the growing discontent in the army over the deaths of Private Arnold and Lockyer as well as the imprisonment of the four Levellers.

The pamphlet *The Levellers (Falsly So Called) Vindicated* offered a detailed account of the Burford mutiny, which took place between the 11<sup>th</sup> and 17<sup>th</sup> of May 1649. The pamphlet began with a lengthy recitation of parliamentary declarations, orders, and engagements. It complained that at Triploe Heath and Newmarket, the soldiers had engaged to maintain army unity and to resist disbandment until it had restored the fundamental 'Laws, Rights, Lives, Liberties and Properties' of common people and achieved a lasting settlement of the nation.<sup>796</sup> On 11 May, Captain Thompson and ten companies of horse 'quit the Generall and Officers power and command' when they marched to a rendezvous with Ireton's regiment in Salisbury.<sup>797</sup> The Leveller soldiers justified this on the grounds that the Grandee officers had broken the army's engagements and failed to satisfy their material needs. The soldiers marched to Burford, where they learned that Cromwell and Ireton had been sent to suppress the mutiny. In the meantime, Major White was dispatched to parley with Thompson to find a peaceful resolution. Major White promised the troops amnesty if they surrendered before Cromwell and Ireton had arrived. Two days later, Cromwell launched a surprise night-time attack on the mutineers, taking 'three or four hundred' prisoners at the church.<sup>798</sup>

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<sup>794</sup> Anon., *The Kingdoms Weekly Intelligencer*, no.311, p.1354.

<sup>795</sup> Anon., *The Kingdoms Weekly Intelligencer*, no.311, p.1354.

<sup>796</sup> Anon., *The Levellers (falsly so called) Vindicated*, pp.2-3.

<sup>797</sup> Anon., *The Moderate Intelligencer*, no.217 (London, 1649), p.2045; this report aligns with the account found in Anon., *The Levellers (falsly so called) Vindicated*, p.2.

<sup>798</sup> Anon., *The Weekly Intelligencer*, no.312 (London, 1649), p.1361; Anon., *The Levellers (falsly so called) Vindicated*, pp.6-7.

*The Kingdoms Weekly Intelligencer* reported on 15 May that ‘the last of the Dissenters’ had escaped toward Northampton and were headed for Bristol. As in *The Moderate Intelligencer*, it repeated the claim that the Burford mutiny began as a rendezvous for the soldiers to enter a new engagement designed to ‘redeem themselves and the Land of their Nativity’ through a firm settlement based on *An Agreement of the Free People of England*.<sup>799</sup> Cromwell convened an emergency session of the Council of War at Burford, where the captured soldiers were summarily court-martialled as mutineers. It was reported that ‘Cornet Denn, and Cornet Thompson (brother to *Thompson* the Great)’ were condemned to be shot to death.<sup>800</sup> Warrants were issued to justices of the peace for the apprehension of all mutineers, and Cromwell returned to Oxford for the night. Several days later, on 21 May, *The Moderate Intelligencer* belatedly reported on the conclusion to the Burford mutiny. Captain Thompson was killed in a skirmish in Sywell Woods, while the rest of his troops were captured nearby at Harrington Church. Cornet Thompson, Corporal Perkins, and Private Church were put up against a stone wall where they ‘died like Romans’ by firing squad.<sup>801</sup> Cornet Henry Denne was spared the same fate as the Burford mutineers because he turned informant and agreed to publicly recant. Cornet Thompson, Corporal Perkins, and Private Church joined Private Arnold, Colonel Rainsborough, and Lockyer on the growing roll call of soldiers venerated as martyrs who shed innocent blood for the Leveller cause.

The anonymous author of *The Justice of the Army* (1649) drew a direct line between the three Leveller mutinies.<sup>802</sup> However, unlike in Leveller literature and newsbooks, it sought to defend the Grandee officers and Council of State from accusations that they

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<sup>799</sup> Anon., *The Weekly Intelligencer*, no.312 (London, 1649), p.1361.

<sup>800</sup> Anon., *The Weekly Intelligencer*, no.312, p.1363; also see Fairfax’s letters to William Lenthall in Anon., *A Full Narrative* (London, 1649), p.3.

<sup>801</sup> Anon., *The Moderate Intelligencer*, no.218 (London, 1649), p.2057; also see Henry Denne, *The Levellers design discovered* (London, 1649) attacking the Levellers as a threat to the state.

<sup>802</sup> Anon., *The justice of the army* (London, 1649), p.1.



murdered the Leveller soldiers. It claimed that the Council of State had observed 'just and favourable proceedings' when it imprisoned the four Levellers in the Tower and Captain Bray in Windsor Castle. It also presented a counter-narrative posthumously attacking the reputations of the mutineers as traitors. The unnamed author provided a first-hand account of the Burford mutiny, suggesting it was written by a soldier or based on the information of someone present.<sup>803</sup> It claimed that Captain Bray frequently disobeyed orders, that Captain Thompson was prone to habitual drunkenness, gambling, and violence, and that both were widely reputed as rogues. Furthermore, it alleged that Thompson initiated the Burford mutiny to avoid accountability for stabbing Mr. Haidon during a quarrel.<sup>804</sup> The author pointed out that 'Mr. Lockyer, who they [the Levellers] are pleased to canonize a Martyr' was no defender of the fundamental rights and liberties of the people until his last speech. Instead, Lockyer initiated the Bishopsgate mutiny over arrears in pay and died a traitor.<sup>805</sup>

Several officers and regiments published declarations of loyalty to Parliament and their commanding officers, as well as denouncing the Levellers after the Burford mutiny. In *The Declaration and Unanimous Resolution*, Colonel Whalley's regiment, some of whom were involved in the Bishopsgate mutiny, vowed their obedience to their commanding officers and repudiated the 'scandalous and dangerous Papers' by the Levellers for 'tending to seduce, and divide the army, and dissolve the present Government'.<sup>806</sup> Whalley's regiment went to allege that the Leveller leaders' plot to 'subvert the Parliament and Council of State' was reflected in the Burford mutiny.<sup>807</sup> On 5 June, Colonel Overton's regiment subscribed to

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<sup>803</sup> Anon., *The justice of the army*, pp.5-6.

<sup>804</sup> The allegation that Captain William Thompson had stabbed a civilian with a dagger in an inn over a quarrel appears in both Anon., *The Justice of the Army*, p.11 and Anon., *The same hand again* (London, 1649), p.A2.

<sup>805</sup> Anon., *The Justice of the Army*, pp.7-11.

<sup>806</sup> Edward Whalley, *The declaration and unanimous resolution of Colonel Whaley* (London, 1649), p.3; annexed to this declaration are the signatures of officers and soldiers in the regiment.

<sup>807</sup> Whalley, *The declaration and unanimous resolution*, p.3.

a document announcing that ‘we not only disown and sadly resent the preposterous and spurious projects of the late Defectors’, the mutineers at Burford, and resolved to never abandon the garrison in Hull until ordered to do so.<sup>808</sup> The regiment also declared it was ‘without the least inclination to treachery or Agitatorship’.<sup>809</sup> In *The Humble Representation and Resolution* (1649), Cromwell’s regiment wrote to Fairfax to reaffirm its obedience to parliamentary authority and decry the ‘Revolt or Capitulation of the twelve Troops of Horse in your Army’ at Burford. They went on to declare, ‘we neither did, nor do own or countenance any of those late printed papers’ written against Fairfax, Parliament, and the Council of State.<sup>810</sup> The declarations were part of a propaganda campaign designed to counter the Levellers’ influence within the army and among the common people.

Following the Burford mutiny, the Commons, Grandee officers, and Council of State suppressed the Leveller movement. In *The Picture of the Council of State*, Lilburne reported, Lieutenant General Cromwell (I am sure of it) very loud, thumping his fist upon the Council Table, til it rang againe, and heard him speak in these very words, or to this effect; I tel you Sir, you have no other way to deale with these men, but to break them in pieces; and thumping upon the Council Table againe, he said Sir, let me tel you that which is true, if you do not breake them, they will break you.<sup>811</sup>

A commission of Oyer and Terminer was established at Guildhall for his trial. On 23 October 1649, the Council of State wrote to Cromwell, the Committee of Safety, and Major General Skippon with intelligence that ‘swords & pistolls’ had been gathered to make ‘some cloudy disturbance’ at Lilburne’s trial.<sup>812</sup> Lilburne represented himself as a Leveller martyr. Four

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<sup>808</sup> Robert Overton, *The humble remonstrance and resolves of Col. Overtons regiment in his Excellencies garrison of Hull* (London, 1649), p.4.

<sup>809</sup> Overton, *The humble remonstrance*, p.5.

<sup>810</sup> Anon., *The humble representation and resolution of the officers & souldiers of Lieut. Generall Cromwel's regiment* (London, 1649), p.4.

<sup>811</sup> Lilburne, *The picture of the Council of State*, p.12.

<sup>812</sup> SP 25/94, fos.505-6.

days later, a jury acquitted him of high treason. A medal was struck to commemorate this victory. However, it also ushered in the decline of the Leveller movement.

### Conclusion

In this chapter, I unearthed three modes of martyrdom developed in the Leveller authors' discourse throughout the 1640s. These three modes of martyrdom were inextricably interconnected, showcasing the Leveller authors' innovative approach in adapting existing hagiographic traditions through amplification, reinscription, and substitution. This underscores the porous lines between ideas and actions, with many categories of martyrdom requiring performative elements of communication such as symbols, speeches, and gestures.

Starting in 1638, Lilburne positioned himself as one of the 'living marters of the Lord' alongside Prynne, Bastwick, and Burton.<sup>813</sup> This deliberate narrative strategy aimed to publicize his ordeal and encourage readers to elevate him to the status of a martyr. Lilburne's narrative accounts, emphasising extreme pain and spiritual endurance, were a departure from and an amplification of the Foxeian pattern of martyrdom, inviting readers to venerate him alongside the three as living martyrs of Laudian persecution. This rhetorical strategy aimed to cultivate an in-group of supporters among the self-professed saints in opposition to an out-group of religious persecutors and ungodly traitors.

By the early 1640s, Lilburne and the other Leveller authors began portraying themselves as legal martyrs, marking a further adaptation of existing martyrological literature. Drawing on neo-Roman, natural, divine, and common law and other legal documents in inconsistent and contradictory ways, they presented legal arguments rooted in Coke's *Institutes*, the *Magna Carta*, *Petition of Right*, and the charters of the City of London.

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<sup>813</sup> Lilburne, *A worke of the Beast*, p.14.

They argued that the fundamental laws of the land barred the Lords from depriving a commoner of life, liberty, or estate and directed their appeals to the Commons to make a full inquiry into their cases. The Levellers' legal arguments also distinguished the letter from the spirit and equity of the law. Most importantly, they combined a neo-Roman conception of slavery as a social death with Foxeian-inspired narratives of martyrdom, highlighting the mistreatment and hardships endured while wrongfully imprisoned. This reflected a wider rhetorical strategy whereby the Leveller authors presented their individual cases as standing in for the threat that arbitrary or illegal government posed to the fundamental rights and liberties of the common people of England.

A third mode of martyrdom emerged as the Leveller authors elevated soldiers to martyr status between 1647 and 1649. Private Arnold was venerated as the first martyred Leveller soldier in their pamphlets and newsbooks following his execution as a mutineer at Ware (1647). The roll call of martyred Leveller soldiers grew to include Colonel Rainsborough who was assassinated in Doncaster, Robert Lockyer who was executed by firing squad as the ringleader of the mutineers at Bishopsgate (1649), and, lastly, Cornet Thompson, Corporal Perkins, and Private Church who were executed at near Banbury (1649).

These three modes of martyrdom discourse reveal the Leveller authors' strategic adaptation of existing traditions to advance their cause and inspire solidarity among their supporters. Lilburne introduced the concept of a living martyr in narrative accounts of the extreme punishment he endured but survived at the hands of religious authorities. Building on this rhetoric of living martyrdom, he and other Leveller authors encouraged readers to venerate them as legal martyrs suffering for the common freedoms of the people. In response to the three Leveller-inspired mutinies between 1647 and 1649, the Leveller leaders and editors of contemporary newsbooks created a roll call of soldiers whom they encouraged readers to venerate as Leveller martyrs.

CHAPTER 5. ‘SEVERALL MEMBERS WISELY COMPACTED IN THE NATIONALL SKIN’: THE BODY POLITIC, HEALTH, AND DISEASE<sup>814</sup>

The body politic metaphor was a touchstone in early modern juridical and political thought. In *The King’s Two Bodies: A Study in Medieval Political Theology* (1957), Ernest Kantorowicz examined the use of the body politic metaphor in conceptualisations of divine right kingship during the sixteenth century. Kantorowicz argued that *Les Commentaries ou Reports de Edmund Plowden* (1571) provided the definitive statement on the two-body model. Plowden outlined that the King’s natural body existed alongside an artificial body or body politic that ‘cannot be seen or handled, consisting of Policy and Government, and constituted for the Direction of the people, and the Management of the common weal’.<sup>815</sup> In recent decades, historians have challenged Kantorowicz’s emphasis on the two-body model by unearthing a three-body model as well as two paradigmatic approaches to thinking about the body politic metaphor. It has now been shown that sixteenth and seventeenth-century thinkers used body politic metaphors in inconsistent and contradictory ways when representing the hierarchies, orders, and characteristics of a commonwealth.

In ‘A Sixteenth-Century Manifesto for Social Mobility or the Body Politic Metaphor in Mutation’ (2012), Nicole Hochner pointed out that the body politic metaphor was undergoing a transition in medical literature. Medical thinkers developed two paradigmatic ways of thinking about the analogy between natural and artificial bodies during the Renaissance. Hochner argued that ‘the body politic [was] not simply a heuristic device, but [was] *figuratively real* and participate[d] in a system of correspondences between the natural

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<sup>814</sup> Overton, *The arraignment of Mr. Persecution*, p.4.

<sup>815</sup> Kantorowicz, *The King’s Two Bodies*, p.7.

and the civic bodies' using an organic or physiological paradigm.<sup>816</sup> The organic paradigm conceptualised bodies as a series of hierarchical correspondences between the head, organs, and limbs with a specialised function in maintaining a harmonious whole. This way of thinking about natural bodies was then projected onto the artificial bodies of the state. In 'Medicine, Metaphor, and "Crisis" in the Early Modern Social Body' (2016), Margaret Healy demonstrated that the physiological paradigm was also used by contemporary medical thinkers. It envisioned natural bodies according to a Galenic system of flows between the four elements, qualities, and constitutions projected onto civic bodies.<sup>817</sup>

The body politic metaphor was shaped by philosophical, juridical, and medical discourses during the Renaissance. However, it also featured prominently in ordinary language. In this chapter, I focus on its polemical and rhetorical use by the Leveller authors. It will be shown that the Leveller authors used different paradigms of the body politic metaphor depending on the context. This underscores the flexibility and linguistic inventiveness with which it could be used to articulate complex criticisms of existing social relations or hierarchies within the commonwealth in a simplified way. It also functioned as a convenient way of putting forward a vision of a reconstituted set of relationships within a harmonious commonwealth (either in terms of organic hierarchies with limbs serving a specialised function or a physiologic set of Galenic flows held in equilibrium).

In the first section, I draw attention to Lilburne's deployment of the organic paradigm of the body politic metaphor in *A Light for the Ignorant* (1638). Lilburne outlined a tripartite scheme of kingly forms of government that distinguished between a civil, true ecclesiastic, and false ecclesiastic state. The three kingly forms of government were organised according

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<sup>816</sup> Nicole Hochner, 'A Sixteenth-Century Manifesto for Social Mobility or the Body Politic Metaphor in Mutation', *History of Political Thought*, vol.33, no.4 (2012), p.609.

<sup>817</sup> Margaret Healy, 'Medicine, Metaphor, and "Crisis" in the Early Modern Social Body', *Journal of Medieval and Early Modern Studies*, vol.46, no.1. (2016), p.118-9.

to an idealised set of hierarchical relations between its head, organs, and limbs. This use of the body politic metaphor rested on an underlying logic that there was a meaningful analogy between natural and civic bodies and that the harmonious relations in one could be mapped onto the other. Lilburne used this analogy for polemical purposes to accuse the English bishops of instituting a false ecclesiastic state, which upset the harmonious relations found in a true ecclesiastic state wherein Christ was positioned as the head of the national church.

The second section examines the use of the analogy between natural and civic bodies in anti-episcopal polemics. In 'Fables of the Belly' (1997), Michael Schoenfeldt pointed out that contemporaries attached a great deal of importance to the stomach as the organ responsible for the processes of ingestion, digestion, and expulsion. According to the physiological paradigm, the stomach was a site where food interacted with other humoral flows that could affect one's 'mood and mental capacity' and even influence 'the ineffable realms of the soul'.<sup>818</sup> This association of the stomach with the wider health of natural bodies and, by analogy, civic bodies made it a prominent organ used as a metaphor for the carnal appetites, vices, and corruption of the English bishops in many anti-episcopal polemics. The anonymous pamphlets *A New Play Called Canterburie His Change in Diot* (1640), *Wrens Anatomy* (1641), and *Bishops Poison* (1641) will demonstrate that the medical languages of diet, ingestion, digestion, and evacuation associated with the physiological paradigm were used as polemical weapons against the bishops throughout the 1630s and 1640s.

In the third section of this chapter, I showcase the adaptation of the languages of disease and health to the shifting argumentative context during the civil war. Beginning in 1641, Prynne and Edwards engaged in a pamphlet war against Independent controversialists such as John Goodwin, Katherine Chidley, and William Walwyn. As Carla Mazzio has

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<sup>818</sup> David Hill and Carla Mazzio, *The Body in Parts: Fantasies of Corporeality in Early Modern Europe* (Abingdon, Routledge, 1997), p.253.

pointed out in ‘Sins of the Tongue in Early Modern England’ (1998), representations of the tongue in ordinary discourse became closely bound up with ‘discussions about the use and abuse of speech’.<sup>819</sup> Ann Hughes’ extraordinary research in *Gangraena and the Struggle for the English Revolution* (2004) has unearthed an array of narrative strategies, arguments, and generic associations mobilised by Edwards to attack heterodox thinkers in the three volumes of *Gangraena* (1646). The central motif of this catalogue of heresies was that sectaries were spreading ‘strange opinions’, ‘fearful divisions’, and ‘looseness of life and manners’ like gangrene throughout the body politic.<sup>820</sup> It will be shown that Walwyn’s linguistic inventiveness and imagination were reflected in his ability to turn this disease metaphor back on Edwards by arguing that intolerance was the real disease.

The final section offers a formal analysis of the use of the body politic metaphor in Lilburne, Overton, and Wildman’s writings. It will be shown that they deployed the body politic metaphor in inconsistent and contradictory ways within and between texts. This points to a set of non-philosophical uses of the organic paradigm wherein the analogy between natural and civic bodies can be used to simplify a complex criticism of existing hierarchies, orders, and characteristics of the commonwealth. The Levellers also used the body politic metaphor when putting forward their vision of a commonwealth founded on the principle of popular sovereignty and the consent of the governed. The linguistic flexibility with which the Leveller polemicists deployed body politic metaphors in their texts and particular argumentative contexts reflected their intention of persuading readers to support a settlement based on their political programme as set out in the various editions of the *Agreement of the People*. The Leveller authors argued this was the only way to heal the nation’s wounds.

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<sup>819</sup> Mazzio, ‘Sins of the Tongue’, p.98.

<sup>820</sup> Hughes, *Gangraena*, pp.85, 106.



## Reformation Diet

The English bishops came under sustained attack in the press during the 1630s. William Laud became the Archbishop of Canterbury in 1633 and introduced innovations in doctrine and forms of worship to the national church that alarmed the broad cross-section of Puritans. In *Histriomastix* (1633), William Prynne railed against what he saw as degenerate and effeminate influences of stage plays and other pastimes. In it, he also railed against the perceived corruption of the national church and the decadence of the Stuart Court. Prynne saw these two evils combined in the court masques and the weekly Catholic mass held at Somerset House for Queen Henrietta Maria. The Star Chamber charged Prynne with seditious libel in 1633 for passages in *Histriomastix* that criticised the Queen. He was found guilty, fined, and sentenced to have his ears cropped in public and imprisoned for life in exile.

In his anti-episcopal tract, *A Light for the Ignorant* (1638), Lilburne used anatomical rhetoric to outline the ‘three Kingly States or Government’ and the ‘people which their pollitique Bodies consist of’.<sup>821</sup> Lilburne drew extensively on *Revelations* while denouncing the church government under Laud as a ‘false Ecclesiasticall State’,

it is said, they have Crownes upon their heads like gold, that is counterfeit power and authority & by vertue of this power politique; are made one entire body pollitique, under one head & king soe called... and are distinct from the laity, living in & by the practice of this power, with reference to that Head, though they bee never soe farre dispersed or remote from him.<sup>822</sup>

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<sup>821</sup> Lilburne, *A light for the ignorant*, pp.1, 9.

<sup>822</sup> Lilburne, *A light for the ignorant*, p.12.

Lilburne argued that the English bishops had become ‘one entire body politique’ or corporation unto themselves who exercised a ‘counterfeit’ authority under their king. The main characteristic of this false ecclesiastical state was that ‘the head resides in the body of the clergy and completely excludes the laity’, suggesting that the ‘counterfeit’ power of the English bishops had upset the harmonious relations between the governing head and the corporate body of the clergy, enabling the clergy to dominate the multitude.<sup>823</sup> In contrast, in the true ecclesiastical state, ‘Christ is the head’ of the national church, as opposed to the King or the clergy, while legitimate authority resides in the ‘whole [social] body’ of the nation.<sup>824</sup> Lilburne used the organic model of the body politic to outline the correspondences between the head, limbs, and body in a true and false ecclesiastic state. In the former, the kingly government was usurped by the clergy who came to dominate the laity. In the latter, the King exercised temporal authority over the governed, while the clergy held spiritual office within the corporate body of the church, granting them powers to enforce religious unity and conformity among the laity. In a civil state, the King was the head of state with the power to direct its inferior limbs of the body politic through charters, corporations, ordinances, representatives, and the law.<sup>825</sup> Lilburne illustrated the ‘three politique Regiments’ through a series of correspondences between the head, limbs, and body politic.<sup>826</sup>

In *Antipathy of the English Lordly Prelacie* (1641), Prynne put forward the identical argument that the English bishops were attempting to impose a ‘*jure diabolico*’ which upset the harmonious relations between the King, clergy, and laity. Prynne asked the reader: What can be ‘more effectual than such an Anatomy as this, of our Prelates?’<sup>827</sup> This statement emphasised the rhetorical strategy that he and Lilburne developed to raise the alarm about the

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<sup>823</sup> Lilburne, *A light for the ignorant*, p.14.

<sup>824</sup> Lilburne, *A light for the ignorant*, p.14.

<sup>825</sup> Lilburne, *A light for the ignorant*, pp.5-7.

<sup>826</sup> Lilburne, *A light for the ignorant*, p.3.

<sup>827</sup> Prynne, *The antipathy of the English lordly prelacie*, p.153.

excesses, corruption, and usurpations this entailed. In the *Antipathy*, Prynne positioned himself as a learned physician of divinity who was conducting an anatomical lesson on the corrupt calling and profession of the English bishops. This involved a metaphorical opening of the corporate body of the Church of England to reveal the sources of its wickedness. Following a lengthy discussion of the carnal appetites and abuses of the English bishops, Prynne offered this solution to the rhetorical question he had posed at the onset: ‘nothing can be more effectual then such an Anatomy as this,’ when attempting to reveal the ‘Prelates villainies of this nature’.<sup>828</sup> This anatomy of the calling and profession of the English bishops was designed to engender feelings of bodily horror in the reader and disgust at the abuses carried out on Prynne and the other living martyrs of Laudian persecution. Prynne recommended that Laud be brought to justice by ‘little Gregory’, alluding to Robert Brandon, the common executioner of London.<sup>829</sup> The rhetoric of anatomy was designed to inspire anger and disgust in readers at the corruption of the English bishops. It also proposed a way of restoring the established church to good health by severing the infected limb of the episcopal church government and then bringing Laud to justice.

The anonymous author of *Wrens Anatomy* (1641) used the same rhetorical device to figuratively cut open the English bishops and encourage its readers to recoil upon witnessing the insides of the body of church government. It accused the Bishop of Ely, Matthew Wren, of a litany of ‘monstrous outrages’ and ‘prodigious wickedness’ alongside Archbishop Laud who, according to the author, had imposed a ‘*jure diabolico*’ over the nation.<sup>830</sup> A corollary of this was the millenarian theory that the English bishops were false prophets whose authority

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<sup>828</sup> Prynne, *The antipathy of the English lordly prelacie*, p.153.

<sup>829</sup> Prynne, *The antipathy of the English lordly prelacie*, p.153.

<sup>830</sup> Anon., *Wrens anatomy* (London, 1641), p.1; Matthew Wren was a prominent member of the Church of England. Wren was the bishop of a succession of dioceses following Laud holding the office of Archbishop of Canterbury in 1633: Hereford (1634-5), Norwich (1635-8), and Ely (1638-46) and again from 1660-7 following the Restoration.

descended from the Pope and that he was the chief agent of the Antichrist. It went on to accuse Wren of introducing innovation in church doctrine and forms of worship as part of this Popish Plot to overthrow Christ from his throne. These innovations were popularly referred to as the Wren Articles, becoming a shorthand for the Laudian doctrine of ‘the beauty of holiness’, the imposition of Latin services, placing the communion table altar-wise at Wren’s *alma mater*, Peterhouse College, Cambridge, and the silencing of an estimated fifty or sixty Puritan ministers across several dioceses. *Wrens Anatomie* echoed Lilburne and Prynne’s sense of alarm at the Popish innovations being introduced into the national church by those they took to be the false prophets referred to in *Revelations*. All three texts used the language of medicine and anatomical imagery to open the internal wickedness of the English bishops and corruption in the corporate body of the episcopal church government to readers.

The author of *A New Play Called Caterburie His Change of Diot* (1641) expanded on many of the themes above. It deployed the physiological paradigm and anatomical rhetoric in an anti-episcopal polemic. In a series of vignettes and gruesome illustrations, the author sought to elicit feelings of disgust and angry laughter among readers. One vignette reframed the bodily mutilation carried out on the three living martyrs as a dinner scene where Laud indulges in his carnal and bloodthirsty appetite for the blood of the saints. Michael Schoenfeldt has argued that gruesome portrayals of the body in parts were used to encode complex, even contradictory meanings to readers.<sup>831</sup> The sumptuous dinner scene was set in the residence of the Archbishop of Canterbury at Lambeth Palace. It opened with William Laud ordering a retinue of armed bishops to bring in a ‘Doctor of Physicke [John Bastwick], a Lawyer [William Prynne], and a Divine [Henry Burton]’ while he gorged himself on the fine meats and drink arrayed across the table.<sup>832</sup> This was just an *entrée* for Laud, who

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<sup>831</sup> Hill and Mazzio, *The Body in Parts*, p.253.

<sup>832</sup> Anon., *A new play called Canterburie his change of diot* (London, 1641), p.2.

proceeded to order the armed bishops to cut off the guests' ears, 'to be drest' in the Italian fashion, 'for his supper'.<sup>833</sup> This alluded to the cropping of Prynne's ears in 1633 and 1636 and Bastwick and Burton's ears in 1636 for seditious libel. It also referred to the Catholic doctrine of Christ's real presence during the Eucharist. This rhetorical tactic was designed to smear Arminians as a derivative of Roman Catholicism. The Italian dressing applied to the three martyrs' severed ears and the cannibalism that ensued were designed to channel the readers' disgust and angry laughter toward Laud's corrupt diet, carnal appetites, and wickedness by equating them with Catholicism. Laud ate the flesh and blood of the three living martyrs until his stomach burst forth from his grotesque body onto the floor.

*Bishops Potion* (1641) was another medical-political narrative that combined anti-episcopal and anti-Catholic sentiment. It invited readers to imagine a scenario that occurred while Laud was imprisoned in the Tower. The character Laud was depicted lying ill in his bed.<sup>834</sup> The attendants in the Tower called for a physician. When he arrived, the physician asked why he had been called for a consultation. The deathly ill Laud gave this reply,

Not without cause, good M. *Doctor*, for I find my selfe diseased in all parts, insomuch that without some speedy remedy, I cannot long continue, I have a great desire to take Physick, in case the time of yeare be seasonable.<sup>835</sup>

The author intended to convey a series of encoded messages to readers in this passage. Laud had been imprisoned in the Tower in real life, and Prynne published Laud's personal diary, which included commentary on his dreams, prophesies, and fears. The reference to Laud wanting 'Physick, in case the time of yeare be seasonable' reflected a physiological paradigm wherein the body was conceived of as a series of flows between the four humours. In a

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<sup>833</sup> Anon., *A new play called*, p.3.

<sup>834</sup> Lyndal Roper, *Martin Luther: Renegade and Prophet* (London, Bodley Head, 2016), p.387 explores similar themes of anti-clerical and anti-popery in relations to grotesque depictions of the body.

<sup>835</sup> Anon., *Bishops potion* (London, 1641), p.1.

healthy person, these four humours are held in equilibrium according to sex, age, and temperament. It followed that diseases were caused by imbalances or the interruption of these natural humoral flows within the body, whereby the fluids were putrefied and manifested as illnesses and bodily distempers.<sup>836</sup> Laud's real diary had revealed that he believed in astrology, and, therefore, the character Laud's reference to the 'seasonable' time of year was designed to mock him for believing in superstition. Laud was imprisoned while awaiting trial for high treason, and his statement that he was 'diseased in all parts' functioned as a confession of his crimes. Moreover, the request for a physician because 'without some speedy remedy, I cannot long continue' was in some sense a moot point because Laud was likely to be executed. The joke was that an effectual remedy would not prolong his life.

The physician proceeded to search through his medical cabinet full of 'Cordials, Potions, Electuaries, Syrrops, Plaisters, Unguents; Glysters, Vomits, Bathes, Suppositories, and the like' needed to treat the patient.<sup>837</sup> The physician asked, 'I pray my Lord, let me see your Graces water, for by it I shall easily perceive the state of your Body' from it.<sup>838</sup> The physician then examined Archbishop Laud's urine sample and offered this diagnosis,

My Lord, your water is a most thick, dense, solid heavy, almost ragged, putrid, stinking, and rotten Urine, your grace hath kept a very bad dyet, there are certaine raw crudities, that lye heavy and indigested upon your stomack, which will without remedy, and that speedily, ascend so high, untill it stifle, and suffocate your Grace.<sup>839</sup>

The inspection of urine was a standard medical practice during the early modern period. The physician's diagnosis that Laud had a 'very bad dyet' carried implications of moral and

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<sup>836</sup> Margaret Healy, 'Medicine, Metaphor, and "Crisis"', p.121-4; Roper, *Martin Luther: Renegade and Prophet*, p.162 discusses similar themes surrounding religion and the interruption of the natural processes of the body.

<sup>837</sup> Anon., *Bishops potion*, p.2.

<sup>838</sup> Anon., *Bishops potion*, p.2.

<sup>839</sup> Anon., *Bishops potion*, p.2.

spiritual corruption.<sup>840</sup> Similarly, ‘raw crudities’ obstructed Laud’s digestive process, perhaps in an allusion to the cannibalism scene in *A New Play Called Caterburie His Change of Diot*. The processes of ingestion, digestion, and expulsion of waste were essential to a healthy body. In the physiological model, the retention of such undigested foods led to an interruption of the transmutation wherein food became vital fluids, and, if left to fester, its vapours would rise to the brain, resulting in mental distemper, confusion, and death. The physician announced, ‘I have here prepared a Vomit for your Grace’ to restore him to a healthy constitution by clearing the obstruction in his stomach.<sup>841</sup> Laud drank the tincture and vomited the contents of his stomach all over the floor. Laud’s stomach contents included a tobacco monopoly, a book titled ‘Sonday No Sabbat’, and a Star Chamber decree with the names ‘William Prynne, John Bastwick and Henry Burton’ printed on it.<sup>842</sup> The physician inspected the vomit and, becoming enraged, asked Laud if he had the three living martyrs punished. Laud confessed, ‘I had, I had... all England knoweth it’ and then vomited yet another ‘bundle of papers’ containing orders for the suspension of eleven Puritan ministers.<sup>843</sup>

The physiological paradigm was used to draw a set of correspondences between the appetites and dietary regimens of individuals and corporate bodies in anti-episcopal polemics. The analogy between natural and civic or ecclesiastic bodies was designed to reputation shame both Wren and Laud. It simultaneously functioned to deride the corporate body of the church as a false ecclesiastic government descended from the Pope, implicating it in an international Catholic plot to usher in the Kingdom of Darkness. The figure of the physician recommended amputation of the diseased limb and a change in diet to restore the national church to a healthy constitution.

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<sup>840</sup> Anon., *Bishops potion*, p.2.

<sup>841</sup> Anon., *Bishops potion*, p.2.

<sup>842</sup> Anon., *Bishops potion*, p.3.

<sup>843</sup> Anon., *Bishops potion*, p.4.



## THE FIRST ACT.

*Enter the Bishop of Canterbury, and with him a Doctor of Physicke, a Lawyer, and a Divine; who being set downe, they bring him variety of Dishes to his Table,*



**C**anterbury, is here all the dishes, that are provided?

**Doct.** My Lord, there is all: and 'tis enough, wert for a Princes table,  
There's 24. severall dainry dishes, and all rare.

**B. Cant.** Are these rare: no, no, they please me not,  
Give me a Carbinadoed cheek, or a tipper of a Cocks combe:  
None of all this, here is meate for my Pallet.

**Lawyer.** My Lord, here is both Cocke and Pheasant,  
Quaile and Partridge, and the best varieties the Shambles yeeld.

A. 2

Cant.

Anon., *A New Play Called Canterburie His Change in Diot* (London, 1641), p.A2.<sup>844</sup>

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### Troubled Bowels of State

In 1641, Thomas Edwards began attacking Independent and separatist congregations following the downfall of episcopacy. Edwards and Prynne, whom the Independent ministers and controversialist John Goodwin and separatist polemicist Katherine Chidley opposed, became prominent intellectual supporters of the Presbyterian faction in Parliament. Both sides waged a pamphlet war in the press, adapting the rhetoric of disease, anatomy, dissection, healing, and curing the nation to the ongoing factional and sectarian struggle within the parliamentary camp. Edwards accused Independents and separatists of being promoters of heretical ideas and strange opinions that undermined religious unity through the proliferation of nonconformist sects.

In *Reasons Against the Independant Government*, Edwards challenged the scriptural basis for independence and separatism from the national church. Edwards compared Independent and separatist assemblies to ‘raging diseases of the time’ that could only be cured by a further reformation of the church along Presbyterian lines.<sup>845</sup> According to him, a synodical government was the only way of ‘healing and composing of this great schisme... the great rent... [and] division about the Church’.<sup>846</sup> This underscored the rhetorical use of the language of disease to attack what Edwards perceived to be the ‘errors and evils’ spreading among Anabaptists, Brownists, and other nonconformist denominations.<sup>847</sup> Edwards went on to argue, ‘a speciall remedy for preventing, and healing divisions... cannot be in the Independant Government’ because a national church with voluntary membership, unlearned ministers, and no powers of compulsion was antithetical to those goals.<sup>848</sup>

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<sup>845</sup> Edwards, *Reasons against the independant government*, unnumbered page.

<sup>846</sup> Edwards, *Reasons against*, unnumbered page.

<sup>847</sup> Edwards, *Reasons against*, unnumbered page.

<sup>848</sup> Edwards, *Reasons against*, p.13.

Edwards continued by attacking the policy of religious toleration as yet another danger to the ‘healing and composing of this great schisme’ between Presbyterians and other nonconformist denominations.<sup>849</sup> Edwards asserted that ‘the greatest sort of erroneous spirits with all unstable and wanton witted men’ prevailed among Independents in favour of toleration of ‘Socinians, Arminians, Anabaptists, Separatists’.<sup>850</sup> Rather than healing the rents caused by religious sectarianism, ‘Independents will breed them, and being bred will foster’ the proliferation of ever more sects and sowing evermore fearful divisions.<sup>851</sup> On the one hand, Edwards was lamenting the breakdown in religious unity and calling for the healing of sectarian wounds. On the other hand, his commentary sowed further division by impugning defenders of religious toleration as ‘the greatest sort of erroneous spirits’, ‘unstable’, and ‘wanton witted men’.<sup>852</sup> This reflected the malleability of the disease metaphor at the centre of many of Edwards’ polemics. It could be used to call for the healing of wounds and finding a cure for the disease afflicting the nation while simultaneously being used as a rhetorical weapon to attack enemies. Edwards went on to liken himself to a learned physician dissecting the arguments made in favour of Independent church government and tolerance. Edwards asserted that as the disease spread throughout the body politic, it would ‘breed in the peoples minds many thoughts’ which were heretical and a threat to public order.<sup>853</sup> Edwards continued, Independents would ‘delight to have the multitudes to be exempt from the Ecclesiastical Lawes of the Land, (which Parliament never did)’, with the inevitable result being religious confusion and lawless anarchy.<sup>854</sup>

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<sup>849</sup> Edwards, *Reasons against*, p.13.

<sup>850</sup> Edwards, *Reasons against*, p.13.

<sup>851</sup> Edwards, *Reasons against*, unnumbered page.

<sup>852</sup> Edwards, *Reasons against*, unnumbered page.

<sup>853</sup> Edwards, *Reasons against*, unnumbered page.

<sup>854</sup> Edwards, *Reasons against*, p.28.

Edwards was not the only contemporary polemicist to use the discourse of anatomy in the context of sectarian controversy. In *The Puritan Impurity or The Anatomy of a Puritane or Separatist* (1641), John Harris denounced the fanaticism of Presbyterians, Independents, and separatists alike.<sup>855</sup> In *The Anatomy of the Separatists* (1642), John Taylor echoed Edwards' criticism of Independent and separatist congregations for electing their own ministers. Instead, Taylor advocated for a synodical church government wherein learned ministers had the sole authority to preach from the national pulpit. Taylor diagnosed the root cause of the ongoing internecine strife of the body politic as the proliferation of sects. His prescriptive solution was to purge the nation of separatists by reintroducing persecutory policies intended to restore religious unity and conformity and, thus, the health of the body politic.<sup>856</sup> In *Antinomianisme Anatomized* (1643), John Sedgwick argued that the Independent model of church government and its policy of general toleration of religious nonconformists would bring about a monstrous body politic characterised by the destruction of magistracy and a babel of interminable religious confusion.<sup>857</sup> The accusation here was that advocating for an Independent form of church government and freedom of conscience in matters of religion was tantamount to an endorsement of the destruction of all magistracy. Presbyterian and Royalist controversialists frequently represented their Independent and separatist opponents to readers as dangerous promoters of a headless body politic composed of the rude multitude. Independents and separatists also used anatomical discourse and the body politic metaphor against their enemies.

Independent and separatist authors such as William Walwyn and Katherine Chidley responded in kind to the use of anatomical discourse and the body politic metaphor. They

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<sup>855</sup> John Harris, *The Puritan impurity or The anatomy of a Puritane or Separatist* (London, 1641), p.1.

<sup>856</sup> John Taylor, *The anatomy of the separatists* (London, 1642), pp.1-2.

<sup>857</sup> John Sedgwick, *Antinomianisme anatomized*, (London, 1643), p.1.

accused their Presbyterian opponents' fearmongering of enflaming sectarian conflict. Katherine Chidley and William Walwyn waged a sustained pamphlet war against Edwards following the publication of his *Reasons Against the Independant Government* (1641). In *The Humble Petition of the Brownists* (1641), Walwyn advocated for Independent church government, the general toleration of tender consciences, and voluntary membership in a reformed national church without powers of compulsion.<sup>858</sup> Similarly, in *A New Petition of the Papists* (1641), Walwyn denounced the supporters of Presbyterianism who had recently delivered a petition to Parliament for wanting to reinstate the persecutory policies of the English bishops.<sup>859</sup> In *The Justification of the Independant Churches of Christ* (1641), Chidley made an anatomy of Edwards' *Reasons Against the Independant Government*, dissecting his reasons one by one. In the foreword to the reader, Chidley presented her tract as 'an answer to Mr. Edwards his booke [*Reasons*]', in which Edwards had unjustly maligned private assemblies seeking to separate from what they saw as the corruption of the established church.<sup>860</sup> Chidley's anatomical rhetoric was designed to expose the weakness of Edwards' reasons against Independent churches and demonstrated that he was a hypocrite for having denounced Laudian persecution only to advocate for persecution once his preferred denomination had control over the levels of state and church authority. Chidley also sought to best Edwards on his own scriptural grounds by demonstrating that a synodical church government was no more or less consistent with the Old and New Testament than separation.

In *The Power of Love* (1643), Walwyn put forward the positive case for Independent church government and a general tolerance of religious nonconformity. Walwyn figured himself as a physician, diagnosing the religious intolerance of Presbyterians as the root cause of sectarian conflict. Walwyn prescribed Christian love as the only cure that could heal the

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<sup>858</sup> William Walwyn, *The Humble petition of the Brownists* (London, 1641), pp.1-2.

<sup>859</sup> William Walwyn, *A New petition of the Papists* (London, 1641), pp.1-2.

<sup>860</sup> Katherine Chidley, *The justification*, unnumbered page.

nation's wounds. Walwyn went on to assert that 'he that undertakes the cure' of intolerance 'must bee sure to bee provided of a fit and powerful medicine, and to be diligent and faithfull in his undertaking'.<sup>861</sup> From the detached standpoint of a physician diagnosing a patient, Walwyn developed a rhetorical strategy of diagnosing and prescribing a cure for the affliction of intolerance. According to Walwyn, the New Testament's core message was that love was the truest expression of Christianity, and, therefore, it was incumbent upon all true believers to spread love rather than hatred and to be tolerant rather than intolerant.

Walwyn elucidated this defence of love and plain speech through various allusions to medical authorities such as Galen, Paracelsus, and Epicurus. Walwyn went on to chastise the Presbyterian faction and its supporters by describing synodical church government as 'weake and fitted to you corrupt humours'.<sup>862</sup> The underlying argument was that Presbyterians' 'corrupt humours' had led them to propose synodical church government out of a desire to persecute sectaries rather than out of a firm conviction that it was the truest model of church government. Walwyn declared that persecution had been a 'universal disease' among English bishops, which spread to Presbyterian divines. However, a close examination of scripture would reveal to them the error of their ways, as Christ instructed his followers in *Mark 12:31*: 'love thy neighbour as yourself'.<sup>863</sup> In contradiction of this core teaching, the Westminster Assembly of Divines was spreading the 'universal disease' of persecution such that the established church had become a 'sickly wife' unable to provide for her 'hunger-starved children', the common people, because the Presbyterian ministry was composed of 'wicked and bloodthirsty men'.<sup>864</sup> The imagery of the church as a 'sickly wife' with 'hunger-starved children' reflected the use of gendered language to comment on the health of the national

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<sup>861</sup> William Walwyn, *The power of love* (London, 1643), p.13.

<sup>862</sup> Walwyn, *The power of love*, p.12.

<sup>863</sup> Walwyn, *The power of love*, p.12; KJV, *Mark 12:31*.

<sup>864</sup> Walwyn, *The power of love*, unnumbered page.

church. This was reminiscent of Lilburne's *The Christian Mans Triall* (1641) where he described his ordeal back in 1637 as 'my wedding day'.<sup>865</sup> Lilburne declared that he was married to Christ. Walwyn combined this commonplace description of the national church as Christ's wife or bride and the common people as her children with the disease metaphor. The argument was that the laity was poorly served by the learned Presbyterian divines, whose *New Directory* and *Solemn League and Covenant* of 1643 were denounced as bringing about the people's spiritual starvation. Walwyn anticipated Lilburne's statement made two years later in *An Answer to Nine Arguments* (1645) that a true church implied true worship, however, it did not follow that true worship made a true church.<sup>866</sup> This served to disentangle the controversy over the reformation of the church government from the issue of the composition of its ministry. Walwyn saw a scriptural basis for both Presbyterian and Independent models of church government, but the Presbyterian ministry had imposed false forms of worship that were more concerned with spreading the 'universal disease' of religious intolerance and persecution than a message of love among the common people.

Walwyn went on to use Epicurean theories of diet to criticise the insatiable appetite among Presbyterian divines for the blood of nonconformists and their gluttony for tithes. The 'luxurious palate' of the Presbyterian ministers for spiritual office had led to 'the excessive provision that is made for all gross meates (you know my meaning) must be bannished' to restore the health of church government.<sup>867</sup> The 'excessive provision... [of] gross meates'; the blood and flesh of nonconformists, was, according to Walwyn, literally and figuratively starving the common people through onerous tithes and poor spiritual instruction.<sup>868</sup> Walwyn continued to scorn Presbyterian forms of worship in Epicurean terms by claiming it was so

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<sup>865</sup> Lilburne, *The Christian mans triall*, p.21.

<sup>866</sup> John Lilburne, *An answer to nine arguments* (London, 1645), p.24.

<sup>867</sup> Walwyn, *The power of love*, p.4.

<sup>868</sup> Walwyn, *The power of love*, p.4.

‘full of invention, in the dresses, sauces, and manner of service’ that it could only bring about a separation between a learned ministry and the common people.<sup>869</sup> In a direct address to the Presbyterian divines, Walwyn called on them to confess that ‘[you] know your selves to be carnall’ by endlessly pursuing tithes and living in luxury more ‘weake and fitted to your corrupt humours, and customes’ than the spiritual needs of the laity.<sup>870</sup> He implored them, Physician heale thy selfe; the milke we have suckt, and the common ayre hath been totally corrupt, and all after discourses have beene indulgent flatterers to our darling superfluties.<sup>871</sup>

This referred to the proverb ‘Physician, heal thyself’ found in Luke 4:23, which Walwyn adapted to imply ‘Physician [of divinity] heal thy selfe’ in a rebuke to the Presbyterian divines.<sup>872</sup> Walwyn went on to lament the ‘vexation upon vexation’ which Presbyterian divines, politicians, polemicists, and supporters were heaping onto nonconformists from the pulpit and in the press. Such abuses of speech had corrupted the ‘milke we have suckt’ from the pulpit as well as the ‘common ayre’ of political and religious discourse.<sup>873</sup> In *The Compassionate Samaritane*, Walwyn elaborated on this analogy between the use of abusive speech and the disease of religious intolerance. Walwyn remarked, ‘some politicke Bishops, or Dr. Ignorant University man [Edwards]... would endeavour by such suggestions to the people to misguide their credulous hearts into hatred’ of their fellow Christians.<sup>874</sup> Rachel Foxley has explained that Walwyn was a consistent advocate for plain speech, which he contrasted with the syllogistic logic and rhetorical glosses employed by learned Presbyterian

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<sup>869</sup> Walwyn, *The power of love*, p.4.

<sup>870</sup> Walwyn, *The power of love*, pp.11-2.

<sup>871</sup> Walwyn, *The power of love*, pp.11-2.

<sup>872</sup> KJV, *Luke 4:23*.

<sup>873</sup> KJV, *Luke 4:23*.

<sup>874</sup> Walwyn, *The compassionate Samaritane*, p.8.

ministers and polemicists to mystify the word of God and deceive the common people into hating their nonconformist neighbours.<sup>875</sup>

The metaphor of abusive speech spreading the disease of religious intolerance was a concern among many nonconformist intellectuals and polemicists. In *An Apologeticall Narration* (1643), Independent ministers Thomas Goodwin, Philip Nye, William Bridges, Jeremiah Burroughs, and Sidrach Simpson complained that ‘our eares have been of late so filled with a sudden and unexpected noyse of confused exclamations’ that had been lately made against them and their congregations in the press.<sup>876</sup> In *An Anatomie of Independency* (1644), Alexander Forbes responded by accusing the Independent and separatist ministers of causing the ‘Rents and Schismes, strife and debate, multiplying of Churches out of Churches’ which had taken place since the downfall of episcopal church government.<sup>877</sup> In *The Anatomist Anatomis’d* (1644), Sidrach Simpson responded to Forbes whom he accused of casting baseless and false aspersions against him and his congregants.<sup>878</sup> In it, Simpson echoed many of the arguments made by Walwyn, Chidley, Goodwin, and others in defence of Independent church government and religious toleration of nonconformists. This reflected a significant development whereby the disease metaphor became a touchstone in the polemical discourse about discourse, with all sides chastising the others for their immoderate speech and lack of civility while insisting on their own propriety. Edwards intervened in this controversy in *Antapologia* (1644), wherein he rebutted Simpson’s *The Anatomist Anatomis’d* for making an anatomy of Forbes’ *An Anatomie of Independency*, which was penned in response to Goodwin, Philip Nye, William Greenhill, Jeremiah Burroughs, and William

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<sup>875</sup> Foxley, “The wilderness of Tropes and Figures”, p.271.

<sup>876</sup> Thomas Goodwin et al, *An Apologeticall narration* (London, 1643), p.1; Hughes, *Gangraena*, p.6.

<sup>877</sup> Alexander Forbes, *An anatomie of Independency* (London, 1644), p.5.

<sup>878</sup> Sidrach Simpson, *The Anatomist anatomis’d* (London, 1644), p.9.



Carter's *An Apologeticall Narration*.<sup>879</sup> These animadversions signalled an intensification of the pamphlet war between Presbyterian and Independent polemicists that had broken out in the English press, wherein each side slandered, libelled, and cast aspersions on the motives and ideas expressed in their enemies' *corpus* of work.

In 1645, Prynne published his *Truth Triumphant over Falsehood*.<sup>880</sup> Prynne was a friend and patron of Edwards who defended the polemic and engaged in a pamphlet war against Walwyn and Chidley as its most outspoken detractors over the next two years. In *A Helpe to the Right Understanding of a Discourse Concerning Independency* (1645), Walwyn lamented the 'malevolent infection' that has 'begot a hardness over [Prynne's] heart' when it came to the toleration of nonconformists.<sup>881</sup> Walwyn asked Prynne, was it not preferable to live a 'peaceful life' and to 'joyne heart and hand... [with] any Independent, Anabaptist, Brownist, Separation, or Antinomian' rather than persecuting them?<sup>882</sup> Walwyn continued, 'I cannot but grieve within myselfe to consider how full swolne with bitter malice, yee and the very pyson of Aspes, that breast must needs be [infected with]' that Prynne issued forth such 'malevolent and scandalous speches' against sectaries.<sup>883</sup> Walwyn went on to present himself as a 'Physitian' who diagnosed the situation as follows: 'Certainly if a man were not in a deep Lethargy, such a masse of so grosse excrements could not passe from him without offence to his owne nostrill'.<sup>884</sup> The comparison of Prynne's polemic to a stinking bowel movement was designed to provoke feelings of disgust among readers. It also served to channel their disgust at Walwyn's use of excremental imagery toward Prynne for being a hypocrite and sectarian fear-monger. Walwyn positioned himself as a physician who diagnosed his opponent with a

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<sup>879</sup> Thomas Edwards, *Antapologia* (London, 1644), pp.1-3.

<sup>880</sup> Prynne, *Truth Triumphant over Falsehood*, p.33.

<sup>881</sup> Walwyn, *A helpe to the right understanding*, p.8.

<sup>882</sup> Walwyn, *A helpe*, p.8.

<sup>883</sup> Walwyn, *A helpe*, p.8.

<sup>884</sup> Walwyn, *A helpe*, p.8.

heart infected with the poison of religious intolerance that caused Prynne to void his bowels and, somewhat comically, not recognise that it stank. Walwyn lamented that Prynne had recently fallen victim to ‘Antichristian and Machiavellian Councells, erroneous Parliaments, and bloody persecuting Councells and Convocations’, which the conscientious reader could not help but notice in his *Truth Triumphant over Falsehood*.<sup>885</sup> Doctor Walwyn asserted that the ‘only remedy’ capable of bringing about a ‘good alteration in Mr. Pryn’ was the strong medicine of religious toleration and love of country. This regimen would bring about ‘a peacefull life among us’ by bringing a cessation to the polemical discourse on discourse and ending the ‘miseries of this Nation’.<sup>886</sup>

Meanwhile, Katherine Chidley published her *A New-Years-Gift, or, A Brief Exhortation to Mr. Thomas Edwards* (1645) in the same year. In the foreword, John Crawford asserted that ‘Evil men and seducers wax worse and worse, deceiving, and being deceived... the pretended Saints if unmasked, appeare reall Devills.’<sup>887</sup> Chidley set out to do exactly this in her polemic against Edwards by making an anatomy of the soul and unmasking the abominable practices and scandalous discourses of the Presbyterian faction and its supporters. Chidley’s rhetorical style combined *ad hominem* attacks with an incisive point-by-point rebuttal to the scriptural basis of Edwards’ arguments in *Reasons Against the Independent Government* (1641). In 1646, Chidley and Walwyn published another five polemics designed to anatomise and dissect the catalogue of ‘damnable heresies’, ‘strange opinions’, ‘fearful divisions’, and ‘looseness of life and manners’ which Edwards attributed to prominent Independent and separatist polemicists in the three parts of *Gangraena*.<sup>888</sup> Their anti-*Gangraena* polemics included *A Parable, or Consultation of Physicians Upon Mr. Edwards*,

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<sup>885</sup> Walwyn, *A helpe*, p.8.

<sup>886</sup> Walwyn, *A helpe*, p.8.

<sup>887</sup> Chidley, *A new-years-gift*, unnumbered page.

<sup>888</sup> Basu, “‘A Little Discourse Pro & Con’”, p.95.

*A Prediction of Mr. Edwards His Conversion and Recantation, An Antidote Against Master Edwards his Old and New Poison, A Whisper in the Ear of Mr. Thomas Edwards Minister, and A Word More in the Ear of Mr. Thomas Edwards Minister.* Chidley and Walwyn developed a polemical rhetoric that used the medical language of diagnosis, anatomy, dissection, disease, and cure to fight back against religious intolerance.

Walwyn's *A Parable, or Consultation of Physicians Upon Master Edwards* (1646) was framed as a medical-political narrative designed to anatomise Edwards' ideas and soul. Much like his *The Power of Love* (1643) and *A Helpe to the Right Understanding of a Discourse Concerning Independency* (1645), Walwyn imagined a consultation of physicians named after civic and spiritual virtues and figured Edwards as their severely ill patient. *A Parable* opened with a bedridden Edwards attended to by physicians Conscience, Justice, Truth, and Patience who noted 'some symptoms of disease upon' their patient.<sup>889</sup> The physicians began to confer on how best to 'discover [Edwards'] disease'.<sup>890</sup> Doctor Patience lamented: 'All my reading will not furnish me with any definition, or denomination' of the disease. He speculated that it was a 'fistula in the brayne: whose property is to open and vent it selfe once a month'.<sup>891</sup> Doctor Patience's remark functioned as a *double entendre*. On the one hand, it referred to his difficulty in reaching a diagnosis based on his reading of medical textbooks, while, on the other hand, it suggested that the 'damnable heresies' and 'strange opinions' which Edwards attributed to various nonconformist sects in *Gangraena* were confused. The observation that this disease was causing Edwards to vent hatred in the press once a month, another allusion to the three volumes of *Gangraena*, echoed statements

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<sup>889</sup> Walwyn, *A parable*, p.3.

<sup>890</sup> Walwyn, *A parable*, p.6.

<sup>891</sup> Walwyn, *A parable*, p.6.

Walwyn made about Prynne venting hatred into ‘the common ayre’ three years earlier in *The Power of Love*.<sup>892</sup> It concluded with Edwards being diagnosed with a brain fistula.

The character Edwards rejected this diagnosis and called on Doctor Superstition to give him a clean bill of health. Doctor Conscience responded to Doctor Superstition by listing the many symptoms of a brain fistula that Edwards exhibited through his various spiritual errors and malpractices. The physicians conferred more about the possible ways to cure Edwards of the brain fistula. Doctor Patience cautioned that ‘cure [Edwards] and you undoe him: a Physitian is as death to him, divers have undertaken him but all his study is how to mischiefe them and his only, is welcome, that feeds his humour.’<sup>893</sup> Doctor Justice asserted that had it not been for the ‘pertinent discourse’ of Doctor Conscience, Edwards would not have believed it possible that ‘a man should discourse, labour, studdy, watch, write, and preach... yet seemeth not to be sencible of any evil’.<sup>894</sup> Doctor Justice recommended lancing open Edwards’ head to remove the fistula. However, Doctor Love was concerned that if the cut was imprecise, it would likely kill rather than cure the patient.<sup>895</sup> Doctor Patience suggested a medicinal tincture made of herbs, while Doctors Truth, Hope, and Piety concurred with Doctor Justice that the fistula needed to be surgically removed.<sup>896</sup>

In *A Prediction of Mr. Edwards His Conversion and Recantation*, Walwyn continued from where his *A Parable* ended. It began with a fictional stream of consciousness from a feverish Edwards as the physicians attended to him. In it, Edwards lamented that ‘my conscience too sadly tels me, and my unhappy bookes (if duly weighed) will to my shame discover’ that he had spent years antagonising Independents and other nonconformists by

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<sup>892</sup> Walwyn, *A parable*, p.6; Walwyn, *The power of love*, pp.11-2.

<sup>893</sup> Walwyn, *A parable*, p.6.

<sup>894</sup> Walwyn, *A parable*, p.6.

<sup>895</sup> Walwyn, *A parable*, p.10.

<sup>896</sup> Walwyn, *A parable*, p.11.

casting false aspersions against them.<sup>897</sup> Edwards went on to confess, ‘I have had no compassion on tender consciences, but have wrought them all the trouble, cruelty and misery I could’.<sup>898</sup> The fictional conversion and recantation put in Edwards’s mouth were intended to persuade readers to reject his intolerance and fear-mongering in favour of love. The underlying political message was that the health of the body politic hinged on binding wounds through mutual agreement and understanding among parliamentarians.

Walwyn’s *An Antidote Against Master Edwards His Old and New Poison* was published in May 1646. In it, Walwyn denounced the old poison contained in the first part of *Gangraena* (1646) and the new poison that, without a doubt, would be in its second volume. Much like the previously mentioned tracts, Walwyn suggested that the only cure for Edwards’ disease of religious intolerance was for him to embrace ‘true Christian love’.<sup>899</sup> *A Whisper in the Ear of Mr. Thomas Edwards Minister* (1646) was occasioned by a reproachful mention Walwyn received in the third volume of the ‘late pernicious booke, justly entituled the *Gangraena*’.<sup>900</sup> In response to being singled out among others as a dangerous polemicist, Walwyn remarked: ‘I would ever whisper in your [Edwards’s] ear, this being a balsame that often, and well rub’d in, may Cure your Gangrean’.<sup>901</sup> While this was a bitter remedy, Walwyn asserted that taken ‘a little and a little... inwardly and outwardly, constantly... you will find your disposition to alter and change from one degree unto another’ over time.<sup>902</sup> Walwyn had turned the central motif that nonconformists were a gangrenous affliction on the body politic against Edwards. Walwyn continued that the third part of *Gangraena* was a ‘new edition of a Prelaticall doctrine’ formerly put forward by the English bishops but with a few

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<sup>897</sup> Walwyn, *A prediction*, p.10.

<sup>898</sup> Walwyn, *A prediction*, p.16.

<sup>899</sup> Walwyn, *An antidote*, p.20.

<sup>900</sup> Walwyn, *A whisper in the ear*, p.1.

<sup>901</sup> Walwyn, *A whisper in the ear*, p.1.

<sup>902</sup> Walwyn, *A whisper in the ear*, p.7.

amendments to accommodate a synodical model of church government.<sup>903</sup> Walwyn then challenged Edwards to ‘hold discourse’ with him in a public forum, which he asserted Edwards would refuse ‘lest I should open your designs’ to the scorn of the common people. He continued that thus far, Edwards had complained about ‘Mr. Lilburne and others, and my self, [as if we] have been such to you, as if they had been made of purpose to shame you to all the world’.<sup>904</sup> However, Walwyn justified their publishing of multiple tracts targeting Edwards on the grounds that he had been casting false aspersions on them in the press for years.<sup>905</sup> Similarly, in *A Word More to Mr. Thomas Edwards Minister* (1646), Walwyn wished that ‘my whisper had come so timely to your eare, as to have prevented Edwards from publishing the second edition’ of *Gangraena*. Edwards had ignored Walwyn’s *A Whisper*, having listed Walwyn, Katherine Chidley and her son Samuel, Lilburne, Overton, and Larner among the most dangerous Independent polemicists.

In *The Third Part of Gangraena* (1646), Edwards set out to catalogue ‘the corrupt Opinions and Principles that have been vented against the Civill Magistrate, and the Government of Common-wealths’.<sup>906</sup> It opened with an idiom by Paul the Apostle, who in 2 Timothy 3:13 declared: ‘evill men and seducers shall wax worse and worse, deceiving, and being deceived... and their word will eate as doth a Gangrene’.<sup>907</sup> Edwards argued that ‘a sharp Physitian’ was needed to treat the ‘disease of sectarianism’ because ‘a gentle [physician] would have done no good... [as] strong and rough humors [need] strong physick to purge them out’.<sup>908</sup> Edwards had rejected the gentle salve of Christian love and brushed aside Chidley’s corrections to his scriptural analysis for the strong purgative of intolerance.

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<sup>903</sup> Walwyn, *A whisper in the ear*, p.4.

<sup>904</sup> Walwyn, *A whisper in the ear*, p.6

<sup>905</sup> Walwyn, *A whisper in the ear*, p.6.

<sup>906</sup> Edwards, *The third part of Gangraena*, p.1.

<sup>907</sup> Ibid, p.1; Chidley, *A new-years-gift*, unnumbered page; KJV, 2 Timothy 3:13.

<sup>908</sup> Edwards, *The third part of Gangraena*, unnumbered page.

### A Plague on Both Your Houses of Parliament

The factional struggle between Presbyterians and Independents intensified in the Summer of 1645 as the ‘parliamentary way’ of doing business based on consensus gave way to adversary politics. A point of contention was the accusations made by Independents that Presbyterian peers had deliberately mismanaged the war effort to reach a settlement that would see the King return to his throne and a synodical church government modelled on the Scottish Kirk. In contrast, the Presbyterian faction accused their Independent counterparts in Parliament of aligning with the commanders of the New Model Army, which had become a bulwark of religious sectarianism and fanaticism. In June 1645, Lilburne was set to testify before Parliament about Colonel King and the Earl of Manchester’s mismanagement of the war effort. Michael Mahony has explained that revelations about secret negotiations for a peace treaty between the Presbyterians and the King estranged the former from the Scottish commissioners and led to further polarisation in Parliament between the ‘win-the-war’ and ‘peace’ parties.<sup>909</sup> Jason Peacey has shown that Lilburne’s powerful enemies in the Lords had him imprisoned before he could testify in the Commons, along with other Independent propagandists, printers, and booksellers such as Overton, Walwyn, and Larner.<sup>910</sup>

While imprisoned in the Tower, they published several pamphlets which used the body politic metaphor to reimagine relations between the King, Parliament, and the common people. Lilburne’s *Englands Birth-right Justified* (1645) contained this passage, ‘the letter of the law shall be improved against the equitie of it (that is, the publick good, whether of the body reall or representative) then the Commander going against its equity, gives liberty to the

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<sup>909</sup> Michael Mahony, ‘The Savile Affair and the Politics of the Long Parliament’, *Parliamentary History*, vol.7, no.2 (1988), p.212-4.

<sup>910</sup> Peacey, ‘John Lilburne and the Long Parliament’, p.625.

Commanded to refuse obedience to the letter'.<sup>911</sup> This statement was framed in terms of a series of correspondences between the letter and equity of the law, the body real and representative, and those who rule and are ruled. Lilburne was implicitly evoking an organic model of the body politic in which the common people had a right of disobedience in the extreme circumstance of the head governing contrary to the letter and equity of the law. Lilburne went on to praise the Self-Denying Ordinance, passed in December 1644, as 'a salve for all our sores, and would gaine the Parliament more ground in one moneth, then their forcing the Covenant [the Solemn League and Covenant] will doe in a hundred' toward restoring the rights and liberties of the nation.<sup>912</sup> Lilburne used the physiological model of the body to assert, 'when [Cromwell] had impeached Manchester, the fresh picking of which veine again, would cause good blood to grow in the body of our Common-wealth'.<sup>913</sup> The underlying political message was that calling a new Parliament would prevent the abuses that resulted from the same people holding positions of power for too long.

Lilburne expanded on his vision for the English commonwealth using the organic paradigm in *Englands Birth-right Justified*. According to Lilburne, a godly commonwealth was analogous to a natural body composed of a head with its inferior limbs organised through a hierarchical set of relations. The English commonwealth was a 'New Jerusalem... and so becoming a politicke Kingdome or Body that makes them a true church; or an uniting, joyning, or combining of a company of Believers together amongst themselves' wherein Christ was its only head, and the King served the common people in perfect obedience to the fundamental laws of the land.<sup>914</sup> Referencing the church, he wrote, 'Christ is none of her head, for his body is no monster' as the national church had become under the English

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<sup>911</sup> Lilburne, *Englands birth-right justified*, p.2.

<sup>912</sup> Lilburne, *Englands birth-right justified*, p.32.

<sup>913</sup> Lilburne, *Englands birth-right justified*, p.32.

<sup>914</sup> Lilburne, *An answer to nine arguments*, p.24.



bishops and then Presbyterian divines. Lilburne continued, ‘to have two heads’ as the Church of England currently did, made it a ‘whorish and Antichristian church’.<sup>915</sup> Lilburne argued that Christ was the head of the national church and exhibited a tender love for all of its members and was therefore vehemently against the preaching of intolerance and persecution.<sup>916</sup> Anyone who claimed, such as the Presbyterians had been doing in both word and deed, ‘that this monstrous, ugly, botched and skabbed body, is Christs true Spouse, is dishonourable to his blessed Being and Mediatorship’.<sup>917</sup> The representation of the national church as Christ’s bride was a commonplace expression during this period. Lilburne made it clear that he rejected the analogy between Christ’s relationship with the national church and marital relations between husband and wife. Instead, he represented the national church as a body wherein the natural and hierarchical relations between it and Christ, as well as within the corporate body of the church between its head and inferior limbs, had become disfigured.

In *The Araignment of Mr. Persecution* (1645), Overton elaborated on Lilburne’s contention that Christ was the head of the national church by drawing out its implications for the commonwealth and the common people of England. Overton imagined a judicial hearing wherein a group of personified civic virtues presided over the arraignment of Mr. Persecution. The character Mr. Sovereignty of Christ asserted, ‘by the price of his blood, [Christ] constituted himself sole Head and King so everover the Consciences of men’.<sup>918</sup> Another character, Mr. National-Strength, concurred that ‘the strength of Kingdomes and people consist in the generall peace, as severall members wisely compacted in the nationall skin of one politicke body’ under Christ’s stewardship.<sup>919</sup> In response, Mr. Persecution accused Mr. National-Strength of being a ‘constant sower of division’, which was ironic

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<sup>915</sup> Lilburne, *An answer to nine arguments*, p.29.

<sup>916</sup> Lilburne, *An answer to nine arguments*, p.37.

<sup>917</sup> Lilburne, *An answer to nine arguments*, p.38.

<sup>918</sup> Overton, *The araignement*, p.4.

<sup>919</sup> Overton, *The araignement*, p.4.

given that he was promoting a coming together of several disparate members through a mutual compact.<sup>920</sup> Overton deployed these personified civic virtues as mouthpieces to envision a commonwealth in which its several members or limbs were ‘wisely compacted in the nationall skin’.<sup>921</sup> The organic paradigm of the body functioned as a useful analogy to rearrange the hierarchical relations between the head, limbs, and body politic. The character Mr. National-Strength recommended a social contract to bind its several members or limbs into a national body politic through mutual agreement. Mr. National-Strength argued that because Christ was the head, it was monstrous for a nation to have two heads. It followed that the King must be made subordinate to the fundamental laws of God, nature, and the land, while the church government could not have powers to compel tender consciences in matters of religion. The character Mr. Politicke Power explained, ‘Salus populi, the safety of the people, is the Sovereigne Law, or Fundamentall constitution of Civil Government’, and, therefore, the King was inferior to Christ and bound by the fundamental laws of the land.<sup>922</sup> Moreover, Mr. Politicke Power asserted that Martin and his brethren should ‘cut off... the original disease [of spiritual magistracy]... least the whole politique body perish’ from the persecution of religious nonconformists.<sup>923</sup> Mr. Persecution, according to Mr. Politique Power, ‘hath split the Dominions of this politique body asunder that they [the people] wallow in one an others vitall blood... and doth not England taste even the dregges of this cup... that we are even drunk with one an others blood’.<sup>924</sup> Mr. State-Police added that Thomas Edwards and Mr. Persecution could not heal the wounds of the ailing nation because ‘the strength of the King lies in the multitude of people’ whom they had set against each other.<sup>925</sup> *The*

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<sup>920</sup> Overton, *The araignement*, p.4.

<sup>921</sup> Overton, *The araignement*, p.4.

<sup>922</sup> Overton, *The araignement*, p.27.

<sup>923</sup> Overton, *The araignement*, p.27.

<sup>924</sup> Overton, *The araignement*, p.28.

<sup>925</sup> Overton, *The araignement*, p.6.

*Araignment* concluded with the civic virtues recommending that strong medicine be used to cure the ‘Synodians of that Disease’ of intolerance because patience in the face of persecution was just as ineffective as ‘Medicine for a madde Dogge’.<sup>926</sup>

In November 1646, Lilburne was summoned to appear before a special committee of the Commons. His speech was transcribed, along with commentary and annotations, in *An Anatomy of the Lords Tyranny*. The original copy of Lilburne’s speech, according to him, had been deposited with the committee chaired by Henry Marten. Lilburne explained that his initial appeal was addressed to members of the House of Commons because, as a commoner, they were his peers. According to Lilburne, the Lords lacked legal jurisdiction to try him or any commoner because the Lords were peers unto themselves. He went on by setting out a litany of grievances against both the House of Lords and several of its members, whom Lilburne accused of exercising an arbitrary and illegal power over him as a commoner. According to him, this warranted his act of disobedience toward them by petitioning the Commons to take up his case. In *An Alarum to the House of Lords* (1646), Overton declared,

...for God cannot suffer so abominable wickednesse: He can turne the hearts of a whole Presbyterian Jury... and make them see their owne Liberties burning at the stake in him [Lilburne].<sup>927</sup>

Overton attempted to present Lilburne’s wrongful imprisonment by the Lords as a usurpation of the fundamental rights and liberties of the English people. His assertion that the Presbyterian members of the Lords were responsible for this ‘abominable wickednesse’ and needed a turn of heart echoed statements that Walwyn made a year earlier regarding Prynne and Edwards. Overton declared that God would not abide by this oppression of commoners, and if the Lords had any courage, they would put Lilburne on trial, at which point God would

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<sup>926</sup> Overton, *The arraignment*, p.16.

<sup>927</sup> Overton, *An alarum to the House of Lords* (London, 1646), p.9.

change the hearts of the Presbyterian jury such that they would find him not guilty. Overton went on to denounce the Lords for acting as judge, jury, and executioner over Lilburne in contravention of the fundamental laws of the land. Overton sought to link Lilburne's case to the broader struggle to safeguard the rights and liberties of the English commoner. This was consistent with Overton's assertion that *salus populi* was the fundamental law of the commonwealth.<sup>928</sup> Overton lamented that religious persecution, political oppression, and excessive taxation 'have made us [the people] so poore, that wee are not able to helpe or relieve one another; so that our present misery [and]... the hardness of rich mens hearts for any common good workes' would persist until they too experienced the same misfortunes.<sup>929</sup> In *An Anatomy* and *An Alarum*, both Lilburne and Overton decried the hard-hearted members of the House of Lords for engrossing themselves while usurping the birthright of the courageous-hearted but immiserated common people of England.<sup>930</sup>

Lilburne spent this term of imprisonment in the Tower compiling the historic charters, statutes, and ordinances of the City of London, which he published a few months after his release in the first part of *London's Liberty in Chains Discovered* (1646). In the foreword, Lilburne said: 'I publish this, [because] although the fundamental Lawes of England, be rationall and just lawes... these Prerogative-Monopolizing Patentee-men of London, have done as much as in them lies, to pervert them, and turn them in Wormwood and Gall', hoarding all advantage for themselves to the utter ruin of apprentices, journeymen, petty artisans, and the public good.<sup>931</sup> The 'Prerogative-Monopolizing Patentee-men' whom he denounced were the liverymen of the major corporations and common council of the City of London. He accused them of manipulating the law to aggrandise themselves at the expense of

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<sup>928</sup> Overton, *The arraignment*, p.27.

<sup>929</sup> Overton, *An alarum*, p.11.

<sup>930</sup> Overton, *An alarum*, p.11.

<sup>931</sup> Lilburne, *London's liberty*, p.38.

petty artisans, traders, and journeymen by keeping the law inaccessible to them. However, Lilburne continued, ‘the meanest Cobler and Tinker, as well as of the greatest Gentleman or Nobleman [are] bound in defence of [the law]’, and, therefore, the statutes, ordinances, and charters of the City of London should be translated into plain English and made accessible for the benefit of all. Lilburne asserted, ‘the meanest [subjects] are born equally free, (and [sic] the Law of the Land is an EQUALL INHERITANCE) with the greatest Subject’.<sup>932</sup> Much like Overton before him, Lilburne was threading the needle between the impact of monopolies on social mobility through trade and the disadvantages stemming from the inaccessibility of the law. Lilburne continued, ‘every subject of this Kingdom’ had a native English birthright regardless of whether he was a cobbler, tinker, or the greatest gentleman or nobleman.<sup>933</sup> Equal access to and protection under the law was the ‘only security [the subject] hath for his life, liberty, or estate’ and was, therefore, a necessary precondition for bringing an end to the internecine strife of the body politic. The mechanism for achieving this was a mutual agreement capable of compacting its several members into a national skin.<sup>934</sup>

Lilburne then turned to answering his critics. In *Innocence & Truth Justified*, Lilburne denounced Prynne for his recent defence of the ‘prerogative-pattentee monopolising merchant adventurers’ and added that Prynne’s reasons for doing so needed to be ‘punctually anatomized’.<sup>935</sup> Similarly, in *The Oppressed Mans Oppressione Declared*, Lilburne had ‘a bone to pick or two’ with the author of ‘Ulcerous Gangrena’ in which Edwards had cast many false aspersions on Lilburne and his friends.<sup>936</sup> According to Lilburne, both Prynne and Edwards had consistently harmed the nation ‘since the Prelates were put downe[,]... wisse

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<sup>932</sup> Lilburne, *London’s liberty*, p.38.

<sup>933</sup> Lilburne, *London’s liberty*, p.38.

<sup>934</sup> Lilburne, *London’s liberty*, p.38.

<sup>935</sup> Lilburne, *London’s liberty*, p.22.

<sup>936</sup> Lilburne, *The oppressed mans oppression*, p.1.

their continually and daily dividing and distracting the kingdome in all the parts of it'.<sup>937</sup>

Lilburne went on to decry the 'present clergy', the Presbyterian divines, 'whose tyrannical mystery wants an Anatomy'.<sup>938</sup> As Rachel Foxley mentioned concerning Overton's Marpriest series, Lilburne's use of anatomical terminology likewise functioned as 'a polemical discourse on rhetoric' whereby he denounced the Presbyterian authors for advocating for policies of religious intolerance and casting false aspersions on him in the press.<sup>939</sup>

Lilburne authored many pamphlets denouncing members of the Presbyterian faction in Parliament, City government, and their polemicists throughout the late 1640s. In *London's Liberty in Chains Discovered*, Lilburne directed his readers to *Englands Birth-right*, where the arbitrary and illegal practices of the Lords would 'shortly more fully [sic] be anatomized'.<sup>940</sup> Lilburne then complained that the petition delivered to Parliament on his behalf by his wife Elizabeth had been ignored. According to Lilburne, this represented an attack on the sacrosanct right to petition for the redress of grievances. This reflected a rhetorical tactic whereby Lilburne attempted to make his case stand for the rights and liberties of the English people. As was his custom, Lilburne cited Coke's *Institutes* to support the assertion that 'all the Commoners of England ought in all criminall cases to be tryed by their Peers, that is, Equalls' rather than members of the House of Lords, who were the peers of titled gentlemen and nobility. Lilburne also complained that in *The Third Part of Gangraena* (1646), Edwards had fallen 'so exceeding heavie upon me, and my honest Comrade Mr. Overton' that he felt bound by his sense of honour to challenge Edwards to debate him before a panel of judges drawn equally from both houses of Parliament. Lilburne wagered that if he could prove the proposition that 'THE LORDS AS A HOUSE OF PEERS, HATH NO

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<sup>937</sup> Lilburne, *London's liberty in chains*, p.37.

<sup>938</sup> Lilburne, *London's liberty in chains*, p.38

<sup>939</sup> Foxley, "The Wilderness of Tropes and Figures", p.272.

<sup>940</sup> Lilburne, *London's liberty in chains*, p.54.

JURISDICTION AT ALL OVER ANY COMMONER IN ENGLAND, IN ANY CRIMINALL CASE WHATSOEVER’, he should be released from prison, however, to secure a conviction, Edwards would need to prove that Lilburne was ‘indeavouring (as you say) with so much violence, the overthrow of the three Estates, and the Lawes of the Kingdome’ and to set up an Utopian Anarchy of the promiscuous multitude’.<sup>941</sup> One of Lilburne’s preferred rhetorical tactics was to challenge his opponents to a debate that would never take place because not engaging would be a tacit admission of error. It also dovetailed with the inclination to refute the aspersions cast against him and his friends, as well as making anatomy of the hypocrisy, lies, and malice of his enemies in public. In a provocation directed at Prynne and Edwards, he asserted: ‘And as for Mr. Prynnes Sovereigne power of Parliaments, I never read more of that Doctrine (in any Book in all my life)’, referring to the claim that he wanted to overthrow all estates and laws, ‘that *Gangrena* condemnes in me’.<sup>942</sup> Lilburne also protested that the publisher of Prynne’s *The Sovereigne Power of Parliaments* received an official license, yet he was denied the same. Lilburne interpreted this as an attempt by the malignant party to establish a *de facto* monopoly over the licensing of books. Lilburne complained that he and his brethren were denied access to ink, pen, and paper while in the Tower. It followed that there was a ‘designe amongst some of the Lords’, such as the Earl of Manchester, warden of the Tower John White, and the Presbyterian minister John Vicars, ‘to fall heavie upon me, as to crush me to pieces, or else make me an example’ through false imprisonment. Lilburne also complained that since being imprisoned, he had been deprived of ‘proper weapons, to cut you [Edwards and Prynne] soundly’ and that they were cowards for refusing to debate him.<sup>943</sup>

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<sup>941</sup> Lilburne, *The oppressed mans oppression*, p.16.

<sup>942</sup> Lilburne, *The oppressed mans oppression*, p.29.

<sup>943</sup> Lilburne, *The oppressed mans oppression*, p.29.

The second part of *London's Liberty in Chains Discovered* (1646) appeared in print a few months later. It contained English translations of the charters, ordinances, and statutes promised to readers in the first part of *London's Liberty*, along with commentary designed to transform this *corpus* of law into a weapon in the hands of the common people. In *Rash Oaths Unwarrantable* (1646), Lilburne returned to denouncing the Lords for 'most illegally, barbarously and tyrannically' imprisoning him in violation of the same charters and statutes. Lilburne repeated this assertion throughout in *Liberty Vindicated Against Slavery* (1646), *The Oppressed Mans Oppression Declared* (1646), the second edition of *Outcries of Oppressed Commons* (1646), and *An Anatomie of the Lords Tyranny* (1646). Similarly, he referred readers to Overton's corroborating testimony in *Vox Plebis* (1646) and *Regall Tyrannie Discovered* (1646). Don M. Wolfe observed that Lilburne and Overton often cross-promoted their texts.<sup>944</sup> These references functioned as an intertextual advertisement for their past and upcoming works, as well as those of allies. On 11 July 1646, Lilburne was convicted of sedition. The Lords ordered him to pay four thousand pounds to the King and 'to be seven yeares a prisoner in the Tower... and for ever to be incapable to beare any Office or Place in military or in civil government, in Church or Commonwealth'.<sup>945</sup>

The use of intertextual references among the Leveller polemicists continued into 1648. In *A Whip for the Present House of Lords* (1648), Lilburne repeated the assertion that the Lords had no jurisdiction over him or any other commoner and referred readers to his letter to Henry Marten published in *An Anatomy of the Lords Tyranny* (1646).<sup>946</sup> Lilburne added that he and Wildman were arrested because George Masterson, a minister in Shoreditch, had accused them of inciting sedition at a meeting in a local tavern. The meeting occurred in late January 1647; here, Lilburne and Wildman discussed the *First Agreement*

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<sup>944</sup> Wolfe, 'Unsigned Pamphlets of Richard Overton', pp.168-9.

<sup>945</sup> Lilburne, *Rash oaths unwarrantable*, p.3.

<sup>946</sup> Lilburne, *A whip for the present*, p.7.



(1647). In *The Peoples Prerogatives and Priviledges* (1649), Lilburne instructed readers to acquaint themselves with Wildman's defence of the same meeting in *Truths Triumph, or Treachery Anatomised* (1648).<sup>947</sup> According to Lilburne, both he and Wildman had merely stated that 'the freedome of this Nation will never be secured, until the extent of the power and trust of the peoples representatives [members of the Commons], and the peoples reservations to themselves be clearly declared in reference to the legislative power'.<sup>948</sup> This was consistent with statements Lilburne made in *Regall Tyrannie Discovered* (1647), wherein he described Parliament as 'the Body of the State' and 'the Representative Body of the whole Kingdome'.<sup>949</sup> This representation of Parliament was consistent, according to Lilburne, with its self-fashioning in its *Book of Declarations* as the 'legall and public eyes and heart of Englands politike Body'.<sup>950</sup> The Levellers used the organic model of the body politic metaphor to help readers understand the hierarchical relations between Parliament, the people, and the King. The fundamental principle of the Levellers' ideal commonwealth was the radical notion of popular sovereignty. They figured Parliament as the sensory organs of the body politic. It would be entrusted by the social body of the kingdom, composed of the common people, to safeguard their native birthright and constitution. In another telling passage, Lilburne asserted that the 'Kingdome is not for the King, but the King for the Kingdome; and, therefore, Parliament (as the Kingdome's Representative body) is duty bound by those who place their trust in them, and the King (likewise), for the common good'.<sup>951</sup> The King was figured as the head of this body politic, but only insofar as he fulfilled his constitutional role by ruling according to the fundamental laws of the land and

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<sup>947</sup> Lilburne, *A whip for the present*, p.9.

<sup>948</sup> Lilburne, *The peoples prerogatives and priviledges*, unnumbered page.

<sup>949</sup> Lilburne, *Regal tyrannie discovered*, p.37.

<sup>950</sup> Lilburne, *Regal tyrannie discovered*, p.37.

<sup>951</sup> Lilburne, *Regal tyrannie discovered*, p.37.

for the common good of the English people.<sup>952</sup> In fact, it was Parliament that elevated the King to this regal status, and despite his being the supreme head over every individual, it did not follow that he was above ‘the Body collective, of the whole Kingdome’ and, by extension, relied on the high court of Parliament to legitimate his rule.<sup>953</sup> The common people, therefore, were sovereign and empowered to act through ‘their Commissioners, their collective or Representative Body... chosen by them’, who could set reasonable limits, rules, and directions for the King.<sup>954</sup> This statement revealed that parliamentary supremacy was the second core principle of the Levellers’ programme. The Commons had sworn to protect the ‘Liberties of England’ against all encroachments, but had betrayed the trust placed in it by failing to do so.<sup>955</sup> Two years earlier, in *The Out-Cryes of Oppressed Commons* (1647), Lilburne explained that ‘the whole body of the kingdome is represented’ in the Commons, which had the powers ‘to bind all or any part’ of the nation to preserve its peace and safety.<sup>956</sup>

In *Plaine Truth Without Fear or Flattery* (1647), Lilburne issued an urgent alarm to the commoners of England that Sir Henry Vane and other members of the House of Lords were plotting to abolish free elections in ‘your body [the Commons] and Corporations’ by placing them under a new ‘domineering faction’.<sup>957</sup> The ‘symptomes and signs’ of this domineering faction could be read in its attempts to place the militia in the hands of loyal Presbyterians and ‘Traitors’, Royalists, who declared an unjust war against Parliament.<sup>958</sup> Lilburne declared: ‘Wee the Free Commoners of England, the reall and essential body politicke, or any part of us, may order and dispose of our owne Armes and strength, for our

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<sup>952</sup> Lilburne, *Regal tyrannie discovered*, p.38.

<sup>953</sup> Lilburne, *Regal tyrannie discovered*, p.38.

<sup>954</sup> Lilburne, *Regal tyrannie discovered*, p.39.

<sup>955</sup> Lilburne, *Regal tyrannie discovered*, p.42.

<sup>956</sup> John Lilburne, *The Out-cryes of oppressed commoners* (London, 1647), p.46.

<sup>957</sup> John Lilburne, *Plaine truth without fear or flattery* (London, 1647), p.12.

<sup>958</sup> Lilburne, *Plaine truth*, p.12.

owne preservation and safety'.<sup>959</sup> Lilburne argued that a strong purgative was needed to cure the disease of intolerance. After cutting their opponents to pieces in the press, the Leveller authors sought to compact the several members of the body politic into a national skin.

### Conclusion

This chapter has examined the linguistic flexibility and inventiveness of the body politic metaphor in the Leveller authors' discourse. The body politic metaphor served as a commonplace expression for articulating the relationship between natural and civic bodies. However, I have shown that in addition to serving as a heuristic device in philosophical, juridical, and medical literature, it could be used as a polemical weapon to criticise existing relations within and between the parliamentarians, the King, and the common people. Part of the linguistic flexibility of the body politic metaphor was reflected in the inconsistent and contradictory ways it was used in ordinary discourse. The organic paradigm conceptualised natural bodies as a set of hierarchical correspondences between a head and its inferior limbs or organs. In contrast, the physiological paradigm envisioned natural bodies in terms of a series of Galenic flows of elements, humours, and qualities that needed to be balanced to achieve a healthy constitution. The inconsistent and contradictory uses of the two paradigmatic ways of using the body politic metaphor can be interpreted as revealing the lack of philosophical and intellectual sophistication of the Levellers' discourse. However, it also suggests that the real discursive power of the body politic metaphor may have been in its usefulness as a polemical weapon wielded against their opponents' arguments and intended to persuade readers to support their various political programmes.

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<sup>959</sup> Lilburne, *Plaine truth*, unnumbered page.

It was demonstrated that medical languages and the body politic metaphor were frequently evoked in anti-episcopal tracts. An examination of medical-political-themed polemics demonstrated that the languages of medicine and disease were used to reprove the canal appetites, vices, and corruption of the English bishops. The anti-episcopal tracts I discussed drew on generic associations between the stomach and its associated process of ingestion, digestion, and expulsion in polemics attacking the corporate body of the national church as well as its individual members such as Archbishop Laud and Bishop Wren.

Many of the same generic associations found in the languages of health and disease were adapted to the sectarian conflict waged within the parliamentary camps following the collapse of episcopal government. Anti-tolerationist authors such as Prynne and Edwards sought to taxonomize and dissect the errors of heterodox religious thinkers and unlicensed preachers. Pro-tolerationist polemicists such as Katherine Chidley and William Walwyn responded by waging a sustained propaganda war in the press against the perceived bigotry and fearmongering spread by Prynne and Edwards. The Leveller authors inverted the disease metaphor at the heart of Edwards' *Gangraena* in imaginative ways in their polemics. In *A Parable* (1646), Walwyn represented Edwards in his sickbed, attended by a chorus of doctors representing Christian and civic virtues. The doctors attempted to diagnose, anatomise, and cure Edwards and, by extension, the whole Presbyterian faction in Parliament of the disease of intolerance, which caused them to vent sectarian bigotry and fear in the press.

Between 1645 and 1649, the Leveller authors Lilburne, Overton, and Wildman made extensive use of the body politic metaphor in their polemics. They used the metaphor as a polemical weapon to criticise the Presbyterian faction for domineering the Lords, the Committee of Both Kingdoms, the Westminster Assembly of Divines, the City government, and London's militia. The Levellers authors also used the body politic metaphor to outline the positive case for a written constitution based on the fundamental principles of popular

sovereignty and consent of the governed. The body politic metaphor served as a powerful didactic tool in the Levellers' discourse. It was used to simplify their complex programmes for rearranging existing social and political relations in the commonwealth and to persuade readers that supporting their political programme would heal the nation.

CHAPTER 6. ‘ALL MY BRAVE LEVELLING BULL DOGS AND BEAR DOGS’:  
FIGURATIVE ANIMALS, BEASTS, AND MONSTERS<sup>960</sup>

The Leveller authors made extensive use of animalistic, brutal, and monstrous language in their discourse. This was not a unique feature of the Leveller authors’ discourse but a perennial concern among Renaissance thinkers influenced by classical and contemporary authors. The rediscovery of classical texts such as Aristotle’s *The Politics* and Cicero’s *De Officiis* had a profound impact on early modern political thought and philosophy. The Aristotelian characterisation of man as the political animal was a mainstream view in the sixteenth and seventeenth centuries. Renaissance thinkers tended to follow Aristotle’s identification of humanity’s natural capacity for language, reason, and moral self-reflection as unique faculties setting us apart from animals. However, this Aristotelian line of thinking also introduces an ambivalence in Renaissance discourses. In *Perceiving Animals* (2016), Erica Fudge has shown that the conception of man as the ‘political animal’ was intended to draw a clear categorical distinction between humans and non-humans. However, it paradoxically served to blur the lines between them.<sup>961</sup> This ambivalence was also reflected in Cicero’s advice to the ‘Great-Souled-Man’ to refrain from using the fox’s fraud and the lions’ force.<sup>962</sup> In *The Prince* (1532), Machiavelli subverted this classical moral view, advising the prince to develop the capacity to use the fox’s fraud and the lion’s force to maintain his state.<sup>963</sup> Historians have tended to examine the philosophical and intellectual use of animalistic, brutal, and monstrous language in early modern discourse while paying comparatively less attention to its deployment in ordinary speech for polemical or propagandistic purposes.

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<sup>960</sup> Overton, *Overton’s defiance*, p.6.

<sup>961</sup> Fudge, *Perceiving Animals*, pp.137-8, 142.

<sup>962</sup> Cicero, ed. Walter Miller, *De Officiis* (London, William Heinemann, 1913), p.47.

<sup>963</sup> Niccolò Machiavelli, ed. Quentin Skinner, *The Prince* (Cambridge, Cambridge UP, 2019), p.60.

In the first section, I examine the persistent use of monstrous language in Lilburne's early anti-episcopal polemics. This millenarian vision of a monstrous Antichrist or the Beast was inspired by contemporary readings of the books of *Daniel*, *Matthew*, *Thessalonians*, *John*, and *Revelations*. Lilburne and other zealous Puritan authors, such as his role models Prynne, Bastwick, and Burton, tended to combine representations of the Beast as a seven-headed monster described in *Revelations* with a millenarian expectation that Christ would soon return to marshal the saints in a final battle against the Kingdom of Darkness. Lilburne and his contemporaries saw signs and portents of God's providential plan all around them. The Thirty Years' War on the continent, the Laudian innovations to the liturgy and forms of worship of the national church, the Bishops' Wars in Scotland, and the arrival of many thousands of Protestant refugees from Ireland in 1641 heightened millenarian expectations. Lilburne shared the commonplace view among Puritans that the English bishops were false prophets implicated in a Popish Plot to usher in the Antichrist's reign. A major contention in this chapter is that Lilburne's early texts consistently used monstrous language and depictions as a polemical weapon to associate the English bishops as agents of the Antichrist. It also served as a rhetorical tool to draw the boundaries of the moral community between an in-group of self-professed saints marshalled under Christ's banner who were preparing for a final battle against an out-group of sinners led by the Beast from *Revelations*.

The second section focuses on the Leveller authors' use of animalistic and brutal language in their discourse. It will be shown that an important distinction can be made between their representations of domesticated animals and beasts in the wilderness. This was likewise a rhetorical tool designed to set and then police the boundaries of the moral community. There was also an ambivalence in the inconsistent and contradictory ways in which the Leveller authors represented animals, such as horses and dogs. The Leveller authors frequently used equestrian imagery to criticise existing hierarchical relations between

rulers and the common people. This was often connected to the widespread historical myth of the Norman Yoke that foreign invaders had saddled, bridled, and trampled over the common freedoms of the English people. In 'Equestrian Imagery' (1988), Peter Schwartz has argued that equestrian imagery in royal portraiture functioned as a 'basic set of symbolic referents for understanding our status as political creatures'.<sup>964</sup> I build on Schwartz's research on this economy of symbolic referents by illuminating the inconsistent and contradictory ways in which the Leveller authors used equestrian metaphors and imagery in their discourse. It will be shown that the Leveller authors used various equestrian metaphors to describe the common people of England as saddled, bridled, or trodden underfoot by their rulers.

In the third section, I examine the inconsistent and contradictory references to lions and foxes in the Levellers' discourse. It will be shown that the Leveller authors frequently described anti-tolerationist polemicists as using their exclusive control over the licensing of the press and national pulpits in combination with their scholastic training in fox-like deception to trick the common people into supporting a Presbyterian church settlement and the persecution of sectaries. They also tended to figure the common people as innocent sheep surrounded by ravenous wolves. This reflected a wider rhetorical strategy to define and then police the boundaries of the moral community. It also served to identify an in-group typically figured as farm animals, such as innocent sheep or loyal guard dogs, and to define them against an out-group of opponents figured as beasts of prey, such as deceitful foxes or ravenous wolves lurking in the wilderness. The Leveller authors also deployed a variety of representations of strong lions. While the lion imagery is typically associated with regal majesty, the Leveller authors inverted this conventional association by figuring the saints as innocent lambs that, once provoked, would transform into ferocious lions.

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<sup>964</sup> Schwartz, 'Equestrian Imagery', pp.653-4.



The fourth section is concerned with the Leveller authors' adaptations of popular fables for polemical purposes. Fables and folktales typically serve a didactic purpose by imparting moral lessons to readers in an entertaining way. The Leveller authors adapted classical and medieval fables to impart moral lessons to readers in an entertaining and accessible way. In *Divine Observations* (1646), Overton adapted a story from the Reynard the Fox cycle as part of his Marpriest series. Reynard the Fox was a fictional character from the Middle Ages who sought to deceive and then eat the other animals in an imaginary kingdom. Similarly, in *An Antidote Against Master Edwards* (1646), Walwyn used Aesop's *The War Between the Sheep and the Wolves* as a vehicle for political commentary on the dangers posed to the common people by the ongoing peace negotiations between the Presbyterian faction and the King. Walwyn figured the Presbyterian faction as ravenous wolves that wanted to conclude a peace treaty with the King, secretly intending to purge the Independents from Parliament, disband the army, and metaphorically devour the sheep-like common people.

The final section examines the three polemics in Overton's bull-baiting series of 1649. Fudge pointed out that Overton anticipated a post-millennium transformation in human and animal nature.<sup>965</sup> In *Overtons Defyance* (1649), he figured Cromwell as the biblical Bull of Bashan with pox-infected genitals. This passage offended the movement's supporters. Overton responded to his critics in *The Baiting of the Great Bull of Bashan* and again in *A New Bull-Bayting* (1649). He went on to figure the Levellers as bullfighters directing teams of dogs to maul Cromwell to death. These imaginative bull-baiting scenes warned readers that Cromwell was a tyrant and urged them to demand that the Rump Parliament enact a settlement based on the *Agreement of the Free People of England* (1649). Through his uncivil language and imagery of tearing claws and stampeding hooves, Overton encouraged readers to transform themselves from servile beasts of burden to democratic animals.

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<sup>965</sup> Fudge, *Perceiving Animals*, p.143.

### Imagining the Beast

Millenarian expectations that the Beast would initiate the end times ran high in English public discourse in the early decades of the seventeenth century. Adrian Streete has argued that ‘the development of a flexible apocalyptic and anti-Catholic discourse [was] closely attuned to political tensions within the state’.<sup>966</sup> The outbreak of the Thirty Years’ War between Catholic and Protestant countries in Europe, in conjunction with Laudian innovations taking place in the national church and its persecution of religious nonconformists, amplified millenarian rhetoric among English commentators who saw these external and internal events as harbingers of the end times. It was widely believed among contemporaries that a cosmic struggle between the forces of Christ and the Antichrist was underway. English Puritans came to see themselves as fighting under the banner of Christ, while their opponents were frequently represented as agents in an international Popish plot to restore Roman Catholicism in England. The Pope was regularly figured as the chief agent of the Antichrist or the Beast who wanted to murder all Protestants and destroy Christendom. This millenarian strand of thought saw a commingling of the end-time prophecy found in *Revelation* with existing anti-episcopal and anti-Catholic sentiments. This fraught political context between the Laudian church government and millenarian Puritans led to the debut of the future Levellers as propagandists and polemicists. Many of their earliest works offer a millenarian vision of the Beast which was bound up with their anti-episcopal politics.

Lilburne’s *A Light for the Ignorant* (1638) was filled with references to *Revelations* and works authored by the three living martyrs of Laudian persecution. In it, he combined a millenarian expectation of the end times with vivid descriptions of the Beast and anti-

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<sup>966</sup> Adrian Streete, *Antichrist and the Whore in Early Modern England: Cultures of Interpretation* (Cambridge, Cambridge UP, 2017), p.24.

episcopal rhetoric. Drawing on *Revelations*, Lilburne professed his allegiance to Christ, who ‘[riding] upon the white Horse’ would defeat the Beast on the spiritual battlefield. Lilburne pointed out that the Beast’s ‘Kingdome [of Darkness] is momentary, and his [Christ’s] is Everlasting’.<sup>967</sup> This apocalyptic vision of the final battle between Christ and the Beast from *Revelations* was then wound up into a denunciation of the calling and profession of the English bishops. Lilburne had learned from reading Prynne, Bastwick, and Burton that the authority of the English bishops was descended from the Pope, who was himself in league with the Beast to bring forth the Kingdom of Darkness. *A Copy of a Letter* (1640) expanded on this cross-interaction between millenarian, anti-Catholic, and anti-episcopal rhetoric. Lilburne asserted that ‘the Beast (which is the Pope, or Roman State and government) hath given to him [Archbishop Laud] by the Dragon (the Devill) his power and seate, and greate authoritie’; therefore, the Church of England was engaged in a cosmic battle against Christ.<sup>968</sup> Lilburne went on to project this millenarian vision from *Revelations* onto contemporary events and autobiographical details from his trial at the Star Chamber. Lilburne refused to swear the *Ex officio* oath, insisting, ‘I will [never] take it though I be pulled in pieces with wilde horses as the ancient Christians were by the bloody Tirants’.<sup>969</sup> This rhetorical tactic was designed to equate his persecution with those of early Christians in the Roman empire. Moreover, Lilburne intended to draw a connection in the minds of readers between the practices of the English bishops and the Roman Catholic Church,

For do not their [the English bishops’] daily practices and cruell burdens, imposed on all sorts of people, high and low, rich and poore: witness that their discent is from the Beast part of his {the Pope’s] State and Kingdome.<sup>970</sup>

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<sup>967</sup> Lilburne, *A light for the ignorant*, p.17.

<sup>968</sup> Lilburne, *A copy of a letter*, p.14.

<sup>969</sup> Lilburne, *A worke of the Beast*, p.13.

<sup>970</sup> Lilburne, *A worke of the Beast*, p.15.

Returning to *Revelations*, Lilburne reminds his readers to reject ‘the Beast and his Image’, which at this point was bound up with anti-Catholic and anti-episcopal sentiment, because receiving the mark of the Beast would incite God’s wrath.<sup>971</sup>

In *The Poore Mans Cry* (1639), Lilburne compared the Beast from *Revelations* to animals and humans. This distinction between the Beast and animals served as a backdrop for the articulation of a critique of the English bishops. Lilburne observed, ‘look how Beasts do exercise all kinde of cruelty, and no favour is to be expected from them’ because animals lack a conception of justice and moral restraint.<sup>972</sup> According to Lilburne, ‘so it is with the inhuman Prelates’ whose daily oppressions of the common people revealed them to be no better than cruel beasts.<sup>973</sup> Lilburne elaborated further, asserting that the ‘beast-like doings... of these Wolves [the English bishops]’ are revealed by the fact that they ‘will give soe much monie’ to devour ‘one poore sheep [English subject]’.<sup>974</sup> Lilburne likened the English bishops to wolves who would spare no expense to devour a single sheep or Englishman in the prerogative courts. While attempting to distinguish humans, beasts, and the Beast, Lilburne simultaneously blurred the line by comparing the bishops to wolves and the common people to sheep. In this brutal metaphor, the kingdom was figured as a pasture wherein English subjects, whom Lilburne represented as sheep, were surrounded by a wilderness inhabited by ravenous wolves. This representation of the innocent English subjects as sheep was inspired by a passage in the scripture wherein John the Baptist saw Christ and exclaimed, ‘Behold, the Lamb of God’.<sup>975</sup> This brutal metaphor drew out a complex set of correspondences that combined millenarian, anti-Catholic, and anti-episcopal rhetoric. Lilburne argued that the authority of the English bishops descended from the Beast and Pope and then likened the

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<sup>971</sup> Lilburne, *A worke of the Beast*, p.17.

<sup>972</sup> Lilburne, *The poore mans cry*, unnumbered page.

<sup>973</sup> Lilburne, *The poore mans cry*, unnumbered page.

<sup>974</sup> Lilburne, *The poore mans cry*, p.14.

<sup>975</sup> KJV, *John* 1:29.

English bishops to ravenous wolves. These beasts were figured as lurking in the wilderness outside the boundaries of the godly moral community. In contrast, the pasture-like kingdom of England was inhabited by innocent sheep-like English subjects who were, in turn, associated with Christ.

In *The Justification of the Independent Churches of Christ* (1641), Katherine Chidley echoed this anti-Catholic and anti-episcopal rhetoric. In chapters thirteen and fifteen of *Revelations*, ‘both these beasts [the Antichrist and the Pope] are mentioned... which is even here in England amongst us’.<sup>976</sup> Chidley explained, ‘the beast [the Antichrist] gave a spirit, and also gave it power that it should speake, and cause as many as would not worship the Image of the beast to be killed’.<sup>977</sup> Chidley interpreted these passages as the Beast imparting its spirit to the Pope, who then passed it on to the English bishops. This interpretation was premised on the Aristotelian notion that the capacity for language differentiated humans from animals and other creatures. However, the Beast had the power to grant his creatures the ability to speak. This overturned the natural distinction between man and animal, deceiving mankind into worshipping his image. Thus, according to Chidley, it was incumbent upon the godly to identify and reject these false prophets, whom she saw as the Pope and the bishops. Chidley went on to encourage the godly to separate themselves from the Church of England on the grounds that it was a false church governed by unnatural creatures in league with the Beast. She described how the godly would muster under the banner of Christ and ‘follow after him riding upon white Horses... [because] Gods servants are the strength & glory of the Kingdome: for even as the prophets were the Chariots and Horsemen of Israel’, so too shall they defeat the Beast and his creatures from the Kingdom of Darkness.<sup>978</sup>

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<sup>976</sup> Chidley, *The justification*, p.49.

<sup>977</sup> Chidley, *The justification*, p.49.

<sup>978</sup> Chidley, *The justification*, pp.11, 70.

## Domesticated Animals

Over subsequent years, the leading Levellers evoked the myth of the Norman Yoke in their rhetoric that the English people had become like domesticated animals since the loss of their native birthright. This process of domestication, according to the Levellers, began with the Norman Conquest of 1066, when the freeborn inhabitants of England fell victim to foreign predators. Christopher Hill has identified the Norman Yoke as a foundational myth among historians of the seventeenth century and the Levellers.<sup>979</sup> According to Hill, the Levellers and their contemporaries saw the Norman invasion as a watershed moment in English history, wherein foreign invaders usurped the native rights and liberties enjoyed by subjects under Anglo-Saxon rulers and established a new tyrannical regime. While the myth of the Norman Yoke was backwards looking, it could also serve as a way of looking forward to the restoration of that lost birthright. Rachel Foxley has shown that the Levellers were divided on whether the *Magna Carta*, *Petition of Right*, and other statutes had partially restored England's birthright or not.<sup>980</sup> Lilburne interpreted the *Magna Carta* as foundational to the rights and liberties of freeborn Englishmen. In contrast, Walwyn saw it as containing only part of the rights and liberties of the English people and, ultimately, a concession that hindered, rather than aided, the recovery of their lost birthright. The Eleven Years' Tyranny of Charles I, the Laudian persecution of religious nonconformists, and subsequent encroachments on the rights and liberties of English commoners by the Lords, Commons, and Council of State saw a consensus emerge among the Levellers that the oppression of the

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<sup>979</sup> Christopher Hill, *Intellectual Origins of the English Revolution – Revisited* (Oxford, Oxford UP, 1997), p.362; this chapter is not included in earlier editions of the text. It was first published in 1965 and reprinted in 1966 by Oxford UP and later by Panther Books in 1972.

<sup>980</sup> Rachel Foxley, “‘More precious in your esteem than it deserveth’?: *Magna Carta* and seventeenth-century politics”, in ed. Lawrence Goldman, *Magna Carta: history, context and influence* (London, University of London Press, 2018), p.72.

English people under a Norman Yoke persisted in their own time. The Levellers developed a flexible rhetoric in which they represented forced government using equestrian metaphors to argue that since 1066, the freeborn English people had been transformed into domesticated animals saddled, trodden underfoot, and spurred by old and new tyrants alike.

One of the most prominent visual metaphors used to explain forced government was through depictions of the common people being saddled by their rulers. In *The Nativity of Sir John Presbyter* (1645), Overton decried the Presbyterian faction, the Committee of Both Kingdoms, and the Westminster Assembly of Divines as threats to the freedoms of the common people. Overton used the Martin Mar-Priest persona as a mouthpiece to raise the alarm,

[Sir John Presbyter] shall set the Kings or Rulers against the people, and the people against their Rulers, causeth all the Rulers, Officers, Magistrates, yea the Parliament it self, to sit whole weekes in consultation which way to sit the Beast on horseback, that he may ride to the Devill.<sup>981</sup>

In this passage, Overton combined many of the discourses I have already touched on. The Presbyterian politicians and divines on the Committee of Both Kingdoms and Westminster Assembly were attempting, according to Overton, to divide the common people from ‘the Rulers, Officers, Magistrates’, and their chosen representatives in Parliament. Meanwhile, through ‘whole weekes in consultation’, they sought to ‘sit the Beast on horseback’, suggesting that the malignant party in Parliament was plotting to saddle the common people and trod their fundamental rights and liberties underfoot as the Beast rode them to the Devil.<sup>982</sup> Overton combined the millenarian discourse of the Beast with anti-Presbyterian rhetoric in an equestrian metaphor designed to explain to his readers the imminent dangers

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<sup>981</sup> Overton, *The nativity*, p.21.

<sup>982</sup> Overton, *The nativity*, p.21.

faced by the common people. The claim that the Presbyterian party wanted to ‘sit the Beast on horseback’ was intended to shock the reader by likening the common people to horses. He also used this equestrian metaphor to imagine the Beast from *Revelations* riding atop the common people, warning that by throwing off one rider, the King, they risked being saddled anew by Sir John Presbyter and the Beast.

In *Martin’s Eccho* (1645), Overton adapted the equestrian metaphor in yet another denunciation of the Presbyterian divines. It featured the Martin persona asking the Presbyterian divines, ‘be ye mounted upon your great Coach-Horses, which trundle you to and fro from London to Westminster; [to] mount all your New Cannons?’<sup>983</sup> The Presbyterian divines were here depicted as riding in luxurious coaches to and fro from London to Westminster, where they sat in Parliament and on committees tasked with reforming the official liturgy of the Church of England. The reference to them mounting ‘New Cannons’ was an allusion to the Directory for Public Worship, which replaced the *Book of Common Prayer* in 1644.<sup>984</sup> The *New Directory*, as it was commonly referred to, was implicitly being compared to the infamous canons issued by the English bishops a few years earlier. A further implication was that members of the Westminster Assembly of Divines were physically distancing themselves from the common people by riding in fine coaches and then saddling them with new canons, impinging on their freedom of conscience. Overton went on to use the Martin persona to call on the common people whom he figured as the ‘horsemen and Chariots of Israel’ and, as referred to by Chidley above, to drive the ‘black Regiments’ of Presbyterian divines back into the political wilderness.<sup>985</sup>

Lilburne also made extensive use of an equestrian metaphor to denounce supporters of the Presbyterian faction in Parliament. In *An Answer to the Nine Arguments* (1645), he

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<sup>983</sup> Overton, *Martin’s eccho*, p.8.

<sup>984</sup> Overton, *Martin’s eccho*, p.8.

<sup>985</sup> Overton, *Martin’s eccho*, p.8.



challenged the notion that because some of the self-professed saints were Presbyterian, the reformed Church of England was a true church. Lilburne countered this mainstream opinion with an equestrian metaphor,

So you see how erroneous, rotten, insufficient & unsound all your grounds & arguments are in the lying downe of which, like a blind horse in a mill, about & about, and still come to the same place, where you begun...<sup>986</sup>

Lilburne chastised those who believed the Church of England had become a true church again because it was reformed by saints. The premises of their argument were ‘erronious, rotten, insufficient & unsound’; therefore, they had drawn a false conclusion in asserting that it was a true church.<sup>987</sup> Lilburne also pointed out that the supporters of these Presbyterian reforms to the national church used this false conclusion as a cudgel against all other denominations whom they accused of being promoters of false doctrines. According to their logic, the supporters of Presbyterianism would be forced to concede that the Roman Catholic Church was also a true church, a conclusion that Lilburne and his opponents considered categorically impossible. Lilburne asserted that like a ‘blind horse’ circling a millstone, the supporters of Presbyterian reformation of the church were more motivated by fear of the proliferation of Independent and separatist congregations than they were motivated to defend liberty for tender consciences.<sup>988</sup> Their fear had led to a policy of religious persecution of nonconformists, which made the national church under their governance a false ecclesiastic state differing in structure rather than substance from the Roman Catholic Church and the episcopal church that preceded it.

An equestrian metaphor also featured prominently in Lilburne’s *The Charters of London* (1646). The point of the work was to outline the ‘naturall, rationall, national, and

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<sup>986</sup> Lilburne, *An answer to the nine arguments*, p.31.

<sup>987</sup> Lilburne, *An answer to the nine arguments*, p.31.

<sup>988</sup> Lilburne, *An answer to the nine arguments*, p.31.

legal liberties, and freedoms' of the inhabitants of London. To do so, Lilburne evoked the biblical story of Naboth's vineyard.<sup>989</sup> According to Lilburne, 'our prerogative masters of London have made us slaves and vassals to their wills and pleasures: by meanes of which they do lay oppressions and burdens upon us, able to breake the backs of Pack-Horses themselves'.<sup>990</sup> The prerogative masters referred to the liverymen, guild masters, and common councillors whom Lilburne compared to King Ahab, who sought to dispossess Naboth of his paternal inheritance. In this mixed metaphor, Lilburne represented the common people, much like Naboth, as pack horses whose backs were broken under the burdens of excessive taxation and monopolies laid on top of them. However, the equestrian metaphor, in combination with the allusion to the story of Naboth's vineyard, also sheds light on the positive case for the inhabitants of London to retrieve their lost birthright. Lilburne saw the charters, ordinances, and statutes of the City of London as an inheritance to which all freeborn Englishmen were entitled. Rather than restricting this birthright to freemen, Lilburne saw it as an inheritance of all denizens of London. Lilburne argued that right reason would reveal the fundamental precepts of divine and natural law. In Lilburne's retelling of the parable in which King Ahab sought to dispossess Naboth of his vineyard, Naboth exclaimed: '*the Lord forbid it me, that I should give (or part with) the INHERITANCE OF MY FATHERS UNTO THEE*'.<sup>991</sup> Similarly, Lilburne argued that the 'prerogative masters of London' sought to dispossess the inhabitants of the City of their fathers' inheritance. They did so through encroachments on their rights to choose their common councillors and elect the Lord Mayor, as well as issuing patents and monopolies that harmed the trade of petty artisans and journeymen. Furthermore, by keeping charters, statutes, and ordinances inaccessible in the Tower of London, untranslated from their original Latin and French, they deprived the

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<sup>989</sup> John Lilburne, *The charters of London* (London, 1646), p.1.

<sup>990</sup> Lilburne, *The charters of London*, p.1.

<sup>991</sup> Lilburne, *The charters of London*, p.1.

common people of the benefit of the law. These myriad abuses and encroachments on the birthright of Londoners had transformed them into beasts of burden no different than slaves or villeins to their ‘prerogative masters’, who illegally deprived them of their inheritance like King Ahab did Naboth of his vineyard.

In *A Defiance Against All Arbitrary Usurpations* (1646), Overton employed an equestrian metaphor to build on his prior statement that the common people were divided by their ‘Rulers, Officers, Magistrates, yea the Parliament it self’ and Lilburne’s assertion that the ‘prerogative masters’ in the City were encroaching on their native birthright.<sup>992</sup> Overton lamented that ‘those ignorant deceived souls run on, and, like horses, furiously rush into battell whether right or wrong’, rather than considering what was best for the ‘publick-weal, and safety’ of the kingdom or endeavouring for ‘the removall of oppressions, and tyrannies, oppressors and tyrants old or new’.<sup>993</sup> Overton represented the common people as stalking horses deceived by the Presbyterian faction into galloping headlong from battle to battle. These stalking horses were empowering the Presbyterian party in Parliament, the City government, and the church to further encroach on their native birthright. It followed, according to Overton, that under these conditions, the supporters of the Presbyterian party were no more or less capable of assessing the justice of their cause than a war horse can make sense of the cause for which its rider fights when commanded to charge headlong into battle. Overton then called on the common people to throw off ‘tyrants new or old’ from their backs and to entrust their safety to their chosen representatives in the “Body of the Commons’.<sup>994</sup>

Overton anticipated a problem with his advice to the common people in *Vox Plebis* (1646).<sup>995</sup> Many sitting members of Parliament, according to Overton, were ‘Horse-Leeches

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<sup>992</sup> Overton, *The nativity*, p.21; Lilburne, *The charters of London*, p.1.

<sup>993</sup> Overton, *A defiance*, p.4.

<sup>994</sup> Overton, *A defiance*, p.4.

<sup>995</sup> The pamphlet *Vox Plebis* was published anonymously; however, it is attributed to Richard Overton on Early English Books Online (EEBO). David R. Adams pointed out that it was

of the Common-wealth, who hang upon the limbs of it, and will continue sucking out the blood of the poore Countries, till their bellies are full'.<sup>996</sup> In this equestrian metaphor, Overton figured the commonwealth as a horse whose blood was being sucked by members of Parliament, here represented as leeches. Overton warned his readers to agitate against these 'unprofitable vermin' in Parliament who 'fall off your service, to their own ruse'.<sup>997</sup> Overton went on to recommend a passage from Clement Edmund's *Caesars Commentaries* as a solution to the problem of factionalism and the pursuit of narrow self-interest by representatives. The strength of the Roman Republic, according to Overton's paraphrasing of Edmunds, was a result of maintaining virtue and a sense of justice among its citizens and rulers alike. In a commonwealth, it was, therefore, more important to punish misdeeds than to reward good deeds.<sup>998</sup> Likewise, the English people must learn to imitate the citizens of ancient Rome by punishing their chosen representatives for encroaching on rights and liberties. This suggestion that the cultivation of civic virtue and a sense of Roman justice among the common people were prerequisites for securing a lasting peace was bound up with Overton's rebuke to the common people for allowing themselves to become beasts of burden.

Lilburne echoed this sentiment in the first part of *London's Liberty in Chains Discovered*. In a discussion of factionalism in Parliament, Lilburne asserted that '[the only thing] worse then high-waymen, pick-pockets, & horse-breakers' were members of the Presbyterian faction 'who now would fain transform your selves into Angels of light, like your old wicked Father [the Devil],... and zealous Covenanters, which would make you [the Presbyterian party] stalking horses to disenfranchise all honest and tender conscience

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'mostly written' by Henry Marten with major contributions by Richard Overton while he was imprisoned in Newgate at the time; see. Adams, *The Religion of Richard Overton*, p.139.

<sup>996</sup> Overton, *Vox plebis*, p.61.

<sup>997</sup> Overton, *Vox plebis*, p.61.

<sup>998</sup> Overton, *Vox plebis*, p.61.

men'.<sup>999</sup> Lilburne argued that the Scottish Covenanters were worse than 'high-waymen, pick-pockets, & horse-breakers' for transforming the Presbyterian party in Parliament into their 'stalking horses'.<sup>1000</sup> Lilburne went on to accuse the Presbyterian members of Parliament of feigning to restore freeborn Englishmen to their native birthright, however, their true design was to disenfranchise 'all honest and tender conscience men' who opposed them.<sup>1001</sup>

A year later, Lilburne reiterated these claims in *The Oppressed Mans Oppression*. Lilburne asserted, 'in my judgement [the Presbyterian faction is] a good stalking horse for their [the Covenanters'] practice in the Assembly of Dry-vines [Divines]'.<sup>1002</sup> A shift in rhetorical tactics occurred between these two works. In the former, Lilburne laid out how the Covenanter had transformed the Presbyterian party into its stalking horse and how both endeavoured to deceive the common people into betraying their own inheritance. In the latter, Lilburne presented his case before the Lords as representative of the plight faced by all commoners. Lilburne went on to explain the design to disenfranchise the common people using an equestrian metaphor, saying, 'the freest horse or horses in the world, with continually riding, thay not only be [wearied], but also jaded and tyred'.<sup>1003</sup> This slippage from the 'freest horse' to 'horses' signalled the rhetorical shift from a discussion of his case to the threat that the Covenanters and the Presbyterian faction posed to the common freedom of the English people. The political message here was that the Presbyterian faction in Parliament and Covenanters were riding the freeborn people of England to the point of exhaustion.

Meanwhile, the negotiations for a personal treaty with the King became a major point of contention between the Presbyterian faction in Parliament and the Scottish Covenanters. The Independent faction in Parliament opposed a Presbyterian-negotiated settlement with the

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<sup>999</sup> Lilburne, *London's liberty*, p.38.

<sup>1000</sup> Lilburne, *London's liberty*, p.38.

<sup>1001</sup> Lilburne, *London's liberty*, p.38.

<sup>1002</sup> Lilburne, *The oppressed mans oppression*, p.22.

<sup>1003</sup> Lilburne, *The oppressed mans oppression*, pp.25-6.

King on the grounds that they would restore his prerogative rights in exchange for a synodical church settlement. In *Regall Tyrannie Discovered* (1647), Lilburne drew on passages in *Deuteronomy* to warn the common people and Independent parliamentarians alike against accepting a Presbyterian-negotiated peace with the King. Lilburne drew an analogy between the ancient Israelites requesting a monarchical form of government and the imminent return of the King to his throne. Lilburne paraphrased *Deuteronomy 17:14-20*, wherein God granted the Israelites permission to change their form of government. God decreed that ‘he [the King] shall not multiply horses to himself, nor cause the people to returne to Egypt... (that is to say, [they] shall be no more slaves)’.<sup>1004</sup> This injunction against the king of Israel multiplying horses to himself at the expense of Israelites was deployed as a criticism of the proposed return of the King. In the 1630s, King Charles I used his prerogative right to circumvent Parliament on a range of issues, including the granting of supply and tonnage, free-gifts, monopolies, ship money, violating parliamentary privilege by attempting to arrest five members in January 1642, and then levying war against Parliament in August. Lilburne argued that God's injunction in *Deuteronomy* bound all Kings thereafter from exercising an arbitrary will over the common people as Charles I had done. Whether it was the King of the ancient Israelites or the King of England, the dispossession of the common people of life, liberty, or estates transformed them from free people into a condition of bondage. Lilburne and many of his contemporaries held the opinion that to be subjected to the arbitrary will of another was to be a slave, and, by extension, to be in bondage was to be alienated from the rest of mankind and would bring about a transformation in one's status as a *liber homo* to that of a slave or animal. In the passage from *Deuteronomy* mentioned above, God has placed an injunction on the King of the Israelites to not return them into Egyptian

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<sup>1004</sup> Lilburne, *Regall tyrannie*, p.8.

bondage, and so it followed for Lilburne that a peace treaty with Charles I without a limit set on his prerogative right would be to deliver the common people of England into slavery.

Lilburne went on to combine the above commentary on *Deuteronomy* with an equestrian metaphor to warn Parliament and the common people about the dangers of the ongoing peace negotiations. The Presbyterian factions in Parliament, ‘their associates, and confederates’, according to Lilburne, had caused the war. However, they initiated it ‘not for any love to the Liberties of England though that was their pretence, but meerly out of malice to the reigning and ruling party at Court’.<sup>1005</sup> This explanation of the outbreak of war as caused by members of the parliamentary opposition attempting to acquire great office and positions in the Stuart Court was a view shared by many revisionist historians.<sup>1006</sup> However, for my purposes, the critical aspect was that Lilburne sought to expose the gap between the rhetorical justifications that the Presbyterian politicians and controversialists used to persuade the common people of England to support them once the Civil War broke out and their true design, which had been to oust the Court party in Parliament to acquire great offices and patronage for themselves. Lilburne continued that the Presbyterian party’s ‘utmost desire was to unhorse [the magnates and favourites in the Court party]’ rather than defending the rights and liberties of the English subject or the constitutional privileges of Parliament. The Presbyterian faction in Parliament had not intended to cause a civil war, however, once a war had been officially declared on 22 August 1642, they used it as a pretext to ‘get into the saddle and ride & raigne, and rule like Tyrants themselves’ over the common people.<sup>1007</sup>

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<sup>1005</sup> Lilburne, *Regall tyrannie*, p.44.

<sup>1006</sup> Paul Christianson, ‘The Peers, the People, and Parliamentary Management in the First Six Months of the Long Parliament’, *The Journal of Modern History*, vol.49, no.4 (1977), pp.575-90; Clayton Roberts, ‘The Earl of Bedford and the Coming of the English Revolution’, *The Journal of Modern History*, vol.49, no.4 (1977), pp.600-9; William G. Palmer, ‘Oliver St. John and the Middle Group in the Long Parliament, 1643-1645: A Reappraisal’, *Albion: A Quarterly Journal Concerned with British Studies*, vol.14, no.1 (1982), pp.20-1.

<sup>1007</sup> Lilburne, *Regall tyrannie*, p.44.

Lilburne repeated this account of the outbreak of the war in *The Juglers Discovered* (1647), as well as the allegation that the leaders of the Presbyterian faction in Parliament were acting as stalking horses for the Scottish Covenanters by undertaking peace negotiations to ‘attaine your own ends, (of present power, and the future expected honour and profit, to suck the people dry, and make them slaves)’.<sup>1008</sup> *The Juglers Discovered* and the *Plaine Truth Without Fear* were published in 1647, while Lilburne was imprisoned in the Tower by the Lords for framing, authoring, and publishing seditious pamphlets. Lilburne addressed these two works to Sir Thomas Fairfax and the New Model Army, who at the time were sympathetic to his plight and politically aligned with his friends among the Independent faction in Parliament. In *Plaine Truth Without Fear* (1647), Lilburne urged the Grandee officers of the army to undeceive themselves about the ‘treasonable designes and practices’ of the Presbyterian faction and ‘not suffer themselves nor the Country to become their vassals and packhorses’.<sup>1009</sup> Lilburne went on to denounce specific army officers such as Colonel Graves, whom he compared to a pride-filled toad, alongside Presbyterian members of the Lords responsible for his false imprisonment. Lilburne accused Sir Philip Stapleton of persecuting him out of imagined fear of a religious fanatic hiding behind every bush and hedge. Lilburne went on to decry Stapleton as a ‘gaviled horse [that] hath no patience when his sore is rubbed... for he hath good skills in horse flesh’.<sup>1010</sup> Furthermore, he said of Stapleton that ‘you keep the King under restraint’ in secret peace negotiations with him, ‘[and yet] with-hold him from the execution of it, and doe not satisfie the world wherefore ye do it’.<sup>1011</sup> Stapleton and the other members of the Presbyterian faction in Parliament, Lilburne explained, were like dogs in a manger that ‘neither let the horse eat the hay, nor eat it himself:

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<sup>1008</sup> John Lilburne, *The juglers discovered* (London, 1647), p.11.

<sup>1009</sup> Lilburne, *Plaine truth*, p.12.

<sup>1010</sup> Lilburne, *Plaine truth*, p.19.

<sup>1011</sup> Lilburne, *Plaine truth*, p.21.



ye will neither admit the King to do justice, and redresse our greivances, nor will yee your selves'.<sup>1012</sup> In this extended animal metaphor, Lilburne represented the nation as a starving horse. The Lords were represented as the dogs preventing the horse from eating because they could not eat the hay themselves, suggesting that the peace negotiation with the King would secure the dominance of the Presbyterian party in government but not deliver justice.

In *The Bloody Project* (1648), Walwyn urged the Commons to declare itself 'the sole Representative of the people' in an apparent rebuke to the Lords.<sup>1013</sup> Walwyn called on the common people to recognise that 'you are a free people, and are not to be pressed or enforced to serve in wars like horses and brute beasts'.<sup>1014</sup> This claim that the common people had a right not to be impressed into military service was designed in part to appeal to the soldiers of the New Model Army, who frequently listed impressment as one of their political grievances. Walwyn went on to acknowledge, as Overton had done before him, that some members of the Commons would betray the trust placed in them by the common people by attempting to deprive them of their dignity and status as freeborn Englishmen by transforming them into brute beasts.<sup>1015</sup> Walwyn echoed Lilburne's earlier statement that the common people can discover the precepts of divine and natural law using their right reason. He advises readers to 'use the understanding God hath given you, in judging of the Cause' that members of Parliament present them with as justification for taking up arms.<sup>1016</sup> This reflected Walwyn's belief that everyone must consult their conscience and reason rather than unreflectively following the commands of their superiors. The Leveller authors used equestrian metaphors as a rhetorical technique to simplify their criticisms of parliamentarians for attempting to transform the freeborn Englishmen into obedient beasts of burden analogous to slaves.

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<sup>1012</sup> Lilburne, *Plaine truth*, p.21.

<sup>1013</sup> William Walwyn, *The bloody project*, (London, 1648), p.10.

<sup>1014</sup> Walwyn, *The bloody project*, p.10.

<sup>1015</sup> Overton, *The nativity*, p.21.

<sup>1016</sup> Walwyn, *The bloody project*, p.10; Lilburne, *The charters of London*, p.1.

### Bold Lions and Subtle Foxes

Lions and foxes were featured prominently in works from the ancient to the early modern period. Aesop's fables were meant to impart moral lessons to their readers. They also featured prominently in medieval bestiaries, popular fables, and scripture. A well-known example of this was in *The Prince* (1532), where Machiavelli advised princes to learn how to imitate the lion's force and the fox's fraud to maintain control of the state. This advice in the 'mirror of princes' genre of early modern literature scandalised readers because it overturned the Ciceronian consensus since ancient times that princes and rulers should avoid these brutal qualities. However, the evocation of the figures of the forceful lion and subtle fox was not exclusive to political manuals during the early modern period. Lilburne's evocation of lions and foxes was influenced by stories found throughout the Bible, which he used as commentary on contemporary politics. Overton adapted a Reynard the Fox fable in one of his Martin Marpriest pamphlets. The Reynard the Fox fables tended to embrace the fox's cunning as its eponymous protagonist hunted, tricked, killed, and almost always escaped justice for devouring the other animals in the make-believe kingdom. Overton departed from the original source material by having Reynard apprehended and brought to justice.

In *Come Out of Her My People* (1639), Lilburne figured the English bishops as devouring wolves and subtle foxes. While recounting his suffering as a living martyr of Laudian persecution, Lilburne wrote, 'these devouring wolves... & craftie subtile foxes... have hunted and thirsted after my blood', however, he stubbornly remained alive to denounce them in the press.<sup>1017</sup> The reference to 'devouring wolves' was inspired by *Matthew 7:15*, in which false prophets were likened to wolves in sheep's clothing. Wolves were known for their ravenous appetites and were frequently depicted as stalking their prey in the wilderness.

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<sup>1017</sup> Lilburne, *Come out of her*, p.32.

The use of a disguise to conceal its bloodthirsty intentions toward the sheep was mirrored in the pretence of holiness concealing the underlying reality of thirsting for the blood of the saints. The implication was that the bloodthirstiness of the English bishops placed them outside of the moral community. In the latter reference to ‘craftie subtile foxes’, Lilburne was alluding to *Ezekiel 13:14*, wherein the false prophets among the ancient Israelites, while they were lost in the Saini desert, were described as foxes.<sup>1018</sup> A further implication was that the English bishops had likewise violated the second commandment against the worship of false gods and the making of graven images. This recalled the argument above that the English bishops were part of an international Popish plot orchestrated by the Beast.<sup>1019</sup> Lilburne drew on biblical passages to represent the English bishops as bloodthirsty wolves and subtle foxes. The overarching message was that the English bishops were false prophets whose brutal qualities gave them more in common with wolves or foxes than the saints.

Lilburne’s evocation of the wolves and foxes in his anti-episcopal rhetoric was anthropomorphic as it attributed the human qualities of bloodthirstiness to wolves and craftiness to foxes. However, it was also zoomorphic due to its projection of these qualities onto the English bishops. Furthermore, Lilburne went on to declare his resolve to oppose the English bishops through an allusion to *Judges 15:4* and the story of Samson,

For I verilie believe if you should send me thither, I shall there finde Christ, which by his spirit will unfold the Revelation unto me, and then I would write it and send it abroad into the world, and it would vex you as ill, as Sampson did the Philistims, & prove as fatall to your decaying, tottering, spirituall Babilonian Antichristian

Kingdome, as his Foxes with fire-brands at their tailles, were to Philistims Corne.<sup>1020</sup>

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<sup>1018</sup> Lilburne, *Come out of her*, p.32.

<sup>1019</sup> Lilburne, *A light for the ignorant*, p.17; *A copy of a letter*, p.14; *A worke of the Beast*, p.13; *The poore mans cry*, unnumbered page.

<sup>1020</sup> Lilburne, *Come out of her*, p.34.

The reference to foxes with firebrands on their tails referred to the story of Sampson, who avenged himself against the enemies of the ancient Israelites, the Philistines, for burning down his father-in-law's house. Samson trapped three hundred foxes and set them loose in the Philistines' corn fields with torches attached to their tails. As the foxes scattered across the corn fields, it was set ablaze, and the Philistines were left to starve. Lilburne fashioned himself as a Samson-like hero among the saints who would seek revenge against his enemies. The foxes with firebrands on their tails symbolised the pen, ink, and paper with which Lilburne would metaphorically set the Philistine-like bishops' corn fields ablaze in the press.

Lilburne also referenced *Proverbs 18:10* and *Proverbs 28:1*, which read: 'the Righteous is as bold as a lyon, though the wicked fly when none pursueth'.<sup>1021</sup> The lion was associated with strength and was symbolic of regal authority, however, the lion in this biblical proverb functioned as a symbol of the boldness of spirit and righteousness of the true believer. Lilburne went on to reinforce this point using *Psalms 34:10*, which proclaimed: 'the young lion shall want & suffer hunger, but they that love and feare the Lords, shall want no good thing'.<sup>1022</sup> The implication was that Lilburne and, by extension, the saints were among the God-fearing who would want for nothing. The young lion, referring to Laud who was a young upstart within the Church of England, would suffer want and hunger. Lilburne went on to make a passing reference to the story of Daniel in the lions' den. In it, Daniel explained that God 'hath shut the lions' mouths... as before him innocency was found in me'; and, likewise, Lilburne insisted on his innocence.<sup>1023</sup> Lilburne cited *2 Timothy 4:17* wherein Paul the Apostle said to Nero during his trial: 'the Lord shall stand by me... and in due time deliver me from the mouth of the Lyon'.<sup>1024</sup> In the extended version of the mixed metaphor,

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<sup>1021</sup> Lilburne, *Come out of her*, p.6.

<sup>1022</sup> Lilburne, *Come out of her*, p.23.

<sup>1023</sup> KJV, *Daniel 6:22*.

<sup>1024</sup> Lilburne, *Come out of her*, p.23; KJV, *2 Timothy 4:17*.

the young lion-like Laud preyed on the saints, while King Charles I was unflatteringly compared to Darius the Mede and Nero. The lions in these stories were agents of regal tyranny. Lilburne drew on these stories because he believed that God would also save him.

In *Mans Mortalitie* (1646), Overton argued that the body and soul were mortal. This was a controversial thesis at a time when the consensus was that the body was mortal, while the soul was immortal. Erica Fudge has shown that Overton's claim regarding the mortality of the soul blurred the line between human and animal.<sup>1025</sup> Overton cited Pliny as an authority on the homology of faculties and qualities found among certain animals and men,

The Hare is eminent for memory, the Dog for Apprehension and Fidelity, the Serpent for Wisedome, the Fox for Subtiltie, the Dove for Chastity and Innocency, the Elephant for Docility, Modesty, and Gratitude.<sup>1026</sup>

This reflected a clear example of anthropomorphism whereby Overton used Pliny to project human qualities such as memory, apprehension, fidelity, wisdom, subtleness, innocence, docility, modesty, and gratitude onto animals which, according to conventional thinking on the topic, lacked the capacity for these qualities. However, by blurring the lines between the categories of human and animal, Overton was also implicitly admitting that humans could possess brutal qualities often attributed to animals. Overton went on to cite Ambrose Paré as confirming his idea that 'all Brutes' shared the same faculties and were made of the same mortal substance.<sup>1027</sup> According to this view, the differences between humans and animals differed only in degrees and varied more from person to person or animal to animal than between groups. Having blurred the line between what it meant to be human as opposed to an animal, Overton put forward his vision for a new mankind. Fudge has observed that Overton

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<sup>1025</sup> Fudge, *Perceiving Animals*, p.145.

<sup>1026</sup> Overton, *Mans mortalitie*, p.14.

<sup>1027</sup> Overton, *Mans mortalitie*, p.14.

undermined the categorical distinction between man and animal while simultaneously putting forward a vision that reinstated the binary categories.<sup>1028</sup>

Overton explained his vision of the new humanity that would soon emerge using biblical passages. In the reflections upon death found in *Ecclesiastes 9:1-10*, Solomon said, ‘a living Dog is better than a dead lion’.<sup>1029</sup> Overton interpreted this passage as confirmation of his theory that the soul was wholly mortal and perished with the body. The living dog in this animal metaphor was a symbol of a domesticated animal that served its master, while the dead lion symbolised a mighty beast of prey noted for its courage, ferocity, and mastery over all other animals. However, Overton interpreted Solomon as saying that to the extent that death was inevitable, it was preferable to be a living dog than a dead lion despite their differences in status. Overton continued by interpreting *Isaiah 11:7* as foreshadowing the changes God would soon bring about: ‘in the New earth the Wolf and the Lambs shall feed together, and the Lion shall eat straw like a Bullock’.<sup>1030</sup> Overton believed that there would be no more death after the millennium. Animals that devour flesh, such as lions, would feed on straw just as herbivorous animals like oxen, while wolves that would normally devour lambs would peacefully feed together. He also seemed to expect that social and political relations between humans would be turned upside down after the millennium. A further implication that Overton drew from this prophecy was that following the apocalypse in *Revelations*, there would no longer be any meaningful distinction between the categories of man and animal. However, God’s creation was made of the same mortal substance, and everything within it must return to ashes and dust. The millennium, according to Overton, would mark a watershed whereby all of creation, the world, nature, man, animal, body, and soul, would be transformed into something entirely new and immortal.

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<sup>1028</sup> Fudge, *Perceiving Animals*, pp.146, 149.

<sup>1029</sup> KJV, *Eccles.* 9:1-10.

<sup>1030</sup> Overton, *Mans mortalitie*, p.39; KJV, *Isaiah* 11:7.

Overton also evoked animals, beasts, and monsters when satirising the Presbyterians. In *The Araignment of Mr. Persecution* (1645), Overton offered a tongue-in-cheek account of the origins of Mr. Persecution, who began his career ‘under the name of Mr. Spanish-Inquisition; but the subtile Fox no sooner perceived this Authority, but shrunke out of his Roman Papall Robe, and presently turned protestant’.<sup>1031</sup> In this passage, Overton personified religious persecution and echoed the claims discussed at length above that the authority of the English bishops was descended from the Pope. This serves as a useful rhetorical device with which Overton attempted to reduce the complexity of his critique of religious persecution to simple and entertaining stories. The character Mr. Persecution was represented as a changeling who would cunningly shapeshift from ‘Mr. Spanish-Inquisition’ to ‘Roman Papall Robe’ to a Protestant to avoid discovery.<sup>1032</sup> This underscored the threefold rhetorical move whereby Overton personified the policy of religious persecution, which then underwent a zoomorphosis into a ‘subtile Fox’, later metamorphosing into a changeling that took on human form as an inquisitor, the Pope, and a Presbyterian to carry out more persecution. Disguised as a Protestant, Mr. Persecution sent ‘Heards of Tyth pigges’ among the ‘flocks of chicklings, geese, &c.’ to devour them, however, he was soon discovered by Martin Marpriest, so he ‘skipt over into a Tyth cocke, and thought all had been cocke sure’.<sup>1033</sup> The implication here was that Mr. Persecution was a shapeshifter who disguised himself as a bishop and then a Presbyterian divine, according to the direction of the political headwinds, in pursuit of tithes. When Mr. Persecution ‘perceiving that they [the common people] espy’d him, up starts the Fox, and presently fast by the Synod he caught hold on the Altar’.<sup>1034</sup>

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<sup>1031</sup> Overton, *The araignement*, p.1.

<sup>1032</sup> Overton, *The araignement*, p.1.

<sup>1033</sup> Overton, *The araignement*, p.2.

<sup>1034</sup> Overton, *The araignement*, p.2.

Having seized the pulpit from the English bishops, according to Martin, the cunning fox-like Mr. Persecution changed into a Presbyterian divine to oppress the people.

Overton's satirical origin story of the cunning fox Mr. Persecution and how he came to England to hunt tithes and birds before turning into a cuckoo bird was designed to be entertaining and to channel the angry laughter of readers toward the Presbyterians. It also functioned to convey the message that religious persecution was a common thread linking the Spanish Inquisition, the Pope, English bishops, and the Presbyterian party. Overton went on to use the Martin persona as a mouthpiece to encourage the common people of England to imitate Daniel in the lions' den, who remained steadfast in his faith despite being preyed upon by lions.<sup>1035</sup> The Presbyterian divines on the Westminster Assembly and their supporters were characterised as 'corrupt young [bear] cubs', who have had 'this Foule Spirit [of persecution] breathed into them at their consecration... which like a roaring lion seeketh whome it may devour'.<sup>1036</sup> However, Overton reminded readers that there was hope of overcoming the lion-like Presbyterian divines and their bear cubs because the spirit of the saints was like 'a Lion if enraged, a Lamb if appeased', implying that the faculties of the courageous and strong lion needed to be combined with the innocence of the lamb.<sup>1037</sup> Overton also looked forward to a transformation in human nature that would come about after the millennium; however, in the meantime, the saints needed to resist the Presbyterian party and religious persecution in all its forms. In a departure from Machiavelli, Overton recommended that the saints combine their imitation of the innocent lamb with the ferocity of a lion.

In *Divine Observations Upon the London-Ministers* (1646), Overton continued to deploy animal, brutal, and monstrous figures to denounce the persecution of religious

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<sup>1035</sup> Overton, *The araignement*, p.10.

<sup>1036</sup> Overton, *The araignement*, p.15.

<sup>1037</sup> Overton, *The araignement*, p.12.



nonconformists and put forward a vision of human nature transformed. The common people of England needed to ‘nip it [persecution] in the Bud, to crush the cockatrice in the shell’ before it could hatch.<sup>1038</sup> In this analogy, Overton likened the Presbyterian faction to a monstrous hybrid known as a cockatrice, which was figured in medieval bestiaries as a venomous bird with serpentine or lizard-like qualities. The common people would have to undergo its own brutal metamorphosis, according to Overton, ‘[to] prevent this approaching Papall Episcopal Tyranny’ from spreading the venom of intolerance throughout the body politic and infecting the minds of the multitude.<sup>1039</sup> Overton reminded his readers that an enraged conscience ‘is of a lion-like nature in its fury... [and] it is a Lambe, if appeased, and nothing more mild, more gentle and loving it is’.<sup>1040</sup> Underneath the entertaining use of animal analogies to denounce his factional enemies, Overton was repeating the suggestion that the faculties of the innocent lamb were insufficient for preventing the saints from being metaphorically devoured by their enemies. These Christian qualities of love, gentility, innocence, and meekness, which contemporaries associated with the figure of Christ as the lamb of God, needed to be combined with the ferocity and strength of a rampant lion, which Overton went on to associate with the militant Protestantism that emerged among the saints who took up arms to defend the parliamentary cause four years earlier.

Overton then explained his position through an adaptation of the Reynard the Fox fable from the Middle Ages. The Reynard tales featured a cast of anthropomorphic animals who exhibited a variety of human faculties and qualities. Its protagonist was a trickster fox named Reynard who used fraud and deceit to escape punishment for variously robbing, murdering, and devouring the other animals. Other notable characters included a wolf named

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<sup>1038</sup> Richard Overton, *Divine observations upon the London-ministers letter against toleration* (London, 1646), p.6.

<sup>1039</sup> Overton, *Divine observations*, p.6.

<sup>1040</sup> Overton, *Divine observations*, p.10.

Isengrim, a recurring antagonist in the Reynard tales, Bruin the bear, who was strong but dim, and King Noble the lion. In 1481, William Caxton published the first known English language translation of the trickster fox character in *This is the Table of the Historye of Reynart the Foxe*, which was subsequently reprinted in 1489.<sup>1041</sup> Over the next fifty years, three books of Reynard the Fox stories appeared in English print. *The Most Delectable History of Reynard the Fox* was anonymously published in 1620.<sup>1042</sup> Its popularity as a source of entertaining morality tales was reflected in its republication in 1629, 1640, 1650, 1654, 1656, 1662, 1667, 1671, and 1694.<sup>1043</sup> Overton adapted the Reynard the Fox tradition in *Vox Plebis* as a straightforward morality lesson in justice. This inversion of the Reynard the Fox tradition was in response to the warden of the Tower, John White, who penned a pamphlet in which he justified his cruel and unjust mistreatment of John Lilburne in prison.

Overton's adaptation of the Reynard story began as follows: King Noble announced a great feast for all the animals in the kingdom. It was attended by a panther, hare, and Reynard who, 'feygning great devotion', promised to teach the hare how to recite the creed so that it might advance at court, however, 'no sooner there... the Fox snapt at his throat'.<sup>1044</sup> The panther saved the hare from the jaws of death and complained to King Noble that Reynard attempted to murder the hare. Reynard's nephew Grymbard defended his uncle at the ensuing trial, wherein he delivered this speech to the jury of animals,

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<sup>1041</sup> William Caxton, *This is the table of the historye of reynart the foxe* (London, 1481; 1489).

<sup>1042</sup> Anon., *The most delectable history of reynard the fox* (London, 1620); Anon., *Here begynneth the hystoye of ranard the foxe* (London, 1494); Anon., *Reynard the fox* (London, 1525); Anon., *Here beginnith the booke of reynarde the foxe* (London, 1550).

<sup>1043</sup> A subsequent edition of *The most delectable history of reynard the fox* appeared under the title *The most pleasant and delightful history of reynard the fox* in 1681; it was reprinted under its original title in 1694 and then under the title *The most pleasant history of reynard the fox* in 1700; see Anon., *The most delectable history of reynard the fox* (London, 1620; 1629; 1640; 1650; 1654; 1656; 1662; 1667; 1671; 1694).

<sup>1044</sup> Overton, *Vox plebis*, p.53.

My Uncle is a Gentleman, and a true-man, he cannot endure falsehood, he doth nothing without the Councill of his Priest, he eateth but once a day, he liveth as a recluse, he chastiseth his body, and lives only by Almes... doing infinite penance for his sins; so that he is become pale and lean with prayer and fasting, for he would fain be in Heaven.<sup>1045</sup>

The jury seemed convinced by this defence of Reynard's good character and piety; however, Chanticleer, the rooster, entered the courtroom and accused Reynard of having eaten his daughter Coppel and Grymbard of devouring her bones. In his subsequent commentary on the Reynard story, Overton claimed, 'though that Reynard pleaded, this was done by advice of priests, and was paler and leaner with prayer and fasting, then your Lieutenant is; yet it did not excuse him', implying that White's pamphlet did not excuse his mistreatment of Lilburne while in his custody, just as Grymbard's defence of Reynard did not absolve him of participating in his uncle's crimes against the other animals. Both the Lieutenant of the Tower and White, like Reynard and Grymbard, were complicit in the cruel and unjust mistreatment Lilburne received while falsely imprisoned in the Tower and were, at that time, retroactively attempting to put a gloss on their misdeeds and cruelty to escape justice.<sup>1046</sup>

In a subsequent section of *Vox Plebis* (1646), Overton expanded on the mistreatment he and Lilburne received while falsely imprisoned in the Tower. Overton accused the Lieutenant of the Tower and his warden, John White, of cruelly carrying out the orders sent to them by the House of Lords even though those orders were contrary to the rights and liberties of the subject enshrined in the *Magna Carta*, *Petition of Right*, and various statutes passed throughout the centuries. Overton continued by paraphrasing Sir Walter Raleigh: 'Where a state holds their subjects under the conditions of slaves, the conquest thereof is easie, and

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<sup>1045</sup> Overton, *Vox plebis*, pp.53-4.

<sup>1046</sup> Overton, *Vox plebis*, p.54.

soon assured. And when a forced government shall decay in strength, it will suffer as did the old Lion for the oppression done in his youth'.<sup>1047</sup> It followed that because of 'the oppression done in its youth', Parliament had become an 'old Lion' unwilling and incapable of restoring the nation's fundamental rights and liberties. Overton went on to argue that having been 'pinched by the Wolf, goared by the Bull, and kickt also by the Asse', the common people must take up arms to overthrow their latest oppressors.<sup>1048</sup>

In *Regall Tyranny Discovered* (1647), Lilburne raised an alarm to common people. He warned them, 'O all ye Commoners of England marke well...these Lords the sons of pride, and tyranny: [and] not onley them, but all their associates, or Creatures, especially the House of Commons... trust them not, no more than you would a Fox with a Goose, or a devouring Wolfe, with a harmlesse Lambe'.<sup>1049</sup> Lilburne went on to denounce the institution of monarchy as a tyrannical form of government, 'I am confident, that whosoever serious and impartially readeth over the lives of King John, and his sonne Henry the third, will judge them Monsters rather than men'. The Kings and Queens of England, according to Lilburne, were more like 'Roaring Lions, Ravening Wolves, and Salvadge Boares (studying how to destroy and ruine the people) rather then Magistrates to govern the people with justice and equity', suggesting that forced government was equivalent to government by a regal lion, Lordly wolves, and representative boars.<sup>1050</sup>

In *Rash Oaths Unwarrantable* (1647), Lilburne issues the following call to arms to the common people,

The Kingdome may justly rise up in Armes as one man, and destroy all the fore-said conspirators without mercy or compassion, as a company of devouring lions, ravening

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<sup>1047</sup> Overton, *Vox plebis*, p.63.

<sup>1048</sup> Overton, *Vox plebis*, p.63.

<sup>1049</sup> Lilburne, *Regall tyranny discovered*, p.65.

<sup>1050</sup> Lilburne, *Regall tyranny discovered*, p.21.

wolves, and crafty Foxes, that would destroy the poore flocks of Lambs, and sheep of this distracted Kingdome, the people and inhabitants thereof...<sup>1051</sup>

Lilburne represented the common people as a flock of lambs oppressed by lions, foxes, and wolves. The commoners required ‘a company of faithfull and carefull Shepeards, appointed to preserve the being and well-being of this poore Common-wealth’, suggesting that members of the Commons ought to shepherd the masses. However, he went on to denounce the Long Parliament as ‘a company of devouring Lions, ravenous Wolves, who deserve to have all the Mastie Doggs in the Kingdome let loose about your eares, to warry and pull you in pieces, and so destroy you, before you have totally wasted and destroyed their poore kingdome’.<sup>1052</sup> In *The Prisoners Plea for a Habeas Corpus*, Lilburne observed,

...we give law to Hares and Deare, because they be beasts of chase, but it was never accounted either cruelty or foule play to knocke Foxes or Wolves on the head, as they can be found, because they be beasts of prey.<sup>1053</sup>

This distinction between animals of chase and beasts of prey was a call to arms wherein Lilburne wanted the common people to overthrow the government of foxes and wolves.

### A War Between the Sheep and the Wolves

I have already discussed at length the human faculties that contemporaries attributed to lions, wolves, foxes, and sheep during the early modern period. This served to blur the line between the categories of human and animal, as well as a useful way to comment on contemporary politics in an entertaining and accessible way for readers. Although I have mentioned that Overton drew on Pliny’s taxonomy of the faculties of different animals in which he

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<sup>1051</sup> Lilburne, *Rash oaths unwarrantable*, p.7.

<sup>1052</sup> Lilburne, *Rash oaths unwarrantable*, pp.38-9.

<sup>1053</sup> Lilburne, *The prisoners plea for a habeas corpus* (London, 1648), unnumbered page.

mentioned that dogs were noted for their loyalty and apprehension, it deserves more attention. On the one hand, their representation of dogs focused on their loyalty to their master and as protectors of farm animals, while, on the other hand, they were used aggressively in foxhunts and bull or bear-baiting. The ambivalence of the Levellers' representations of dogs reflected the changing political landscape of the English Revolution.

In *The Poore Mans Cry* (1639), Lilburne figured the English bishops as lowly dogs. Lilburne asserted that the English bishops delight 'only in the blood of the Saints: and as for pittie, Compassion, Charritie &c. there is no more in them then in Dogs'.<sup>1054</sup> The suggestion was that the English bishops were as incapable of pity, compassion, and charity as dogs, which served to dehumanise the English bishops. Lilburne attributed the quality of righteousness to the saints who were victims of Laudian persecution. This was part of a rhetorical tactic whereby Lilburne encouraged his intended readers to think of the English bishops as inhumane and to view his righteous suffering in their clutches as standing in for the oppression of all nonconformists. Further on, he denounced the 'doggednesse, and savagenesse' with which his jailors in the Fleet were keeping him chained in cold irons, turned away all his visitors, and denied him access to pen, ink, and paper.<sup>1055</sup>

Other Levellers likewise made derogatory comparisons between dogs and their enemies. In *A Christian Plea for Christians Baptisme* (1643), Samuel Chidley argued that the practice of infant baptism was superstitious and, therefore, contrary to the teachings of the apostles and early church fathers. In response to the common objection that infant baptism prevented them from eternal damnation were the infant to die before reaching the age of maturity, Chidley explained: 'seeing the infants of believers are not placed among dogs... they are within the new Jerusalem' regardless of being baptised or not.<sup>1056</sup> Chidley suggested

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<sup>1054</sup> Lilburne, *The poore mans cry*, unnumbered page.

<sup>1055</sup> Lilburne, *The poore mans cry*, p.13.

<sup>1056</sup> Samuel Chidley, *A Christian plea for Christians baptisme* (London, 1643), p.23.

that if unbaptised children were considered outside the spiritual community, they would be placed alongside dogs within the household. This counterargument implied that dogs could not receive God's grace and eternal salvation in Christ because they lacked a soul, unlike infants who were born with them. According to Chidley, dogs occupied a lower position than men within the Great Chain of Being. This served to widen the gap between the categories of human and animal. Chidley argued that infants were incapable of sin until they had been baptised and, therefore, had an assured place in Heaven alongside their godly parents despite being unbaptised.

This characterisation of dogs as soulless and unfeeling animals worthy of scorn was consistent with their representations in *A Letter Sent From Captaine Lilburne* (1643). In this pamphlet, Lilburne recounted his experience of imprisonment in Oxford Castle in 1642, 'the barbarousnesse of my Gaolers and visitants, the Cavaliers, who never ceased reviling me, calling me Round-head, Parliament-dog and termes of the like villany and disgrace'.<sup>1057</sup> In this passage, Lilburne pointed out that the Royalist called him a 'Parliament-dog' as a term of abuse. It should be recalled that in *Mans Mortalitie* (1646), Overton paraphrased Pliny's observation that dogs were associated with the faculties of apprehension and fidelity to their masters.<sup>1058</sup> While the suggestion that Lilburne was a loyal 'Parliament-dog' was not in and of itself a negative quality, it was clearly intended and perceived as a form of abuse. The Royalists wanted to convey the message that Lilburne was a loyal and senseless dog blindly following the commands of his parliamentary masters regardless of the rightness or wrongness of the act. It also served to dehumanise their prisoner. This interpretation was consistent with statements contained in Lilburne's *England's Birth-right Justified* (1645), wherein he cited *Isaiah 56: 10-11* to attack the Presbyterian divines as 'such greedy dogges,

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<sup>1057</sup> Lilburne, *A letter sent*, pp.4-5.

<sup>1058</sup> Overton, *Mans mortalitie*, p.14.

as the prophet calls them, that they can never have enough, being shepherds that cannot understand, seeing they all look their owne way, everyone for his gaine'.<sup>1059</sup> The implication was that the Presbyterian divines were supposed to act as shepherd dogs guiding their flock; instead, they were like greedy dogs, continuously devouring all tithes and benefices in their path.

In *Good Counsell to the Petitioners for Presbyterian Government* (1645), Katherine Chidley intervened in the controversy over the establishment of a Presbyterian national church. Chidley advised ministers of Independent and separatist congregations to 'cast not holy things unto dogs', suggesting that the petitioners for Presbyterian church government who had recently assembled at Westminster to lobby Parliament were base creatures unworthy of serious engagement because they were impossible to reason with.<sup>1060</sup> In *A New-Yeaes-Gift* (1645), Chidley denounced the Presbyterian divines for having deformed rather than reformed the Church of England. According to Chidley, the Presbyterian divines of the Westminster Assembly were 'violaters of Gods Commandments, and that against their owne knowledge' of scripture, they were 'casting Gods holy things to dogs'.<sup>1061</sup> She asserted that Thomas Edwards, their loyal polemicist, was lapping up their errors like a dog would eat vomit and then regurgitated them in the press for the masses.<sup>1062</sup> This interpretation of Chidley's intended meaning was confirmed when she cited *Revelations 22:15* in a further rebuke to Edwards and other Presbyterian controversialists who acted like 'dogs and enchanters' by deceiving their readers into supporting policies designed to coerce the common people to become members of their church.<sup>1063</sup>

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<sup>1059</sup> Lilburne, *Englands birth-right justified*, p.13.

<sup>1060</sup> Katherine Chidley, *Good counsell, to the petitioners for presbyterian government* (London, 1645), unnumbered page.

<sup>1061</sup> Chidley, *A new-yeares-gift*, p.10.

<sup>1062</sup> Chidley, *A new-yeares-gift*, p.10.

<sup>1063</sup> Chidley, *A new-yeares-gift*, p.10.



In *An Antidote Against Master Edwards* (1646), Walwyn adapted Aesop's fable *The War Between the Sheep and the Wolves* to comment on contemporary politics. According to Walwyn, 'an ancient philosopher [Aesop] (somewhat to this purpose) hath a fable' that contained a moral lesson that would benefit his readers in the present political circumstances.<sup>1064</sup> The fable was set amid a deadly war between the sheep and wolves,

That the Wolves being at long and deadly war with the sheep, and not prevailing by force; but contrary to their expectation almost vanquished: Resolved to try what they could doe by policie, and thereupon desired a treaty, which the sheep simply and easily granted.<sup>1065</sup>

As Walwyn observed, the fable about the war between the sheep and wolves echoed the current factional struggles in Parliament and on the streets between supporters of a peace treaty and those who wished to negotiate from a position of strength once the war had been definitively won. Walwyn figured the common people as sheep. Despite their innocence and harmlessness, the sheep were victorious over the wolves, whose force and ravenousness had not prevailed in the war. The wolves in Walwyn's adaptation of the fable were meant to represent the Royalists who sought to prevail through diplomacy when violence failed to bring about the desired victory,

The Principall thing in the treaty, which the Wolves insisted on, was, that the sheep would but discharge & send away their dogs, and then there would be no cause of warre at all, but they should live quietly one by another...<sup>1066</sup>

The dogs represented the New Model Army, which had defeated the Royalists on the battlefield. Walwyn's adaptation of the fable made the peace treaty presented by the wolves to the sheep more consistent with the Presbyterian faction's attempts to disband the New Model

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<sup>1064</sup> Walwyn, *An antidote*, p.13.

<sup>1065</sup> Walwyn, *An antidote*, p.13.

<sup>1066</sup> Walwyn, *An antidote*, p.13.

Army and establish a synodical church government. The disbandment of the army was the equivalent of the sheep agreeing to send away the guard dogs. The wolves sent the following grounds and reasons to the sheep: the dogs were of a ‘quarrelsome disposition’ and, in fact, ‘had been the beginners and contrivers of the war, that they were of a different nature & temper from the sheep, maintain’d the war only for their own ends, and in probability were like enough to make prey of the sheep themselves’.<sup>1067</sup> This mirrored the accusation that the New Model Army was plotting to overthrow Parliament. Walwyn continued, the dogs were the ‘strongest help (whereby [the sheep] had not only preserved themselves, but by many battels and maine force had even quite vanquished the wolves) [which] was no sooner done, but the wolves in short time muster up their force, (the dogs being out of call) and when the sheep least suspected, fell upon them and destroyed them utterly’.<sup>1068</sup> The fable’s conclusion was intended as an alarm to the common people and soldiers to distrust the Presbyterian party, which, as soon as the army was disbanded, would purge Parliament, City government, and the militia and would use these institutions to fall on and utterly destroy nonconformists.

In his commentary on the fable, Walwyn underscored its relevance to current political events: ‘I conceive this could never have been effected, but that the wolves had conveyed some of themselves into sheepes clothing, who by flattering and dissembling carriage, got themselves into credit with the sheeps, and so perswaded them to these destructive conditions’, suggesting that some wolves had disguised themselves in sheep’s clothing to better insinuate themselves among the sheep and persuade the other sheep to accept the treaty.<sup>1069</sup> However, he concluded, ‘and (if well considered) this fable (though dogs and Christians hold no fit comparisons)... whosoever doth, or shall endeavour to perswade the godly and honest Presbyters to abandon, discourage or molest their faithfull... are at best, but

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<sup>1067</sup> Walwyn, *An antidote*, p.13.

<sup>1068</sup> Walwyn, *An antidote*, p.13.

<sup>1069</sup> Walwyn, *An antidote*, p.13.

Wolves, or Wolves friends, and seek the destruction of all honest people'.<sup>1070</sup> Walwyn also denounced Edwards for treating the common people in a manner 'worse then dogs' and for deceiving so many among them into supporting a treaty that would bring about their ruin.<sup>1071</sup>

### Baiting the Bull of Bashan

Over the next two years, the internecine struggle between the Presbyterian and Independent factions in Parliament intensified. Following the rendezvous at Newmarket in June 1647, the New Model Army emerged as a political force. All sides proposed constitutional settlements that purported to bring about lasting peace and security for the nation. In August, the New Model Army temporarily occupied London, set up a headquarters in Croydon, and took possession of the Tower of London and other fortifications throughout the City. A month later, an Independent Lord Mayor was elected in London, and the former Lord Mayor and five Presbyterian members of Parliament were impeached for their involvement in the July riots of Presbyterian apprentices and Reformados. The Independent faction became a majority in the Commons and began appointing its members to parliamentary select committees. In the meantime, the army had left London but returned in December 1648 when Sir Thomas Fairfax ordered the New Model Army to occupy it again. On the 6<sup>th</sup> of the same month, Colonel Thomas Pride prevented parliamentarians who opposed the army from taking their seats. The commanding officers of the New Model Army had emerged as the dominant political force in the nation after Pride's Purge and began to prepare for the King's trial. The army commanders brought together the major stakeholders in the General Council at Westminster to debate and draft its official programme for a settlement of church and state.

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<sup>1070</sup> Walwyn, *An antidote*, p.13.

<sup>1071</sup> Walwyn, *An antidote*, p.13.

On 30 January 1649, King Charles I was executed for high treason. Two weeks earlier, the Whitehall Debates had concluded with the General Council unanimously passing the *Officers' Agreement* (1649) as its proposal to the nation; however, it was soon discarded. The Levellers published a competing proposal in *Foundations of Freedom* (1648) and became the targets of the new regime. The Council of State ordered that the four leaders of the Leveller movement be imprisoned in the Tower following the publication of a seditious pamphlet called *The Second Part of Englands New Chaines Discovered* (1649). Between April and May 1649, the Leveller women organised a petition campaign and mass demonstrations on behalf of the four, Lilburne, Overton, Walwyn, and Prince, as well as Bray and Sawyer. On 1 May 1649, the four Levellers in the Tower published *An Agreement of the Free People of England*. I have discussed this period at length in Chapter 1 and Chapter 3, however, I would like to examine the outpouring of scandalous pamphlets in which Overton used brutal imagery and metaphors to denounce the Council of State and Grandee officers following what he perceived as the muted response to *An Agreement of the Free People of England*. In *Overton's Defyance*, *The Baiting of the Great Bull of Bashan*, and *A New Bull-Baiting*, Overton used anthropomorphic and zoomorphic rhetoric to arouse the common people to demand a settlement based on *An Agreement of the Free People of England* and to raise an alarm that the Grandee officers and members of the Council of State were tyrants.

Overton's *The Baiting of the Great Bull of Bashan* (1649) drew inspiration from *Psalms 22:12*, which reads: 'Many bulls have compassed me: strong *bulls* of Bashan have beset me round'.<sup>1072</sup> The bull in this passage symbolised the enemies of the ancient Israelites who had encircled the nation intending to destroy it. Overton chose this proverb to respond to his critics who had taken offence to the graphic imagery contained in *Overton's Defyance* (1649). Overton explained: 'It seems many are weak and as many are offended, and chiefly

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<sup>1072</sup> KJV, *Psalms* 22:12.

with that figurative passage of the Bull especially at the word *Pox*' which Overton affixed to Cromwell, whom he portrayed as a saint who defended the common freedom of the people but had lately transformed into a bull who wanted to trample those freedoms underfoot.<sup>1073</sup> In *Overton's Defyance*, he called on 'all my brave Levelling Bull dogs and Bear Dogs,' by which he meant the approvers of *The Petition of 11 September 1648* and *An Agreement of the Free People of England* of May 1649, to 'all fly at him [Cromwell] at once... and catch me the Bull of Bason by the NOSE, and make him roar'.<sup>1074</sup> In this passage, Overton represented the supporters and approvers of the Leveller proposals as bull-baiting and bear-baiting dogs. This representation of the supporters of the Levellers dovetailed with his assertion that Cromwell had 'spit in our mouthes, and clap us on the backs like Dogs' by purging Parliament of members who opposed his military rule in December 1648 and again when he forced the Rump Parliament to pass legislation establishing a Council of State in February 1649. In the offending passage in *Overton's Defyance*, Overton imagined himself as a bull-baiter commanding the Levelling dogs on 'all the Bulls, Bears, Wolves, Lyons, and Dragons of the time', and upon attacking the Cromwellian bull of Bashan, the Overton in his bull-baiter persona exclaimed: 'A pox—they have burnt my Dogs mouth... all at him againe, and bate him out of England and Ireland' along with the 'Royal Bandogs'.<sup>1075</sup> Overton went on to issue the following threat, '[but first] let me clap this nettle under [Cromwell's] Tayle, and tell him, wee'l never leave biting and bating, if all the lusty levelling Masties in *England* will do it, till we have worried, or broke the Bulls neck, or else gain'd our Agreement'.<sup>1076</sup>

Overton responded to his critics in *The Baiting of the Great Bull of Bashan*. In it, he reminded readers that Christ spoke in parable to make his meaning clear to listeners, and,

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<sup>1073</sup> Overton, *The baiting*, unnumbered page.

<sup>1074</sup> Overton, *Overton's defyance*, p.6.

<sup>1075</sup> Overton, *Overton's defyance*, p.6.

<sup>1076</sup> Overton, *Overton's defyance*, p.6.

likewise, ‘I answer (my Brethren) he or she (how pure or nice soever to the eye) that is not guilty of reall grosse incivilities both in word and deed, let him or her throw the first stone at that seeming incivility’.<sup>1077</sup> Overton reminded his offended readers, ‘the figure [the Bull of Bashan] is but the shell; will you not crack the shell to take out the kernell? passe through the Parable to the Morall thereof?’<sup>1078</sup> While he admitted that the portrayal of Cromwell as a bull with pox-infected genitals was indelicate, even offensive, Overton called on readers to look beyond the surface of his uncivil language to the deeper meaning of the parable. He intended to warn the common people that Cromwell was seeking to rule by the ‘[enslaving] Sword’ and tried to incite them to murder the tyrant and demand a settlement based on *An Agreement of the Free People of England*.<sup>1079</sup> Overton went on to further rebuke his offended readers,

I see you are a company of dull souls, mirth with you is like a Shoulder of Mutton to a sick Horse, or worst, you strait convert into malancholy, trample it under your feet, turne againe, and are (some of you) ready to rent me; He that had cast Pearls before Swine could have expected no lesse.<sup>1080</sup>

Overton lampooned his readers as sick horses and swine in this passage, arguing that a consideration of the matter would reveal they were more likely to ‘strain at a Gnat’, his use of uncivil language, ‘& swallow a Camel’ than perceive the danger they faced. Overton further denounced the tendency to ‘spye out the spots and infirmities’ of authors such as himself while neglecting a ‘serious and weighty consideration in point of their duties’ related to securing their common freedom.<sup>1081</sup> Overton insisted that his use of uncivil language and the bull metaphor was intended as a moral lesson. However, it appeared to have backfired on Overton, who accused his readers of neglecting their civic duties to remain ever-vigilant

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<sup>1077</sup> Overton, *The baiting*, unnumbered page.

<sup>1078</sup> Overton, *The baiting*, unnumbered page.

<sup>1079</sup> Overton, *The baiting*, unnumbered page.

<sup>1080</sup> Overton, *The baiting*, unnumbered page.

<sup>1081</sup> Overton, *The baiting*, unnumbered page.

when it came to safeguarding their freedoms. They preferred to tear Overton into pieces in the press rather than taking up arms to resist the Cromwellian bull and demand a constitutional settlement based on the Levellers' *Third Agreement*.

In *A New Bull-Bayting* (1649), Overton imagined a bull-baiting scene where the Leveller spokesmen were depicted as bear-wards commanding twelve dogs to maul the Cromwellian bull to death. The twelve bull-baiting dogs consisted of four teams – an English, Scottish, and Irish team – consisting of four each. The vignette opened with the Leveller bear-wards planning their attack on Cromwell. The Lilburne character described the Cromwellian bull as ‘a dangerous Beast that has goar’d to death the best men in England’, alluding to the execution of Private Arnold, Rainsborough, Lockyer, and the various martyred Leveller soldiers from the Burford mutiny.<sup>1082</sup> The Levellers decided to send the Man in the Moon’s dog, Towzer, a reference to the Royalist newsbook, against Cromwell. Towzer mauled the Cromwellian bull on the nose and genitals before being thrown to the ground. The Overton character then remarked that Cromwell had, ‘so Bull’d poor England, that she lies calving and labouring in most bitter panges of *Calamity* and *Poverty*... her people denied their just and reasonable Petitions; their Agreement slighted by a bloody Juncto; and a Tyranical Council of State erected’, whose oppressions were worse than those of the Star Chamber, the High Commission, and the Spanish Inquisition combined.<sup>1083</sup>

The four Leveller bear-wards proceeded to send the Presbyterian dogs from the Scottish and English teams to attack the Cromwell bull. The Presbyterian dogs attacked Cromwell’s nose, apparently a rather prominent feature of his face, and his genitals. However, Cromwell managed to gore the Presbyterian dogs repeatedly before they could be taken out of the ring. The Levellers then sent the English mastiffs, which they described as

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<sup>1082</sup> Overton, *A new bull-bayting*, p.3.

<sup>1083</sup> Overton, *A new bull-bayting*, pp.4-5.

having a reputation of ‘so good mattle, that if it were possible, they would pull God out of heaven, and murder him as they have worried and killed their King, and most of the true hearted Nobility of the Land’.<sup>1084</sup> However, the English dog Colonel-General Sydenham Poyntz barked loudly but turned tail and ran rather than engaging with the Cromwellian bull.<sup>1085</sup> The four Levellers then sent in the remainder of the Scottish mastiffs and then the Irish mastiffs, who were overcome by the bull. Finally, a combined assault from all teams managed to get the Cromwell bull to the ground, and Towzer went in for the kill.<sup>1086</sup> The implication throughout this bull-baiting scene was that the English people could no longer rely on the Covenanters, Parliament, and the New Model Army to help them avoid the imposition of a tyrannical regime consisting of a Cromwellian military junta, Council of State, and Rump Parliament. The common people of England had recently executed their King for treason for attempting to reduce them to a condition of slavery and should, likewise, take up arms in defence of their native birthright through a constitutional settlement based on the *Agreement of the Free People of England*.

### Conclusion

In this chapter, I have examined the use of animalistic, brutal, and monstrous language in the Levellers’ discourse. The first major point of departure for the Levellers’ engagement with monstrous imagery was the millenarian expectation of a cosmic battle between Christ and the Beast prophesied in *Revelations*. This marked an attempt to demarcate the boundaries of the moral community between the self-professed saints and the legions of the Kingdom of Darkness. It was also part of a wider set of polemical arguments and generic associations that

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<sup>1084</sup> Overton, *A new bull-bayting*, p.10.

<sup>1085</sup> Overton, *A new bull-bayting*, p.10.

<sup>1086</sup> Overton, *A new bull-bayting*, p.12.



figured the English bishops as agents in an international Popish Plot perpetuated by Catholics and the Antichrist. I have also shown that the Leveller authors used animalistic and brutal imagery in inconsistent and contradictory ways. They drew an important distinction between the qualities associated with domesticated and predatory animals. The Leveller authors encouraged readers to think of England as a green pasture wherein the common people or saints were represented as innocent lambs, while the army was portrayed as loyal guard dogs defending their common freedoms. In contrast, their opponents were variously represented as deceitful, cunning, or subtle foxes, ravenous wolves, and ferocious lions seeking to devour the people. This brutal language was part of a more comprehensive array of polemical weapons in their rhetorical armoury. It functioned by locating their opponents outside the moral community, lurking in the political wilderness. Lilburne, Overton, and Walwyn adapted popular fables or parables with the intention of entertaining and imparting political lessons to readers. Lastly, I examined Overton's rhetoric in his bull-baiting series, which offended the movement's supporters by figuring Cromwell as a pox-infected Bull of Bashan. The Leveller authors used animalistic, brutal, and monstrous language to encourage the common people to demand an end to the tooth and claw politics by transforming themselves from beasts into democratic animals.

## CONCLUSION

Throughout this thesis, I have illuminated the porous lines between the Leveller authors' speech and action. I have shown that they developed a sophisticated rhetorical repertoire. At times, the Leveller authors' discursive interventions drew on commonplace linguistic usages, conventions, authoritative sources, references, figures of speech, and generic associations. However, they also exhibited a high degree of inventiveness and linguistic flexibility in their rhetorical *oeuvre*. The Leveller authors frequently used amplification, inversion, and redescription as rhetorical techniques to persuade readers to support their political project. This was not limited to their written texts but also reflected in an array of performances.

I have used this approach to thinking about speech as action to unearth six discursive modes deployed in the Leveller authors' discourse. In Chapter 1, I examined the tension between seeking to build consensus and an adversarial structure of political debate that emerged during the 1640s. It was shown that an escalation in political polarisation led parliamentarians to own their factional associations. This was followed by the outbreak of organised dissent among soldiers, who began to elect agents or Agitator representatives. The Agitator representatives gained formal institutional recognition when the Grandee officers created a General Council of the Army. However, the accretion of informal and formal rules to create a lasting consensus proved ineffective at preventing conflict. The first breakdown in relations between the Grandee officers, Agitators, and soon-to-be Leveller leaders occurred in the aftermath of the Ware mutiny in November 1647. I have detailed how this led to the withdrawal of formal institutional recognition from the Agitators. A year later, the Grandee officers forged a temporary alliance with the Levellers; however, this alliance proved to be built on a thin consensus, and Lilburne's departure from the Whitehall Debates turned the Levellers into *persona non grata*. The publication of the Levellers' *An Agreement of the Free*

*People of England* (1649) marked the high point for the movement. The Leveller women staged mass demonstrations at Westminster in April and May 1649, calling for the release of its leaders from the Tower and a settlement based on the *Agreement*.

The relationship between speech and action was also seen in Chapter 2, wherein I examined the Leveller authors' use of a satirical mode of discourse. I have demonstrated that early modern discourse on laughter was typically framed in terms of tension between the houses of mirth and mourning. By the late sixteenth century, it had become a mainstream view among English Puritans that it was always preferable to live in the house of mourning than a house of mirth. However, a caveat to this Calvinist-inspired injunction against laughter and mirth was engaging in a godly form of angry laughter. The porousness between speech and actions was reflected in William Prynne's taxonomy of different kinds of immoral laughter, which he frequently linked to specific passions, vices, or activities. Contemporary Puritans made extensive use of this satirical mode of writing in polemics designed to stir angry laughter among their godly readers. They also sought to direct their readers' angry laughter toward the English bishops, whom they variously attacked, mocked, and derided as superstitious and corrupt agents of the Antichrist. However, the rise of factionalism between Presbyterian and Independent parties in Parliament led to an outpouring of political satire in the English press. The future Leveller Richard Overton, who had debuted as an anti-episcopal satirist in the early 1640s, attacked the Presbyterian faction, its polemicists, and supporters in his Marpriest series. Overton developed a range of characters in his Marpriest series to demarcate and then police the boundaries of the moral community. In his bull-baiting series of 1649, Overton inverted the Calvinist-inspired injunction by putting forward a Leveller theory of laughter. According to the Leveller theory of laughter, mirth was a divine instinct. Much like he had done when satirising the English bishops and Presbyterians beforehand,

Overton called on an in-group of loyal readers to direct their angry laughter at an out-group, in this case, Cromwell and the Council of State.

In Chapter 3, I illuminated the complex relationship between speech and action through a formal analysis of the Leveller women's petitions and contemporary newsbooks. I have demonstrated that the Leveller women drew on the conventional gendered language of humble address when petitioning Parliament for redress. They frequently identified themselves as well-affected women and emphasised the hardship they or their families faced because of their husbands' imprisonment. Likewise, their husbands frequently used this conventional gendered language to describe their wives and dependents. I have shown that this reflected a rhetorical strategy designed to portray themselves as godly heads of households, as well as to stir feelings of disgust at the threshold violations perpetrated against them and their families. However, the Leveller women's petitions of 1649 marked a shift in rhetorical strategy whereby they developed a politics of emergency to justify their organisation of demonstrations at Westminster. The Leveller women asserted a spiritual equality with men and their proportional share in the freedoms of the nation. This included a right to petition Parliament for redress and the reciprocal right to receive a timely reply. They also began comparing themselves to Biblical and historical heroines who delivered their respective nations from slavery or destruction by taking direct political action. While the Leveller women continued to frame their petitions in the gendered language of humble address, they developed a rhetorical repertoire of references, arguments, and appeals to emotion designed to advance radical ideas and justify their intervention in matters of state.

The Leveller authors developed three categories of martyrdom in their discourse. In Chapter 4, I demonstrated that Lilburne introduced the concept of a living martyr to locate himself alongside Prynne, Bastwick, and Burton as victims of religious persecution. This notion of living martyrdom simultaneously reflected a departure from and amplification of

the Foxeian tradition of the sixteenth century. On the one hand, it departed from the standard definition of a martyr because all four had survived their ordeals. On the other hand, Lilburne's narrative account of his ordeal amplified certain patterns in the Foxeian hagiography. Lilburne emphasised the martyr's endurance of extreme bodily pain through faith and the testimony of key witnesses and the gathered crowd. In 1641, Lilburne combined this self-fashioning as a living martyr with the notion of legal martyrdom. The concept of legal martyrdom drew on the language of neo-Roman liberty, according to which imprisonment was understood as a social death. I have shown that this reflected a reintroduction of the act of dying – albeit metaphorically – to Lilburne's martyrological discourse. Between the early to mid-1640s, the Leveller authors drew on these two categories to present their case as representative of the perils facing all English commoners. In 1647, Private Richard Arnold was elevated to the status of Leveller martyr following his death during the Ware mutiny. This marked the reintroduction of the literal act of dying into their martyrological discourse as part of a publicity strategy for gaining support among the soldiers. Over the next two years, the Leveller authors and newsbooks created a growing roll call of martyred Leveller soldiers, including Thomas Rainsborough, Robert Lockyer, and the three soldiers executed during the Leveller-inspired Burford mutiny.

In Chapter 5, I examined the inconsistent and contradictory uses of the body politic metaphor in the Levellers' discourse. The body politic metaphor functioned by drawing an analogy between natural and artificial bodies, often conceiving of this relationship in terms of hierarchical relations between a head and its inferior limbs or a system of Galenic flows. The Leveller authors used both paradigms of the body politic metaphor to simplify their complex political ideas for readers. Their critics also drew on the body politic metaphor in combination with the language of disease to denounce the Leveller authors' ideas and actions. Thomas Edwards' three-volume catalogue of heresies included several references to the

Leveller authors and their allies, whom he likened to gangrene spreading throughout the body politic. I have shown the various rhetorical strategies adopted by Katherine Chidley and William Walwyn to dissect and anatomise Edwards' arguments and use the disease metaphor against him. In 1646, Walwyn published a series of tracts featuring a chorus of doctors attempting to diagnose and cure Edwards of religious intolerance.

I have also illuminated the Leveller authors' use of animalistic, brutal, and monstrous language. Lilburne drew on the language of monstrosity in his polemics from the late 1630s to denounce the English bishops. This reflected the mainstream view among the self-professed saints that the bishops were implicated in a Popish plot to usher in the reign of the Antichrist. This millenarian view was informed by *Revelations* and his close reading of Bastwick's works. It was also part of a wider rhetorical strategy to demarcate the boundaries of the moral community between the self-professed saints marshalled under Christ's banner and the legions of darkness aligned with the Beast. In addition to the monsters, the Leveller authors also deployed animalistic and brutal language in their discourse. I have focused on the distinction the Leveller authors seemed to draw between domesticated animals – such as dogs, horses, and lambs – and beasts of prey. The saints were described as innocent lambs which, if provoked, would lash out at their oppressors with the ferocity of a lion. Meanwhile, the common people of England were often figured as beasts of burden who were being oppressed by their rulers. In contrast, their enemies (whether the bishops, Presbyterian faction, Lords, or anyone else) were variously figured as ravenous wolves, cunning foxes, or raging bulls lurking in the wilderness. This, too, was part of a rhetorical strategy designed to demarcate and then police the boundaries of the moral community. I have shown that Leveller authors adapted Aesop's fables and popular folktales from the Middle Ages as commentary on contemporary political events. Overton featured a story of Reynard the Fox in his Marpriest series in which he warned readers about the low cunning and deception of

the Presbyterian ministers. Similarly, Walwyn adapted Aesop's tale about a war between the sheep and the wolves to raise an alarm over the dangers of a Presbyterian settlement.

Overton's bull-baiting series of 1649 combined these themes. In three tracts, he figured Cromwell as the biblical Bull of Bashan. Overton imagined the Cromwellian bull being mauled to death by four packs of dogs representing the nation. The graphic violence in this bull-baiting scene was designed to dehumanise Cromwell by portraying him as a monstrous creature. It also encouraged readers to think of him as a tyrant deserving of death.

I have argued throughout this thesis that thinking about speech as action illuminates the Leveller authors' rhetorical repertoire. I have paid special attention to the inter-textuality of their interventions in public discourse and performances. While the label Levellers was only bestowed on them in 1647, I have traced the development of six modes of the Leveller authors' discourse from the late 1630s to the early 1650s. The high watermark of the Leveller organisation and movement occurred in 1649. In hindsight, Lilburne's anecdote in *The Picture of the Council of State* may help us to explain what happened next. While waiting to be questioned regarding his latest seditious tract, he overheard Cromwell slam his fist on the table in the Council of State and declare, 'I tel you Sir, you have no other way to deale with these men [the Leveller leaders], but to break them in pieces'.<sup>1087</sup> This incident may have captured a watershed moment; their hope of using speech as a means of persuasion to secure a settlement based on the *Agreement of the People* gave way to force. Cromwell had signalled his intent to suppress the Leveller organisation and its movement. Lilburne was acquitted of high treason in October 1649; however, it was a bitter-sweet victory for the movement. Lilburne had been vindicated by a jury of his peers, and a commemorative medal was struck, but the *Agreement* was a deadletter, and over the following decades, the Leveller leaders were variously tried for treason, exiled, and became plotters.

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<sup>1087</sup> Lilburne, *The picture of the Council of State*, p.12.

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