

Lord President. "Sir, you have now heard your charge read, containing such matter as appears in it: you find that in the close of it, it is prayed to the court in the behalf of all the Commons of England, that you answer to your charge. The court expects your answer."

King. "I would know by what power I am called hither. I was not long ago in the Isle of Wight; how I came hither is a larger story than I think is fit at this time for me to speak of: But there I entered into a treaty with the two Houses of Parliament, with as much public faith as is possibly to be had of any people in the world. I treated there with a number of honorable lords and gentlemen, and treated honestly and uprightly. I cannot say but they did deal very nobly with me. We were upon conclusion of a treaty. Now I would know by what authority—I mean lawful; there are many unlawful authorities in the world, thieves and robbers by the highways—but I would know by what authority I was brought from thence, and carried from place to place; and when I know by what lawful authority, I shall answer."

"Remember, I am your king, your lawful king; and what sin you bring upon your heads, and the judgments of God upon this land, think well upon it; I say think well upon it before you go further, from one sin to a greater. Therefore let me know by what lawful authority I am seated here, and I shall not be unwilling to answer. In the meantime, I shall not betray my trust. I have a trust committed to me by God, by old and lawful descent. I will not betray it, to answer to a new and unlawful authority. Therefore resolve me that, and you shall hear more of me."

Lord President. "If you had been pleased to have observed what was hinted to you by the court at our first coming hither, you would have known by what authority, which authority requires you in the name of the people of England, of which you are elected king, to answer them."

King. "No sir, I deny that."

Lord President. "If you acknowledge not the authority of the court, they must proceed."

King. "I do tell you so, England was never an elective kingdom, but an hereditary kingdom, for near a thousand years; therefore let me know by what authority I am called hither. I do stand more for the liberty of my people than any here that come to be my pretended judges; and therefore let me know by what lawful authority I am seated here, and I will answer it; otherwise I will not answer it."

Lord President told him he did interrogate the court, which beseemed not one in his condition, and it was known how he had managed his trust.

* * *

King. "I desire that you would give me, and all the world, satisfaction in this. For let me tell you, it is not a slight thing you are about. I am sworn to keep the peace by the duty I owe to God and my country; and I will do it to the last breath of my body: And therefore you shall do well to satisfy first God and then the country by what authority you do it; if by a reserved¹ authority, you cannot answer it. There is a God in heaven that will call you, and all that give you power, to an account. Satisfy me in that, and I will answer; otherwise, I betray my trust and the liberties of the people. And therefore think of that, and then I shall be willing. For I do vow, that it is as great a sin to withstand

lawful authority, as it is to submit to a tyrannical or any otherways unlawful authority, And therefore satisfy me that, and you shall receive my answer."

Lord President. "The court expects a final answer. They are to adjourn till Monday. If you satisfy not yourself, though we tell you our authority, we are satisfied with our authority, and it is upon God's authority and the kingdom's; and that peace you speak of will be kept in the doing of justice; and that is our present work."

The court adjourned till Monday ten of clock to the Painted Chamber, and thence hither.

As the king went away, facing the court, the king said, "I fear not that," looking upon and meaning the sword.

Going down from the court, the people cried, "Justice, justice, justice!"
Jan. 21. The commissioners kept a fast this day in Whitehall. There preached before them Mr. Sprig, whose text was, "He that sheds blood, by man shall his blood be shed." Mr. Foxley's was "Judge not, lest you be judged." And Mr. Peters' was, "I will bind their kings in chains, and their nobles in fetters of iron."² The last sermon made amends for the two former.

1649

From A Perfect Diurnal of Some Passages in Parliament, No. 288

Tuesday, January 30

[THE EXECUTION OF CHARLES I.]

This day the king was beheaded over against the Banqueting House by Whitehall.¹ The manner of execution and what passed before his death take thus.² He was brought from Saint James³ about ten in the morning, walking on foot through the park with a regiment of foot for his guard, with colors flying, drums beating, his private guard of partisans,⁴ with some of his gentlemen before, and some behind bareheaded, Dr. Juxon late Bishop of London⁵ next behind him, and Colonel Tomlinson⁶ (who had the charge of him) to the gallery in Whitehall, and so into the Cabinet Chamber where he used to lie, where he continued at his devotion, refusing to dine (having before taken the sacrament) only about 12 at noon he drank a glass of claret wine, and eat a piece of bread. From thence he was accompanied by Dr. Juxon, Colonel Tomlinson, Colonel Hacker,⁷ and the guards before mentioned through the Banqueting House adjoining to which the scaffold was erected between Whitehall Gate and the

2. The biblical texts are Genesis 9.6, Matthew 7.1, and Psalms 149.8. Hugh Peters (1598–1660), Independent preacher to Cromwell's New Model Army, passionately supported the king's execution. He was himself executed after the Restoration.

1. Whitehall Palace was the English monarch's principal residence from 1530 to 1698, when most of it was destroyed by fire. The Banqueting House, designed by Inigo Jones with ceilings painted by Peter Paul Rubens, was built for King James I in 1619–22 and was used to stage court masques. "Over against": just outside.

2. Accept the following account.

3. St. James Palace, near Whitehall.

4. Guards armed with partisans, spears with lobed points or halberds.

5. William Juxon (1582–1663), Charles I's personal chaplain, was bishop of London until 1649, when he was deprived of office. In the late 1630s he had also served as one of the king's financial advisers. After the Restoration he became archbishop of Canterbury.

6. Matthew Tomlinson commanded the guards assigned to Charles. He was tried after the Restoration but was spared because he had been courteous to the king.

7. On Colonel Hacker, see p. 1739, note 5.

9. From rebellion to regicide.

1. Unexplained.

gate leading into the gallery from Saint James. The scaffold was hung round with black, and the floor covered with black, and the ax and block laid in the middle of the scaffold. There were divers companies of foot and horse on every side the scaffold, and the multitudes of people that came to be spectators very great. The king making a pass upon⁸ the scaffold, looked very earnestly on the block, and asked Colonel Hacker if there were no higher; and then spake thus, directing his speech to the gentlemen upon the scaffold.

King. "I shall be very little heard of anybody here; I shall therefore speak a word unto you here. Indeed I could hold my peace⁹ very well, if I did not think that holding my peace would make some men think that I did submit to the guilt as well as to the punishment. But I think it is my duty to God first, and to my country, for to clear myself both as an honest man, and a good king, and a good Christian. I shall begin first with my innocency. In troth I think it not very needful for me to insist long upon this, for all the world knows that I never did begin a war with the two Houses of Parliament, and I call God to witness, to whom I must shortly make an account, that I never did intend for to encroach upon their privileges; they began upon me. It is the militia they began upon;¹ they confessed that the militia was mine but they thought it fit to have it from me; and to be short, if anybody will look to the dates of commissions, theirs and mine, and likewise to the declarations,² will see clearly that they began these unhappy troubles, not I. So that as the guilt of these enormous crimes that are laid against me, I hope in God that God will clear me of it. I will not; I am in charity;³ God forbid that I should lay it upon the two Houses of Parliament, there is no necessity of either.⁴ I hope they are free of this guilt; for I do believe that ill instruments⁵ between them and me has been the chief cause of all this bloodshed. So that by way of speaking, as I find myself clear of this, I hope and pray God that they may too. Yet for all this, God forbid that I should be so ill a Christian, as not to say that God's judgments are just upon me. Many times he does pay justice by an unjust sentence; that is ordinary. I only say this, that an unjust sentence (meaning Strafford)⁶ that I suffered for to take effect, is punished now by an unjust sentence upon me. That is, so far I have said, to show you that I am an innocent man.

"Now for to show you that I am a good Christian, I hope there is" (pointing to Dr. Juxon) "a good man that will bear me witness that I have forgiven all the world, and those in particular that have been the chief causers of my death. Who they are, God knows; I do not desire to know. I pray God forgive them. But this is not all; my charity must go farther. I wish that they may repent, for indeed they have committed a great sin in that particular. I pray God with Saint Stephen that this be not laid to their charge;⁷ nay, not only so, but that they may take the right way to the peace of the kingdom, for charity commands

8. Traversing.

9. Remain silent. It was customary for condemned prisoners to address onlookers before their public executions. "You here": the small group standing on the scaffold, as distinguished from the large crowd watching the execution.

1. In 1642 Parliament's Militia Ordinance transferred local militias from the king's control to Parliament's. Despite its failure to secure Charles's assent to the measure, Parliament declared it legally binding.

2. "Commissions" and "declarations": warrants for enlisting troops and proclamations of war.

3. Practicing the charity that befits a Christian, I refuse to lay the blame for the war on my enemies.

4. Of blaming either side for the war.

5. Corrupt go-betweens.

6. In an attempt to appease his opponents in Parliament, Charles reluctantly consented to the execution of his adviser Thomas Wentworth, Earl of Strafford, for treason in 1641, despite lack of evidence that Strafford had committed any crime.

7. St. Stephen, the first Christian martyr, prayed that God not hold his persecutors responsible for their actions; recounted in Acts 7. "Particular" (previous line): regard.

me not only to forgive particular men, but to endeavor to the last gasp the peace of the kingdom. Sirs, I do wish with all my soul, and I do hope there is some here will carry it further, that they may endeavor the peace of the kingdom.

"Now, sirs, I must show you both how you are out of the way, and will put you in a way.⁸ First, you are out of the way, for certainly all the way⁹ you ever have had yet as I could find by anything, is in the way of conquest. Certainly this is an ill way, for conquest, sir, in my opinion is never just, except there be a good just cause, either for matter of wrong or just title, and then if you go beyond it,¹ the first quarrel that you have to it, that makes it unjust at the end that was just at first. But if it be only matter of conquest, then it is a great robbery; as a pirate said to Alexander that he was a great robber, he was but a petty robber. And so, sir, I do think the way that you are in, is much out of the way. Now, sir, for to put you in the way, believe it you never do right, nor God will never prosper you,² until you give Him his due, the king his due (that is, my successors) and the people their due. I am as much for them³ as any of you. You must give God his due by regulating rightly his Church, according to Scripture, which is now out of order. For to set you in a way particularly⁴ now I cannot, but only this, a national synod freely called, freely debating among themselves, must settle this; when that every opinion is freely and clearly heard. For the king, indeed I will not—(Then turning to a gentleman that touched the ax, said, hurt not the ax that may hurt me.)—For the king, the laws of the land will clearly instruct you for that; therefore, because it concerns my own particular I only give you a touch of it.⁵ For the people, and truly I desire their liberty and freedom, as much as anybody whomsoever; but I must tell you, that their liberty and their freedom consists in having of government, those laws by which their life and their goods may be most their own. It is not for having share in government, sir, that is nothing pertaining to them.⁶ A subject and a sovereign are clean⁷ different things; and therefore, until they do that, I mean, that you do put the people in that liberty as I say, certainly they will never enjoy themselves.⁸ Sirs, it was for this⁹ that now I am come here. If I would have given way to an arbitrary way, for to have all laws changed according to the power of the sword, I needed not to have come here; and therefore I tell you, and I pray God it be not laid to your charge, that I am the martyr of the people. In troth sirs, I shall not hold you much longer; for I will only say this to you, that in truth I could have desired some little time longer because that I would have put this that I have said in a little more order and a little better digested¹ than I have done; and therefore I hope you will excuse me. I have delivered² my conscience. I pray God that you do take those courses that are best for the good of the kingdom and your own salvations."

Dr. Juxon. "Will Your Majesty—though it may be very well known Your Majesty's affections to religion—yet it may be expected that you should say somewhat³ for the world's satisfaction."

King. "I thank you very heartily, my lord, for that I had almost forgotten it.

8. Both show you how you are wrong and put you on a correct course.

9. All the rationale.

1. Beyond what is necessary to correct the wrong.

2. Allow you to flourish.

3. On the people's side.

4. In detail.

5. Because it concerns my own situation, I men-

tion it only briefly.

6. Of their concern or responsibility.

7. Completely.

8. Be happy.

9. Because I upheld the liberty of the people.

1. More methodically arranged.

2. Spoken

3. Something.

In troth, sirs, my conscience in religion I think is very well known to the world, and therefore I declare before you all that I die a Christian according to the profession of the Church of England as I found it left me by my father; and this honest man, I think, will witness it." Then turning to the officers said, "sirs, excuse me for this same.⁴ I have a good cause, and I have a gracious God; I will say no more."

Then turning to Colonel Hacker, he said, "Take care that they do not put me to pain; and, sir, this, an it please you."⁵ But then a gentleman coming near the ax, the king said, "Take heed of the ax, pray take heed of the ax." Then the king speaking to the executioner said, "I shall say but very short prayers, and then thrust out my hands."

Then the king called to Dr. Juxon for his nightcap, and having put it on he said to the executioner, "Does my hair trouble you?" Who desired him to put it all under his cap, which the king did accordingly, by the help of the executioner and the bishop. Then the king turning to Dr. Juxon said, "I have a good cause, and a gracious God on my side."

Dr. Juxon, "There is but one stage more. This stage is turbulent and troublesome; it is a short one: But you may consider it will soon carry you a very great way; it will carry you from earth to heaven, and there you shall find a great deal of cordial joy and comfort."

King. "I go from a corruptible to an incorruptible crown, where no disturbance can be."

Dr. Juxon. "You are exchanged from a temporal to an eternal crown, a good exchange."

Then the king took off his cloak and his George,⁶ giving his George to Dr. Juxon, saying "Remember" (it is thought for the prince) and some other small ceremonies past. After which the king stooping down laid his neck upon the block, and after a very little pause stretching forth his hands, the executioner at one blow severed his head from his body. Then his body was put in a coffin covered with black velvet, and removed to his lodging chamber in Whitehall.

4. This religious profession. Charles did not accept the radical Protestantism espoused by many of his opponents.

5. As was customary, Charles tips Hacker, the person supervising the execution, in hopes of ensuring a quick death. "An": if.

6. A jeweled pendant representing St. George killing a dragon, worn by Knights of the Garter. The prince (following) is the king's eldest son, later King Charles II, who had escaped to exile in France.

POLITICAL WRITING

Not surprisingly, the tumult of civil war stimulated a great deal of thinking about the nature and ends of government. Along with Thomas Hobbes's *Leviathan* (p. 1596), the three excerpts that follow give some idea of the arguments proposed by English political writers between 1630 and 1655.

In *Patriarcha, or The Natural Power of Kings Defended Against the Unnatural Liberty of the People*, the royalist Robert Filmer outlines a theory of monarchical absolutism based on the authority of biblical patriarchs—Abraham, Isaac, and Jacob, for instance—over their families. God ratified kingly authority, Filmer claims, when he commanded the honoring of parents. Although many royalists retained a larger role for popular consent than Filmer did, Filmer's account of the king's fatherly care of his people, and the people's childlike incompetence to manage political affairs, was

close to the Stuart kings' own views. Like Hobbes in *Leviathan*, Filmer favors royal absolutism, but he works from very different premises, rejecting as unhistorical Hobbes's theory of the state of nature and his speculations on the contractual origin of government. Filmer's recourse to biblical history and to the revealed word of God made his theory more palatable to conservatives than that of Hobbes, who took his methodological premises from geometry and the new science, and his pessimistic assessment of human motives from Machiavelli.

The claims of royalists, who would have concentrated power in the king and deprived the people of any way to get rid of him, came under vigorous attack from the poet John Milton, who during the war years became one of the most effective polemicists for the parliamentary radicals. Milton wrote *The Tenure of Kings and Magistrates* in 1648, the days leading up to Charles's trial and execution, when many of those who had originally supported limiting the king's power shrank from actually beheading him. Milton decries this hesitation, seeing it as the effect of a misdirected awe for the privileges of monarchs. All political authorities, Milton argues, hold their power in trust from the people, and the people can revoke that trust whenever they choose.

Like Filmer, Milton bases his argument upon biblical history, but he cites very different passages. Filmer emphasizes the importance of fatherly authority in Genesis, which narrates the lives of Adam, Noah, Abraham, Isaac, Jacob, and Joseph. Milton acknowledges that the fall of Adam and Eve corrupted human nature so that individuals were henceforth unable to govern themselves properly without external discipline. Yet, he insists, since those charged with implementing that discipline are themselves sinners, they must be kept in check by laws and by strict limitations upon their authority. In Milton's account, problems with the exercise of authority became evident only gradually. Unlike Filmer, who assumes that the social arrangements described in Genesis are a pattern for modern political communities, Milton chooses his examples from later eras in Jewish history: for instance, the Book of Samuel, in which God disapproves of the Israelites' desire for a king.

For both Filmer and Milton, the central issue of the conflict between the king and Parliament is, who has ultimate authority, the king or the people? Gerrard Winstanley construes the problem differently, in primarily economic rather than political terms. Winstanley was a well-educated London linen draper who worked as a laborer in the countryside after suffering financial reverses during the war years. In his political writing, he concerns himself less with the way power is allocated than with the equitable distribution of wealth. The ownership of land is especially important to him, since it was the critical asset in a largely agrarian society. Members of the House of Commons, though they considered themselves the representatives of "the people," were actually fairly substantial property owners; indeed, those without land or income were not entitled to vote. In consequence, more than half the male population (and, of course, the entire female population) was denied the franchise. In *A New Year's Gift Sent to the Parliament and Army* (1650), Winstanley accuses Parliament of having merely transferred oppressive power from the king to itself, leaving most of England's population as impoverished and downtrodden as before.

Winstanley suggests a practical means to remedy his society's inequities: "the commons," undeveloped lands used for grazing, should be made available to poor people to farm communally. Since the commons, though traditionally used by all the residents on an estate, were legally the manorial landlord's private property, Winstanley's ideas were highly unpopular among landowners. Moreover, his proposal was not merely a theoretical recommendation. The year before he wrote *A New Year's Gift*, Winstanley and some of his followers, called Diggers, had settled on St. George's Hill in Surrey. They planted twelve acres of grain and built a number of makeshift houses before they were violently evicted.

Like Filmer and Milton, Winstanley turns to the Bible to justify his politics. Yet like them, he chooses passages that suit his argument. He reads contemporary history