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INTRODUCTION: THE MEDIEVAL BACKGROUND.

When Henry VII became King after the Battle of Bosworth Field in 1485, he took over what was in theory the most centralised kingdom in Europe.

A single Exchequer received and disbursed the royal revenues.

A single Chancery issued all writs and commissions on the king's behalf...

And above all

A single legal system, administering a Common Law, was controlled through the courts of Common Pleas and King's Bench.

There were, however, areas where the king's writ did not run.

The principality of Wales was a royal domain, and if there was no Prince of Wales, or if the Prince was a child, it was controlled directly by the king.

However Wales was not part of the realm of England.

Its **sheriffs** were separately appointed, and

It was equipped with **independent Exchequers and Chanceries** – one of each for the **north** of the principality, and one for the **south**.

There were also **Liberties**, most notably those in the marches of **Wales**, but including some **others** in the **north of England**, particularly the great **Palatine Bishopric of Durham**.

Although these lordships had in principle been granted by the king's predecessors, no machinery existed for him to resume them, except by escheat (that is when the incumbent lord died without heirs).

They were for all practical purposes governed by their lords.

They were not represented in parliament,

Their courts were not answerable to Westminster.

In the Welsh Marches their legal system was frequently Welsh customary rather than English common.

Nevertheless, lowland England, which accounted for over eighty percent of the King's subjects, was governed from Westminster by the king's directly appointed servants.

When the king was effective and competent, this was a great source of strength, but when he was weak, it could fall apart, and that was what had happened during the latter part of the reign of King Henry VI, from 1437 to 1460

The problem was that an alternative structure of authority lurked just below the surface which might roughly be described as 'feudal'.

Nearly all the land of England was in theory held in tenure from the king – that was a principle which went back to the conquest.

About fifteen percent was held by bishops and abbeys in what was called 'mortmain', because the holder never died, and the land could not therefore escheat.

The rest was held by secular lords, some directly (in which case they were known as tenants in chief) or indirectly (in which case they were mesne lords). These lands were all governed by feudal laws of inheritance, but were not jurisdictionally independent. Everyone, including the lord, was in theory subject to the king and to the Common Law.

However, great estates carried not only wealth, but also what was known as *manred* – the acknowledged dependence of an inferior person upon a superior.

Manred might be recognised formally, in which case the dependant was known as an ‘indentured retainer’, or informally, in which case he was called a ‘well willer’.

During the Hundred Years War, lords had been accustomed to mobilise the retinues which resulted from these systems of dependence for the king’s service in France.

After about 1435, however, such service became markedly less attractive, and as the king’s government weakened, armed retinues became used with increasing frequency to pursue local quarrels, or to intimidate the king’s judges and other agents.

These conflicts, which are known as ‘The Wars of the Roses’ eventually led to the deposition of Henry VI and his replacement with the Yorkist claimant, who became King Edward IV.

Faced with a radically factionalised aristocracy, Edward IV adopted a compromise system of government.

The structure of royal courts and officials was left intact, but several of the greater nobles were incorporated into the system by giving them wide supervisory powers.

These were, of course, men whom the king felt that he could trust.

They were expected to see the king’s laws enforced, and to use their own retinues for that purpose. Richard, Duke of Gloucester, the king’s brother, was given such powers throughout the north of England.

It worked reasonably well as long as Edward was there to keep control, when he died relatively young in 1483, leaving his heir a minor, the whole system dramatically imploded.

First Richard and the Duke of Buckingham fell out with the Queen’s kindred, the Woodvilles (which resulted in Richard seizing the Crown) and then Richard and Buckingham fell out, which resulted in a failed rebellion.

As a result the Yorkist party, which had sustained Edward, disintegrated, and it was that which opened the door for Henry’s *coup* in 1485.

The new king, therefore, had every reason to distrust any method of government which operated even partly through private retinues, and his priority became the restoration of direct royal control over the whole machinery of administration.

In asserting that control he expected, and received, the support of the ecclesiastical estate. This was by vocation committed to the preservation of peace, and although some bishops had been active factional protagonists, most had striven creditably to act as mediators.

Pope Innocent VIII, who seems to have been well informed about English matters, hastened to recognise Henry's claim to the throne, which was otherwise extremely shaky, and that brought the whole episcopate into line behind him. He was to use senior clergy extensively in positions of responsibility.

In 1485 there was no organised heresy in England.

There were Lollards, or 'known men' who had several extensive networks in the Home Counties, but Lollardy has been accurately described as a state of mind rather than a movement – let alone a sect. **Henry VII was properly hostile to the Lollards**, when any were brought to his attention, but they did not constitute any serious disruption to the church.

Potentially more serious was the **rift** which had been developing over the last few years between **Humanists and Traditionalists**.

The Humanists were an educated group, strong among the senior clergy, who were worried by the popularity and luxuriance of the contemporary cults and the elaborate liturgical practices which were flourishing at parish level. They thought that the church was in danger of not seeing the wood for the trees.

The Traditionalists, on the other hand (who included most of the parish clergy), were perfectly happy with this development, and saw in a way to increase both their own authority and the profitability of their cures.

Edward IV had sat on the fence between these groups, and Henry VII was to do the same, but in due course this division was to be far more important for the future of the church than the so-called Lollards.

Organisationally the church was divided into twenty three dioceses and about 9000 parishes, most of the latter housing dependent chapelries, and staffed by almost 20,000 clergy. The priesthood was thus one of the most numerous professions.

When Henry acceded to the throne, the **population** of England and Wales stood at about **two and a half million**.

In the thirteenth century it had probably been over five million, but was already in decline when it was hit by the plague in the middle of the fourteenth century.

Plague remained endemic, although less virulent, for over a century after the original outbreak, and by about 1450 the population was probably only a little over two million.

Thereafter, for reasons which are not clearly understood, it began to recover slowly, and the acute labour shortages **which had characterised the early years of Edward IV's reign were things of the past.**

This population was also overwhelmingly rural.

Only about ten percent of people lived in towns with more than 10,000 inhabitants, and there were only three or four such towns in the whole country.

Only London, with a population of about 50,000 was a true city by European standards.

Overseas trade was controlled partly by two London based Companies, **the Staplers** (Wool) **the Merchant Adventurers** (Woollen cloth), and partly by **the Hanseatic League**, based in North Germany.

Hanseatic trade passed mainly through the East coast ports, from Harwich to Newcastle, while the London routes went mostly to the Low Countries.

There was also a modest **trade with France** through Southampton and other south coast ports, and to **Spain and Ireland** from Bristol.

This overseas trade, and particularly that of London, was already important from a revenue point of view, and was to become vastly more so over the next few years.

Nobody at the time saw 1485 as any kind of a turning point.

They had thought that the political instability of the mid-century had been put behind them, only to see it resurrected by the actions of Richard III.

Henry VII was just another adventurer who happened to have won an important battle, and there was no guarantee that the cycle of instability would not continue.

Henry did his best to reconcile the ancient feud by marrying Edward's daughter Elizabeth within weeks of his success, but it was only his victory at Stoke in 1487 which made it look as though he had come to stay.

We now see the first of the Tudors as symbolic of a new departure, but at the time he was confronted with a political situation which had to be resolved, and a governmental system which had got to be made to work.

All the elements were in place, but they had to be set in motion. The last thing that he had in mind was the creation of a 'new monarchy'