

# REGICIDE

HOW THE PUBLIC OPINION ON REGICIDE CHANGED, COMPARING CHARLES I (1649) AND LOUIS XVI (1793).



*Charles I*

Derived from: Christian Clay Columba Campbell 'King Charles the Martyr' (version 29 January 2010), <http://www.theanglocatholic.com/2010/01/king-charles-the-martyr/> (6 December 2011).



*Louis XVI*

Derived from: Unknown author, 'Louis XVI of France' (version 22 December 2011), [http://simple.wikipedia.org/wiki/Louis\\_XVI\\_of\\_France](http://simple.wikipedia.org/wiki/Louis_XVI_of_France) (6 December 2011).

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## INTRODUCTION

The subject of this essay is regicide, which means killing a king, or the killer of a king, because *regis* in Latin means: of king and *cida* means: killer and *cidium* means: killing.<sup>1</sup> The broad definition of regicide is the deliberate killing of a monarch, or the person responsible for the killing of a monarch. In a narrower sense, in the British tradition, it refers to a judicial execution of a king after a trial. More broadly, it can refer to the killing of an emperor. However, in this essay I will be focussing on the judicial executions of Charles I and Louis XVI.

Charles I and Louis XVI were both executed publicly. Charles I was king of Great Britain and was executed on the 30<sup>th</sup> of January in 1649 and Louis XVI was king of France and was executed on the 21<sup>st</sup> of January in 1793. They were both found guilty of treason in a public trial. Although there is more than a century between these regicides, the cases show great similarities, which is why I would like to compare them and see if public opinion changed on regicide, because these regicides were more an attack on the monarchy as a whole than on the king himself, like earlier regicides. This I will explain more in the paper. Moreover, these regicides were very public. They were not secret assassinations. So they seem similar. What is special about their regicides is that after both these regicides there was a change in the absolute power of kings, next to the structural decline in power of monarchy. The power of kings started to decrease as governments took over from the seventeenth century onwards.

Michael Walzer distinguishes between two kinds of regicide. The first is regicide of the king in person and the other is regicide of the embodiment of the king. With the embodiment of the king he means the entire idea of kingship with all the myths and ideals surrounding it, not just the king's body. According to Walzer this second kind of regicide changed monarchy forever.<sup>2</sup> These kings were executed in public places and with that the inviolability of kingship disappeared. Before the regicide of Charles and Louis, kings could not do wrong in any way because they were the highest legal power in their country.<sup>3</sup>

The first type of regicide was mainly assassination, done mostly by royalty who hired

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<sup>1</sup> T.F. Hoad (ed.), 'Regicide The Concise Oxford Dictionary of English Etymology' (version 2003), <http://www.oxfordreference.com/views/ENTRY.html?subview=Main&entry=t27.e12624> (11 December 2011).

<sup>2</sup> Michael Walzer, translated by Marian Rothstein, *Regicide and Revolution, Speeches at the Trial of Louis XVI, edited with an introduction by the Author* (Cambridge 1974), 3.

<sup>3</sup> Walzer, *Regicide and Revolution*, 35.

assassins to kill their rivals so that they could take their place on the throne, or desperate men who were alone in their act of killing a king. For centuries kings were killed and others replaced them on the throne, without causing any trouble for the monarchy. The danger of being killed was normal for a king, because of the desirable position he had. However, the monarchy remained safe, because the monarchical system was not attacked or questioned. The king was a symbol for his kingdom, and his political body was immortal and not subject to death, while his natural body was. So a king could be killed, but not his kingdom. No king could be a traitor, unless he harmed himself, which did not happen often, most kings were not prone to suicide.<sup>4</sup>

The second type of regicide was directed at the whole conception of kingship not just on the king in person. This type of regicide is what I want to research. To understand this different kind of regicide, we have to understand what the public opinion was on monarchy. When the public's opinion on monarchy changed, also the regicide changed, into the second type described by Walzer.

My hypothesis is that in Charles' case it was more a revolution of the elite and so the public was less positive about the regicide of the king, than in Louis' case where the absolute monarchy had lost more power and the public gained more power it is more logical to think that the public was more positive about regicide in this case. Because the French Revolution is seen as a public revolt more than the British civil war.<sup>5</sup>

The relevance of this subject is that it researches the public opinion on regicide, which has not been done before. This is a difficult subject to research though, because who was the public? There are few sources that give a look into the mind of the common people of the lower and middle classes of society. Most sources are on the upper classes of society and if there are sources on the middle and lower classes they are mostly written by people from the upper classes. Nevertheless, I did research the subject as objectively as possible by looking at the different groups in the public. In Charles' case that was mostly on the royalists, who supported Charles, the radical republicans, who wanted the monarchy to end, and the moderates who did not want the monarchy to end, but who did want more rights for parliament in regard to the rule of the country than before. In Louis' case the public I researched were also the royalists, the émigrés who supported the king and the monarchy,

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<sup>4</sup> Walzer, *Regicide and Revolution*, 43.

<sup>5</sup> Susan Dunn, *The Deaths of Louis XVI, Regicide and the French Political Imagination* (Princeton 1994), 4.

the revolutionaries, who were split up in two groups: the Jacobins, who wanted the monarchy to end, and the girondins, who were more moderate and did want the king to be punished, but did not want regicide. Moreover, this research is relevant, because the public opinion on Charles I's regicide has not been compared to the public opinion on Louis XVI's regicide.

In Michel Foucault's *Surveiller et Punir: Naissance de la Prison* (Discipline and Punish: The Birth of the Prison) he shows the shift, at the end of the eighteenth century and the beginning of the nineteenth century, from public trials and punishment to closed trials behind doors and imprisonment instead of corporal punishment.<sup>6</sup> Although some see this shift as a civilizing process, Foucault thought that because of its rapid change there is another motive for the shift. He thinks it is because of the power the punished persons can show in public trial and punishment, that this can give them martyr-like status. This is bad for the party which judges the crime. You can see this in the regicides of Charles I and Louis XVI. Because they could speak for themselves in public trials, the public could see and listen to them, which on the one hand could show the king's vulnerability and on the other hand the divine strength of the king. In Foucault's words: 'It was as if the punishment was thought to equal, if not to exceed, in savagery the crime itself, to accustom the spectators to a ferocity from which one wished to divert them, to show them the frequency of crime, to make the executioner resemble a criminal, judges murderers, to reverse roles at the last moment, to make the tortured criminal an object of pity or admiration.'<sup>7</sup> This idea of Foucault shows how important the public's opinion on the regicide is.

To answer the question: to what extent did the public opinion about regicide change, comparing Charles I and Louis XVI? I will first look at regicide itself, what is regicide and how different are these regicides from earlier cases of regicide? Secondly, I will look at the monarchy and how the public opinion on that changed. Thirdly, I will look at the public opinion on the regicide of Charles I. Thereafter, I will look at the public opinion on the regicide of Louis XVI. Then finally, I will compare the two public opinions on regicides, so I can see if there were changes. In this chapter I will answer my research question: to what

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<sup>6</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, translated from the French by Alan Sheridan, (1977, New York) 8.

<sup>7</sup> Foucault, *Discipline and Punish*, 9.

extent did the public opinion on regicide change comparing Charles I's and Louis XVI's regicide?

## CHAPTER I. THE DECREASE IN POWER OF THE ABSOLUTE MONARCHY

The old regime, the monarchic system, was hierarchical with the king as the head of society. This hierarchy was literally described as body politic, with the king as the head of the country and his subjects the other parts of the body below the head.<sup>8</sup>

The king had a divine right to be in this position. He was placed there by God to keep order and to rule the people.<sup>9</sup> Because the king was appointed by God as the most important ruler, he had the divine right to rule without help from others. The king defended the church and the faith, because he was the head of the Church and his body was regarded as the body of Christ. Moreover, the society was built in this hierarchical divine system with the king at the top of the pyramid, the bishops underneath that, and the courtiers again below that, and so on.<sup>10</sup>

Also, it was believed that the king had a natural claim to the throne. Because of this political system, where the king was the head of the nation's body, it was only natural that he ruled the rest of this body. The king was in the idea of the old monarchy the natural leader and only public person for ceremonies and rituals. 'All other men and women were private, limited in their functions, dependent, members of the body politic only because of the unifying role of the king.'<sup>11</sup> It was a real comforting thought for the public that the state was a product of Nature, or of God, and not something designed by humans.<sup>12</sup> That is also why this hierarchical system with the king at the top had so much appeal, because it was very structured and seemed natural.

Furthermore, this system also felt more natural, because England and France were patriarchal societies. The family hierarchy was structured in such a way that the father was the head of the family. The man of the house worked and led the family, and made the important decisions. Like the father was the leader of his family, the king was seen as the

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<sup>8</sup> Walzer, *Regicide and Revolution*, 12-13.

<sup>9</sup> Walzer, *Regicide and Revolution*, 14-15.

<sup>10</sup> Walzer, *Regicide and Revolution*, 20-21.

<sup>11</sup> Walzer, *Regicide and Revolution*, 23.

<sup>12</sup> Walzer, *Regicide and Revolution*, 22.

leader of his subjects, the father of his people.<sup>13</sup>

Lastly, the king was believed to have miraculous powers. The English and French rulers from the early Middle Ages until the revolutionary years, were thought to be able to heal men and women suffering from scrofula, a form of tuberculosis in the neck which was commonly known as the king's evil. Just by touching the people the king could cure or prevent the people from getting the disease, or so it was believed. This healing of kings was entirely miraculous, there was no medicine or other kind of medical healing, just the touch by the king would cure the patient. There were ceremonies held where the king touched thousands of subjects. These rituals enforced the positive political image of the king.<sup>14</sup>

This image of kings was more than good propaganda, it was a popular belief. The public really believed in the image of the king as a godlike figure. He was seen as 'God's deputy' on earth, the 'head and soul of the body politic, sole knower of the mysteries of state, father of his subjects, husband of the realm, healer, peacekeeper, sovereign lord.'<sup>15</sup> It was believed that it was the logical, natural and god-given task of the king to rule. And it was believed that the hierarchical system was the way things were supposed to be regulated in a functional unity.<sup>16</sup> However, this idea of a functional unity started to change in England and France from the seventeenth century onwards.

To clarify this I will first describe Charles I's decrease in monarchical power and then Louis XVI of France.

## I.I CHARLES I

In England the decrease in the power of the monarchy started to change with the civil wars (1642-1646 and 1648-1649). The long parliament and the royalists were in armed conflict, because the parliament wanted a bigger say in the political decisions the king made. The king could choose when he wanted the parliament to assemble, who were the ministers sitting in parliament and who were the judges in court. The real absolute power was still in the king's hands at the start of the civil war. John Pym (1584-1643), member of parliament, provoked the king by asking for more control of the parliament in state affairs. On the first of June 1642 Pym requested the parliament's control of the church, army, royal children and law.

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<sup>13</sup> Walzer, *Regicide and Revolution*, 22.

<sup>14</sup> Walzer, *Regicide and Revolution*, 19.

<sup>15</sup> Walzer, *Regicide and Revolution*, 9.

<sup>16</sup> Walzer, *Regicide and Revolution*, 25.

The king refused this request, because he believed in his own right as an absolute monarch. Pym reacted by enlisting the army, but the king also enlisted an army of volunteers. On 14 September 1642 the first civil war began, between the royalists and the parliamentarians. Charles' army won the first battles but eventually on 14 June 1645 the royalists lost from the parliamentarians, who were led by Oliver Cromwell (1599-1658). During the Civil War a lot of men were killed (which was very depressing for the public). 'The war set neighbour against neighbour, brother against brother, father against son. Trade was dislocated; judicial proceedings were interrupted; social upstarts seized power on the hated county committees appointed by parliament to control the localities; and free quarter and high taxation were among the manifold inconveniencies of military occupation.'<sup>17</sup> The Civil War was not good for the king's reputation especially, because he lost the war. Which meant God wanted him to lose, to punish him? Or was God not at all supporting Charles anymore? In other words, had the king still the blessing of divine right?

The civil wars helped with the erosion of the ideals about kingship.<sup>18</sup> The public was disappointed and sad, because a lot men had died in the war. Moreover, they had to pay higher taxes to finance the war. The republicans used anti-royalist propaganda to strengthen the erosion of the ideal image of kingship.<sup>19</sup>

However, the majority of the public still wanted Charles to be King of England. But he had to take some blame for his actions and give in to some wishes of parliament, to regain support among his subjects. Charles had other ideas about that though, and did not want to give in, for this he got charged with treason. The fact that the high court did not want the trial to end in regicide reveals that they still needed Charles to be king and were scared what the consequences would be if the trial would end in regicide.<sup>20</sup> The majority still believed in the image of kingship and its unifying power.

Now I will look at Louis XVI of France's decrease of monarchical power.

## I.II LOUIS XVI

In France the functional unity started to change with the French Revolution, which started in 1789 and would mean the end of Louis' reign. He was an absolute monarch just like Charles,

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<sup>17</sup> Blair Worden, *The Rump Parliament 1648-1653* (Cambridge, 1974), 14-15.

<sup>18</sup> Walzer, *Regicide and Revolution*, 88.

<sup>19</sup> Worden, *The Rump Parliament*, 15.

<sup>20</sup> Sean Kelsey, 'The Death of Charles I', in: *The Historical Journal*, 45:4 (2002), 727-754, 728.

but the erosion of the idea of absolute kingship was further developed in his case. Louis was still seen as the father of the country and the heroic image of the king being the one who takes care of his subjects was also in France strongly present. This however, started to change, because there was a lot of dissatisfaction. Not especially about Louis, but mostly about the privileges of the clergy and the nobility. Moreover, there was dissatisfaction about high grain prices and high taxes. The treasury was empty and the state was close to bankruptcy, because of the financial support it had given to the war of independence in America.<sup>21</sup>

Because of this dissatisfaction Louis' position started to decline: the general attitude started to change, the bourgeoisie wanted more say in politics and no more privileges for the nobility and clergy. Their main privilege was that they did not have to pay taxes, and that they were allowed to vote in the Estates-General, two (nobility and clergy) against one (bourgeoisie). Which is why the lower classes never had a chance to win a vote, and why they wanted this to change.

Moreover, the splendour of the court caused the public to be more displeased and anti-royalist propaganda started to circulate.

Furthermore, court politics were also a source of dissatisfaction. The stories that surrounded the court about intrigues, decadence, love affairs, were very bad for the royal reputation. And most of these stories were true, because court politics were not about good qualified statesmen but just about aggrandizing oneself to come into the king's favour. And to achieve this goal most courtiers used intrigues, and flattery to climb the social ladder.<sup>22</sup> Also the withdrawal of the king to his court at Versailles, outside of the city, was bad for his awareness of what happened outside the palace doors. Moreover, because of this no other men than the already well positioned nobility could enter into the king's circles. The court politics were turned inward and 'courtiers focused their attention less on the sovereign, more on the man who was king'<sup>23</sup>. The activities at court were without political substance or meaning that could be useful to the nation. Without this mystery the kingship was lost.

The public did not blame the king for the trouble the country was in. Mostly his advisers, the nobility, the clergy and his Austrian wife Marie-Antoinette were blamed.

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<sup>21</sup> Thomas F. X. Noble e.a., *Western Civilization, Beyond Boundaries* (Boston 2008) 590-591.

<sup>22</sup> Walzer, *Regicide and Revolution*, 33.

<sup>23</sup> Walzer, *Regicide and Revolution*, 32-33.

However, when Louis tried to flee the country with his family, and the public found the letter out of which it became clear that Louis wanted to try to regain his absolute power by an invasion of an army of émigrés and Austrians, public opinion about him deteriorated.

Now I will look at the trials of Charles and Louis.

### I.III THE TRIALS

In both the cases of Charles and Louis the idea of the ideal functional unity eroded. People started to wonder if it was necessary to have a king. Some, like Robespierre, were convinced that it was unnecessary and even harmful for the freedom and the peace of the people to have a king.<sup>24</sup>

Robespierre believed that the National Convention was in its right to execute Louis without a trial, because he was an enemy to the nation and guilty of tyranny.<sup>25</sup>

Other parties in the National Convention thought it was too radical to execute the king without a trial. It went against civil law. Moreover, it was necessary to make clear in a trial that a king who could do no wrong, now really had done wrong. So that is why the majority in the National Convention wanted a trial and found the king guilty not just of being a king but of treason.<sup>26</sup>

The treason of the kings was clear enough, but it was still difficult to charge them, because lawfully they were still inviolable at the time of their crimes, since the king legally could do no wrong. Moreover, they were unique, not only because of the claims they had on mystic power but also because of the attraction that they held for their subjects.<sup>27</sup> No court could overlook the uniqueness of a king on trial. Kingship is a class with only one member, Louis and Charles were not just kings, but they were the king of France and the king of England respectively.<sup>28</sup> So even if the court agreed with Robespierre that the king deserved no trial, it was still important to have a trial just to prove that the killing was an 'act of justice and a denial of the king's right to claim the rule.'<sup>29</sup>

The courts were in a difficult position. They had to charge the kings for treason, while

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<sup>24</sup> Maximilien Robespierre, 'Speech 3 December 1792', in: Michael Walzer *Regicide and Revolution* (Cambridge 1974), 130-138, 138.

<sup>25</sup> Robespierre, 'Speech 3 December 1792', 138.

<sup>26</sup> Walzer, *Regicide and Revolution*, 68.

<sup>27</sup> Walzer, *Regicide and Revolution*, 83.

<sup>28</sup> Walzer, *Regicide and Revolution*, 83.

<sup>29</sup> Walzer, *Regicide and Revolution*, 6.

the majority of the subjects of the kings still believed in their dignity and inviolability. Although they were dissatisfied with the situation, they did not blame the king. To reach the point where the public would agree with the court that the king was guilty it was necessary to renounce the magical authority the king had. To make this possible the revolutionary attack had to have symbolic power. It had to have the symbolic power of disenchantment of the former kingdom as well as the establishment of a new secular republic. So in Walzer's words: 'the trial was an act of destruction as well as the vindication of a new political doctrine.'<sup>30</sup> Monarchy was no longer seen as the ideal form of society. Moreover, it was thought by the revolutionary republicans that the royal government was not a God-given order, but a contract between the public and the ruler. On the other hand, the government should be an agreement among the public themselves, of which the king was merely a beneficiary.<sup>31</sup> Although this was the reasoning the revolutionaries used, it was not believed or agreed upon by the lower classes of society, as I will show below.

The responsible parties thought that, as long as the destruction of kingship was witnessed by his former subjects and the mystery of kingship would be destroyed before their eyes, it would become more reasonable that the new society would be led by a government. The new laws and the new regime would be symbolized by the killing of the king and the destruction of the old regime.<sup>32</sup> The executions played a vital part in limiting the power of kings, and the changing of the law. They had that effect, because it showed that the crime committed by the kings was judged in the same manner as any other citizen would have been judged for high treason. It showed that royals could be criminal and would be punished in the same way as subjects. Moreover, with this the courts did not only condemn the kings' natural-selves, but also their royal embodiment, and with that the monarchy.<sup>33</sup>

With this the court showed that it would keep to the new constitutional law. The killing of the kings was in support of the 'theory of social change and renewal'. The 'murder [was] the means for social progress, and it made the elimination of dissent and the death of the enemies of the *patrie* the condition for national unity and fraternity.'<sup>34</sup> This lawfulness served the revolutionaries well until they found out it also served the kings well. Because

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<sup>30</sup> Walzer, *Regicide and Revolution*, 88.

<sup>31</sup> Walzer, *Regicide and Revolution*, 46.

<sup>32</sup> Walzer, *Regicide and Revolution*, 89.

<sup>33</sup> Walzer, *Regicide and Revolution*, 85.

<sup>34</sup> Dunn, *The Deaths of Louis XVI*, 4.

they were able to speak up at their trial, as Charles especially did so eloquently and they were able to die with grace and dignity. While courts wanted to take away the power and mystery the kings had during their lives, the kings acquired a new martyr-like status when standing on the scaffold. They regained their dignity at the end of their lives.

This is what Michel Foucault also reveals in his *Discipline and Punish*, that actually the criminals who were punished publicly earned more respect, because then they played the part of the victim and the judges who charged them changed into the villains.<sup>35</sup> In Walzer's words: 'Though they (: the kings) were condemned as men and citizens, they died as they had tried to live, as bodies simultaneously politic and natural, symbols of a regime, gods incarnate: greater justice could not have been done to them.'<sup>36</sup>

#### I.IV SUMMARY

I will now summarize this chapter on the decrease in power of the absolute monarchy. We can see in Charles' case that the court was extremely reluctant to condemn Charles for high treason. Actually the parliament did not want to end the monarchy, it just wanted a better power balance. The only ones who really blamed the king were the soldiers who were angry they had lost so much friends and family during the war. But in the end they also did not really want the king killed, but they did want him to be punished.<sup>37</sup>

In Louis' case the erosion of the miraculous kingship was further developed than in Charles' case. Still the National Convention was reluctant to turn to regicide. With this reluctance the National Convention revealed how even the members in the top of the revolutionary government still saw the king as something more than a man. He stood for the entire nation, and it was not a easy decision. Although some, mainly the Jacobins, wished the king dead and even not wished to have a trial, because that would show weakness of the revolutionary ideas, most people in the Convention were not so decided about what was the best way to progress.<sup>38</sup>

Eventually though, in both Charles' and Louis' case, it was decided that the king could not be punished less than any other citizen would have been for high treason. So the kings were executed. And with that the kings gained a whole new level of uniqueness about them.

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<sup>35</sup> Foucault, *Discipline and Punish*, 9.

<sup>36</sup> Walzer, *Regicide and Revolution*, 86

<sup>37</sup> Kelsey, 'The Death of Charles I', 754.

<sup>38</sup> Walzer, *Regicide and Revolution*, 83.

They suffered for the good course of their country. And so they were lifted into the status of martyrdom. They were received by the public in a whole new light and would be remembered and even admired for their final hours in court and on the scaffold, for centuries to come.

Summarizing, the king was still seen as the ideal leader, and now even as a godlike martyr. But the law did change and the equality of the new constitutional justice was highlighted by the regicides, because now even kings would be punished if they were guilty of a crime.<sup>39</sup>

In the next chapters I will research the public opinion, by first looking at the public opinion on Charles' regicide and in the next chapter I will then look at the public opinion on the regicide of Louis. Finally, I will then compare the two opinions in my final chapter: Was there a change in the public opinion on regicide, comparing Charles I and Louis XVI?.

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<sup>39</sup> Dunn, *The Deaths of Louis XVI*, 4.

## CHAPTER II. WHAT WAS THE PUBLIC OPINION ON THE REGICIDE OF CHARLES I?

In this chapter I want to look at the public opinion on the regicide of Charles I. I will look at the public opinion on the regicide from before the actual regicide and the public opinion after the regicide. For the public opinion I will look at the royalists, who supported Charles I, radical republicans, who wanted to end the monarchy and start a republic, and the moderates, the majority of the public. On 27 January 1649 Charles I, was charged with ‘a wicked design to erect and uphold himself an unlimited and tyrannical power to rule according to his will, and to overthrow the rights and liberties of the people’<sup>40</sup>, three days later he was executed.

### II.I THE PUBLIC OPINION BEFORE THE REGICIDE

Before the regicide of Charles I it seemed that no one with a real say in the matter really wanted the regicide. Because they had nothing to gain by it. It could renew the civil war across the country, and it could be an open invitation for claims to three parts of the kingdom: Great Britain, Ireland and France, which was not desirable for restoring the peace.<sup>41</sup> So it was never intended, at least by the members of parliament, that the trial would end in regicide at all. According to Sean Kelsey in fact, ‘great efforts had been made to ensure that, when the public sessions of the king’s trial began, regicide was the least likely outcome of proceedings.’<sup>42</sup> Also the general desire was to keep the monarchy and the king in place. This was because monarchy established a religious symbolic example, so Presbyterians had no desire to lose the monarchy or the king. Moreover, army officers and leading civilian politicians, also had the advantage of the king as an example for leading figures like themselves. The people who were responsible for the outcome of the trial had no desire for killing the king.<sup>43</sup>

There was pressure from soldiers and radical republicans on the trial commissioners to decrease the power of the king and the House of Lords, and in return give more power to

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<sup>40</sup> Worden, *The Rump Parliament*, 15-16.

<sup>41</sup> Kelsey, ‘The Death of Charles I’, 732.

<sup>42</sup> Kelsey, ‘The Death of Charles I’, 728.

<sup>43</sup> Kelsey, ‘The Death of Charles I’, 738.

the House of Commons.<sup>44</sup> The soldiers and radicals used ‘blood-guilt rhetoric’,<sup>45</sup> to support the trial against the king because it was the most efficient to achieve a solution to their problems, which did not mean that they really wanted the king to be executed.

The pressure to decrease the power of the king came from two groups within society. Firstly, an example of this blood-guilt rhetoric you can see in a declaration of officers, who were unhappy about the situation and wanted revenge of some kind. ‘In October 1648, some of the officers of Commissar General Henry Ireton’s regiment declared the king guilty of treason, tyranny, and murder. They demanded “impartial and speedy justice” on ‘such as have ... betrayed their Trust, or bin Authors of shedding that innocent blood’, and ‘That the same fault may have the same punishment, in the person of the King or Lord, as in the person of the poorest, Commoner.’<sup>46</sup> The full-length version of this *Remonstrance*, agreed by the Council of Officers at St Albans on 18 November 1648, testified to the violent anger and frustration felt by many soldiers towards the man of blood and his chief supporters. It may have even called for the king’s execution, but so indirectly that it is quite impossible to say for certain.<sup>47</sup> They did want change though, but how they actually thought about the regicide is not possible to determine. By this *Remonstrance* they did put pressure on the parliament to make changes, for example with the Pride’s Purge (5-7 December 1648), during which Colonel Pride from the army arrested members of parliament, because they did not put the king on trial.<sup>48</sup>

Secondly, the radicals among the public who supported the ‘large petition’ of 11 September 1648, signed by approximately one third of Londoners, sought a settlement which put Charles and the House of Lords under the power of the House of Commons, so that they would have constitutional supremacy, but they did not encourage any physical violence against the king. They just wanted more power in the government.<sup>49</sup>

However, Charles was not cooperating with his judges. He was determined that they had no right to judge him, which in fact they indeed did not if one looks at the original law, in which the king was inviolable. He said during the trial on 20 January 1649 ‘I do stand more

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<sup>44</sup> Kelsey, ‘The Death of Charles I’, 752.

<sup>45</sup> Kesley, ‘The Death of Charles I’, 730.

<sup>46</sup> Kelsey, ‘The Death of Charles I’, 730

<sup>47</sup> Kelsey, ‘The Death of Charles I’, 731.

<sup>48</sup> Worden, *The Rump Parliament*, 15.

<sup>49</sup> Kelsey, ‘The Death of Charles I’, 729.

for the liberty of my people than any that come to be my pretended judges.<sup>50</sup> His self-appointed judges still needed him to be king, and using that fact, he played with them and did not give in to their requests. Charles had the power to legitimate authority in England, and it also remained in his power to reconquer Ireland and to pacify the English fleet would be a lot easier, if he would remain king. The options were in Charles' eyes that either he would give in and lose most of his regal power, or the Parliament would soften its terms and restore a portion of his regality. This would give him enough power to restore the absolute monarchy entirely, or so he believed. However, when it should end in the opposed manner and the trial would end in regicide, although it is unlikely that Charles thought this could really be a possible result, he still knew that his heir would be able to capitalize on his father's death as the rightful successor. He knew that in that case he would be depicted as a martyr who was brutally murdered by his subjects.<sup>51</sup>

By the beginning of January the majority of commissioners did not want popular sovereignty at all, because that could only reduce their own political power. The large majority still wanted Charles on the throne, and believed that the monarch and the House of Lords were indispensable to the peace in the kingdom. Moreover, the trust in the rump House of Commons was not so great that the ministers wanted to establish it as the highest power in the country.<sup>52</sup>

Moreover, the members of parliament thought that the trial of the king was mainly a formality, to put him more under the control of the parliament. Unexpectedly, the charge became just a pretext, when it dawned on them that the king was not planning to plead for his case, or give in to the adjustments required. This made it important to them to persuade the king to please try to give in to adjustments and by pleading for his case.<sup>53</sup> Like one of the king's prosecutors, the Dutch civil lawyer Isaac Dorislaus, claimed shortly after the trial 'that if the king had simply pleaded [not guilty] the charge his life would have been spared, as the trial would have been protracted indefinitely.'<sup>54</sup>

Without Charles giving in or at least pleading for himself, regicide became the only solution for the high court. The pressure of the public that wanted a change, and the

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<sup>50</sup> Kelsey, 'The Death of Charles I', 744.

<sup>51</sup> Kelsey, 'The Death of Charles I', 733.

<sup>52</sup> Kelsey, 'The Death of Charles I', 743.

<sup>53</sup> Kelsey, 'The Death of Charles I', 743-744.

<sup>54</sup> Kelsey, 'The Death of Charles I', 734.

pressure of the radical republicans, led by Cromwell, who wanted the constitutional power in the hands of the commons became too much to ignore for the high court so it had to decide and give Charles the death penalty. Although regicide was not Cromwell's ideal result of the trial either, in November 1648 he 'had declared at Pontefract that the king ought to be persuaded to accede to the demands made at Newport, and to take the Covenant.'<sup>55</sup> However, it was all to no avail, when the king kept refusing to plead for his case, Cromwell saw no other solution than to arrange a public trial.

Finally, Gilbert Millington, a member of the high court of justice, reported the charge on 19 January 1649. Written down in vague and indeterminate generalities concerning the king's 'wicked design to trample law, demolish parliament, and tyrannize England', the charge was less of an accusation and more an open invitation, entirely 'begging the question of guilt rather than demonstrating it.'<sup>56</sup>

The public trial was held in the great hall at Westminster, from 20 January until the 27<sup>th</sup> of January.<sup>57</sup> The ministers had experienced serious differences with regard to the trial, there was still a lot of uncertainty if the trial would lead in the right direction. And those who were prepared initially to go along with proceedings against the king were back-tracking once it became apparent that regicide was the only solution left. This gives the impression that it was previously expected by the ministers that as soon as the trial became public the king would start to give in or at least start to plead for his case. Most importantly, it shows that regicide was not the ending everyone wished for.<sup>58</sup>

The conclusion was drawn on the 25<sup>th</sup> of January and the court voted to condemn the king as a 'tyrant, traitor, murderer, and public enemy to the commonwealth of England' and the judges decided that the condemnation 'shall extend to death'.<sup>59</sup>

At this point of the trial there is evidence that the high court changed its course so the king would not be condemned to death.<sup>60</sup> In the press all of a sudden good things were said about the king, for example that he had had contact with an officer and that he had showed remorse. It could have been possible that there was hasty diplomacy going on

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<sup>55</sup> Kelsey, 'The Death of Charles I', 738.

<sup>56</sup> Kelsey, 'The Death of Charles I', 734

<sup>57</sup> Kelsey, 'The Death of Charles I', 734.

<sup>58</sup> Kelsey, 'The Death of Charles I', 737

<sup>59</sup> Kelsey, 'The Death of Charles I', 745.

<sup>60</sup> Kelsey, 'The Death of Charles I', 746.

between Westminster Hall and St James' court in secret to change the course of action.<sup>61</sup> Even on the 27<sup>th</sup> of January the king was asked twice by one of the court commissioners Bradshaw 'if he had anything else to say'. 'The king had now had no less than nine opportunities to plead.'<sup>62</sup> This shows how little support there was for this outcome in court.

Moreover, when one compares the signatures on the death warrant with the attendance in the high court of justice on 29 January, it reveals not only that several judges present that day left without signing the death warrant, but also that it is entirely possible that Cromwell, as it would be claimed later, had to follow them to the House of Commons for their signatures. So even on the moment of signing the death warrant the judges were uncomfortable with the idea of killing the king.<sup>63</sup>

On the 30<sup>th</sup> of January the king was beheaded, because he had been found guilty of high treason for which the death penalty was normal in seventeenth-century England. The normal punishment for traitors or rebels was hanging and quartering. But just like earlier aristocratic traitors, the king was permitted to die at one blow of an axe.<sup>64</sup>

## II.II THE PUBLIC OPINION AFTER THE REGICIDE

The immediate reaction on the regicide of Charles I was not one of joy. There were probably some men who took moral satisfaction in the deed, probably the soldiers who had sought revenge. But the killing of the king did not bestow any satisfaction or had any psychological benefits for the majority of the public.<sup>65</sup>

The execution only became set the day before the execution and was so sudden and the whole trial was so out of the control for the judges, the ministers, that they felt like it was God's inescapable will, that Charles was executed, while actually the king was the only one who maybe could have prevented this ending.<sup>66</sup>

An unknown author compared Charles with Julius Caesar in a tribute titled: *Stipendariæ lacrymæ, or, A tribute of teares Paid upon the sacred herse of the most gracious and heroick prince, Charles I late King of Great Brittain, France, and Ireland, murdered at*

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<sup>61</sup> Kelsey, 'The Death of Charles I', 747.

<sup>62</sup> Kelsey, 'The Death of Charles I', 748.

<sup>63</sup> Kelsey, 'The Death of Charles I', 750-751.

<sup>64</sup> Walzer, *Regicide and Revolution*, 81.

<sup>65</sup> Walzer, *Regicide and Revolution*, 84.

<sup>66</sup> Kelsey, 'The Death of Charles I', 753-754.

*Westminster, by his own (Regicide) Subjects*, from 1654.<sup>67</sup> In the title of the tribute, you can already see the adoration for the 'gracious and heroic prince', Charles I.

He or she wrote: '... in my thoughts compared Great Charles (the *King of Passions* well as *men*) With Caesar, and his deeds fore his prefer'd. For he but *Realms Subdued*, our *sovereign Himselfe*, which ever hath greatest valour been. When one came fighting, they'r alike in Death. *Save bruter hands ravish the last of Breath.*'

In this tribute Charles is pictured as a hero, because he is compared to Caesar, as a man and passionate king, who could subdue kingdoms to his power. Even in their deaths they were alike and heroic, Caesar and Charles had the greatest valour (braveness). And the man who ended their lives were more brute and violent than Charles and Caesar had been in expanding their realm. Thus, the author compares the judges with Brutus, which shows the author's disagreement with the regicide, since Brutus was the one who was responsible for the intrigue against Caesar, and therefore the cause of his death.

Cromwell and the other republicans started to claim that the regicide was a divine ordinance. They claimed that the republicans had found the courage to stop the tyrant on the throne and to support the freedom and opinions of the people. The execution of Charles was made heroic: the men responsible for the execution were admired for their bravery and their power to control the situation.<sup>68</sup> This 'public insistence that the king died in accordance with a higher wisdom'<sup>69</sup> was supported to disguise the fact that events had happened outside their power or plans. It was a rhetorical solution to hide the loss of control of circumstances.<sup>70</sup>

It was not necessary in Charles' case to kill him, because no one really wanted the king dead. He could have stayed king if he had made adjustments to his rule and had given parliament more power. He was seen as an important factor to symbolize the nation, and to hold it together, that is why the regicide was received with shock. And the suddenness of the decision made the commissioners and the judges jump to quick explanations of divine providence.

When Louis XVI was executed in 1793, sermons on the annual remembrance of

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<sup>67</sup> Unknown Author, *Stipendaria lacrymæ, or, A tribute of teares Paid upon the sacred herse of the most gracious and heroick prince, Charles I late King of Great Brittain, France, and Ireland, murdered at Westminster, by his own (Regicide) Subjects, on Jan. 30. 1648, (1654) 1-47, 9.*

<sup>68</sup> Kelsey, 'The Death of Charles I', 753.

<sup>69</sup> Kelsey, 'The Death of Charles I', 754.

<sup>70</sup> Ibidem.

Charles I's death in England show the renewal of the reactions to Charles' regicide. Some condemned the regicide of Louis and with this showed their disapproval of the regicide of Charles, while others showed that they still supported the republican idea that Charles had not supported the peace of the kingdom, and Louis had not done that either and they both died in support of the new republic.

The sermon from Samuel Horsley to the House of Lords on the 30<sup>th</sup> of January 1793 was very passionate, he was a propagandist on behalf of the French émigré clergy. 'He began by arguing that the guilt or innocence of Louis was irrelevant to a consideration of his execution, which was either a case of "a foul murder", for we owe the same duty to a tyrant as to a just king. God, he continued 'has good ends of his own, not always to be foreseen by us, to be effected by the abuse of power, as by other partial evils. And to his own secret purpose he directs the worst actions of Tyrants, no less than the best of Godly Princes. Man's abuse therefore of his delegated authority is to be born with resignation, like any other of God's judgements. The opposition to God's providential arrangements.'<sup>71</sup> Horsley presented in his sermon God as the excuse for the tyranny of the king. The tyranny could in his eyes only be righteous, because the king's decisions were coordinated by God. All the moves of a king are thus approved by God. And clearly he was not happy with the repetition of the execution of a king in the eighteenth century. He continued more passionately: 'A monarch deliberately murdered! A monarch—whose only crime was, that he inherited a sceptre, the thirty-second of his illustrious stock—butchered on a public scaffold, after the mockery of arraignment, trial, sentence! Butchered without the merciful formalities of the vilest malefactor's execution!'<sup>72</sup>

The sermon of Horsley provoked an anonymous republican to demand whether 'the most violent enemies of the French' would contend 'that the late king was executed, because he was the thirty-second descendant of Hugh Capet? No, I believe no one but the Bishop of St. David's will make such an assertion. He was executed for having invaded the peace and security of the kingdom. He was executed for having abused the confidence reposed in him. He was executed for lifting his arm against the people. He was executed for having sworn to maintain the constitution adopted by his

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<sup>71</sup> Barell, *Imagining the King's Death*, 76.

<sup>72</sup> *Ibidem*.

nation, and for having violated his oath. For these crimes, proved against him, he was executed, and I think he deserved his death.'

He even continued that if 'any future monarch of England should, like the first Charles, lift his arm against the people, I trust that there would be found virtue and patriotism enough among them to inflict upon him such a punishment as such a crime would deserve!'<sup>73</sup> So there were still men who thought the regicide of Charles had been the right course of action.

Walzer comments that 'it is striking how little attention English historians have paid to the trial of Charles: mostly, they express their hostility to this "illegal" proceeding and then move quickly on, averting their eyes.'<sup>74</sup> I think this cannot be said nowadays I believe, with the impressive work done by historians like Sean Kelsey and Sarah Barber.

Susan Dunn shows that Charles' trial is less important than Louis'. I do understand Susan Dunn's remark when she compares Charles' and Louis' executions, writing that 'the execution of Charles I has never been considered an event fraught with meaning', because the French Revolution and the execution of Louis, is remembered as the shift in European history, where after absolute monarchies disappeared. With this she shows that in comparison Charles trial was less important for the shift in the power of monarchies. Dunn continues by explaining that 'Perhaps this is because in England regicide was a political act, whereas in France it was the object of elaborate theological and ideological explanations.'<sup>75</sup> I do not agree with her, because I think that Charles' execution was also an meaningful event to bring change in absolute monarchies in Europe. The English public was less revolutionary and therefore not ready to have no monarchy anymore like the French seemed to be. However, in England as well, the execution of Charles had a great meaning, because the monarchy would never be the same in England after the rump parliament. Yes, monarchy returned in England, but it would no longer be an absolute monarchy. Because of the new monarchy it is logical that historians, and other writers of the eighteenth and begin nineteenth century were reluctant to write about the regicide with more meaning, since imagining the killing of a king was declared a crime by the 1795 December Bill.<sup>76</sup>

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<sup>73</sup> Barrell, *Imagining the King's Death*, 77.

<sup>74</sup> Walzer, *Regicide and Revolution*, 89.

<sup>75</sup> Susan Dunn, *The Deaths of Louis XVI*, 4.

<sup>76</sup> Barrell, 'Imagining the King's Death', 46.

### II.III SUMMARY

Summarizing and concluding this chapter, one could say that the public opinion on the regicide of Charles I was two-sided. There were more negative reactions to the actual killing of the king than there were positive ones. The regicide still resulted in heroic-myth making, one myth about the brave fearlessness of the commissioners to condemn the king, and the other about the divine martyrdom of the gracious saviour king Charles I.

To be able to compare the public opinion on the regicides of Charles and Louis I will in the following chapter answer the question: What was the public opinion on the regicide of Louis XVI?

## CHAPTER III. WHAT WAS THE PUBLIC OPINION ON THE REGICIDE OF LOUIS XVI?

Louis XVI was executed on 21 January 1793. Susan Dunn show in her description of the regicide that there were two reactions to the beheading of Louis: one in happy cheers for the new republic, and the other in despair, for how was this destroyed system of state ever to be peacefully restored? She shows that people in reaction to the beheading shouted: “Vive la république” and that ‘a few drowned themselves or cut their own throats; for these people, a once finely ordered universe had been destroyed’.<sup>77</sup>

In this chapter I will answer the question: what was the public opinion on the regicide of Louis XVI? I will make a distinction by first looking at the opinion the public had before the regicide on killing the king, and then secondly, looking at the public opinion on regicide after the execution.

### III.I THE PUBLIC OPINION BEFORE THE REGICIDE

The public opinion before the revolution on the regicide of Louis XVI was divided. In the National Convention there was a group, mostly Jacobins, who were positive about the regicide of the king and a group of mostly Girondins who wanted the king to be punished but not killed. The National Convention convicted Louis for his support of the rebels inside and the émigrés outside the country and for his negotiations with foreign powers planning an invasion of the country.<sup>78</sup> After the king was stopped and arrested in Varennes, on the 21th of June 1791, it became clear that he wanted to start a military campaign to restore his rule. After this the king and his family were imprisoned and the king was called Louis Capet, to give him the status of a normal citizen.

Even though the National Convention wanted to give him the status of a normal citizen, it was not something easily achieved. Like Louis himself said during his trial: ‘I am not called Louis Capet’. And, indeed he was not, he was still known as the king of France and his royal title still called to mind a world of images and ideas.<sup>79</sup> That made it necessary to have a trial first so it became clear that the king could be punished for treason. Not everyone

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<sup>77</sup> Dunn, *The Deaths of Louis XVI*, 4.

<sup>78</sup> Walzer, *Regicide and Revolution*, 69.

<sup>79</sup> Walzer, *Regicide and Revolution*, 68.

wanted the king to be punished and definitely the majority of the public did not want the king to be killed. Because the image of the king was still strong, he was seen as the patriarch of the people. Moreover, he also had his family to take care of, and because he was pictured as a caring father the majority of his subjects still saw him as their patriarch. The general public did not want the king to be executed, it would not be retributive, they were not looking for revenge, because they still saw the king as a father of the people and as a protector.<sup>80</sup> This made an execution a step too far. For some politicians banishment was seen as a good alternative. The Girondins, like Thomas Paine and Marquis de Condorcet were absolutely against the death penalty.

The Jacobins, with as their leader Maximilien Robespierre, advocated the execution of the king, because he was part of the Old Regime, and all the enemies of the new system should be removed. In the eyes of Robespierre the revolution was an ongoing war against the enemies of the French people.<sup>81</sup> The Jacobins even thought, since the king was an enemy to the new contract and did not support it, he could be seen as an enemy of the nation without proof, so without trial.<sup>82</sup> The revolutionaries, according to Robespierre had the right of the nation: 'Louis must die because the nation must live'<sup>83</sup>, he said in a speech on the 3rd of December 1792. The civil law of the new state would be for the law-abiding only, and the civil rights only for the political committed.<sup>84</sup> So the Jacobins were not opposed to regicide at all, they thought it was necessary to support the new regime and to make the revolution count.

On the other hand in the National Convention, there were also people who wanted a trial first and were not opposed to regicide either, if the king would be found guilty that is. They just wanted a legal trial so that they could prove the king's wrongdoing, because they wanted to prove that they had the right to condemn the king to protect the higher right of the republic, which is the sovereignty of the people.<sup>85</sup> The trial was an act of ending the old regime, but also a legalization of the new political doctrine. The trial was a symbolical establishment of the secular republic and the ending of the *ancien regime*.<sup>86</sup> Jean-Baptiste

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<sup>80</sup> Walzer, *Regicide and Revolution*, 84.

<sup>81</sup> Walzer, *Regicide and Revolution*, 71.

<sup>82</sup> Walzer, *Regicide and Revolution*, 73.

<sup>83</sup> Maximilien Robespierre, 'Speech 3 December 1792', 130-138.

<sup>84</sup> Walzer, *Regicide and Revolution*, 74.

<sup>85</sup> Walzer, *Regicide and Revolution*, 75.

<sup>86</sup> Walzer, *Regicide and Revolution*, 88.

Maihle, a lawyer from Toulouse, who was a draftsman and a *rapporteur* for the Committee, was an example of someone who supported this view. He gave the speech reporting for the National Convention if the king could be brought to trial. He said in this speech on 7 November 1792: 'You are to pass judgment on the crimes of a king, but the accused is no longer a king. He has resumed his original title; he is a man. If he is innocent, let him prove it, if he is guilty, his fate should serve as an example to the world.'<sup>87</sup>

To his supporters Louis was guilty only of a failed attempt to restore his power, by a foreign invasion. This view was mostly supported among the aristocracy and clergy who were privileged by their position in the *ancien regime*. They were definitely against regicide, and also against the trial, because they thought the king was innocent and inviolable.

The question if the king could perhaps have been punished in another manner, rather than executed is in the case of Louis more interesting than in Charles' case, because at the end of the eighteenth century in France the death penalty was starting to be questioned. Enlightened philosophers like Voltaire and Beccaria were opposed to the death penalty in general and some of the delegates of the Convention had adopted their views. There was a growing interest in imprisonment and banishment, but still when Dr. Guillotin by 1792, had established a single mode for execution -the Guillotine which guaranteed that every criminal would have an equal execution- it seemed to be the most appropriate and symbolical way to end an old regime and start a new one.<sup>88</sup>

### III.II THE PUBLIC OPINION AFTER THE REGICIDE

Secondly, I will look at the public opinion after the regicide. It was a strange and bewildering thing to be standing in Paris at 21th of January in 1793, that is for sure. Like shown at the start of this chapter there were two general reactions to the execution. On the one hand people who rejoiced for the Republic, on the other hand people who pitied the king and were scared of what would follow. Some people decided to kill themselves, when they saw the king die, others waited until it was done for them during the great terror.<sup>89</sup>

For the persons who rejoiced in the public execution of Louis XVI, the regicide was an act of symbolic value for the revolution. By the Jacobins it was 'portrayed as the ritualistic

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<sup>87</sup> Jean-Baptiste Maihle, 'Speech 7 November 1792', in: Michael Walzer, *Regicide and Revolution*, 93-110, 107.

<sup>88</sup> Walzer, *Regicide and Revolution*, 81-82.

<sup>89</sup> Walzer, *Regicide and Revolution*, 89

founding act of a new social order, attributing to Louis the unusual sacred status of a sacrificial victim who possesses the supernatural ability to purify and regenerate the nation through his own death.<sup>90</sup>

On the opposite side were the royalists who perceived the regicide as a criminal act against God's chosen leader of the country. They were 'easily convinced that Louis was a Christ-like martyr for the redemption of France.'<sup>91</sup> Moreover, they lost their own position, authority and stability of an eight hundred-year-old monarchy.<sup>92</sup>

After the great terror it was questioned if the terror would also not have happened had not the king been killed? Which made the regicide even less popular, because this suggests that if the king was not executed the great terror could have been prevented.

Alphonse de Lamartine (1790-1869) and Jules Michelet (1798-1874), both historians in nineteenth-century France, wrote about the killing of the king. According to them by the 'killing of the defenceless monarch, the Jacobins had awakened and unleashed tremendous sympathy that purified the monarchy in the public imagination.'<sup>93</sup> Michelet, who blamed the Jacobins for taking away the course of the republic, by making the king pitiable, which clouded Louis' guilt, said that 'the traitorous king appeared before the people as innocent, touching, respectable.' So he actually shows us that the king was remembered again as a king who had done no real harm and was cruelly murdered. Although Michelet himself was not agreeing with the public that the king was innocent, he did find the regicide a stupid move from the Jacobins, so he was not pro-regicide either.<sup>94</sup> This also shows that after the regicide most people saw the regicide as the wrong course of action, and the king as a poor innocent man.

The task liberal historians had before them, was difficult, because they wanted to restore the positive republican ideology, and to separate it from the violence of the terror. To do this they had to explain the importance of the regicide, which was what Michelet tried to do.<sup>95</sup> The regicide of Louis XVI as a mythical event was used to reformulate the ideals of

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<sup>90</sup> Dunn, *The Deaths of Louis XVI*, 4.

<sup>91</sup> Dunn, *The Deaths of Louis XVI*, 5

<sup>92</sup> *Ibidem*.

<sup>93</sup> Susan Dunn, 'Michelet and Lamartine Regicide, Passion, and Compassion', in: *History and Theory* 28:3 (1989), 272-295, 275.

<sup>94</sup> Dunn, 'Michelet and Lamartine', 275-276.

<sup>95</sup> Dunn, *The Deaths of Louis XVI*, 5.

1789 into democratic and humanitarian ideals, in the nineteenth and twentieth century.<sup>96</sup> The events of the French revolution, especially the regicide of Louis, became part of the collective memory of France, the political principles the French admired: equality, fraternity and liberty. The ideals of the French revolution were used to explain the new values, the events were mythologized and the actors were made heroic, perhaps most of all Louis XVI.<sup>97</sup>

### III.III SUMMARY

Summarizing this chapter, the public opinion on the regicide of Louis XVI was mostly negative. The bourgeoisie still saw the king as a father of the people and as a protector. The Girondins supported this course of thought and wanted the king to be punished in another way, for example by banishment or imprisonment. There were people who wanted change though and thought like the Jacobins that the execution of the king would be the only solution for the old regime to be properly replaced by the new regime. After the regicide, the terror put the regicide in a whole new light: the public started to wonder, what would have happened if the king had not been killed? Would the terror also not have happened? This made the regicide even more infamous in the public opinion. Liberal historians like Michelet tried to put the regicide in a better daylight by not linking it to the terror and give the regicide more meaning, because it was in support of the ideals of the revolution. Although Michelet did not agree with killing the king, because it turned the king into a pitiable martyr, he did agree with the fact that the king had to be removed (not killed) for the revolution to be successful. So after the regicide it would become apparent that regicide was a bad idea. And in the public opinion, even the supporters of the revolution started to agree with that, because of the radicalization of the terror.

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<sup>96</sup> Susan Dunn, *The Deaths of Louis XVI*, 6.

<sup>97</sup> Susan Dunn, *The Deaths of Louis XVI*, 7.

## CONCLUSION. WAS THERE A CHANGE IN THE PUBLIC OPINION ON REGICIDE, COMPARING CHARLES I AND LOUIS XVI?

I will answer my research question: 'Was there a change in the public opinion on regicide, comparing Charles I and Louis XVI? I will do this by looking at the three previous chapters so that I can fully compare the situation of both killings. Moreover, I will test my hypothesis: My hypothesis for the public opinion on regicide, comparing Charles I and Louis XVI is that in Charles' case it was more a revolution of the elite and so the public was less positive about the regicide of the king, because in Louis' case the French Revolution is seen as a public revolt more than the British civil war, next to that the absolute monarchy had lost more power and the public gained more power it is more logical to think that the public was more positive about regicide in his case.

In this essay I looked at the regicides of Charles I of England and Louis XVI of France. Both kings were beheaded after a public trial. These regicides were directed at the whole conception of kingship, not just at the king as a person.

Before the regicides of these kings the state was a functional unity, every member had his task with the king in the ruling position at the top. This idea started to change even before the regicides took place. The majority of the public still believed in the image of kingship as unifying the nation. However, the public did want more balance in power and did not believe anymore in the ideal that the king should make decisions alone. In both the cases of Charles and Louis the idea of the ideal functional unity of the monarchy eroded. The public even started to wonder if it was necessary to have king.

So the public opinion on monarchy did change, but the ideal image of the king remained. After the regicides the king was still seen as the ideal leader, and now even as a godlike martyr. However, the law did change and the equality of citizens and the kings in the new constitutional justice was supported by the regicides. Because it showed that even kings would be equally judged and punished.

Was there a change in the public opinion on regicide? Yes there was, because with the public opinion on Charles' regicide noticeably no one really wanted the trial to end in regicide, although it eventually did. The parliament just wanted more political power and wanted less power for the king and the House of Lords. Moreover, the soldiers wanted

revenge, for the civil war, and the loss of friends and family. However, the soldiers did not want the king to be killed, they just wanted justice, and some more say in their future. Because the king refused to give in, the only option left was regicide.

In Louis' case this was entirely different. The National Convention was divided about the death penalty, but in the end the majority really wanted the king to be executed, since it would symbolize nicely the end of the old regime and the start of the new republic. Moreover, it made the statement of the new equality in the new law code for the republic more defensible if the king who was guilty of treason, would be equally judged and punished as his subjects would be. So in Louis' case compared to Charles' there was more support beforehand to actually kill the king.

However, there were also great similarities in the public opinion on the regicides of Charles and Louis. Firstly, in both cases the regicides were not retributive for the public, with a few exceptions: the soldiers and radical republicans in Charles' case and the radical revolutionaries and the supporters of the Jacobins in Louis' case for whom it was desirable. However, the general majority had no moral or ideological interest in the regicides.

Moreover, the consequences of the regicides were in both cases very unpleasant. In England in 1660 all the 59 judges who had sentenced Charles to death were sentenced to death by Charles II, the son of Charles', and the civil wars went on as Charles II took power. In France the revolution radicalized in the great terror, wherein all the supposed enemies of the state were executed, and it took nine months and 16.000 lives before the terror ended.

Furthermore, the responses after the regicides took place were the same in Charles' and Louis' case. In both cases there were two general responses from the public on regicide. The first general response was that regicide was a symbolical action of the government to make the change necessary to start a new constitutional regime. And this group believed it was a providential divine decision of the judges to realize this by regicide. The second general public opinion on regicide was that the king was a Christian-like martyr, who had died for his people, and was to be pitied, because he was innocent and was lifted into the heroic myth of martyrdom. The king was a man, the father of the country and deserved no punishment or at least less punishment.

Concluding, the public opinion on regicide, comparing Charles I and Louis XVI, did change considering the opinion the public had before the regicide. In Charles' case the public opinion was very negative about regicide, while in Louis' case they were rather positive

about the regicide, which confirms my hypothesis. However, after the regicides actually had taken place the public opinion was much the same. The kings gained martyr-like status for the one side of the public and a mythical purpose for the supporters of the revolution as an ending of the old regime and the start of the new regime for which the king became the sacrifice.

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