Tudor Government

Questions and Analysis in History

T. A. MORRIS

ROUTLEDGE

TUDOR GOVERNMENT

QUESTIONS AND ANALYSIS IN HISTORY

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SERIES PREFACE

Most history textbooks now aim to provide the student with interpretation, and many also cover the historiography of a topic. Some include a selection of sources.

So far, however, there have been few attempts to combine *all* the skills needed by the history student. Interpretation is usually found within an overall narrative framework and it is often difficult to separate out the two for essay purposes. Where sources are included, there is rarely any guidance as to how to answer the questions on them.

The Questions and Analysis series is therefore based on the belief that another approach should be added to those which already exist. It has two main aims.

The first is to separate narrative from interpretation so that the latter is no longer diluted by the former. Most chapters start with a background narrative section containing essential information. This material is then used in a section focusing on analysis through a specific question. The main purpose of this is to help to tighten up essay technique.

The second aim is to provide a comprehensive range of sources for each of the issues covered. The questions are of the type which appear on examination papers, and some have worked answers to demonstrate the techniques required.

The chapters may be approached in different ways. The background narratives can be read first to provide an overall perspective, followed by the analyses and then the sources. The alternative method is to work through all the components of each chapter before going on to the next.

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1

THE PERSONAL ELEMENT IN TUDOR MONARCHY

BACKGROUND NARRATIVE

England, like most of Western Europe, was ruled by a monarchy and had been for some six centuries before the Tudors occupied the throne. In that time a range of principles had been developed to justify and to support royal government. Like their continental counterparts, English kings claimed that they ruled by divine right, by the will of God, and that they were therefore the guarantors of the stability and order that God desired on earth. In pre-Reformation Europe, such a claim facilitated a fruitful working partnership with the Church. Rebellion against the monarch was generally equated with rebellion against God and, if the rebels were defeated, they could expect to suffer horrible punishments that reflected the appalling nature of the crime of treason. If they won, and both Henry VII and Mary came to the throne essentially as successful rebels, then their triumph was represented as illustrating the divine will. The English crown passed from one generation to another by the principle of primogeniture, the right of the eldest surviving son to succeed the father. English monarchs, like others across Europe, went to considerable lengths to avoid the succession of a woman, generally considered to be incapable of exercising the coercive functions that lay at the heart of monarchy. While they did not follow France in instituting a Salic Law, which formally forbade the succession of a female, they much preferred the succession of a younger prince to that of an older princess. Thus, in 1547, the

nine-year-old Edward VI succeeded his father, despite the fact that he had two half-sisters older than him. If fate forced a female ruler upon them, most people assumed that, like Mary Tudor, she would marry a strong husband, who would be capable of controlling the realm for her.

At the beginning of the Tudor era the king was still in large part a warlord. It remained his primary duty to conduct the defence of the realm, to resist encroachments upon the territories and rights of his dynasty, and to combat domestic disorder. It remained true in the reigns of the first two Tudors that the king was expected to carry out such duties in person, at the head of his armies, and it required extensive rethinking to accommodate monarchs who, on account of their youth or their gender, could not fulfil these expectations. The monarch was also the protector and enforcer of the laws of the kingdom. The crown held a highly privileged position within the legal structure of the realm, but was expected to act within that structure. The powers of the Tudor monarchs were extensive, yet clearly limited. A range of political and economic functions was exclusively reserved for the monarch and none other: these constituted the royal 'prerogative'. The monarch alone could declare war and conclude peace, arrange the marriages of members of the royal family, pardon offenders, summon and dissolve Parliament, or manage the coinage. In other respects the monarch was bound by the law. Even so strong-willed a ruler as Henry VIII felt the need to give legal basis to his break from Rome, and despite her strong conviction that her father's actions had been contrary to the will of God, Queen Mary could not reverse them without due process of statute law.

This was one of several respects in which Tudor monarchy was based upon a fine balance of compromise and cooperation. Unable to levy taxes at will, and with an income largely dependent upon customs duties and rents from crown lands, the monarch could afford neither a standing army nor a large bureaucracy with which to control the localities. Effective royal government, therefore, depended upon an effective working partnership with the greatest and the wealthiest of the crown's subjects. Such a partnership can be seen in operation throughout the sixteenth century in the political life of the Court (see Chapter 2), and on occasion in Parliament (see Chapter 6). It was increasingly claimed by sixteenth-century

constitutional theorists that the authority of the crown was enhanced by the acknowledgement of the major 'estates of the realm', the Church, the nobility and the representatives of the major towns. The monarch was never more powerful than when he or she sat in Parliament, surrounded by members of those estates.

It was equally important that the monarch should maintain the dominant position in this partnership. It was one of the peculiarities of Henry VII's reign that he sought to control the nobility and other leading subjects by fear. Thereafter, the monarch assumed the more traditional role of the 'fount of honour', winning personal loyalty, and rewarding faithful service with titles, lands and riches, to ensure that local influence and prestige were exercised in the interests of the Tudor monarchy. It was one of the major factors in the success of the Tudor dynasty that, by one means or another, the King or Queen succeeded in maintaining the upper hand. This was all the more remarkable in that for nearly sixty years of the Tudor era England had no adult male monarch. Henry VIII's death brought a minor to the throne, with all the practical and theoretical problems of a protectorate, and Edward VI's own premature death (1553) raised even more complex difficulties. Not only was England ruled by women for the next fifty years, but by women who had at one stage or another been declared illegitimate and been specifically barred from the succession. It is hard to determine whether Mary's decision to marry a foreign prince caused greater political difficulties and tensions than Elizabeth's decision not to marry at all, and to exercise the crown's authority in her own right. Had Elizabeth died from the attack of smallpox that she suffered in 1563, her experiment would have been written off as an aberration, and possibly as a disastrous one. In the event, in G.R. Elton's words, 'Elizabeth's long life postponed the crisis until it had ceased to be one,' and gave the Queen and those about her the opportunity to develop unprecedented justifications for a female monarchy.

We must not forget that, fifty years into the Tudor era, the nature of their monarchy changed dramatically. The Act of Supremacy (1534) established by statute law that, quite apart from his political authority, Henry VIII was also supreme head of the Church in England. A flurry of other acts transferred to him the powers over ecclesiastical law, church appointments and church revenue that had hitherto been vested in the papacy. A new Treason Law (1534) made

it as serious an offence to deny this ecclesiastical authority as it was to deny any of the crown's more traditional, political powers. However much English theorists might claim that these powers had traditionally belonged to the crown, and been usurped by Rome in recent centuries, these changes must be seen as the most fundamental in the history of the English monarchy. Although this Royal Supremacy has survived until the present day, it encountered some serious obstacles in the latter part of the sixteenth century. The accession of Edward VI raised the issue of whether the Supremacy could be exercised by a mere boy, while that of Elizabeth posed the tougher problem of whether a woman, barred from all other positions of ecclesiastical authority, could exercise the highest authority of all. In between, of course, Mary Tudor opted to return to the Roman Church, and rejected the Supremacy outright.

ANALYSIS (1): HOW IMPORTANT, AND HOW SUCCESSFUL, WAS THE ELEMENT OF FEAR IN THE ESTABLISHMENT OF ROYAL AUTHORITY UNDER HENRY VII?

Historians have traditionally regarded the reign of Henry VII as a success. After a number of short or disrupted reigns the first Tudor established his own power for nearly twenty-five years, and handed it on to a dynasty that retained it for nearly a century. Much work on Henry VII, therefore, has been primarily concerned to establish the secret of his success. For very many years the widely accepted interpretation was that supplied by J.R. Green. (1) The last decades of the fifteenth century, he asserted, had witnessed the establishment of a 'New Monarchy', which had as its distinctive features financial solvency and centralised institutions of government directed by an autocratic monarch, and which was staffed by 'middle-class' administrators who thus reduced the political influence of the feudal nobility.

Much later work on the early Tudors modified the detail, but not the central suppositions of Green's argument. While F.C. Dietz (2) outlined the consolidation of crown finances and highlighted the achievement of solvency, K.W. Pickthorn (3) and G.R. Elton (4) examined the development of political and financial institutions. The success of Henry VII's reign appeared to be based upon his ability to substitute stable government for civil disorder, often through the more effective operation of traditional institutions, and upon the personal industry and application that the King brought to these tasks. Francis Bacon's

portrait of a workaholic monarch stood the test of time very well indeed: 'He did by pleasures as great princes do by banquets, come and look a little upon them and then turn away. For never prince was more wholly given to his affairs.' More recent writers, however, have begun to criticise this approach, as ignoring the personal and factional elements that lay at the very roots of political life. The study of Tudor monarchy has begun to focus upon the practical means by which Henry won respect for his person and for his authority. This process in turn has highlighted the means by which he inspired fear among those whose hostility, or apathy, might have been dangerous for him.

Henry invented few new weapons for the enforcement of his authority, but used established methods in a distinctive and intensive way. The number of attainders (5) passed during his reign was remarkably similar to the number passed by Edward IV: 138 and 140, respectively. Yet, while Edward used them predominantly in the early, unstable years of his reign, they were a consistent feature of Henry's Parliaments. Only that of 1497 produced no acts of attainder while, to compensate, 51 were passed in the Parliament of 1504 alone. His use of bonds and recognisances (6) was equally intensive and far-reaching. Their application was particularly severe in the first decade of the sixteenth century, at which stage, as J.R. Lander (7) has claimed, 'the list of nobles under bonds and recognisances, either for their own good behaviour or that of others, reads almost like a role-call of the English peerage.' Of 62 noble families, 46 or 47 were at this time 'in the King's danger' in one form or another. The primary purpose of such tactics remains in some doubt, for it is by no means clear that Henry made very great financial gains from them. Lord Burgavenny appears to have paid only about a thousand pounds of the enormous seventy-thousand-pound fine slapped on him in 1507 for illegal retaining, and this convinces many historians that the King's primary motive was fear rather than financial gain. 'Henry's aim', as Lander has defined it, 'seems to have been to keep his nobility (and other people) in subjection through legal terrorisation and the dread of financial ruin.'

Once forced to accept that Henry employed unsavoury methods, historians have produced a number of mitigating explanations. Some have seen it as a necessary evil, claiming, like Roger Lockyer (8), that 'failure to act effectively would have meant a return to anarchy'. G.R. Elton (9), similarly, believed that the times justified the solutions that Henry adopted, that 'he governed well and wisely by methods which those who evaded the law might well resent but which represented no rapacity and required no remorse'. Yet several authorities have questioned whether such methods really were necessary, and whether

the English nobility really had the desire or the capacity at this time to mount a serious challenge to the King's authority. J.A.F. Thomson (10) has stressed the damage done to the great feudal families by the recent political upheavals, leaving the Staffords, the Howards and, by 1489, the Percies with minors at their head. Lander has shown that the political behaviour of the nobility was relatively good, that only a handful of English lords were involved in the rebellions of Henry's reign, and that the so-called 'Yorkist opposition' consisted mainly of 'Irish lords and a few ambitious and disgruntled relations' of the former monarchs. Alternatively, historians have portrayed a wise and effective monarch whose judgement deteriorated in the years after 1502 under the pressures of bereavement and declining health. S.B. Chrimes (11) has noted that the personal and political pressures that resulted from the deaths of Prince Arthur (1502) and Queen Elizabeth of York (1503) 'left him a very lonely and much aged man, with no one close enough and old enough to fill the gaps in his domestic circle'. A third approach has been to view such measures as a pragmatic response to the enormous practical difficulties that Henry faced in the local enforcement of his authority. Professor Chrimes has noted how little concern he demonstrated for formal law enforcement, and that 'there is little evidence that any very striking attempts were made to enforce it, except where it redounded to the financial interest of the crown'. Lander extends this argument with the suggestion that formal enforcement was so notoriously difficult, especially in the distant localities, that Henry resorted to alternative means: 'Rather than dealing out impartial justice, Henry indulged in arbitrary terrorisation and financial extortion against selected victims, both high and low.' He chose 'to pounce upon selected individuals in a cat-and-mouse manner,' rather than prosecute them through the normal channels. Even Star Chamber, traditionally the epitome of personalised legal enforcement by the crown, saw very few prosecutions for maintenance in Henry's reign, and even fewer that resulted in the punishment of the accused.

Only very recently have some writers come to view the use of such tactics as evidence of fundamental weaknesses in Henry's kingship. J.R. Lander concluded some years ago that Henry's mistrust of his more powerful subjects arose from his inexperience and from the peculiarity of his position in 1485. 'He was an exile, a stranger to the English scene, with no experience in government or in administration of any kind. Henry was well aware of the fact that he had managed to seize the country with very little force at his command, and that if one man could so easily overthrow a government so probably could another.' Under such circumstances, the nobility did not need to show

hostility, for their caution and reserve appeared sufficiently dangerous in themselves. Christine Carpenter (12) has gone further than this, interpreting Henry's tactics as evidence of a fundamental failure to govern according to the norms of late medieval kingship. In Carpenter's view Henry VII, with his total inexperience of English politics, failed to understand, and thus failed to exploit, those relationships with the feudal nobility by which his predecessors governed, and by which they gained control of the localities. The same author's research into local political relationships in Warwickshire, Derbyshire and Staffordshire has confirmed the extent to which the crown bypassed local power structures and relied instead upon the loyalty of bureaucrats such as Bray, Belknap, Empson and Dudley. The final element in Carpenter's critique of Henry's kingship is her assertion that his tactics failed. Rather than ensuring stability, they ensured that 'he remained throughout his reign a usurper, buying the loyalty of his closest servants, forcing that of his subjects at large'. The real secret of the Tudors' success was not Henry VII's firm rule in the early 1500s, so much as his son's shrewdness, in 1509, in rejecting those policies and destroying some of his father's leading agents. It might be noted that Henry VIII cancelled 45 recognisances in the first year of his reign, 130 over the next five years, and explicitly condemned 55 of them as illegal. The tactics of the first Tudor kept him on the throne, but did little to create the political stability that was normally a priority for his successors. The continued danger of rebellion up to 1497, the instability generated by Prince Arthur's death in 1502, and the draconian punishment of Lord Burgavenny in 1507 all help to create a sense of continuing crisis, which is no longer evident in the early years of Henry VIII's reign.

While agreeing that Henry found himself in an unusually difficult position in 1485, Margaret Condon (13) takes a more sympathetic view of his response, discerning in it a degree of political logic. Having no extensive and reliable royal kin through which to govern, and lacking the financial means to create an extensive nobility loyal to himself, Henry found himself saddled with a nobility that he had no positive reason to trust. Assuming that they might accept another pretender as meekly as they had accepted him, he exploited existing means of exerting pressure to protect a position far more vulnerable than historians have usually been prepared to admit. It may be that Henry's success as a ruler should not be sought in constitutional theories of monarchy or in institutional development, but in the intense and ruthless pragmatism that a late medieval monarch needed to use. Benjamin Thompson (14) is probably perfectly accurate in his judgement that 'in Henry's own eyes, keeping the throne and handing it on to his heirs was probably

the fundamental priority, far more important than the quality of the rule he offered'.

Questions

1. 'Henry VII did far more to establish his personal authority than to re-establish the institutional stability of the English crown.' To what extent do you agree with this statement?
2. In what respects was the English monarchy stronger at the time of Henry VII's death than it had been in 1485?

ANALYSIS (2): DID EITHER SOMERSET OR NORTHUMBERLAND (15) SUCCEED IN SOLVING THE PROBLEMS OF EFFECTIVE ROYAL GOVERNMENT AT A TIME OF ROYAL MINORITY?

The personal, royal authority established by Henry VII and Henry VIII was put to the test in January 1547, when the King's death brought to the throne a nine-year-old boy, manifestly unable to enforce his political will through the strength of his own personality. Historical interpretations of the reign of Edward VI have been heavily influenced by contemporary fears that the realm would revert to feudal rivalries and to chronic instability. Many writers have seen this as a period in which stable royal government really was in severe danger of disintegration, with Dale Hoak (16) concluding that 'in October 1549 the machinery of royal government actually broke down'. Similarly, the traditionally hostile interpretation of the Duke of Northumberland's administration has led many to share W.G. Hoskins' (17) unequivocal conclusion that after 1549 the realm was in the hands of 'the most unprincipled gang of political adventurers and predators that England had seen for many centuries'.

In his will Henry VIII envisaged the maintenance of royal government by a Council of Regency that would collectively exercise the young King's authority until such time as he could do so personally. One of the first acts of that Council, however, was to appoint Edward Seymour, the King's uncle, to the office of Lord Protector. In doing so the councillors were exercising the authority that Henry had vested in them for the better running of the realm, yet they were acting on what proved to be old-fashioned principles. The original idea of the protectorate was to provide leadership for the Regency Council, and Somerset's claims to exercise such leadership were based upon the traditional strengths of a blood relationship with the King and a

formidable military reputation. Somerset evidently failed to grasp this, and quickly moved to give himself greater independent and personal authority. In the course of 1547 he threw off the obligation to abide by the Council's advice, gained the authority to appoint anyone of his choice to the Council, and finally established his complete independence from any obligation to consult the Council at all. For the only time in the sixteenth century a large proportion of the royal powers passed into the hands of a subject. A.F. Pollard (18) concluded that Somerset had 'seized unfettered the royal power of the Tudors', and Dale Hoak claims similarly that 'effectively Somerset was King: he could order action under the King's signature at his own convenience'.

For all his powers, few historians would now dispute that Somerset's protectorate was a failure, ending in the breakdown of his relations with other ministers and councillors, who forced him from office in October 1549. For many years this failure was blamed upon Somerset's enemies, for in Pollard's influential interpretation, he suffered for the enlightenment of his social and religious views. Tolerant in his attitudes to religion and towards contemporary social problems, he was ousted by colleagues whose conventional self-interest made them intolerant of such 'advanced' thinking. Such an interpretation was eventually challenged by Michael Bush (19), who portrayed the Protector as a much more conventional Tudor politician, substantially preoccupied with the war against Scotland, upon which his military reputation rested. Bush argued that he pursued 'tolerant' policies in other respects because he lacked the financial and military resources to do otherwise, and that his fall resulted primarily from the failure of his Scottish policies and his perceived responsibility for the severe social unrest that shook the realm in 1549. Dale Hoak adjusted this argument by emphasising Somerset's political methods, rather than his policies. His work on the register of Council business revealed that by 1549 Somerset had 'virtually ceased to work with the Council and increasingly dispatched the King's business through the officers and channels of his own household'. Examining the problem from the angle of the Court rather than that of the Council, John Murphy (20) has added that, in addition to offending the leading politicians of the realm in this way, the Protector was clumsy in his handling of the King himself, and that 'government by a protector from his own household had none of the legitimacy of the Privy Chamber politics of Henry VIII's last years'. Summing up this argument, David Loades (21) concludes that Somerset fell 'because he lacked that instinctive grasp of the possible which is essential in all effective leaders'. Preoccupied with his theoretical powers as Protector, and perhaps with his status as the