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1 Royal Supremacy and the Obedience of Subjects: the Political Thought of the English Reformation, 1530–53

The Reformation focused attention on a very different set of problems from those that had occupied early humanists. It is not that an interest in ‘commonwealth’ issues disappeared, and many protestant writers, especially from the 1550s onwards, were interested, in their own fashion, in the same question that Thomas More had enigmatically considered – what is the best state of a commonwealth? But in the immediate aftermath of the Reformation other matters were more pressing. The Scottish case will be considered in the next chapter; here we will consider the ways in which the English Reformation compelled attention to defending the royal supremacy, and its claims on the obedience of subjects. By the end of Henry VIII’s reign ambiguities had become apparent in the notion of the royal supremacy itself, while in the brief reign of Edward VI, English evangelicals developed the theme of commonwealth into a new protestant vision of the Godly society.

The Henrician Reformation and the Royal Supremacy

In 1534 Henry VIII was recognised by statute to be supreme head of the English church (26 Hen. VIII, c. 1); two years later the situation was tidied up with an Act abolishing the authority of the bishop of Rome in England (28 Hen. VIII, c. 10).¹

The arguments that underlay the king’s assumption of the supreme headship over the church were best and most famously expressed in the preamble to the 1533 Act of Appeals (24 Hen. VIII, c. 12):

Where by divers sundry old authentic histories and chronicles it is manifestly declared and expressed that this realm of England is an empire, and so hath been accepted in the world, governed by one supreme head and king having the dignity and royal estate of the imperial crown of the same, unto whom a body politic, compact of all sorts and degrees of people divided in terms and by names of spir-

ituality and temporality, be bounden and owe to bear next to God a natural and humble obedience; he being also institute and furnished by the goodness and sufferance of Almighty God with plenary, whole and entire power. . . .²

One historian has commented that it is in the consequences of these words uttered and acts made in the name of Henry VIII ‘that we find the enduring problematics of English political thought for the next three centuries’. They established the conception of England as an autonomous sovereign state. That sovereignty was ‘to be defended and debated through civil wars, dissolutions and revolutions to the end of the English *ancien régime*’.³ The Henrician reformation – a process as much jurisdictional as theological – brought to the forefront concepts and problems that were very different from those discussed by the earlier Tudor humanists. They would remain central to English political debates and conflicts throughout the period covered by this book.

The ideas that culminated in Henry VIII’s taking of the headship in 1534 originated in response to the divorce crisis as early as 1530. Frustrated by the inability of various steps designed to end the king’s marriage to Catherine of Aragon, his advisers began to look at a solution to the problem that would not require the pope’s approval. Some of these advisers may well have cared considerably less about the divorce and more about religious and ecclesiastical reform, but it was the divorce crisis and the king’s growing involvement with Anne Boleyn (and her eventual pregnancy) that gave them leverage over Henry.⁴ At the end of the 1520s Henry had a team of scholars – Edward Foxe, Thomas Cranmer, Edward Lee and Nicholas de Burgo – working on the tactics required to obtain his divorce. Two of them, Foxe and Cranmer, assembled in 1530 a manuscript compendium of historical materials that could provide the basis for arguments supporting Henry’s claims to a divorce. It was shown to the king, who annotated it, in September 1530. The collection, which is known as the *Collectanea satis copiosa* (‘adequately abundant collections’), widened considerably the approach being pursued.⁵ The early strategy of the scholars was summed up in the *Gravissimae atque exactissimae illustrissimarum totius Italiae et Gallicae Academicarum censurae* (1531), translated into English as *The determinations of the moste famous and moost excellent uniuersities of Italy and Fraunce, that it is so unlesfull for a man to marie his brothers wife, that the pope have no power to dispence therewith* (1531).⁶ These works concentrated on the rights and wrongs of the proposed divorce, and the pope’s authority in this particular matter. But the materials assembled in the *Collectanea* related to much more fundamental questions about the relationship between spiritual and temporal authority, though as

Bernard points out, the anti-papal implications of Henry's position were inherent from the start.⁷ The precedents and authorities collected in the *Collectanea* served as the basis for the measures of 1533–4, and for a propaganda campaign elevating the king's authority within the church which extended throughout much of the 1530s.⁸ The new phase continued the search for a solution to the divorce crisis that would not be dependent on papal authority; but it did so by advancing the view that the English church was an autonomous component of the universal Catholic church, and existed under the spiritual headship of an imperial monarch.

Where did the trains of thought emerging from the *Collectanea* come from? An answer commonly given is that they represented the English reception of a *Lutheran* theory of the divine right of kings.⁹ The best known English work presenting a Lutheran view of kingship to an English audience was William Tyndale's *Obedience of a Christian Man* (1528), though the ideas can also be found in other works, especially Robert Barnes's *Supplication unto the Most Gracious King Henry VIII* (1534). The latter cleared the space for a view of temporal and spiritual authority as operating in parallel, each of divine right and supreme within its given sphere; but neither having any authority to interfere with the proper operation of the other. Thus, the temporal power, which 'God has committed . . . to kings, dukes, earls, lords, barons, judges, mayors, sheriffs, and to all other ministers under them', is to be used only to 'regulate the commonwealth with all the worldly affairs pertaining to it'. Obedience to the temporal power was a religious duty, required 'not only (as Paul says) for avoiding punishment, but also for conscience' sake, for this is the will of God'. This implied even a duty not actively to resist tyrannical or unGodly rulers. Faced with a command contrary to right and law 'our charity must suffer it'. But there was an exception – 'provided it is not repugnant to the gospel or destructive of faith'. The view that temporal and spiritual power operated in distinct parallel spheres required the maintenance of strict boundaries between those spheres. While the spiritual authority had no law-making powers, equally the temporal could not act against God's word. In general cases of injustice, 'you may resist with a good conscience, if you can do so through reasonable means, without sedition, insurrection, or disruption of the peace . . . but in no case may you resist with sword or hand, but you must obey'.¹⁰ But even the religious duty to obey God before man was regulated by the duty to maintain civil order. So in the extreme case of 'a prince that condemns God's Word', Barnes still advised that subjects should pray and try to persuade the king to behave differently. But, if unsuccessful, 'they shall keep their Testament with all other ordinances of Christ and, if they

cannot flee, let the king exercise his tyranny. Under no circumstances shall they withstand him with violence but suffer patiently all the tyranny that he imposes on them both in their bodies and in their property.' Vengeance must be left to God; but, equally, no one should 'deny Christ's truth nor forsake it before the ruler'. Between a rock and a hard place lay the site of martyrdom. Barnes scorned the alternative solution to this situation, which he attributed to the bishops, of deposing the king.¹¹

There do seem to be some obvious lines of connection between these Lutheran ideas and the arguments of Henry VIII's publicists in the 1530s. This will become clearer as we consider those writings produced in the wake of the Act of Supremacy. There was a shared stress on the importance of temporal order, on the doctrine of passive obedience in the face of tyranny, and on divine right kingship; a shared concern to ensure that the clergy present no threat to temporal authority in its own sphere. In particular, Henrician propagandists adopted a distinctively Lutheran and protestant emphasis on the connections between the word of God and obedience to the king. As recently emphasised, the defence of the royal supremacy was 'not just couched in terms of jurisdiction', but 'harnessed the rhetoric of Erasmian humanists . . . [and] of protestant reformers'.¹² This public defence, however, came *after* 1534 rather than before; and it does not seem that Lutheran doctrines were essential to the intellectual developments that actually brought about the royal supremacy.¹³ There was a coherence to the Henrician position, but it was not a coherence that can be captured by identifying it with either Protestant or Catholic arguments.¹⁴ Furthermore, there are a number of crucial objections to seeing the political teaching of the Henrician Reformation simply as part of the Lutheran diaspora. Firstly, the connection rests entirely on the similarity of ideas and not on the demonstrable use by Henrician propagandists of Lutheran sources. But, secondly, that similarity is not as great as may at first appear.¹⁵ The Henrician publicists were, for a start, mostly Catholic rather than Lutheran in their theology. While the Lutherans believed in a true invisible church of the faithful, which was imperfectly present in those visible churches in which the faith was correctly preached, the Henrician writers remained committed to an idea of the visible Catholic church, of which the English church was a particular and autonomous part. Furthermore, it is not at all obvious that the Henrician imperial kingship and royal supremacy matched at all closely the strict separation of temporal and spiritual spheres advanced by the Lutherans. The major intellectual source for Henrician views of the church seems to have been late medieval conciliar theory rather than Lutheranism.¹⁶ This leads to a third and final

point. Historians' recovery of the crucial importance of the *Collectanea* seems to undermine the Lutheran interpretation and to strengthen that view which sees developments of the 1530s as rooted in longer-term trends in English legal and ecclesiastical thinking. This is not to deny any broader European intellectual influence, but rather to suggest that such influence was exerted by pre-Lutheran medieval sources. The precedents and arguments collected in the *Collectanea* would appear to point us both to conciliar theory, and to two other developments. First, there was the important medieval assertion that kings were emperors in their own realm (*rex in regno suo est imperator*). The claim to an imperial crown, which Henry VIII made from his coronation ceremony onwards, could be understood to be a claim to possess the same rights over the church as the late Roman emperors. In the late medieval context, there was nothing unusual about a king mounting such a claim. It was a device ready to hand when needed in the 1530s.¹⁷ A second development underpinning the ideas of the 1530s was the growing assertion from before 1485 of the supremacy of English law over canon law.¹⁸ In this view, all the canon law of the church was permitted a place in the realm only under the over-arching control and direction of English common law. Any conflict between canon and common law ought to be settled in favour of the latter, which was as much an instantiation of the divinely ordained principles of nature and equity as any law of the church.¹⁹ Viewed as a continuation of this approach, the royal supremacy was a claim that the church, except in so far as it exercised a purely spiritual authority in Christ's name, was within the *imperium* or empire of the king in much the same way that all other bodies in the realm were. However, as we shall see later, this tradition had a marked tendency to view the imperial authority of the English monarch as something exercised by due process through the law. In such a view the highest authority in church and state was the king-in-parliament, not the king alone. This common-law approach, then, resulted in the view that the royal supremacy was a parliamentary supremacy, not a personal one, and it operated within the same legal restrictions as those governing the king's exercise of his temporal *imperium*.

This new thinking, fashioned from the material of the past that had been collected, did not lead immediately to the construction in published writings of a theory of imperial royal supremacy; it is nonetheless true that arguments tending to such a conclusion can be found as early as 1530–1, in the *Collectanea*, and hints of it are evident in pamphlets of the early 1530s.²⁰ These include *The Glasse of the Truthe* (1532), which urged English ecclesiastical authorities to reject 'the Pope's law' and to acknowledge that 'by God's law, they be bound to

the obedience of their prince, and to seek also the quietation and peaceableness of this realm, which ought to be regarded more than any man's law²¹ The *Articles Devisid by the Holle Consent of the Kynges Most Honourable Counsayle* was a simple and blunt statement of the official doctrine lying behind the events of 1533. This too was innocent of any doctrine of royal supremacy, but argued from the supposition that the church was under the authority not of the pope but of the General Council, and from a theory of divine right kingship. The king was subject to the spiritual authority of the church in England, which was largely autonomous within a Catholic church subject to the supreme authority of a general council. Within his realm, the king faced no rival political or coercive authority; still less was he subject to any authority (including spiritual) from outside his realm.

The key works, though, were the pamphlets in defence of Henry VIII's imperial authority and the royal supremacy published from 1534 on. The 'first wave' consisted of three works: Richard Sampson's *Oratio qua Docet Anglos Regiae Dignitati ut Obediant* (oration teaching the English obedience to the kingly dignity – 1534),²² Edward Foxe's *De Vera Differentia Regiae Potestatis et Ecclesiasticae* (on the true difference between regal and ecclesiastical power – 1534);²³ and Stephen Gardiner's *De Vera Obedientia, Oratio* (oration on true obedience – 1535).²⁴

Sampson's was the simplest and shortest of these works, little more than a set of bald assertions. His universal Catholic church was one in which the pope had no power *extra provinciam*. In England he possessed no more power than the archbishop of Canterbury had in Rome.²⁵ The king, not the bishop of Rome, was the vicar of God.²⁶ Most of the work was given over to an attack on papal primacy, and an examination of the scriptural and patristic authorities relating to it. But the conclusion was simple. 'The word of God is to obey the king, not the bishop of Rome.'²⁷ The king's authority was of God; that claimed by the bishop of Rome was not. The changes introduced in England, including the recognition of Henry's headship in the church, were the commands of God, because they were the commands of the king, God's minister on earth, to whom supreme power had been given by God's word.²⁸

What Sampson's defence did not provide was any sense of what exactly the nature of Henry's royal supremacy was. Foxe's *De Vera Differentia* was a little – but not much – more forthcoming. The work was very much a digest of the *Collectanea*, of which Foxe had been the chief compiler. It assembled the chief authorities for the royal supremacy – scripture, especially the Old Testament, patristic writings, and English historical precedents – and presented them with minimal elaboration.

Nonetheless, the outlines of an argument are clear enough. The universal church acted through agencies created by its members, in particular through a general council.²⁹ It did not act through the bishop of Rome. Christ certainly gave to the apostle Peter the keys of the kingdom of heaven, and on him built his church (Matthew 16.18–19). But St Peter here represented the universal Catholic church, not the pope.³⁰ The superiority of bishops to other priests came ‘more of custome than by any ordinaunce by the lawe of god’. ‘[A] prest and a Byshop . . . be al one’ and both were in any case ‘subjecte unto him that is made the hed governeoure’.³¹ Bishops and priests alike had from God authority but not dominion (or empire).³² That is, they all had an essentially equal spiritual authority, but no political or temporal authority. Each province of the church was autonomous in jurisdiction.³³ The church and its priests had no power of coercion or compulsion. They could exercise spiritual authority only on those willing to be converted and to submit themselves to it. By contrast, a king’s power ‘maketh them [subjects] obediente and subjecte with feare or drede’, and was exercised over men whether they were willingly subject to it or not.³⁴ A priest had authority ‘to admonishe, to exhorte, to comferte, to desire, to teche, to preche, to mynyster sacramentes, charytablye to rebuke, to blame or finde faute with’; only kings could make laws binding in conscience and impose temporal punishments.³⁵ The papacy, of course, had claimed to be the source under God of the temporal authority of kings, and by claiming also the right to take that authority away from kings when they thought it fit to do so, ‘[T]hey take upon them dominion of al thinges which by ryght can take dominion of nothings’.³⁶ Such dominion belonged by divine right only to kings,³⁷ and it included a sphere of authority in spiritual matters. Like the Christian emperors Constantine and Justinian, imperial monarchs ‘dydde take upon them the cure and busines that they dyd make ordinaunce to the people of the ordering & reserving of Sacramentes & spirituall thinges’. More specifically, they could invest bishops with authority, and make laws concerning such spiritual matters as ‘fornycacion, adultery, baptycm, baudry, [and] heresy’.³⁸ In short, the church in England operated under the imperial and autonomous jurisdiction and regulation of the king as supreme head, and its priests exercised a spiritual authority, through the sacraments and through their powers of persuasion, that was common to the whole of the Catholic church. Foxe provided limited guidance on the boundary between the king’s authority and that of the church. How far did the king’s authority in spiritual matters extend?

For an answer we might turn to the most intellectually distinguished of the first-wave defences of the royal supremacy, Gardiner’s *De Vera Obedientia*.³⁹ Gardiner began with a theology of obedience. ‘I thinke /

that to obeye truly / is nothing elles / but to obey unto the truthe. And God is *the* truthe . . .'.⁴⁰ Faith itself required obedience, because obedience was an acknowledgement of God's will, which was in turn the core of faith in God. The purpose of this obedience was therefore for man to 'be drawne . . . to attayne that truthe' found in Christ.⁴¹ This fundamental precept quickly became linked to civil obedience: the requirement 'to obey both him [God] and al them / whom God commaundeth him to obey for his sake'.⁴² So that men could display their obedience more readily, God 'substituted men . . . as his vicegerentes', and to them he did 'require obedience / which we must doo unto them with no lesse frute / for Goddes sake / than we shoulde doo it . . . immediatly unto God him selfe'. This applied above all to princes, 'representours of his Image unto men', who 'excelle amonge all other humayne creatures';⁴³ it also applied to husbands and masters. But the king was the highest human authority, and always to be obeyed when his commands conflicted with those of any other human authority.

Gardiner next considered whether the divinely instituted authority of kings extended also over religious matters. Did the recognition by parliamentary consent of the king's supreme headship of the church conform to God's law?⁴⁴ There was in this recognition, Gardiner answered, 'no newly invented matter' but simply a clearer expression of 'the power pertainyng to a prince / by Goddes law'. The act of parliament was necessary because of the prevalence of false ideas about papal supremacy.⁴⁵ No one doubted that the king was head of the realm of England and thus ruler of all his subjects 'of what condicion so ever they be / whether the[y] be Jewes / Barbarianes / Saracenes / Turkes or Christianes'. But the church in England was simply the congregation of those subjects who were Christian and thus part of the broader 'communion of christen people'. In the same way there was a church of France, of Spain, and so on, each with their own supreme head on earth.⁴⁶ Thus those who asserted that the king was head of the realm of England but not head of the church of England simply claimed 'that the kinge is the heade of the unfaithfull / and not of the faithfull'.⁴⁷ But this was absurd. Even infidel kings represented the image of God on earth; their authority did not diminish when they became Christian.

Gardiner's argument had some obvious weaknesses. It might be argued, he recognised, that no one denied that kings should be obeyed; yet, still it might be thought that there were limits to the obedience that could be demanded. The reply was simple: those passages of scripture in which God's command of obedience to kings was revealed were all innocent of any suggestion of limitation (Romans 13.1–5; 1

Peter 2.13–17; Matthew 22.17).⁴⁸ Obedience must be ‘not questioning nor inquiring’. If kings asked too much, then God would one day judge them.⁴⁹ Even the fact that God committed the government of the church ‘to the apostles / and to those that succede in their rowmes’ did not diminish the royal supremacy in the church. One needed to distinguish ‘preeminence’ from that spiritual government that consisted in ‘teaching / and the ministerie of the sacramentes’. The former was the king’s authority, the latter the authority of priests. But this did not mean that kings had purely temporal and not spiritual authority, for Christian kings existed to lead their people to truth, with a duty to ensure that they led good lives. This gave kings jurisdiction over the moral behaviour of all of their subjects, lay and clerical.⁵⁰ Old Testament examples showed that ‘a kinge ordayned of God . . . shoulde take charge of spiritual and eternall affaires / before and rather than corporal maters / and thinges that shall perishe in time’.⁵¹ They were required to see that their subjects formed ‘a worthye and an acceptable people unto the lorde’.⁵² The emperor Justinian, indeed, had made laws ‘concerning the glorious Trinitie / and the catholike faith / of Bishoppes / of men of the clergie / of heretiques / and others’.⁵³ Gardiner especially stressed the imperial authority to decide what constituted heresy, ‘the chief and principall poynt of office’.⁵⁴

Gardiner completed his argument with a consideration of the authority of the bishop of Rome. He denied that kings had ever accepted that the pope was God’s vicar on earth and head of the universal church.⁵⁵ Like all other bishops, the bishop of Rome had from God only the authority ‘to fede and bring up the people / within their dioceses committed to their spirttual [*sic*] charge / with the ministracion of the worde of God / and of his sacramentes’.⁵⁶ Old Testament examples showed that ‘the power of Princes / . . . [was] above even the highest priestes of all’.⁵⁷ By the New Testament, priests were commanded

not to beare rule / but to be in subjeccion / not to commaunde princes / but to . . . be under their power and commaundement / not only whan they commaunde thinges indifferent / . . . but also whan they commaunde thinges not indifferent / so they be not wicked. . . .⁵⁸

Not even Christ’s grant of the power of the keys to St Peter was an adequate basis for papal primacy, for it implied only Christ’s recognition that Peter was the best of his apostles, not a grant to him of any supremacy in authority.⁵⁹ Whatever spiritual authority Christ may have granted to priests, it did not entitle even the best of them to deny their

subjection to the king.⁶⁰ The bishop of Rome was without any authority in England, where the head of the church was the king.⁶¹

Sampson, Foxe and Gardiner presented accounts of the royal supremacy that were very similar. Their arguments rested on two planks, the divine right of kings, and a distinction between the universal Catholic (but not papal) church and particular churches (such as the English). There was one interesting difference among them: Gardiner alone made almost nothing of conciliar authority in the universal church, being content simply to leave it under the headship of Christ. In this he turned out to be prophetic of future trends.⁶² In 1536 the pope called the council of Mantua, an act which threatened to call the English bluff. If they wanted to appeal Henry's matrimonial dispute to a general council, here was their chance. In response, English polemicists denied even general councils any authority in ecclesiastical matters over the king; and thus left the universal church with no authority whatsoever over the particular churches of which it consisted. A good example of this sort of argument is to be found in an anonymous piece of government propaganda from 1538. In the early church the apostles and their successors were 'the hyghe rulers in all the sayd concylles'; but following the conversion of kings, this authority became theirs.⁶³ General councils had authority to declare the faith of the universal church and to determine what was in accord with scripture (though no authority at all to encroach on the jurisdiction, civil and ecclesiastical, of kings); the authority coercively to enforce their declarations belonged to princes.⁶⁴ Thus, whatever a council might declare, 'the correction and reformation . . . they muste commytte to kynges in every countreye, and to theyr lawes'.⁶⁵ Furthermore, non-essential matters, such as the determination of religious ceremonies and vestments, not being commanded by scripture, were within the king's jurisdiction, not that of a general council.⁶⁶ The anonymous author was – like all of the Henrician propagandists – an adamant critic of claims to papal primacy; but he extended his attack on the papacy to include a rejection of their authority to call a general council. Such authority now resided only in those who had ecclesiastical jurisdiction, that is, kings and princes, who must 'charitably agree' amongst themselves in order to do so.⁶⁷ Others went even further, most notably Thomas Starkey in his *Exhortation* of 1536:

al suche thinges as be decreed by princely authoritie, to goddis worde nothyng contrarye, we are by goddis worde bound, after they be receyved and stablyshed: to the whiche we must gladdely be obedient with humilitie, ye though they be contrary to suche thynges, as be propowned by generall counsell and assemble . . . [because a]

counsell generall and universall assemble of all chrysten nations, be a thyng not necessary to the conservation of Christes fayth and doctrine. . . .⁶⁸

Kings were the authority that Christians were bound to obey, and so ‘such things as be propounded by general counsell & assemble, be of none authoritie among the people in any countrey, tyl they be confirmed by princely power and common counsell’.⁶⁹

This position on general councils came to be accepted as authoritative for the Church of England as founded in Elizabeth’s reign.⁷⁰ The official Henrician statements of ecclesiology were silent on the subject, but their implications were clear enough. *The Institution of a Christian Man*, usually known as the *Bishops’ Book* (1537), though never authorised by the king, was an authoritative statement of doctrine produced by a committee of bishops and clergy. Its commentary on the ninth article of the Apostle’s Creed (‘I believe that there is one holy and catholic universal church’) provided a summary of the ecclesiology underlying the royal supremacy. It distinguished the universal church from the particular churches. The former, under the headship of Christ, had ‘a mere spiritual unity’. The particular churches, of which the church of Rome was but one, were all autonomous, ‘equal in power and dignity’, and all with different ‘outward rites, ceremonies, traditions, and ordinances, as be instituted by their governors, and received and approved among them’.⁷¹ There was little room here for a general council, and even less in the authorised revision of the *Bishops’ Book*, issued in 1543 as *A Necessary Doctrine and Erudition for Any Christian Man*, but usually known as the *King’s Book*. It bluntly stated that the unity of the universal church was reflected in no authority but that of Christ. There was no human authority or (by implication) institution above the governors of particular churches. Thus,

every Christian man ought to honour, give credence, and to follow the particular church of that region so ordered (as afore) wherein he is born or inhabiteth. And as all Christian people, as well spiritual as temporal, be bound to believe, honour, and obey our saviour Jesus Christ, the only Head of the universal church, so likewise they be, by his commandment, bound to honour and obey, next unto himself, Christian kings and princes, which be the head governors under him in the particular churches. . . .⁷²

The only space left for general councils was to function with the consent of the kings who governed the particular churches of Christendom.

So what exactly was the scope claimed by Henry VIII's publicists for his royal supremacy? The general situation was clear from the legislation of the 1530s, and from the official formularies of faith that we have just encountered.⁷³ Following the medieval canonists, a distinction was drawn between two different aspects of ecclesiastical authority, a *potestas ordinis* (power of order) and a *potestas jurisdictionis* (power of jurisdiction). The former consisted of the truly sacramental authority of the church, and could be exercised only by a priest. The latter included the power to excommunicate, to reject men proposed to have the cure of souls in a particular place by lay patrons, and to regulate the ceremonies, rites and ornaments used in divine service.⁷⁴ Much of the manner in which this *potestas jurisdictionis* was employed, however, as well as certain other powers of jurisdiction, were derived from human law, and could be called back by kings into their own hands.⁷⁵ Nonetheless, some powers of jurisdiction (most notably the power to excommunicate) could only be exercised by a priest. On the other hand, others, including the power to determine doctrine and decide cases of heresy, could, as we have seen in several writers, be claimed for the king. Thus the king was granted what canonists called the *potestas jurisdictionis in foro externo* or *jurisdictio fori* (power of jurisdiction in external matters – including authority over heresy and doctrine, as well as over public morality and the regulation of matters concerning religious worship that were left undetermined by scripture), but not the *potestas jurisdictionis in foro interno* or *jurisdictio poli* (power of jurisdiction over conscience – including the power to excommunicate, to hear confession, and to impose penance).⁷⁶ This, it might be added, was a Catholic rather than a Lutheran or protestant position, in that the latter effectively denied that there was such a thing as *potestas jurisdictionis* at all. The contrast is readily illustrated. Whereas the Henrician position gave the prince authority to decide cases of heresy, the Lutheran denied it to him. Only priests had authority to deal with heresy, and as they lacked any worldly authority, they could deal with it only by spiritual means.⁷⁷ The Henrician royal supremacy over the English church-state was not a Lutheran idea, whatever elements it may have drawn from Lutheran sources.

Was there *any* effort made to claim for Henry VIII the right to exercise the genuinely sacramental authority of the church, the *potestas ordinis*?⁷⁸ On the whole it seems there was not. The semi-official statement denied that it was any part of the royal office 'to preach and teach, to administer the sacraments, to absolve, to excommunicate'.⁷⁹ No one, for example, suggested that the supreme head of the church could administer by right of office the sacrament of the eucharist. But

on one matter, the ordination and consecration of priests and bishops, indubitably an aspect of the *potestas ordinis*, there is some doubt. The example often cited of an attempt to claim such authority for the king is that of Edward Foxe; but the evidence is ambiguous.⁸⁰ Perhaps the most strikingly elevated claim for Henry VIII's ecclesiastical authority came from no less a figure than Archbishop Cranmer. In 1540 a number of questions were put to the bishops about the sacraments. The most interesting responses again related to the sacrament of Orders.⁸¹ In response to the question 'Whether the apostles lacking a higher power, as in not having a christian king among them, made bishops by that necessity, or by authority given them by God?', he broke through the careful distinctions that we have found in others.

All christian princes have committed unto them immediately of God the whole cure of all their subjects, as well concerning the administration of God's word for the cure of souls, as concerning the ministration of things political and civil governance. And in both these ministrations they must have sundry ministers under them, to supply that which is appointed to their several offices.⁸²

That came close to suggesting that the clergy were nothing more than ministers of the king, from whom they derived all the power and authority that they exercised. Cranmer backed away slightly from the full force of this opening as he added more detail, and suggested only that the clergy were 'appointed, assigned, and elected in every place, by the laws and orders of kings and princes'. None of the three verbs implies the conferral of *potestas ordinis*. But caution: in the early church, because there was no Christian magistrate, congregations were forced to appoint clergy by 'uniform consent', based often on the advice of those 'replete with the Spirit of God'.⁸³ There was nothing in scripture to show that only bishops could make a priest. Indeed, '[s]o may princes and governors also, and that by the authority of God committed to them', just as the people as a whole had appointed clergy in the early church. This did not mean that kings could consecrate priests – consecration was not anyway a necessary part of their appointment. Nonetheless, 'christian princes, and other laymen unconsecrate' may, especially where they find themselves amongst infidels with no consecrated bishops at hand, 'make and constitute priests'.⁸⁴ There may in all of this have lurked a potential for the development of a theory of sacramental kingship; but it was to remain an untapped potential.

An Ambiguous Legacy

The central place given to a theory of the divine right of kings and to an anti-papal royal supremacy in the 1530s provided a legacy that was to be squabbled over for the rest of the period covered by this book. The squabbling was particularly troublesome because it resulted in a set of ambiguities that resided at the very core of the English church-state – ambiguity that could be exploited by conformists, as well as exposed by critics. Among those ambiguities, two were crucial. First: was the royal supremacy vested in the king alone or in the institution of king-in-parliament? Second: what did the royal supremacy imply about the relationships between church and state, or between religion and politics? Both of these questions remained contentious through to the revolutions of the following century, and beyond.

King and parliament

Ambiguity was built into the very heart of the Henrician reformation. The legislation of 1533–4 did not confer imperial authority on the king; it merely recognised that by God's law such authority was invested in the king. Parliament did not create or authorise the royal supremacy. Nonetheless, it can be argued that in using parliament to reform the church, Henry VIII and Thomas Cromwell, willy nilly, established the ideas of parliamentary omniscience and parliamentary sovereignty, which became obviously triumphant by the reign of Elizabeth.⁸⁵ They certainly did the former. That parliament was seen as competent to legislate on all matters after the 1530s cannot be doubted. What is less certain is whether the king was obliged to legislate only through parliament on all considerable matters of church and state. In particular, was he obliged to regulate the church through parliament? According to one authority, the ambiguity in this area 'was not really cleared up until after the Glorious Revolution'.⁸⁶

There is little sign that the initial defenders of the royal supremacy – Sampson, Foxe and Gardiner – viewed it as a parliamentary supremacy. Ecclesiastical jurisdiction was, for them, invested in the person of the king by God's law. Because this jurisdiction was in fact, though not in theory, a new thing, there was no defined institutional machinery for its exercise. This contrasted with the king's temporal authority, which was in practice limited by the apparatus through which it was exerted. Perhaps the neatest indication of the personal nature of the royal supremacy was the fact that it very quickly came to be delegated to Thomas Cromwell as Vicegerent in Spirituals – a personal power of the king's thus freely created the means of its own

exercise.⁸⁷ None of this should suggest that the early publicists were theorists of arbitrary monarchy, if we mean by that term a monarchy legitimately able to make and break laws or impose taxes at will. It may be that the raw materials of such a theory existed. The *Collectanea Satis Copiosa*, for example, intriguingly converted a famous maxim of the thirteenth-century legist Bracton from the claim that the king was ‘sub Deo et sub lege, quia lex facit regem’ [beneath God and the law, for the law makes the king] to ‘sub Deo. Non sub lege, quia Rex legem facit’ [beneath God but not the law, for the king makes the law].⁸⁸ But when the chief apologist for a ‘personal’ royal supremacy was questioned by Thomas Cromwell, he denied any suggestion that he supported arbitrary monarchy. Cromwell, whose work for the king in the 1530s was largely conducted by employing the legislative authority of king-in-parliament, was perhaps teasing Gardiner for the king’s entertainment, though this was not quite how Gardiner recalled the matter. Gardiner recounted the story in a letter of 1547 to Protector Somerset, in which he gave his opinion about ‘whether the King may commaund against an act of Parliament’. The 1539 Act of Proclamations (later wrongly believed to have been an attempt to make the king’s authority to legislate through proclamations the equal of parliament’s legislative capacity) was, said Gardiner, actually intended to authorise nothing ‘made contrary to an act of Parliament or Common Law’. However:

The Lord Cromwell had once put in the Kinges our late sovereigne lordes head to take upon him to have his will and pleasure regarded for a lawe; for that, he sayd, was to be a very kinge. And therupon I was called for at Hampton Court. And as the Lord Cromwell was very stout, ‘Come on my Lord of Winchester,’ quod he (for that conceat he had, what so ever he talked with me, he knewe ever as much as I, Greke or Laten and all), ‘Aunswer the King here,’ quod he, ‘but speake plainly and direccly, and shrink not, man! Is not that,’ quod he, ‘that pleaseth the Kinge, a lawe? Have ye not ther in the Civill Lawe,’ quod he, ‘*quod principi placuit*, and so fourth?’ quod he, ‘I have somewhat forgotten it now’. I stode still and woudered in my mind to what conclusion this should tend. The King sawe me musing, and with earnest gentelnes sayd, ‘Aunswere him whether it be so or no’. I would not aunswere my Lord Cromwell, but delivered my speache to the King, and tolde him I had red in dede of kings that had there will alwayes received for a lawe, but, I tolde him, the forme of his reigne, to make the lawes his wil, was more sure and quiet. ‘And by thys forme of goverment ye be established,’ quod I, ‘and it is agreable with the nature of your people. If ye begin a new maner of policie,

how it will frame, no man can tell; and how this frameth ye can tell; and [I] would never advise your Grace to leave a certeine for an uncerteine'.⁸⁹

The king's advisers might amuse themselves by discussing the exact nature of his personal supremacy; but the increasing willingness of common lawyers to argue that the law of the church was regulated by the higher authority of the temporal law could lead to places that neither Gardiner nor Cromwell wished to go. Well before the dramatic events of 1533–4, Christopher St German had examined 'the power of the parlyament concernynge the spiritualtie and the spiritual jurisdiction' in his *Newe Addicions to Doctor and Student* (1531),⁹⁰ but his thinking had developed further by the time he produced *An Answer to a Letter* (1535),⁹¹ purportedly a reply to a letter inquiring about his opinion on the royal supremacy.⁹² The reply began with a clear statement of the basics, of the sort to be found in the other Henrician publicists. Parliament in 1534 recognised the king's supremacy, but granted him nothing new. The king had already possessed 'all such power over his subjectes spirituall and temporall / as to a kynge belongeth by the lawe of god'. After 1534 'he had the same power without alteration'. The king's authority did *not* include 'any authority that our lorde gave only to his apostels or discyples / in spirytuall ministratyon to the people'. Any grant of authority to the king in such matters, even by parliament and convocation, would be rendered void by God's law.⁹³ St German of course accepted that 'parliament may nothinge do against the lawe of god'.⁹⁴ However, the real problem was not the king's encroachment on the church. The medieval church had deliberately obscured the boundaries between its authority and the spiritual authority of the king. It had claimed as exclusively spiritual functions things that were within the king's jurisdiction. To avoid this encroachment, St German defined the king's authority negatively, by specifying what was excluded from it: '[t]he consecration of the sacrament of the auter [alter] / the makyng of absolucyons / the gyvng of orders / & the ministratyon that saynt Paul speke of ad Corin. iiii . . . wherby he understode princypally the ministratyon of the sacramentes'. These powers were reserved to priests and bishops, though if they were 'neglygente in doynge their ministratyon to the people / the kyng might commaunde them to do it'.⁹⁵ Among the powers usurped by the clergy had been jurisdiction over 'avoutrye [= adultery] / fornicacyon / symonye & usury', and the regulation of marriage, tithes and wills.⁹⁶

Soon, St German sounded more novel notes. Once the supreme headship of the church was declared in statute 'it is nowe a lawe of the realme / and must be judged accordynge to the groundes and rules of

the lawe of the realme'.⁹⁷ He applied this principle in discussing the interpretation of scripture. The basic rule laid down by St German for dealing with difficult questions of interpretation was that the advice of learned clergy should be sought.⁹⁸ However, some passages of scripture concerned the authority that was properly attributed to the church and the clergy, and priests could not be trusted to interpret these. They were interested parties.⁹⁹ So in the last resort the only safe principle was that when there were doubts about any scriptural text such that they became the occasion of dispute and conflict, 'that in all these cases / kynges and princes shal be judges / & have power to pacyfye all such unquyetnesse'.¹⁰⁰ St German went further. It was agreed, he said that the Catholic church expounded scripture. But the church did not consist just of the clergy; it included also 'emperours / kynges & princes / with their people', and so 'may the emperoure / kynges & princes *with their people* expounde it'.¹⁰¹ This definition of the church meant, indeed, that neither the clergy alone nor kings alone could interpret scripture. Since the universal church could not be assembled to interpret scripture, it followed that:

kynges & princes whom the people have chosen & agreed to be their rulers . . . and which have the whole voyces of the people / maye with their counsell spirytuall & temporall make exposycyon of such scripture as is doubtfull.¹⁰²

King-in-parliament, operating with the consent of the people, provided scriptural interpretation binding on the congregation of a particular church (but not on anyone else). God had thus provided that 'by obedience to their princes', people's doubts about the meaning of scripture could be resolved.¹⁰³

St German's analysis was reinforced in a passage referring to Sir John Fortescue's fifteenth-century description of the kingdom of England as a *dominium politicum et regale*.

And here it is to be noted / that there be two maner of powers that kynges and princes have over their subjectes: The one is called / Jus regale / that is to saye a kyngely governanunce: And he that hathe that power maye with his counsell make lawes to bynde his subjectes / and also make declaration of Sc[r]ypture for the good order of his subjectes / as nede shall requyre / for appeasyng of varyance. The other is called / Jus regale politicum / that is to saye a kynglye and a polytyke governanunce. And that is the most noble power that any prince hath over his subjectes / and he that ruleth by that power / maye make no Lawe to bynde his subjectes without their assent / but

by their assent he maye so that the lawes that he maketh be nat agaynste the lawe of God / nor the lawe of reason: And this power hathe the kynges grace in this Realme: where he by assente of his lordes spirytuall and temperall: and of his commons gathered together by his commaundement in his parlyamente maye make lawes ty bynde the people. And of those laws there nedeth no proclamation / bicause they be made by all the people / for the parliament so gathered togyther / [the people]¹⁰⁴ representeth the estate of al the people within this realme / that is to say of the whole catholyque church therof. And why shuld nat the parlyament then whiche representeth the whole catholyke church of englande expounde scrypture rather than the convocacyon whiche representeth onely the state of the clergy. . . .¹⁰⁵

The position represented essentially a combination of the key Henrician idea of a particular church, coinciding with a secular realm, with a Fortescuean interpretation of the English polity as one both ‘regal’ and ‘political’. There was in the Christian world no higher jurisdiction than that of the princes who held supremacy in the particular churches. But in kingdoms like the English, that authority, in both its temporal and its ecclesiastical aspects, was exercised ‘politically’, with the consent of the realm given in parliament.

We should probably avoid over-interpreting the gap between St German and other writers. Though Henry VIII’s publicists deployed a theory of the divine right of kings, and some of them seem to have seen the royal supremacy in the church operating in a personal rather than a parliamentary way, they were not necessarily advocates of kingship above the law.¹⁰⁶ Henry VIII himself admitted in 1542 ‘that we at no time stand so highly in our estate royal as in the time of Parliament’.¹⁰⁷ The competence of the early Tudor state enlarged enormously, and not just because of its increased control of the church.¹⁰⁸ Franchises in which the king’s writ did not run were incorporated into the normal jurisdiction of the king’s law (1536), as were the Principality and Marches of Wales (1536, 1543). Royal authority over Ireland was – at least in aspiration – extended when Henry became king (rather than lord, as hitherto) of Ireland in 1541. Attempts were made, too, to increase the economic and social functions of state authority, most obviously in the steps slowly taken by statute to build a ramshackle system of poor relief. But all of this, remarkably, was done on a basis of enhancing the authority of common law and parliament, and by these means enhancing the authority of the king. They were not justified by any theory of royal absolutism. But ambiguity fatally remained with regard to the proper mode for exercising the king’s authority in the church.

Politics and religion

Pre-Reformation political assumptions had been built on the idea and (to a degree) the reality of religious uniformity. In the post-Reformation world, religious uniformity disappeared. As a result, the truism that obedience was owed to God before man became suddenly a time bomb ticking away at the heart of the body politic. The idea was not new; but its implications were now more immediately destabilising. The result of this in political thinking was a struggle between approaches to the ordering of the polity that could in many diverse ways be seen to pit the 'political' against the 'religious'. Broad positions developed. One combined a minimally-defined comprehensive view of the church with an emphasis on the overriding importance of maintaining political order. Its basic strategy was to avoid linking political obedience to confessional identity, and to construct theories of obedience to the state that could transcend religious diversity. Another tended to a more exclusive definition of the church (meaning not the whole realm but just the Godly), and it made secular authority into the handmaid of that church. In extreme cases it placed loyalty to the faith above loyalty to the church. It could result in the view that obedience to the state was conditional on its confessional identity. Much of the most explosive political writing of the period – Marian resistance theory, much of the thought of the Scottish Reformation, the radicalism of the English Revolution, much Covenanter thought – was of this sort. These were arguments for the priority of religious objectives over civil ones. They witness the explosive incursion into politics of religious principles, and sometimes even the denial of any real identity to a realm of politics. These ambiguities, too, fuelled future conflicts.

It could be argued that the capacity to conceptualise a realm of politics with its own autonomy and rules was a weapon that most readily served the purposes of kings trying to pacify the conflicts created in the aftermath of the Reformation. Civic humanism was arguably the conceptual framework that could most readily be used to defend the political realm, through its idea of the active life, which resulted in a theory of mixed government. For this reason civic humanist ideas could be co-opted by rulers, and were so co-opted throughout the sixteenth and seventeenth centuries. The process can be exaggerated. There were civic humanists who were resistance theorists (George Buchanan); there were others for whom any genuine *vita activa* was made impossible by the corrupt attitudes prevailing at the Elizabethan or early Stuart courts. After the Reformation, when More's search for a true commonwealth might be replaced by the search simply for

peace and order in an ideologically divided world, civic humanism could be adapted to this new search.

These trends first became evident in the 1530s.¹⁰⁹ Thomas Cromwell used a number of humanist intellectuals as propagandists in the later 1530s, notably William Marshall, and the Paduan-educated duo Thomas Starkey and Richard Morison.¹¹⁰ Marshall was significant primarily for his translation of Marsilius's *Defensor Pacis* (1324), which appeared in 1535 under the title *The Defence of Peace* as part of Thomas Cromwell's propaganda campaign. Marsilius's work was perhaps the most important medieval defence of the rights of temporal rulers against the pretensions of the papacy.¹¹¹ Many of Marsilius's arguments were well suited to employment in defence of the Henrician supremacy. He denied to the clergy any temporal jurisdiction and thus gave no toe-hold for any clerical claims to authority over princes, he denied the authority of the pope over the whole church, and he denied that there was any divinely ordained distinction between priests and bishops. All of these were key Henrician arguments. Marsilius based his arguments on the view that the only authority to impose binding laws on a community was possessed by those to whom the community had itself given the authority. Marshall's translation reduced the importance of consent in the argument, particularly by removing Marsilius's preference for elective monarchy over hereditary, and by institutionalising popular consent as parliamentary consent. Even then, Marsilius's text was altered to ensure that parliament was not credited with 'full legislative autonomy, [but] . . . acts as executor of the king's will'. Marsilius was manipulated so that he came to argue that the king alone possessed *imperium*, or coercive jurisdiction, but that he made law with the consent of his subjects through the institution of parliament. The prime intention of Marsilius's work was to show that to ensure peace, unity and order in civil communities the pretensions of the papacy had to be resisted. While, for Marsilius, this led to a defence of the authority over the church of the Holy Roman Emperor (and in it, of general councils), for Marshall the major beneficiary of these arguments became the king. Peace and order required acceptance of the idea that all imperial authority exercised in the realm resided in the king.¹¹²

These themes were expanded in other propaganda works of the late 1530s. Thomas Starkey, for example, observed in 1536 that England was now plagued by such 'disobedience and diversitie of opinion' that it had been led 'to great confusion, and to the great breche of christian unitie'.¹¹³ His *Exhortation* was a remedy for these problems,¹¹⁴ and it was built upon the concept of *adiaphora* or things indifferent, meaning 'all suche thynges whiche by goddis worde are nother prohibyted nor

commaunded, but lefte to worldly polycie, wherof they take their ful authoritie'.¹¹⁵ The last phrase gave the game away. Unlike Lutherans, Starkey used the concept of things indifferent not to indicate a sphere of liberty for Christians, but to indicate an area where the civil authority was free to regulate matters as it chose.¹¹⁶ When civil rulers commanded things indifferent, then the people 'are to them bounde, ye by the vertue of goddis owne worde'.¹¹⁷ A particular strength of the argument was the way in which secular obedience was itself rooted in theology. This was a valuable strategy, with a long future in conformist political thought. Starkey reduced the essentials of the faith to those specified in the Nicene Creed.¹¹⁸ Thus he defined 'christen cyvilitie' as 'generalle knowledge of thynges necessary joynd with mekenes', resulting in 'gyvyng obedyence to common authoritie' in all matters indifferent.¹¹⁹ One of the chief causes of disunity and disobedience was the superstitious mistaking of inessentials for essentials.¹²⁰ The great advantage in stressing that civil authority commanded only in the sphere of things indifferent was that there could then never be any clash between the duty of obedience and the requirements of conscience.¹²¹ Of course, rulers might overstep the boundary, and demand things that God had forbidden, which demand ought to be 'boldely disobeyed with al constancy'; but Starkey made little of the point, emphasising instead the importance of obedience over the pretended claims of conscience.¹²²

Starkey's argument for the overriding claims of civil order and obedience was not 'irreligious'; it rested neither on any divorce between religion and politics, nor on the triumph of secular values over religious ones. The claims of political obedience were defended as something obvious to those who understood rightly the Christian faith. There were two manners of living, Starkey argued. One was 'hevenly spirituall and godly' and was based on the word of Christ laid down in scripture, the other was 'civile, natural, and worldely' and based on natural reason.¹²³ Although the latter was common to all peoples irrespective of faith, nevertheless, amongst Christians they 'must perfitly agree'.¹²⁴ Together they produced that 'christian civilitie', of which we have already heard mention, the foundation of which was the principle that 'to all suche thinges, as by common authoritie are established and founded, without repugnance to the spirituall unitie and manifeste doctrine of Christe, the people must ever be obedient'. This principle was indeed a 'manifest commandement' of Christ.¹²⁵ Obedience for Christians was a product not of fear but of the virtue of love and charity.¹²⁶ Furthermore, any aspect of the spiritual life might also be altered 'by good order & Policie', unless clearly determined by scripture. This included 'al rites & constitutions eccle-

siastical'.¹²⁷ We are reminded of Starkey as author of the humanist *Dialogue* when we are told that this principle required the abolition of papal supremacy before 'a very and true common weale' could be re-established in England.¹²⁸ This commonwealth, united in obedience, would be determined by 'common consent' – like St German, he saw the supremacy as parliamentary – laws for religious and temporal matters. So, 'without scruple of conscience' the people could be obedient to all acts concerning the reformation of religion made 'by common authoritie here in our country'.¹²⁹

Sir Richard Morison presented a similar theory, though with special emphasis on patriotism, the duty of all men 'to serve their contrye'.¹³⁰ He drew upon classical examples to suggest the need for 'spending bodyes, goodes, and lyves to[o], for their countreys sake'.¹³¹ Extensive examples followed of the self-sacrificing service men had given to their countries. This might, perhaps, remind us of the civic humanist origins of patriotism, love of country or *patria*, invoked here by Starkey in defence of the Henrician reformation. The appeal to country was particularly effective against the papacy, something most clearly revealed in Morison's sardonic comments on his one-time patron Cardinal Pole's treachery in saying '*Roma mihi patria est*' – Rome is my native country.¹³² The first duty imposed on those who would serve their country was obedience to authority, for '[o]bedience undoubtedly is the knotte of al common weales, this broken they must nedes runne al heedlonge to utter destruction'.¹³³ There is a dramatic gap in Morison's writing between the civic humanist language of public-spiritedness, and the fact that the only activity he required of subjects was obedience. Morison took his patriotic rhetoric to great heights – Cressy, Poitiers and Agincourt were remembered¹³⁴ – even identifying the cause of England with the cause of God. The English might face the world, but '[t]hey can not be to[o] fewe, that have god on their side'.¹³⁵ Classical examples of patriotism smoothly gave way to Old Testament examples of fighting God's cause under the leadership of a 'godly prynce'.¹³⁶ '[W]ho soo is leadynge his subjectes to the knowlege of goddis worde . . . may wel assure hym selfe, that god woll assyste him'.¹³⁷ The civic humanist language with which Morison began echoed ever hollower as he embraced fully a theory of divine right kingship. The king 'is our kynge, our ruler, by the wyll and ordinance of god, he is goddis minister, unto whose charge god hath commytted this realme, the governement is his, by goddis appoyntment, our dueties, to obey and serve him by goddes comaundement'.¹³⁸ The English were of 'one realme . . . one harte, one fydelitie, one allegiance'.¹³⁹ By the end, the sacrifice of goods and bodies required of the public-spirited man was not so much for the safety of

the country as for 'his hyghnes preservation'.¹⁴⁰ Morison closed with the injunction, 'Let us fight this one field with englyshe handes, and englyshe hartes, rest, peace, victorie, honour, welth, all is owers.'¹⁴¹ This is a long way removed from the 'common weal' envisaged by earlier Tudor humanists, perhaps even by Morison himself, in less fraught times.

It is worth noting that Morison's writings constitute one of the earliest attempts to employ the writings of Machiavelli in an English context. Historians have a perennial fascination with tracing the influence of Machiavelli.¹⁴² What is worth noting, for it suggests a general warning about playing this game, is that Morison's familiarity with Machiavelli did not lead him to adopt any of the distinctive features of Machiavellian politics, whether these be deemed a preference for republican government or a ruthless amoral approach to politics. Machiavelli provided precepts and historical examples that could be used for various purposes. But Morison's writings used humanist language, whether derived from Machiavelli or elsewhere, in ways quite distinctly related to the post-1536 English context in which he wrote. The history of intellectual influence is not a history of doctrinal transmission but of creative use (and abuse). That is why it is possible to suggest that English Ciceronian humanism could become a bulwark of the Tudor state.¹⁴³

Thus the immediate effect of the Henrician reformation, evident especially after the crisis year 1536 in which the Pilgrimage of Grace posed the most serious internal threat faced by a Tudor monarch, was to encourage political writers to search for a theory that would emphasise obedience to the king. The simplest such theory was the divine right of kings, with its emphasis on absolute obedience.¹⁴⁴ It was presented starkly by Morison, more complexly by Starkey, but in both cases was intended to provide the basis for a political loyalty that would be immune to any outside considerations. The king of England was 'a full king' with no human superior.¹⁴⁵ Adoption of this theory required even those writers influenced by civic humanist perspectives to turn away from ideas that had been tenable before 1530. A divine-right king ruled subjects rather than citizens. To the extent that there was any citizenship evident at all in the later writings of Starkey and Morison, it consisted in a patriotic duty to serve king and country. The language used by Morison and Starkey remained, at least in places, recognisably humanist, but it was a language now employed to bolster obedience to the civil magistrate. It did so in conjunction with the view that the king's authority was ordained of God, thus solving any potential conflict between religious duty and political obedience by the device of making obedience into a religious duty. But not everyone would accept

this synthesis. The Henrician polemicists were keen to develop an all-encompassing theory of obedience seen as a religious duty; but in future decades ambiguities became exposed, especially over the question of just how far a (Christian) duty of obedience could apply to rulers manifestly irreligious or heretical, or manifestly harmful to their people in other ways. But before these conflict lines became apparent, the English Reformation was to develop a stage further, though even in this, obedience was to remain a central concept.

Obedience and Reform in the Reign of Edward VI, 1547–53

Dominated throughout by men with a commitment to evangelical reform, the brief reign of Edward VI saw more thorough-going attempts to destroy the old faith than had that of his father; it saw too, efforts, rather patchier in their success, to build a reformed church and society that would place England briefly in the vanguard of an international reformed movement.¹⁴⁶ A set of political ideas was readily developed to shape and to buttress this endeavour.¹⁴⁷ At the core of these ideas was the concept of ‘true order’, requiring both godly rulers who would support the true faith, and the creation of a godly commonwealth based upon realisation of the ideals of Christian charity. A godly king, according to John Hooper ‘must . . . see their subjects instructed in the first table [i.e. their religious duties] . . . [and must aim] to live well himself, and to observe mercy and justice, to punish vice, and to extol virtue’.¹⁴⁸ The commonwealth as a whole ought to be founded upon principles of justice and charity if it were to be considered truly *reformed* according to God’s word. Charity, as Hooper explained, ‘is a fervent desire and earnest study to do well unto all men, yea, even with the hurt of him that doeth it’, and it embraced social justice so that it was uncharitable to ‘diminish the goods of our neighbours, whether they be of his body or his soul’.¹⁴⁹ Social justice did not require a Utopian community of goods, but it did require something more than selfishness. The great preacher Hugh Latimer advised in 1552 that:

things are not so common, that another man may take my goods from me, for this is theft; but they are so common, that we ought to distribute them unto the poor, to help them, and to comfort them with it. We ought one to help another. . . .¹⁵⁰

But true order required one thing more: obedience. Subjects were commanded to obey their rulers, except where this clashed with their

duties to God. Then they were to follow God but in the expectation that they would quietly suffer the king's wrath.

True order always meant, for the evangelicals, more than simply obedience. It has rightly been said that 'the ungodly magistrate threatened true order far more than did the legitimate disobedience of the godly subject to him'. For Edwardian evangelicals 'the service of God' always took precedence 'above all worldly considerations'.¹⁵¹ Nonetheless, circumstances encouraged a growing emphasis on the subject's duty of obedience. Above all, the 'rebellions of commonwealth' of 1549, in which the language of commonwealth was appropriated to demands of social justice for the common people, encouraged the clerical establishment to emphasise the obedience owed to kings.¹⁵² They had much on which to build. As early as 1528, William Tyndale's *Obedience of a Christian Man*, adopting the Lutheran separation of the 'two regiments' – church and state – had both declined to allow the king any ecclesiastical functions, while making him unchallengeably supreme in the temporal sphere.¹⁵³ 'God', Tyndale declared, 'hath made the king in every realm judge over all, and over him is there no judge. He that judgeth the king judgeth God; and he that layeth hands on the king layeth hand on God. . . . If the king sin, he must be reserved unto the judgment, wrath, and vengeance of God.'¹⁵⁴ In his 1547 speech at the coronation of Edward VI, Thomas Cranmer declared, after outlining the duties imposed by God upon kings, that:

I openly declare before the living God, and before the nobles of the land, that I have no commission to denounce your majesty deprived, if your highness miss in part, or in whole, of these performances, much less to draw up indentures between God and your majesty, or to say you forfeit your crown with a clause, for the bishop of Rome, as have been done by your majesty's predecessors, king John, and his son Henry of this land.

Kings were God's anointed automatically, and not by virtue of the rites of coronation. The bishop of Rome had no authority 'to condition with monarchs', though the clergy did have a duty to 'declare what God requires at the hands of kings and rulers'.¹⁵⁵ Thus protestants were greater respecters of the rights of kings than Catholics, and they accepted that the king had no earthly superior.

It is no surprise, then, that Cranmer, in the wake of the rebellions of 1549, could assert that 'Though the magistrates be evil, and very tyrants against the commonwealth, and enemies to Christ's religion; yet the subjects must obey in all worldly things, as the Christians do under the Turk. . . . How ungodly then it is for our subjects to take the

sword, where there reigneth a most Christian prince, most desirous to reform all griefs.¹⁵⁶ John Hooper, writing a little later, suggested that the king was ‘bound to be obedient unto the law, and unto God, whereas the laws be not contrary to the law of God and the law of nature’. In all civil matters, kings were to be obeyed ‘simply, without exception’, unless their commands ‘repugn and be contrary to the law of nature’.¹⁵⁷ Nonetheless, even when kings’ commands contravened God’s law (in spiritual matters) or natural law (in civil matters), and obedience was rightly withheld, active resistance remained unconscionable. Resistance was a ‘damnable iniquity’ and only God could punish magistrates and kings.¹⁵⁸ Kings undoubtedly had duties to serve the common weal, and to further the true faith,¹⁵⁹ but it was not for their subjects to ensure that those duties were well performed.

Perhaps the best known of the tracts published in the wake of the 1549 rebellions was John Cheke’s *The Hurt of Sedition* (1549). Cheke, appointed in 1544 tutor to the future Edward VI, was a distinguished Greek scholar and early convert to protestantism. His work received a wide audience later in the century as a result of being incorporated into the 1577 and 1587 editions of Holinshed’s *Chronicle*. Cheke sought to encourage the duty of obedience, both social and political. Combining the two, he stressed that we need ‘to obey our kinge faythfully, and to serve in our owne vocacion lyke subjectes honestlye’.¹⁶⁰ The ‘rable of Norfolkke rebelles . . . pretende a common welth’, Cheke noted, but these rebels failed to notice that true commonwealth could only effectively be sought in an orderly fashion. In all countries, ‘some must rule, some must obey, every man may not beare lyke stroke, for everye man is not lyke wyse’. For ignorance of this, ‘ye that seke the commune welth, have destroyed the commune welth’.¹⁶¹

Such a doctrine was of rather less comfort after 1553, even less after 1556 when Cranmer and Hooper had been martyred, when Cheke had been compelled to abjure his protestantism, and when England was ruled no longer by a most Christian prince, but by a prince more desirous, it seemed, of creating than of reforming griefs. Nevertheless, abandoning the doctrine was not easy. Not only did martyrs like Cranmer set a powerful example of non-resistance, but evangelicals came to pride themselves that *obedience* was a duty much dearer to them than to their Catholic opponents, identifying doctrines of resistance and tyrannicide with popery, and by the seventeenth century with the Jesuits in particular. The next chapter will trace the development of political ideas among English protestants who found themselves suddenly living in adversity, and above all it will look at the ideas of the Scottish Reformation, required from the start to justify reformation without the reliable support of royal authority.

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