The Centralization of Power in Reformation England

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In The King’s Reformation, George Bernard explains why Henry VIII broke with Rome. He documents how that decision affected the Church in England and determines the extent of opposition and resistance toward the king’s religious policies. Readers will find in Bernard’s account a prince not content with mere outward toleration of his policies but one who demanded internal assent from his subjects. The crown employed tyrannical methods to secure its policy objectives when persuasion failed. A weak opposition was unable to resist indefinitely a patient yet determined tyrant who was prepared to use all means at his disposal to carry out his plans. However, the characterization of the Henrician regime as tyrannical is unacceptable to some historians. The inability to arrive at a consensus on such a consequential matter raises doubts about our capacity to notice the warning signs when they are right before our eyes. The year 2009 is the five-hundredth anniversary of Henry VIII’s accession to the throne of England. We should recall what he did to the Church in England so that our vigilance will keep free institutions and cherished traditions from suffering the same fate.

As with most histories of the English Reformation, Bernard’s detailed study begins with the king’s decision to seek a male heir by separating from Queen Catherine to marry Anne Boleyn. The details of the case are familiar enough to preclude their retelling here. Suffice it to say that his failure to obtain an annulment from the pope led Henry to deprive the English Church of its independence once guaranteed by Magna Carta. In doing so, the king ensured that widespread religious discord, not previously experienced in England, would last centuries into the future. But that was not all. The process of ecclesiastical disenfranchisement had political implications, too. In order to assert his claims over the Church, Henry had to secure for himself a degree of political power not previously held by an English monarch. Under Henry VIII, England was now said to be an empire with full sovereignty inferior to no other jurisdiction on earth, including
Rome. The claim to imperial status necessarily brought with it imperial power that comes not from any earthly source but from God alone. Even Henry’s religious reforms were politically motivated. Contrary to the progressive Whig apologetics of past centuries, Henry’s promulgation of the English Bible was not meant to advance Reformed theology broadly understood, but to encourage obedience to his royal will by identifying himself with the kings of the Old Testament.¹

While Henry is portrayed as a ruthless despot for his treatment of the English Church, Bernard’s principal contemporary nemesis would disapprove of the charge. In response to such claims, Geoffrey Elton would reply that every significant change made by Henry was done with the approval of Parliament following statute law. “[A]ll through the 1530s,” writes Elton, “every important step was embodied in statutes” made by king and Parliament. “Though the rule of Henry VIII was strong, ruthless, at times very arbitrary, it could not be despotic because it always rested on the law. . . .”² Since the royal chancellor Thomas Cromwell sought for his master the legitimacy of statute law, it was important for him to use patronage to ensure that supporters of the King’s agenda were elected to Parliament and those members who opposed it were intimidated into staying away. While it may be true, as Elton says, that the king permitted freedom of speech in the first two sessions (1529 and 1531) of the Reformation Parliament, it is not true that his leniency extended to the remaining five. Elton does not find worrisome Cromwell’s revelation that by 1539 he had secured for the king a tractable parliament.

The Treason Act of 1534 only further eroded what remained of parliamentary freedoms since the safeguards inserted into the legislation to protect freedom of speech were later ignored by government prosecutors. Not all of Henry’s actions were permitted by statute. The dissolution of the larger monasteries took place without legal sanction and was conducted against abbots and priors under threat of execution. Only after the monasteries had been confiscated did the crown seek approval from Parliament.³ The same was true of the Irish monasteries and of the secular colleges—communities of priests established mostly by wealthy laymen to perform spiritual and educational functions—of which there were 140 in England and Wales.⁴ Parliament became a tool of the royal will as fewer and fewer members felt safe enough to oppose the king’s demands. Indeed, the 1543 Act concerning True Opinions gave Henry a blank check to define doctrine without statutory approval. The increasing tendency of Parliament to delegate its authority to the crown had begun with the 1539 Act of Proclamations, which set in motion a process that permitted more radical changes in later reigns.⁵

II.

Elton and other historians charge that Henry did not know how to proceed in 1530. However, Bernard detects a clear pattern of action taken by the court against Rome with the purpose of securing an annulment. Henry’s strategy of intimidation was not wholly successful at first because he kept meeting resistance to his plans. On the other hand, A. G. Dickens in his classic Whig history finds little ecclesiastical resistance to royal demands and suggests the legal training of bishops explains why, “almost to a man, they followed King Henry when he severed relations with the Papacy”⁶—as if they saw themselves as mere civil servants. The evidence presents a very different picture. By the time Henry finally broke with Rome, the bishops had been intimidated and threatened into sub-
mission in a process that took several years. Bernard provides ample support for J. J. Scarisbrick’s charge that “up to the last minute . . . the bishops, or at least many of them, consistently opposed Henry’s advance. Henry won no easy victory over the church.”

To secure cooperation from Rome, Henry brought down his first chancellor, Cardinal Wolsey, for allegedly violating the 1353 Statute of Praemunire—a lesser charge of treason for appeals to Rome not sanctioned by the crown and punishable by loss of property and imprisonment. Bernard properly describes the legal proceeding as “morally, a sham,” since “what Wolsey had done had been done with the king’s approval.” Interpretation and enforcement of the law now rested on Henry’s arbitrary whim. As chancellor, Wolsey could expect all clergy to cooperate with him. Thus, by accepting his guilt, Wolsey was in effect exposing all the bishops to the same charge since they all had dealings with him during his administration. Once the bishops had acknowledged their collective guilt under praemunire and requested royal pardon, the king demanded that they accept his supreme authority over the Church. The bishops meeting in convocation would not accept the king’s title of supremacy without reservations. In 1532, Archbishop Warham issued a formal protest against any bill in Parliament that derogated the pope’s authority and the liberty of his provinces. The king punished Warham by charging him with offenses against praemunire.

Bernard writes that all the bishops opposed the annates bill in the beginning. Annates were payments to Rome by newly appointed bishops in return for their bulls of confirmation that amounted to one year’s income. Henry sought to put pressure on the pope by depriving him of this income from the Church in England. That the bishops would unanimously oppose the king by defending financial payments they themselves paid is a remarkable act of defiance in favor of remaining united with Rome. The act to abolish these payments was eventually passed by Parliament in 1532. Yet it passed narrowly in the House of Lords on a third reading only after the king had appeared three times to argue in its defense. The royal plea that the Church should not contribute to “the great impoverishment of this realm” by depriving itself of needed resources rings hollow when we consider that beginning in 1534 tax payments of First Fruits and Tens levied on the incomes of ecclesiastical appointees and clergy greatly exceeded in value the annates once paid to Rome and thus impoverished the English Church further by considerably enriching the king’s treasury.

Henry appointed clerical defenders of his divorce to vacant bishoprics as a way to fill the hierarchy with ecclesiastics who had proven their loyalty. Those bishops who were known to oppose his agenda or who could not be trusted were told not to take their seats at the Reformation Parliament or had the good sense not to show up. Bernard does not mention in his account the case of the religious conservative Cuthbert Tunstall, Bishop of Durham, who, while already en route to attend the fifth and sixth sessions of the 1534 Parliament, received a letter from Cromwell granting him permission to stay away due to old age. Tunstall was about sixty and would live for another twenty-five years. He got the point and headed back home. While he was on the road, his study was ransacked for evidence of any opposition to the divorce.

The complete subjugation of the ecclesiastical hierarchy took place soon after the death of Warham in August 1532. By 1534, writes Bernard, Henry’s “political skills and his utterly ruthless methods”
had successfully prevented any organized ecclesiastical resistance to royal demands. While the bishops failed to stop the king’s agenda, Bernard is mistaken to assert that there was no organized opposition among the clergy in Parliament. A poorly organized opposition in which its lay members lost the will to resist when the pressure became too great does not amount to a complete absence of organized resistance. Nor is it fair to characterize Bishop Fisher of Rochester as an unprincipled opponent of the king because he attempted to “talk his way out of trouble by a mealy-mouthed self-justification.” Fisher was the only bishop to refuse to swear the oath of succession and his courageous defiance cost him his head. In his defense, Fisher had appealed to the qualification in the 1534 Treason Act. The legislation for the first time made words critical of the king’s policies or titles punishable by death, but only if spoken maliciously. Fisher said he did not refuse the oath maliciously, but the adverb was a dead letter because the government interpreted any refusal to take the oath as a malicious act. Fisher did more than any other bishop to oppose the king’s divorce and supremacy. For him to seek the protection of the law rather than deliver a victory to his foes by needlessly throwing his life away is hardly unprincipled. Furthermore, Parliament was deluding itself if it thought that statute law would restrain the king.

III.

Elizabeth Barton, the Nun of Kent, was another critic of the royal divorce who came to an unhappy end. Barton attracted a substantial following in the early 1520s because of her prophecies and visions. She had told the king to his face that God was displeased with his mistreatment of Catherine and his abuse of the Church. If he continued in his ways, he would no longer be the king in God’s eyes and would damn his soul to hell. A crackdown on Barton and her close supporters began in July 1533. The nun and several monks and priests in her circle were arrested and forced to endure a classic show trial. Henry tried to get the courts to declare her followers guilty of high treason, but they refused because there was no evidence of collusion with her against the king. Rather than seek a trial under the objective authority of common law, Henry chose a path certain to deliver the verdict he demanded. He employed the procedure of parliamentary attainder, which declared Barton and her accomplices guilty of treason. Barton and five of her closest associates were drawn, hanged and beheaded with their heads hung on London Bridge.

Barton’s execution took place the very day the oath of accession was administered in London. With the effective use of political propaganda and ruthless methods of intimidation, the Henrician regime gained ready compliance from the larger population. Barton’s actions did not justify the brutal treatment she suffered on evidence too flimsy to have won in a proper court of law. Only after Henry began to demand acceptance of his royal supremacy from his subjects did the use of parliamentary attainder against treason suspects become frequent and almost always result in execution. There was no need for Cromwell to secure a docile judiciary since he knew that a pliant Parliament would deliver the desired result. As Stanford Lehmberg has documented, use of parliamentary attainder, so frequently utilized during the reign of Henry VIII against his critics, disappeared almost entirely from use after his death because of the widespread belief that suspects should not be executed without due process of law. That members of Parliament were reluctant to say so while Henry was alive is evidence of a legislative
branch unwilling to act independently of the royal will.

Bernard rejects Elton’s characterization of Thomas More as one who led an “opposition” against the king. Elton relies heavily on Sir George Throckmorton’s confession of 1537 following his arrest after being denounced for sympathizing with the northern rebellion that occurred the previous year. While in custody, Throckmorton confessed that More had encouraged him to continue speaking out against royal legislation in Parliament in 1533. Bernard fails to see this testimony as evidence that More was part of an organized opposition since he had offered encouragement only after Throckmorton took the initiative by opposing the crown in Parliament. As Elton tells the story, Throckmorton actively sought advice from those sympathetic to his views; yet these few sympathizers spoke with him individually and gave him encouragement, but they did not all seek him out. They even disagreed over tactics. The case of Throckmorton also serves to discredit Elton’s earlier claim that members of Parliament were free to speak their minds. In 1533, Throckmorton was summoned before the king for his opposition to the royal divorce. Cromwell’s effective interrogation techniques persuaded Throckmorton to remove himself from Parliament and to cease his political activities.

There is very little evidence to support Elton’s claim that “[d]own to April 1532,” More “had actively opposed the King’s policy.” More most certainly disapproved of Henry’s policies but knew public opposition would be unwise in the extreme. Thus he resorted to more subtle arguments against the king’s royal supremacy, such as his polemical defense of the jurisdiction of the Church against the writings of lawyer Christopher St. German. Elton could not without contradiction claim in 1968 that More was dishonest when he resigned from the chancellorship because of ill health—“he cannot have been really ill, for he was to survive an increasingly rigorous imprisonment with his health unaffected”—then assert in 1972 that Henry was content to leave More in his cell since “the Tower was likely to kill a man of his years and health before very long.”

Once in the Tower for refusing to swear the oath, More would not express an opinion as the king demanded: “[Henry] was not going to allow the possibility of private thought—private dissent—behind a public neutrality or silence.” Thomas More was put to death for committing a thought crime and nothing else. Bernard rightly challenges the popular notion that More died upholding the right to believe in conscience anything or nothing. In fact, he told Richard Rich, the king’s solicitor-general who would testify against him, that Rich’s conscience would not save him but rather damn him to hell. However, Bernard suggests that More contradicts himself when he appeals for authority to the “common faith of Christendom.” In this instance Bernard and Elton agree. “Here his argument was really rather shaky,” writes Elton, “as though his conviction regarding the papal primacy rested on a majority vote and no more.”

Bernard and Elton should know better. It is possible to appeal to the Christian consensus without fear that shifting opinions would undermine religious truth. More thought the Church represented a conservative spiritual inheritance that was valuable because it was true, and he recognized how essential it was for the state to preserve it from harm. The fragile unity of Christendom represented for More the collective reason of the Church. Her enemies sought to replace public consensus with private judgment that would necessarily tear Christendom apart. The modern
liberal understanding of conscience, which purposely denies the existence of objective standards of truth, is the direct opposite of what More believed. Ironically, it is Henry whose understanding of conscience mirrors the subjective liberal idea, since he refused to conform himself to a higher moral standard, but rather demanded from his subjects a ready willingness to sacrifice themselves on behalf of his will to power.

It is Bernard’s contention that the risings that took place in northern England in 1536 were largely a reaction by the common people to the king’s reforming measures, particularly the dissolution of the monasteries. A 40,000-strong rebel army came into being in response to rumors of the elimination of all feast days, the closing of parish churches, and the confiscation of chalices and crosses. Here, Bernard objects to Ethan Shagan’s representation of what motivated the people who made up the Pilgrimage of Grace. “When it was rumoured in the autumn of 1536 that the king intended to tear down parish churches,” writes Shagan, “it confirmed people’s worst fears about the government’s greed and sacrilege.” Since many of the rumors were false, Shagan does not seem to express any sympathy or find any justification for their “fears,” since “[s]uch abuses did not necessarily justify active resistance. . . .” The rumors were believed, however, because the people saw with their own eyes the destruction of monasteries and changes in religious policy that they thought radical. Their fears, in other words, were entirely justified. “The conservative people of England would find a wholesale Reformation distasteful,” writes Christopher Haigh, who records accurately how “they gagged in 1536 when they were asked to swallow, in rapid succession, the suppression of monasteries, reformist Injunctions, and the abrogation of saints’ days.”

In the demands made by the rebel leaders of the Pilgrimage of Grace, Shagan finds it “remarkable” that the royal supremacy “was left out of all their early manifestos and lists of grievances.” Yet he acknowledges what the rebel leaders knew: “the issue of the royal supremacy was too hot to handle,” because to challenge the royal supremacy was treasonous. While Shagan seeks to recognize secular (mainly economic) motivations along with religious ones, Elton downplays the religious significance of the Pilgrimage entirely by pointing out that the “royal supremacy as such escaped attack altogether,” and by asserting that “on the evidence it is not really possible to agree with those who have seen in the risings a predominantly religious movement. . . .” In his view, it was a planned revolt orchestrated by members of the gentry who used the common people to advance their own political agenda. However, even Shagan concedes that the gentry who were recruited to lead the Pilgrimage were more willing to compromise with the crown than the rank-and-file, suggesting that the impetus for the revolt came from below.

Defenders of the Tudor religious settlement have argued that the English Reformation was a popular demonstration of dissatisfaction with the Church in England and its traditional expressions of Christian faith. It was said that this conservative institution with deep roots in English history had been rejected wholesale to make way for a more sophisticated expression of religious faith unblemished by immorality and superstition. Yet Whig historians like Dickens, who deny religious grievance as the primary cause of the Pilgrimage and charge that “the roots of the movement were decidedly economic,” have largely been discredited by subsequent research.
gious policies promulgated without regard for the genuine spiritual yearnings of the population. Following the Pilgrimage, Cromwell and other government officials who worked to aggrandize state power at the expense of rival, popular institutions employed propaganda to discredit or conceal the widespread dissatisfaction with royal policy.

IV.
Bernard’s argument is weakest when he tries to explain the dissolution of the monasteries. According to the author, Fisher may have helped defeat a 1529 proposal to dissolve monasteries worth less than £200 to pay for the king’s divorce expenses. Yet the significance of this admission escapes him. The crown would later close the smaller monasteries and religious houses under the pretense of Erasmian reform, which Bernard believes to be sincere. He proposes that only after the Pilgrimage of Grace, which was seen as a rallying cry against the dissolution of monasteries and a treasonous affront to royal supremacy, did Henry resolve to eliminate them all. Here, Elton for once appears to have read the king correctly when he argues that Henry was motivated by the need to raise funds: “The end of the whole institution was intended from the first: only the manner of proceeding remained in doubt.” 26 Indeed, there is evidence that the Crown sought parliamentary support in 1534 for the confiscation of ecclesiastical property, but the radical proposal appears to have met heavy resistance and was withdrawn. 27 Bernard equates the reforming efforts in higher education with those directed at the monasteries: “If it is recognized that the government did have serious reforming intentions here, that makes it harder to dismiss the possibility that it also had equally serious reforming plans for the monasteries. . . .” Admitting that the government’s policy toward the universities “embraced a quite radical vision of reform” would not dissuade those who believe there existed from the start a quite “radical” policy of monastic dissolution. The changes at the universities were largely motivated by the desire to remove theological texts and canon law that could be used against the king’s policies. The fact that Cromwell consulted Philip Melanchthon on curriculum reform should not go unnoticed as it does in Bernard’s account.

While Henry claimed to reform—rather than eliminate—monastic life in England, Bernard, in spite of himself, provides enough incriminating evidence to raise doubts about the king’s sincerity. To begin with, the reforming measures imposed on the monasteries by government officials served to undermine the authority of their rule and put in doubt their basic function. Requiring Scripture as the criterion for judging the suitability of monastic practice, questioning the value of monastic customs and ceremonies, and criticizing relics all served to undermine the monasteries’ basic purpose (prayer for the dead) and removed an important means of income (pilgrimage). Furthermore, while the visitations did discover some cases of personal immorality and failures to achieve the monastic ideal, there was no widespread dysfunction or abuse.

There were instances in which commissioners petitioned for the preservation of small religious houses that performed as they should. According to Bernard, these cases were seen by Henry as evidence of local vested interests bribing royal officials to impede the king’s “reform” objectives. From this, it is easy to conclude that the crown purposefully ignored the exceptions allowed in its own legislation—exceptions needed to win passage through Parliament—in order to impose an across-the-board dissolution of the smaller monaster-
ies, before moving on to the larger ones. The confiscation of the larger monasteries began in earnest after Cromwell heard reports of some houses selling off their assets in response to rumors of an impending dissolution, not because of the Pilgrimage of Grace.

There is another notable shortcoming, too. While Bernard argues that Henry was immune to the influence of outside forces in the formulation of religious policy, he fails to explain why so many contemporaries saw fit to blame everyone except the king for the evil done in his name. The leaders of the Pilgrimage blamed Cromwell for devising religious policy and naively assumed that the king would listen to reason and reverse course. Indeed, the Duke of Norfolk, in a letter to Cromwell dated 24 March 1537, referred to “polling and bribery” used by royal commissioners during visitations of northern monasteries and accused the chancellor of being partially to blame for the unflattering results. One explanation may be Henry’s denial of responsibility for the unpopular policies implemented during Wolsey’s chancellorship. The King’s self-interested political deceptions, coupled with a prudent appeal to Henry’s better nature by critics of royal policy, may explain why Cromwell and others were blamed for having a pernicious sway over policy formation. Bernard spends a great deal of time explaining why historians are wrong to think so. Yet without accounting for this common perception among Henry’s contemporaries, Bernard cannot offer a convincing denial of outside influence by individual advisors or factions at court.

However policy was devised, the results were consistently severe. The King’s Reformation provides a detailed, though not exhaustive, examination of the various draconian measures employed by Henry VIII to ensure public compliance with royal religious policy. The author has constructed a compelling portrait of a monarch who sought to bolster the centralizing power of the crown to see his plans realized. Henry’s successful attempt to deprive the Church of her liberty is by no means the only such case in the history of early modern Europe. It does, however, serve as a reminder that the sixteenth century did not represent the dawn of religious liberty, but instead the accelerated expansion of modern state power and the progressive enslavement or destruction of once-independent religious institutions. Even Elton admits that “[t]he crown grew in real power despite the constitutional limits placed upon it.” In some respects, it would be more accurate to say that Parliament helped to facilitate the expansion of royal power to the detriment of its own. It would be a mistake, however, to ignore those instances in which members of Parliament objected to royal demands. Yet the frequency of resistance declined with the passage of time. And while the Tudor judiciary remained largely uncorrupted—in spite of cases like Cromwell’s arrest of a Yorkshire grand jury for acquitting a man accused of murder—Henry got his way in most cases, whether by statute or not.

By making the Church a department of state, the king created conditions that greatly facilitated in later centuries the secularization of the public square. And while modern critics may take comfort in the Church’s declining ability to use the state to enforce religious custom, it is equally true that the state’s opportunity to do harm without restraint from outside itself was that much more enhanced. One unintended consequence of Henry’s religious policies was the birth of a second daughter, Elizabeth, who would become queen following the reign of Henry’s first daughter Mary. Edward VI, Henry’s only son to survive infancy, died at age 15. The
reign of Elizabeth was made possible by the considerable destruction of life and property and the concomitant growth of state power made more vulnerable to the temptations of administrative tyranny. At least she did not torment the English nation by imitating her father’s marital history. Had Henry not elevated personal desire into the goal of state power, Mary would have likely inherited the crown in a peaceful succession without suffering the trauma of parental divorce and paternal abandonment. And the Whig historians would not feel compelled to justify or obscure a royal record of persecution and violence that amounted to a political revolution.