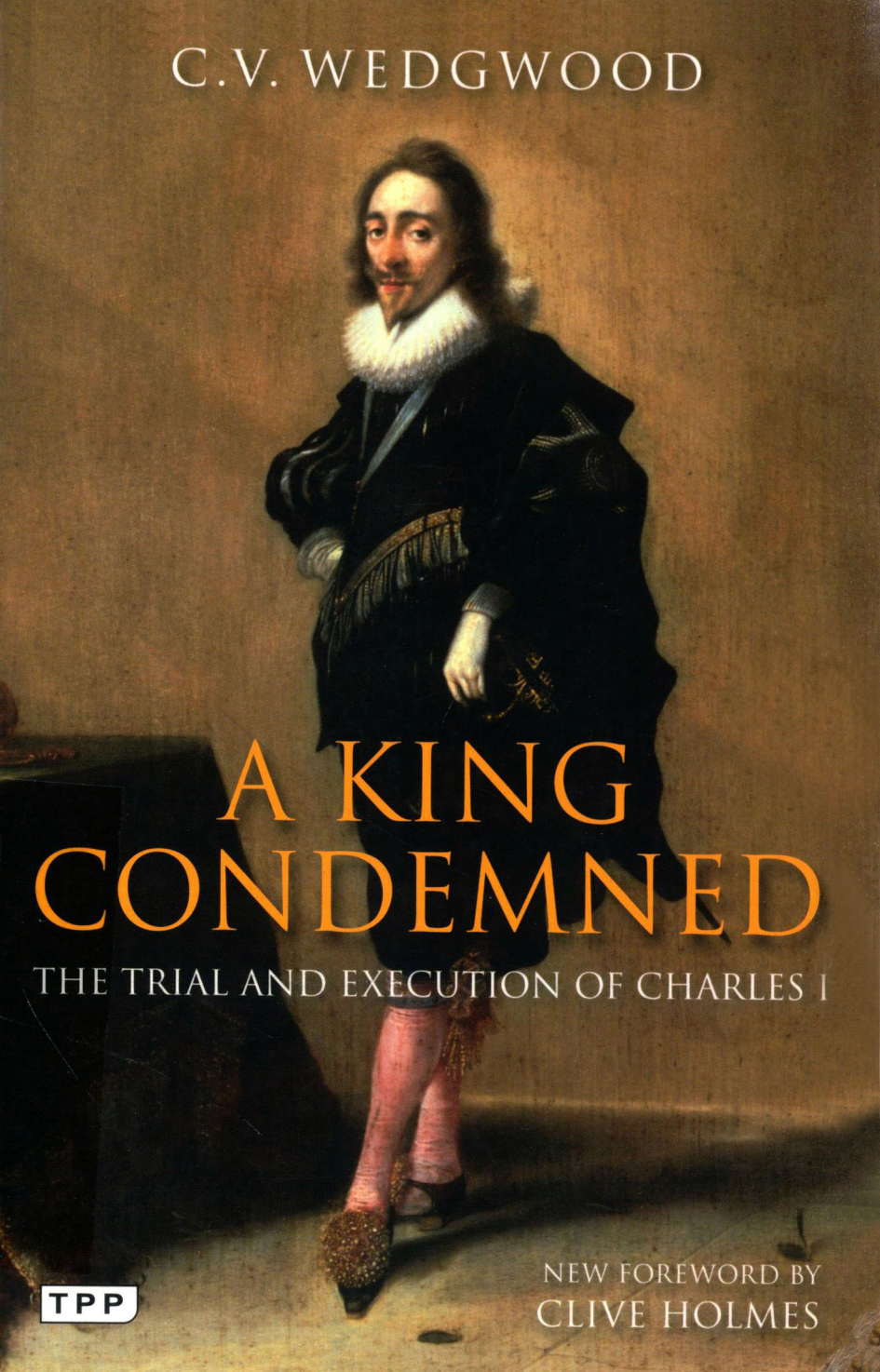


C.V. WEDGWOOD

A full-length portrait of King Charles I of England, standing and facing slightly to the left. He has long, dark, wavy hair and a small goatee. He is wearing a dark, richly textured robe with a wide white ruff collar and a gold-embroidered sash. His right hand is tucked into his voluminous sleeve, and his left hand rests on his hip. He is wearing red stockings and dark, ornate shoes. The background is a plain, light-colored wall.

A KING CONDEMNED

THE TRIAL AND EXECUTION OF CHARLES I

TPP

NEW FOREWORD BY
CLIVE HOLMES

A KING CONDEMNED

The Trial and Execution
of Charles I



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C.V. Wedgwood (1910–1997) was a noted British historian and expert on the English Civil Wars, as well as a successful lecturer and broadcaster. She was created a DBE in 1968, and in 1969 became the third woman to be appointed a member of the British Order of Merit. Her biography, *William the Silent*, was awarded the 1944 James Tait Black Memorial Prize and her iconic *The Thirty Years War* remains in print over 70 years after first publication.

'The best narrative historian writing in the English language.'
Lawrence Stone, *New York Review of Books*

'Her gifts are splendid and altogether exceptional. She is a great craftswoman and a great writer.'
Sir John Plumb

'Most distinguished, [she] is the dream of the history fan. A scholar of unimpeachable diligence and accuracy, she also possesses the double literary gift of lucid exposition and brilliant portrayal.'
The Chicago Sunday Tribune

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The Colophon of Tauris Parke Paperbacks is a representation of the ancient Egyptian ibis, sacred to the god Thoth, who was himself often depicted in the form of this most elegant of birds. Thoth was credited in antiquity as the scribe of the ancient Egyptian gods and as the inventor of writing and was associated with many aspects of wisdom and learning.

TABLE OF CONTENTS

<i>Foreword by Clive Holmes</i>	3
<i>Introduction</i>	7
Chapter One Prologue	9
Chapter Two The Grand Delinquent November – December 1648	14
Chapter Three Grandees, Presbyterians, and Levellers 1648	45
Chapter Four Right and Might Well Met December 15, 1648 – January 6, 1649	62
Chapter Five “The Great Business” January 6 – 20, 1649	93
Chapter Six The King on Trial January 20 – 23, 1649	119
Chapter Seven The King Condemned January 24 – 27, 1649	146
Chapter Eight King Charles the Martyr January 28 – 30, 1649	166
Chapter Nine Freedom, By God’s Mercy Restored... February 1649	194
Chapter Ten Epilogue: The Regicides	216
<i>Bibliographical Note</i>	227
<i>Notes and References</i>	229
<i>Index</i>	247

FOREWORD

In the 1940s Veronica Wedgwood began the research for the writing of a proposed trilogy of books covering the period from the late 1630s, when Charles I could consider himself 'the happiest King in Christendom', to the Restoration of his son in 1660. The first volume, *The King's Peace*, which concluded with the passage of the Grand Remonstrance in November 1641, appeared in 1955; the second, *The King's War*, which continued the story through to January 1647 and detailed the King's defeat and surrender, was published in 1958. The third volume, still contemplated at that latter date, never appeared. Instead Wedgwood devoted her energies to the completion of the detailed account of the last ten weeks of the King's life, first published in 1964 – in England as *The Trial of Charles I*; in the USA as *A Coffin for King Charles: the Trial and Execution of Charles I* and here, for this new edition, *A King Condemned*.

Wedgwood's relationship with academic historians was not an easy one, and the immediate reception of this work by the professionals in their flagship journals was cool, even condescending. Both Conrad Russell and Carolyn Edie neglected to mention the extraordinary mastery – a critical mastery that would have done credit to the most 'dryasdust' academic expert on the period – of the rich seam of documentary evidence, particularly of the pamphlets that poured from the presses in this climacteric period. In England, Russell acknowledged that the work was 'well written' and added 'something to our knowledge', but regretted that the work displayed little interest in the political theory of the regicides. In America, Edie, while warmly praising the book's lively presentation, also noted that issues of republican theory had been neglected, and expressed suspicion of the reliance on a 'narrative method' – the 'major problem' of the book.¹ Both reviewers conform to a frequently expressed view that Wedgwood's oeuvre as a whole emphasised 'recording history rather than illuminating it'.

This was a charge that Wedgwood had already challenged in her introduction to *The King's War*. Concentration on 'what happened and how it happened', she wrote, was a necessary prelude to properly posed analytical questions, and 'often by implication answers' such questions 'of why it happened'.

Thirty years after writing his dismissive review, Russell, having undertaken a narrative history of the period 1637–1642, emphasised the considerable merit that he now recognised in Wedgwood's method – 'the enormous strength which comes from refusing to ask the question why without first asking the question how'.² These virtues clearly emerged in the next major analysis of the trial and execution of the King, a volume of eleven essays published in 2001, which originated in a conference to mark the 350th anniversary of these events in 1999.³

Several of the essays followed up on issues raised by Wedgwood – the journalism of the period and the reporting of the trial; the response of the European governments to the regicide. Others took up the challenges posed by the early reviewers to analyse the political and constitutional theories that underpinned the trial. But three of the essays undertook the detailed analysis of what happened and how it happened, and two of them came to very different conclusions from Wedgwood's work.⁴

Veronica Wedgwood, following a rich stream of contemporary opinion, argued that, from the moment of the army's devastating intervention in late November–early December 1648, seizing Charles from the Isle of Wight and purging Parliament of those who were still attempting to negotiate with the King, the denouement of trial and execution ineluctably followed. Some of the army leaders, particularly Cromwell, were cautious and sought to paste a veneer of legality around their revolutionary actions – purging rather than dissolving parliament; constructing a court consisting largely of civilians; allowing the King every opportunity to plead to the charges once the court was in session. Charles, in Wedgwood's account, recognised that his doom was foreordained, and refused to give his implacable enemies the pleasure of rehearsing his evils in a formal trial. He accepted martyrdom in a superb performance in which he presented himself as the defender of his people's rights against illegal military despotism.

In arguing this, Wedgwood rejected an alternative argument that had been suggested by S.R. Gardiner, the great Victorian historian of the period. For Gardiner, the delay between the army's coup and the execution was indicative of more than Cromwell's cautious attempt to create a broad-based consensus in favour of the trial, and he argued that there was evidence to suggest that the army were still trying to cut a deal with Charles until late December 1648. Adamson and Kelsey, writing in 1999, built on this, and rejected Wedgwood's account. Negotiation be-

FOREWORD

tween the 'frighted junto' that ruled England and the King continued into January. For Kelsey the trial itself was part of this ongoing process of negotiation: if the King would plead to the charge against him, so recognising the legitimacy of the High Court of Justice, he would acknowledge his subordination to the authority that had established the court, the 'Rump' of the House of Commons; with that premise conceded it would be possible to re-establish King Charles, as a ceremonial figure-head, a 'Doge of Venice'.⁵

Methodologically, Adamson and Kelsey follow Wedgwood's lead. Their mastery of the dense array of evidence is as assured as hers, and, with her, they emphasise what happened, in an intense analysis of chronological detail, and how it happened. Their answer to the question of why it happened is very different from hers. From their perspective, the religious zeal and political radicalism of the army, a zeal of which the soldiers boasted in the aftermath of the execution – 'we were extraordinarily carried forth to desire Justice upon the King, that man of blood' – was largely rhetorical persiflage. In fact, the policies of the army were tentative and negotiable. Cromwell was seeking a genuine settlement; his manoeuvres were not indicative of the 'artifice' in which, according to the French ambassador he excelled, designed simply to maintain a pose of moderation and consensus and to retain the co-operation of troubled conservative civilians. Charles becomes a reckless gambler, who presented with a series of opportunities extending through the trial itself, saw them only as indicative of the weakness of and divisions among soldiers and MPs, overplayed a strong hand, and was surprised when the High Court moved to convict him.

I have argued against these interpretations, challenging in detail the evidence upon which they are erected.⁶ Ultimately I prefer the account provided by Wedgwood. And this is not because she wrote well, the point conceded by all her critics. The elegance, the wit of her writing was not simply a question of style; it was not mere window dressing. It stemmed from her sensitivity to and imaginative recreation of the characters and motivations of the actors. In this work she provides a series of brilliant sketches of minor players, like the King's attendants Herbert and Mildmay, the Leveller leader, Lilburne, the religious zealots, Harrison and Peters. But it is in her characterisations of Cromwell and Charles, particularly the latter, that her mastery of text, context and of human nature appears most assured. She was no uncritical admirer of Charles. She recognises his duplicity

and the devious tenacity that so offended Cromwell. But her portrayal of Charles in the last weeks of his life is utterly compelling. The King was consoled by religious faith and by his sense that a loving God was punishing him for his contemptible behaviour in permitting the sacrifice of Strafford to his enemies in 1641. Accordingly, he accepted and brilliantly played out the role of martyr, and in doing so established his, and the monarchy's, role as the avatar of the law and liberty that his opponents claimed to uphold.

Clive Holmes
Lady Margaret Hall

1 Russell in *English Historical Review*, vol. 81 (1966), pp. 594–5; Edie in *American Historical Review*, vol. 73 (1967–8), pp. 1148–9.

2 Russell's comments were made in a radio broadcast in August 1995; his *Fall of the British Monarchies, 1637–1642*, was published in 1991.

3 Jason Peacey (ed.), *The Regicides and the Execution of Charles I*.

4 The three essays are John Morrill and Philip Baker, 'Oliver Cromwell, the Regicide and the Sons of Zeruah' (pp. 13–45); John Adamson, 'The Frighted Junto: Perceptions of Ireland, and the Last Attempts at Settlement with Charles I' (pp. 36–70); Sean Kelsey, 'Staging the Trial of Charles I' (pp. 71–93). The latter two challenge Wedgwood's account.

5 Kelsey developed this argument further in a series of articles published between 2003 and 2007: the most important are 'The death of Charles I', *Historical Journal*, vol. 45 (2003), pp. 727–54; 'The trial of Charles I', *English Historical Review*, vol. 118 (2003), pp. 583–616.

6 'The trial and execution of Charles I', *Historical Journal*, vol. 53 (2010), pp. 289–316.

INTRODUCTION

In the course of my researches for the third volume of my history of the Civil Wars I became deeply interested in the King's trial—an event which is at the same time very well documented and yet full of problems. So much is known, and yet so much is hidden. Why did Fairfax *do* so little, and Cromwell—at least in public—*say* so little? How effectively, and to what purpose, did government censorship operate? In seeking the answers to these and other problems, I found I had accumulated the material for a study of the King's trial which could best be treated in a book to itself, rather than as a part of a general history of the Civil Wars.

The Trial of Charles I is not therefore intended as part of the larger series of which *The King's Peace* and *The King's War* are the first two volumes. It is a book in its own right, and though short, I hope may prove both interesting and useful.

In the dedication I give the best thanks I can to the friend under whose hospitable roof I finished *The King's Peace* and, more recently, wrote the first draft of this present book. My thanks are also due to the Principal and Fellows of Lady Margaret Hall, Oxford, where I completed the final draft.

I have also to thank Mr. Oliver Millar for his invaluable help with the illustrations, Mr. David Piper for much useful advice and Mr. R. E. Hutchison of the Scottish National Portrait Gallery for information about Weesop's painting of the execution. Among colleagues and friends who have assisted me in discussion or provided me with clues in the form of references, are Dr. Leslie Hotson, Miss Mary Coate, Miss Anne Whiteman and Mr. Christopher Hill. I have also

INTRODUCTION

enjoyed some stimulating argument with Mr. Hugh Ross Williamson, whose vigorous account of *The Day They Killed the King* is built up from rich contemporary material.

During the course of this book I have worked in the British Museum, the Public Record Office, the House of Lords Record Office, the Bodleian Library, the Ashmolean Museum, the Library of University College London (with its notable collection on London topography) and of course the London Library; I offer my sincerest thanks for much patience, help and courtesy at all these places.

CHAPTER ONE

PROLOGUE

THE TRIAL and execution of King Charles I amazed all Europe in 1649. Since then, monarchs have perished by popular decree in more violent and far-reaching revolutions, and the conception of monarchy for which King Charles both lived and died has vanished from the earth. Where the institution survives to-day it does so in a form that he would not recognise.

The startling events which took place in England in the winter of 1648-9 foreshadowed things to come. Kings had been killed before, had fallen victims to conspiracy, had been deposed, had been murdered. The grandmother of Charles I, Mary, Queen of Scots, had been tried and executed; but not while she was a reigning Queen, not in her own country or by her own subjects. She had long been deposed from the throne of Scotland, she was a prisoner in England and was judged and condemned by her captors.

King Charles was brought to trial by his own people, under his title as King—an act which defied tradition and seemed to many a fearful blasphemy against a divinely appointed Sovereign. A Royalist wrote on the eve of the trial:

Never was such damnable doctrine vented before in the world, for the persons of sovereign Princes have ever been held sacred . . . even among the most barbarous Nations; and though in many Kingdoms they have been regulated by force of arms and sometimes . . . deposed and after-

wards privately murdered, yet in no History can we find a parallel for this, that ever the rage of Rebels extended so far to bring their Sovereign lord to public trial and execution, it being contrary to the law of Nature, the custom of Nations, and the sacred Scriptures. . . . What Court shall their King be tried in? Who shall be his Peers? Who shall give sentence? What eyes dare be so impious to behold the execution? What Arm be stretched out to give the stroke against the Lord's Anointed, and shall not wither like that of Jeroboam, when he lifted it up against an anointed prophet?¹

Answers were given, within a few weeks, to all these questions. Men were found to sit in judgment, to pronounce sentence, and to strike off the head of the King. Charles was never deposed. In the charge against him he is described as "King of England", in the warrant for his execution he is still "King of England". The last words of the executioner, uttered without irony, as the King laid his head on the block were "an' it please Your Majesty."² Those who tried him, struck not only at the man but at the office. In the words of John Cook, who as Solicitor General prosecuted the King, they "pronounced sentence not only against one tyrant, but against tyranny itself."³ The King had sinned as King, and as King he paid for it. Certain bold and consistent principles inspired what the Regicides did.

Yet in other ways the King's trial was a hurried and ill-considered expedient. For the King had to die. As Oliver Cromwell said, in a confused and cryptic speech defending the act to the House of Commons, "providence and necessity had cast them upon it."⁴ The death of the King had been no part of the original purpose when Civil War broke out between King and Parliament in 1642. Then his opponents had declared themselves to want nothing more than his honour and safety provided that his methods of ruling the country were changed. Six years later, by the logic of events

PROLOGUE

(the "providence and necessity" of which Cromwell spoke) nothing less than his death would solve the problem. How had this happened?

When in the summer of 1642 Charles on the one side and the leaders of Parliament on the other, began to raise forces for war, the King's opponents had believed that, once they were victorious in the field, he would grant all their demands. They wanted him to consult them in his choice of ministers and to put the control of the armed forces into their hands. They also wanted him to reform the Church by abolishing bishops and making Parliament arbiter of ecclesiastical affairs. These concessions would have transformed Parliament from an advisory body—which was what it had always been in practice, into the governing power of the nation which it had long striven to be. The King would remain as the respected figurehead, but effective power—civil, military, and ecclesiastical—would be exercised by the gentry, the lawyers, and the merchants of the House of Commons, strengthened by the wealth and influence of the Lords.

The King's opponents assumed that, once his armies were defeated, he would accept their conditions as the price of peace and personal freedom. They were wrong. Defeated, powerless, and a prisoner, Charles continued to resist their demands. He believed that God had given him the paramount authority in the realm—and as his Tudor predecessors had exercised such authority it may be added that history was on the whole on his side. Since he was convinced that the political power of the monarchy was divinely ordained, he believed that he would be committing a grave sin if he abandoned any part of it. He was prepared to risk his freedom and his life (and the lives of many of his subjects) rather than allow the sacred authority of the sovereign to be impaired. What he had received from God, he must hand intact to his son.

He was a brave man, but he was also secretive and devious. He played for time, with evasions, with pretences of con-

cessions. In the circumstances in which he found himself—powerless, cut off from his friends, a prisoner—this was natural enough. But his continual delays in reaching an agreement, his attempts to make division between his opponents, to raise new allies at home and abroad, and to kindle a second war, exasperated his enemies. Meanwhile the country, lacking any accepted government, slipped towards anarchy. In the spring of 1648 the King's under-cover plots came violently to the surface in a new outbreak of war. An army invaded from Scotland and risings occurred in South Wales, Kent, East Anglia, and the North. After a long summer of fighting the Royalists were everywhere defeated.

The outbreak of the second war convinced the King's more ruthless antagonists that no peace could be made while he lived. Before setting out to subdue the Royalists, many of the principal soldiers of the Parliamentary Army met for three days of prayer and consultation. At the end of these they solemnly undertook "to call Charles Stuart, that Man of Blood, to an account for that blood he had shed and mischief he had done, to his utmost, against the Lord's cause and people in these poor nations."⁵

The King was aware of his danger. Since the beginning of his captivity he had faced with unfaltering calm the possibility that he would be killed—secretly done to death, perhaps, behind the walls of his prison. But some of his opponents, the best of them, were men of courage and high principle. Secret murder they abhorred. They too believed that God was on their side, and that a wicked King was an acceptable sacrifice. They dared, therefore, to try him openly and execute him in public. They defied the theory of Divine Right because they saw little in the Scriptures to support, and much to contradict it. For them, as for the King, religion and politics were closely linked. They invoked the Bible to support their action, but they also declared that the authority of the People was above that of the Sovereign, and attempted to show that a King, like any other man, could be tried by the