

AMERICAN CONSTITUTIONALISM  
VOLUME II: RIGHTS AND LIBERTIES  
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Supplementary Material

Chapter 2: The Colonial Era – Foundations/Principles

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The Putney Debates (1647)<sup>1</sup>

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*The Putney Debates sought to resolve a controversy over political participation that broke out during the English Civil War within the military forces siding with Parliament. Many members of what had become known as the New Model Army wanted to radically democratize Great Britain. Led by John Wildman, Maximilian Petty, and Colonel Thomas Rainsborough, they insisted that universal male suffrage should be the central commitment of the new British Constitution. Most of the Parliamentary leadership disagreed. Led by Oliver Cromwell and Cromwell's son-in-law, Henry Ireton, they believed no fundamental changes to Parliament were necessary. Cromwell and his allies wished only to limit royal prerogative. Members of the Army debated these and related issues during the fall of 1647, while the New Model Army was encamped outside of London in the town of Putney. The soldiers failed to persuade their leaders. Cromwell and Ireton agreed that soldiers should be allowed to vote, but they rejected claims for more universal suffrage.*

*Most colonial Americans were familiar with the Putney debates and with the general principles articulated by Rainsborough and Ireton. Many were far more sympathetic than Parliamentary leaders with demands for government by the consent of the people. As modified by a number of later republican thinkers in the eighteenth century, the themes Rainsborough and others articulated became staples of American colonial rhetoric. As you read the materials below, ask yourself the following questions. Under what conditions does Rainsborough believe government is legitimate? Under what conditions does Ireton believe government is legitimate? To what extent do you find their thoughts consistent with what you believe are the basic principles underlying the English Bill of Rights and the Constitution of the United States?*

**Petty:** We judge that all inhabitants that have not lost their birthright should have an equal voice in elections.

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

**Ireton:** . . .

For my part, I think it is no right at all. I think that no person hath a right to an interest or share in the disposing of the affairs of the kingdom, and in determining or choosing those that shall determine what laws we shall be ruled by here—no person hath a right to this, that hath not a permanent fixed interest in this kingdom, and those persons together are properly the represented of this kingdom, and consequently are also to make up the representers of this kingdom, who taken together do comprehend whatsoever is of real or permanent interest in the kingdom. And I am sure otherwise I cannot tell what any man can say why a foreigner coming in amongst us—or as many as will coming in amongst us, or by force or otherwise settling themselves here, or at least by our permission having a being here—why they

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<sup>1</sup> Excerpt taken from *Sources and Debates in English History, 1485–1715*, eds. Newton Key and Robert Bucholz, 2nd ed. (San Francisco: Wiley-Blackwell, 2009).

should not as well lay claim to it as any other. We talk of birthright. Truly by birthright there is thus much claim. Men may justly have by birthright, by their very being born in England, that we should not seclude them out of England, that we should not refuse to give them air and place and ground, and the freedom of the highways and other things, to live amongst us – not any man that is born here, though by his birth there come nothing at all that is part of the permanent interest of this kingdom to him. That I think is due to a man by birth. But that by a man's being born here he shall have a share in that power that shall dispose of the lands here, and of all things here, I do not think it a sufficient ground. I am sure if we look upon that which is the utmost (within any man's view) of what was originally the constitution of this kingdom, upon that which is most radical and fundamental, and which if you take away, there is no man hath any land, any goods, or any civil interest, that is this: that those that choose the representers for the making of laws by which this state and kingdom are to be governed, are the persons who, taken together, do comprehend the local interest of this kingdom; that is, the persons in whom all land lies, and those in corporations in whom all trading lies. This is the most fundamental constitution of this kingdom and that which if you do not allow, you allow none at all. This constitution hath limited and determined it that only those shall have voices in elections. It is true, as was said by a gentleman near me, the meanest man in England ought to have a voice in the election of the government he lives under – but only if he has some local interest. . . . And if we shall go to take away this, we shall plainly go to take away all property and interest that any man hath either in land by inheritance, or in estate by possession, or any- thing else – I say, if you take away this fundamental part of the civil constitution.

*Rainsborough:* . . . I do hear nothing at all that can convince me, why any man that is born in England ought not to have his voice in election of burgesses. It is said that if a man have not a permanent interest, he can have no claim; and that we must be no freer than the laws will let us be, and that there is no law in any chronicle will let us be freer than that we now enjoy. Something was said to this yesterday. I do think that the main cause why Almighty God gave men reason, it was that they should make use of that reason, and that they should improve it for that end and purpose that God gave it them. And truly, I think that half a loaf is better than none if a man be hungry: this gift of reason without other property may seem a small thing, yet I think there is nothing that God hath given a man that any one else can take from him. And therefore I say, that either it must be the Law of God or the law of man that must prohibit the meanest man in the kingdom to have this benefit as well as the greatest. I do not find anything in the Law of God, that a lord shall choose twenty burgesses, and a gentleman but two, or a poor man shall choose none: I find no such thing in the Law of Nature, nor in the Law of Nations. But I do find that all Englishmen must be subject to English laws, and I do verily believe that there is no man but will say that the foundation of all law lies in the people, and if it lie in the people, I am to seek for this exemption.

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. . . When a poor base corporation from the King's grant shall send two burgesses, when five hundred men of estate shall not send one, when those that are to make their laws are called by the King, or cannot act but by such a call, truly I think that the people of England have little freedom.



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