

Law, Counsel, and Commonwealth: Languages of Power in the Early  
English Reformation

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Doctor of Philosophy

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History

April 2015

## **Abstract**

This thesis examines how power was re-articulated in light of the royal supremacy during the early stages of the English Reformation. It argues that key words and concepts, particularly those involving law, counsel, and commonwealth, formed the basis of political participation during this period. These concepts were invoked with the aim of influencing the king or his ministers, of drawing attention to problems the kingdom faced, or of expressing a political ideal. This thesis demonstrates that these languages of power were present in a wide variety of contexts, appearing not only in official documents such as laws and royal proclamations, but also in manuscript texts, printed books, sermons, complaints, and other texts directed at king and counsellors alike. The prose dialogue and the medium of translation were employed in order to express political concerns. This thesis shows that political languages were available to a much wider range of participants than has been previously acknowledged.

Part One focuses on the period c. 1528-36, investigating the role of languages of power during the period encompassing the Reformation Parliament. The legislation passed during this Parliament re-articulated notions of the realm's social order, creating a body politic that encompassed temporal and spiritual members of the realm alike and positioning the king as the head of that body. Writers and theorists examined legal changes by invoking the commonwealth, describing the social hierarchy as an organic body politic, and using the theme of counsel to acknowledge the king's imperial authority.

Part Two examines two later Reformation contexts: that of the warfare of the 1540s and Edward VI's minority kingship. Languages of power continued to be accessible to a wide range of participants across the social hierarchy in these later periods. This thesis demonstrates that, far from being limited to the political nation or the centre of the kingdom's political life, a complex political idiom was available to a broad spectrum of the social order. These languages were present in a larger number of rhetorical contexts than has been often acknowledged.

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Image 1, from John Cheke, *The Hurt of Sediton Howe Grievous it is to a Commune Welth* (London: John Day, 1549; STC 5109.5), Sig. A1<sup>v</sup>.

## Acknowledgements

Writing this thesis has been one of the most interesting and challenging things I have ever attempted. I would like to thank my supervisor, Doctor John Cooper, for his unwavering faith in my work. I am extremely grateful for his patience and guidance. Doctor Mark Jenner has been supportive and encouraging throughout this process, and I would like to thank him for this and for his valuable advice. Doctor Kevin Killeen has provided indispensable insight and helpful feedback; I would like to thank him for this and for keeping me connected to my literary roots. I would like to thank the staff at the British Library for their help when consulting their manuscripts and the staff at the J. B. Morrell Library at the University of York for all their assistance. The Society for Renaissance Studies provided funding for a research trip to consult William Thomas's works, and I would like to thank them for this opportunity.

I would like to thank my family for their encouragement, and especially their support in pursuing this degree so far from home. I would like to thank my aunt Ruth for diligently reading drafts and my brother Jake for reminding me that hockey and baseball are also interesting. Jeremy Rubel insisted that I pursue this opportunity. He, Emily Buermann, and Kaaren Soderberg are a testament to the enduring power of friendship, and I am grateful for their confidence in me and for keeping me grounded. I have benefited greatly from the laughter, coffee, and other experiences shared with friends in the UK. Sarah Ward, Jonas van Tol, Jennifer Tomlinson, Jimmy Richardson, Chris Linsley, and Celia Goodburn deserve special thanks for their encouragement, insight, and entertainment. I would also like to thank the wider group of friends I have made in York over the past five years. Thank you all.

### **Author's Declaration**

I declare that, except where explicit reference has been made to the contribution of others, this thesis is the result of my own work and has not been submitted for any other degree at the University of York or any other institution.

## Introduction

In 1534, the Act in Restraint of Appeals rewrote the king's authority. The Act described the 'Realme of Englonde' as 'gov[er]ned by oon Sup[re]me heede and King having the Dignitie and Roiall Estate of the Imperiall Crowne of the same, unto whome a Body politike compacte of all sortes and degrees of people, devided in termes and by names of Sp[irit]ualtie and Temporaltie, ben bounden and owen to bere nexte to God a naturall and humble obedience'.<sup>1</sup> The Act purported to confirm in statutory law a principle that was already commonplace in the realm's customs and common law. Studies examining the impact of this Act have often focused on the changes it enacted on the king's authority, overlooking how it affected the polity.<sup>2</sup> But the Act carefully delineates the responsibilities of the 'Body Spiritual' and the 'Body Temporal' within its provisions. The Act stipulates that the ecclesiastical realm had jurisdiction 'whan any cause of the Lawe devine happened to come in question or of sp[irit]uall lernyng'. The 'Lawes Temporall' were reserved for the 'triall of p[ro]p[er]tie of Landes and Goodes, and for the conservacion of the people of this Realme in unities and peace without ravyn or spoill'.<sup>3</sup> This demarcation of the differences between the spiritual and the temporal, as they were related to the king in law was a brief summary of the legal doctrine of the royal supremacy, a device that had been most clearly articulated by the common lawyer and legal writer Christopher St German.<sup>4</sup> This valuable concept argued that the realm's common laws could in no way be contrary to natural law. Since this was the case, St German had argued, the temporal authorities had the natural right to make legal decisions regarding all property and moveable goods in the kingdom, including those belonging to the Church, because these were *adiaphora*, or did not have a role in procuring salvation. The Church, following this principle, was limited to passing

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<sup>1</sup> 24 Henry VIII, c. 12 (*Statutes* iii. 427-29).

<sup>2</sup> G. R. Elton, *Reform and Renewal: Thomas Cromwell and the Common Weal* (Cambridge: Cambridge University Press, 1973); Elton, *Reform and Reformation: England 1509-1558* (London: Arnold, 1977); Graham Nicholson, 'The Act of Appeals and the English Reformation', in *Law and Government under the Tudors*, edited by Claire Cross, David Loades, and J.J. Scarisbrick (Cambridge: Cambridge University Press, 1988), 19-30; Walter Ullmann, "'This Realm of England is an Empire'" *JEH* 30, no. 2 (1979): 175-203.

<sup>3</sup> 24 Henry VIII, c. 12 (*Statutes* iii. 427-29).

<sup>4</sup> J. H. Baker, 'St German, Christopher (c. 1460-1540/41)', *ODNB*, online edition (Oxford University Press, 2008).



legal judgement only on moral issues. According to the idea of the royal supremacy, the king, as God's divinely-appointed arbiter, had the power to resolve any legal disputes that arose between the two groups. The Appeals Act identified the king as an imperial authority in his realm, but it equally established the differences between temporal and spiritual authority through the mechanism of the law.

The Appeals Act re-asserted the king's powers in his realm and on the international political stage, but it also made contributions to the kingdom's political languages. With its introductory lines, the Appeals Act transformed the shape of England's body politic. The king was now firmly established as the head of one organic body politic, with clergy and laity equally arranged and ordered in descending degrees beneath him. The realm's legal structure was to be preferred over any other jurisdiction in the world. One master ruled this entire body politic, and that was the king. The Act reinforced the *dominium politicum et regale* legal fiction that Sir John Fortescue had advocated in the fifteenth century: Fortescue had praised Parliament because it combined royal and political authority into one legislative body; the Appeals Act granted the same authority and pre-eminence to the kingdom's own laws. In this Act, the king's powers were transformed to reflect his status as a ruler who held *imperium*, and the body politic was concomitantly altered. The Appeals Act diminished the power of the Church of Rome in England by outlawing legal appeals to jurisdictions outside the kingdom on penalty of praemunire, and by recognising Parliament alone as the highest court in the kingdom. The Act paved the way for Henry VIII's divorce from Katherine of Aragon, the formal break from the Roman Church, and the Act of Supremacy.<sup>5</sup> It also invited members of the body politic to consider how their relationships to the king, and to one another, had been altered in light of this new singular social order. A number of writers took up this challenge, and chose to address the theme of good governance in an array of texts. Engagement with political authority through text became an increasingly common form of political culture in the Reformation era. The languages such writers chose when considering these relationships forms the basis of this thesis.

This thesis addresses how the royal supremacy contributed to the political thought of the early Reformation period, from the beginning of Henry's Great Matter

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<sup>5</sup> 26 Henry VIII, c. 1 (*Statutes* iii. 492).

in 1528 through Edward VI's reign. Studies of the supremacy as it was manifest in the sixteenth century often focus on its institutional consequences, and the struggles between Parliament and Council, Monarch and Church. For three decades, one of the most influential iterations of Tudor government has been Patrick Collinson's 'monarchical republic' thesis. This idea, which has been subject to critical scrutiny in recent years, stated that Elizabethan England contained characteristics of a monarchy and of a republic.<sup>6</sup> Collinson's thesis is a variation on the theme of *dominium politicum et regale* that tends to focus on formal manifestations of political authority. However, the supremacy can be found much earlier in the ideas written by a number of political theorists and legal writers across the early Reformation period. The texts that they wrote were part of a longer conversation about the nature and application of royal power, a conversation whose traces can be found in texts written by legal scholars, particularly Fortescue, in the fifteenth century. This thesis maps how this textual conversation developed over the course of the early Reformation. It makes use of a variety of texts in order to show how the idea of the supremacy was addressed and expressed in its earliest phases. Writers considered the supremacy in a wide spectrum of texts, including official documents like the Appeals Act and Act of Supremacy: quasi-official texts like those printed in Henry's name or on Edward's behalf in response to the rebellions that appeared in each reign; texts printed by the king's printer in support of the supremacy, including St German's and Richard Morison's tracts. In addition to these widely-circulated texts, the royal supremacy was analysed in manuscript sources like sermons, texts that were meant for the press but were not printed, letters to Edward's Privy Council, and texts that were both printed and circulated in manuscript as gifts. These texts show that there was a wide application of the royal supremacy beyond institutional structures: it entered the larger political culture and influenced political engagement and thought in informal contexts as much as the formal.

The royal supremacy was the most important legislation crafted during the Reformation Parliament: it allowed the king's authority to be re-inscribed across the

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<sup>6</sup> Printed in Patrick Collinson, 'The Monarchical Republic of Queen Elizabeth I' in his *Elizabethan Essays* (London: Hambledon Press, 1994), 31-58; Collinson's theory has been tested in an important volume of essays, edited by John F. McDiarmid, *The Monarchical Republic of Early Modern England: Essays in Response to Patrick Collinson* (Aldershot: Ashgate, 2007); and more recently by Peter Lake, 'The "Political Thought" of the "Monarchical Republic of Elizabeth I," Discovered and Anatomized', *JBS* 54, no. 2 (2015): 257-87.

social spectrum and transformed the way king and kingdom interacted with the rest of Christendom. The Reformation Parliament enabled the break with Rome; introduced the contested Oath of Supremacy; changed the social landscape through the widespread closure of monasteries; introduced wide-scale social reforms, including new poor laws that made provision for the infirm and punished able-bodied vagabonds; and made a number of changes to legal practices, including codifying Wales's laws so they fell under English jurisdiction.<sup>7</sup> Stanford Lehmberg, the Reformation Parliament's preeminent scholar, observed that the legislation introduced by this parliament was so transformative that it 'could have been linked with reformation had it left religion completely untouched'.<sup>8</sup> Much of the historiography addressing the changes brought about by the Reformation Parliament's legislation has followed G. R. Elton's lead in focusing on structural or institutional changes. Elton's *Tudor Revolution in Government* sought to explain how the king's authority was re-written through an institutional framework.<sup>9</sup> Pointing to the singular influence of Thomas Cromwell, Elton argued in a series of books and articles that the unique legislation from the 1530s had transformed England from a kingdom whose power had been expressed through informal relationships managed by the royal household into a modern bureaucratic state. The legislation was bolstered through the formalisation of the Privy Council, the elevation of the principal secretary, changes to the equity courts, and financial reforms, amongst other innovations.<sup>10</sup> Though this assessment has been re-evaluated a number of times, Elton's thesis and his approach to political history have remained influential.

Christopher Coleman and David Starkey's *Revolution Reassessed* presented a number of essays that interrogated some of the primary claims Elton made across his body of work, but focused primarily on the revolutionary nature of Cromwell's

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<sup>7</sup> 22 Henry VIII, c. 12; 27 Henry VIII, c. 25 (*Statutes* iii. 558-62); 28 Henry VIII, c. 6 (*Statutes* iii. 655); 27 Henry VIII, c. 26 (*Statutes* iii. 563-69).

<sup>8</sup> Stanford E. Lehmberg, *The Reformation Parliament 1529-1536* (Cambridge: Cambridge University Press, 1970), 249.

<sup>9</sup> G. R. Elton, *The Tudor Revolution in Government: Administrative Changes in the Reign of Henry VIII*, rev. ed. (Cambridge: Cambridge University Press, 1969).

<sup>10</sup> These texts include, as a starting point, G. R. Elton, *Policy and Police: The Enforcement of the Reformation in the Age of Thomas Cromwell* (Cambridge: Cambridge University Press, 1972) and Elton, *Reform and Reformation*.

institutional changes. Starkey's essays show how the institutional changes that have been credited to Cromwell can be traced to his predecessors, whether the political thought of the fifteenth century or ideas proposed by men like Cardinal Wolsey.<sup>11</sup> J. A. Guy continues this theme by examining Cromwell's role in the creation of the Privy Council, ultimately seeing its development over time as a pragmatic solution to the crown's increasing administrative responsibilities.<sup>12</sup> More recently, Ian Harris has read Elton's thesis historiographically, seeking to discover the contexts that shaped the way Elton arrived at his conclusion and assessing the revolutionary nature of Elton's assertion. Harris concludes that Elton's identification of Cromwell as the architect of the Tudor Revolution was informed largely by the need impressed upon him by his publisher to find an overarching unitary structure for his work on the 1530s.<sup>13</sup> This clarifies how Elton's thesis came about but does not explain why Elton's largely institutional approach has dominated sixteenth-century political history.

Another valuable way to examine the application of power during the sixteenth century is through studies of the religious Reformation. Revisionism has encouraged investigations into the effects of the royal supremacy on the parish. These studies have provided rich insight into the numerous ways that the Reformation was confronted and experienced by individuals across the kingdom. The examination of documents including churchwardens' accounts, probate records, and other local court records, has provided a fuller picture of the interface between central government reforms and the localities where they took effect. Ethan Shagan modified local approaches to the Reformation by focusing on its reception in popular politics. For Shagan, popular politics was 'not the social class of the people politicking, but rather the extent to which the governed played a role in their own governance', working under the presumption that politics of national significance would be discussed in public and that these discussions could have an impact on the

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<sup>11</sup> David Starkey, 'Which Age of Reform?' in *Revolution Reassessed: Revisions in the History of Tudor Government and Administration*, edited by Christopher Coleman and David Starkey (Oxford: Clarendon Press, 1986), 13-27; Starkey, 'Court and Government' in *Revolution Reassessed*, 29-58.

<sup>12</sup> J. A. Guy, 'The Privy Council: Revolution or Evolution?' in *Revolution Reassessed*, edited by Coleman and Starkey, 59-85.

<sup>13</sup> Ian Harris, 'Some Origins of a Tudor Revolution', *English Historical Review* 523 (2011): 1356-57.

trajectory of public politics.<sup>14</sup> Shagan's work moves beyond some of the institutional structures through which the royal supremacy has been understood to help explain the reception of the Reformation and the contributions to it made by a cross-section of the populace. His narrative focuses on the confessional motives and beliefs behind popular encounters with high politics but lacks a definition of the political thought that lay behind reception of and resistance to the Reformation. This thesis attempts to supply some explanation of the thought that helped to inform politics across the social order during this dynamic period.

This thesis takes a textual approach to the revolutionary changes of the 1530s by examining how a variety of politically-charged languages were used to describe and define power during the early English Reformation. Such languages were an important component of a larger political culture that encompassed high and popular approaches to political life. A set political idiom – involving such ideas as the organic body politic, that government should uphold the commonwealth, that an uncounselled prince would soon fall into tyranny, notions of obedience, the importance of common law and custom, the flexibility of who could count as nobility when counselling the king, and the need for men who wielded substantial authority to be virtuous – was used by a wide range of participants across the spectrum of the polity. These languages were used in a variety of texts to mark engagement with political matters, and were appropriated by elite and common alike, by the 'temporalitie' and the 'spiritualtie'.

The Act of Supremacy had re-articulated the king's authority in clear terms, once again describing the king's power and his relationship to the polity in a way that firmly established his place as the head of the body politic. This language set the tone for the wider political culture, influencing the way it was celebrated, challenged, and negotiated in diverse contexts and through multiple media. Kevin Sharpe has sought to redress the historiographical focus on institutions and individual political actors by exploring the diversity of political culture during the reigns of the Tudor monarchs. He argues that all the Tudor monarchs communicated their power to their subjects through numerous kinds of media, ranging from music

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<sup>14</sup> Ethan H. Shagan, *Popular Politics and the English Reformation* (Cambridge: Cambridge University Press, 2003), 19.

and portraiture to ceremony and sermons.<sup>15</sup> Sharpe has valuably encouraged the application of methodological approaches borrowed from a number of disciplines, including literature and art history, to the textual and material traces of the sixteenth century, which could provide fruitful insights into the wider political culture of period and answer questions about the way power operated. But his survey has not paid enough critical attention to the nuances of the idiom used by the writers who participated in this immense political culture. This thesis blends together historical analysis and literary approaches to demonstrate how the languages writers used to define and describe power can help to reveal the reception of the political culture from which they emerge.

Just as the Appeals Act formalised the social order, changes underway at court formalised other aspects of political culture. By 1534, an institutional Privy Council with a fixed membership had been established at court with the purpose of extending counsel to the king. The Council helped to make the crown's administrative work more efficient, as it divided the function of political counsel from the judicial work of Star Chamber and the Court of Requests. As S. J. Gunn has shown, the development of this omniscient council was not well-received in the wider political culture, prompting debate about the king's need to receive counsel and considering the role of the aristocracy as the king's natural counsellors.<sup>16</sup> For Gunn, the formalisation of counsel through an administrative body points to another modification to noble power, though not the destruction of the nobility as a group. Instead, the nobles were subject to encroachments on their power from the crown and from aspirational gentry, who appropriated some of the nobility's political roles and actively sought advancement at court. G. W. Bernard has provided a framework for examining the ways contemporary literature depicted the authority wielded by the nobility during the sixteenth century.<sup>17</sup> His intentionally brief survey concludes that there was no over-arching theory of noble power during the period. However, his overview points to broad engagement with the idea of noble power: the nobility

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<sup>15</sup> Kevin Sharpe, *Selling the Tudor Monarchy: Authority and Image in Sixteenth-Century England* (New Haven and London: Yale University Press, 2009).

<sup>16</sup> S. J. Gunn, *Early Tudor Government, 1485-1558* (Basingstoke: Palgrave-Macmillan, 1995), 48-53.

<sup>17</sup> G. W. Bernard, *The Power of the Early Tudor Nobility: A Study of the Fourth and Fifth Earls of Shrewsbury* (Brighton: Harvester, 1985), 185-97.

did not write the treatises that explained their importance to the social order but nevertheless held a prominent place in the texts written by others of lower degree in the order. Furthermore, the idea of the nobility as a social entity was not fixed in discourse and could refer to a group that included men who aspired to attain noble status in addition to the peers summoned to parliament. Bernard's essay therefore shows the wide scope of political thought during the English Reformation. This thesis complements these studies by approaching political culture through the languages used by its participants. Focusing on languages reveals that there was a much broader scope for political participation than is sometimes assumed or accommodated within an institutional framework. Political languages were used by a wide range of people who wished to engage with matters of high politics. Audiences and the rhetorical context in which languages of power were deployed were important, as these were the means through which writers engaged in politics and negotiated their political agendas.

Law was an integral part of the power dynamic during the early Reformation era. Knowledge of the law was viewed as a virtue in itself, and Henry surrounded himself with men who were experts in law. The majority of Henry's bishops were trained in canon law. Edward Fox, Stephen Gardiner, and Reginald Pole were all favoured in the 1520s and early 1530s because of their sharp knowledge of and technical skill in the law. Henry trusted them with one of the most important tasks in Reformation era, the investigation into law to justify the divorce and the break with Rome, because of their reputations as skilled legal scholars. Though their texts were selected for their political topics, the majority of the writers examined below had some formal training in the law. Men who had knowledge of the law were in demand during the period leading to the Reformation due to an increase in litigation at the central courts and in the local courts.<sup>18</sup> Studying law at the Inns of Court provided a means to socio-economic advancement, a point that is illustrated in the careers of Thomas Cromwell, Richard Morison, William Thomas, and the rebellious Robert

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<sup>18</sup> J. H. Baker, 'The English Legal Profession, 1450-1550', in *Lawyers in Early Modern Europe and America*, edited by Wilfrid Prest (London: Croom Helm, 1981), 20, 31-5; Christopher W. Brooks, *Law, Politics and Society in Early Modern England* (Cambridge: Cambridge University Press, 2008), 6-10, 11-7; J. A. Guy, *The Public Career of Sir Thomas More* (New Haven and London: Yale University Press, 1980), 37-41; E. W. Ives, *The Common Lawyers of Pre-Reformation England – Thomas Kebell: A Case Study* (Cambridge: Cambridge University Press, 1983), 9-22.

Aske. Law was an inherent component of political life during this period, and it permeated the Reformation era's texts that engaged with political thought.

Closely related to law was the notion of counsel. John Guy has argued that a vocabulary of counsel 'underpinned not only the assumptions, but also some of the most important practices and political structures of the Tudor and early-Stuart polity'.<sup>19</sup> Guy sees the concept of counsel as bound to the political institutions in which it was practised, whether that was through the informal advice offered by the men who surrounded the king or in a formal setting like the Privy Council or Parliament. The idea of counsel had bifurcated origins reflecting two different types of counsel. One of these traditions was what Guy has termed the 'feudal-baronial' perspective on counsel, an idea rooted in the long-standing convention that the commonwealth was only upheld when the king was counselled by the great and learned men of the realm. The second tradition of counsel was the 'humanist-classical' perspective of counsel, whose currency was gaining influence in the Reformation era and was largely affiliated with the 'new men' at court who were received favour and rapid advancement.<sup>20</sup> Both of these types of counsel were deployed by writers throughout the early Reformation.

Jacqueline Rose has investigated the development of different languages of counsel in light of the royal supremacy as they move through the early modern period to the Restoration. She underscores the important role of counsel as it related to a monarch's *imperium*, arguing that even the writers who most wanted monarchs to hear counsel understood that the same monarchs were not bound to act upon the advice they received but instead voluntarily conceded their powers to parliament and council when they took counsel.<sup>21</sup> For political theorists writing during the early Reformation, *imperium* and *consilium* were bound together as inseparable correlatives. When Henry VIII reasserted his rights as an imperial monarch, he invited his subjects to address him through counsel. Guy points to tension between the two traditions as they converged during this period; however, Bernard is careful

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<sup>19</sup> John Guy, 'The Rhetoric of Counsel in Early Modern England', in *Tudor Political Culture*, edited by Dale Hoak (Cambridge: Cambridge University Press, 1995), 292.

<sup>20</sup> John Guy, 'The Henrician Age', in *The Varieties of British Political Thought, 1500-1800*, edited by J. G. A. Pocock (Cambridge: Cambridge University Press, 1993), 27-8, 35-8.

<sup>21</sup> Jacqueline Rose, 'Kingship and Counsel in Early Modern England', *HJ* 54, no. 1 (2011): 48-51, 58-9.



to point out that, although it was accepted that the king receive counsel from his nobles, there were not any prescribed rules that formalised the ways that nobles offered counsel to their kings.<sup>22</sup> The texts examined in the chapters that follow show tensions between these two traditions of counsel, and these are related to evolving notions of counsel. It made a difference to the writers whether the king received counsel exclusively from a group of men he had selected and paid or from the comparatively fiscally and politically independent nobility.

This thesis draws on these strands of thought about the uses and origins of counsel during the early stages of the Reformation by exploring how counsel operated in the wider political culture. The language of the Appeals Act invited counsel as a form of political expression as it re-articulated the king's authority in imperial terminology. If the king exercised imperial authority, then the polity was responsible for behaving in an appropriate manner. One appropriate way to respond to an imperial king was through counsel. This thesis will show how vocabularies involving both kinds of counsel could be appropriated by members of every rank within the social order as a means of engaging political concerns. The different strands of counsel that Guy has identified were typically not delineated by the writers who made use of these languages. However, many writers did argue that the aristocracy, referring to a loosely-defined group that could include the gentry alongside the peerage, should retain their right to counsel the king, and they often used humanist notions of counsel to explain their reasons for making such a suggestion. These ideas come through in the texts written by Thomas Elyot throughout the 1530s and in the dialogue written by Thomas Smith in 1549. Counsel remained a critical component of royal power during Edward's minority reign. Though he was too young to rule on his own, counsel was conducted through a formal Privy Council and Edward received instruction about receiving counsel from his tutors and from William Thomas. This thesis aims to show that the royal supremacy had another impact on the use of counsel during this period: it drew closer connections between the contemporary imperial king and the imperial kings of ancient Rome. This association made it possible to use classical texts, themes, and examples as a means of extending counsel to both Henry and Edward, and of engaging with political matters more broadly. The language of the Appeals Act

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<sup>22</sup> Bernard, *The Power of the Early Tudor Nobility*, 184.

suggested that the customary laws that were confirmed in the statute had a precedent in the classical tradition, imparting the sense that the values and thought of imperial Rome were shared in the contemporary moment. The royal supremacy thus signalled that classical themes and modes of political thought were valued in the contemporary political framework.

A term that brought together applications of counsel and law was ‘commonwealth’. This term has been appreciated as significant throughout the early modern period because of the numerous times it appeared in legislation, printed tracts, sermons, and complaint literature.<sup>23</sup> John Watts has recovered a singular meaning of ‘commonwealth’ from a fifteenth-century perspective. He has traced the commonwealth ideal from its late medieval origins, from the period in which ‘commonwealth’ was a neologism, the 1440s, into the sixteenth century. He notes that the term was initially ‘common weal’, and referred to the ‘common good’ of the entire realm. However, he argues that the term underwent a ‘merger of meanings’ between the 1450s and the 1530s, in which the ‘common good’ was infused with revitalised notions of classical republicanism that had fallen away over the course of time.<sup>24</sup> This resulted in a complex entanglement of meanings in which ‘commonwealth’ referred to the common good of the realm, the kingdom’s political nation, and the people themselves.<sup>25</sup> Watts’s method of tracing the term forward from the medieval period has more clearly recovered the customary usage of the concept, showing that it had a distinct meaning in English political thought before humanist associations of the term took precedence. His approach helps to explain why the idea was appropriated by writers from across the social body. This thesis investigates how writers in the sixteenth century who invoked this term did so, and what they attempted to achieve when they engaged with commonwealth principles. Although many writers invoked commonwealth terminology to strengthen the ties

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<sup>23</sup> Early Modern Research Group, ‘Commonwealth: The Social, Cultural, and Conceptual Contexts of an Early Modern Keyword’, *HJ* 54, no. 3 (2011): 667-9; David Rollison, ‘The Specter of the Commonalty: Class Struggle and the Commonweal in England before the Atlantic World’, *The William and Mary Quarterly* 63, no. 2 (2006): 221-52.

<sup>24</sup> John Watts, “‘Common weal’ and ‘Commonwealth: England’s Monarchical Republic in the Making, c. 1450-c. 1530’”, in *The Languages of Political Society: Western Europe, 14th -17th Centuries*, edited by Andrea Gamberini, Jean-Phillippe Genet, and Andrea Zorzi (Rome: Viella, 2011), 149-51.

<sup>25</sup> Watts, “‘Common weal’ and ‘Commonwealth’”, 149.

between English and Roman political ideals, Watts's work supplies the evidence to support the claim that a number of writers appropriated a commonwealth idiom in order to argue for a conservative social order that was distinctively English in its customs.

'Commonwealth' was used in a similar fashion as counsel during the early Reformation: it was a means for individuals to indicate that they were engaging with political concerns in the texts that they wrote. It was applied in a range of different texts reflecting an equally wide range of political opinions. It was a versatile word during the sixteenth century, used to imply a conservative social order as well as to induce reforms. It was used throughout the early Reformation to call for the recovery of order or to inform officials of economic deterioration in the realm. A multidisciplinary article written for the Early Modern Research Group suggests that the term 'had become a keyword because its ambiguities gave it a creative adaptability'.<sup>26</sup> This thesis will closely explore some of the rhetorical sites in which 'commonwealth' was used, aiming to recover the purposes behind some of the uses of the word through an examination of the political contexts in which it was deployed.

This thesis is divided into two parts. The first part examines the earliest stages of the Reformation in England, investigating how three diverse social groups theorised power in the period immediately surrounding the Reformation Parliament (1529-36). These chapters pay attention to the ways in which political languages were deployed by members of these different groups. The chapters also examine the literary and political contexts in which these languages were used, and consider how the writers' intended audiences may have informed the idiom used by each. These chapters show that the royal supremacy was more than a legal formula, that it instead had a wide influence as a political concept throughout the social order. Furthermore, they demonstrate that political thought was not a static entity but was adaptable to suit its participants and the contexts in which it operated. It was not fixed in official legal documents and texts found at the political centre, but was discernible in a diverse range of textual sources.

Chapter One examines the role of common lawyers as participants in a diverse political culture around the start of the Reformation Parliament. It argues that

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<sup>26</sup> Early Modern Research Group, 'Commonwealth', 659-87.

this group contributed to this political culture in a number of unexpected ways. Common lawyers advocated the use of English as a means for expressing political engagement. Lawyers participated in a rich culture that emulated classical learning and classical writing; Cicero's rules for oratory and rhetoric were widely influential and highly regarded. As Christopher Brooks has observed, 'one of the most interesting features of the relationship between law and society in the Tudor and Stuart periods is that works mined for aphoristic truths by lawyers and statesmen were also well known to school boys'.<sup>27</sup> Through their printed texts, common lawyers supplied an idiom that other writers drew from as they wrote about political concerns. They provided successful rhetorical models that other writers could use. Christopher St German, who has been identified as the first writer to publicise the royal supremacy in print, emulated the language and rhetorical genres used by Sir John Fortescue in the reigns of Henry VI and Edward IV.<sup>28</sup> Fortescue used the form of the dialogue to offer advice to his royal audience. Lawyers like St German and Thomas Starkey drew on their knowledge of the law and their knowledge of Fortescue to present their best versions of the commonwealth to their audiences.

The prose dialogue features heavily throughout this thesis. Fortescue has been credited with writing the first prose dialogue in English but it has not proven to be a very common form of literary expression. The Reformation era is the exception to this rule. J. Christopher Warner has argued that the form of the dialogue was important during the age of the Reformation because it contributed to Henry's image as a philosopher-king. Once the Reformation legislation was achieved, Warner maintains, the philosopher-king image was no longer needed, and the discursive rhetorical strategy embodied by dialogues was surpassed by other literary forms that better conformed to the king's self-image.<sup>29</sup> But the dialogical form could be used to interrogate the crown's position as much as to support it, and put forward positions on a variety of topics related to Reformation-era politics. The dialogue as an

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<sup>27</sup> Brooks, *Law, Politics and Society*, 29.

<sup>28</sup> John Guy 'Thomas More and Christopher St German: The Battle of the Books', in *Reassessing the Henrician Age: Humanism, Politics and Reform 1500-1550*, ed. Alistair Fox and John Guy (Oxford and New York: Basil Blackwell, 1986), 101-4.

<sup>29</sup> J. Christopher Warner, *Henry VIII's Divorce: Literature and the Politics of the Printing Press* (Woodbridge: Boydell, 1998), 23-5, 136-8.

exploratory form of writing survived longer than 1534, and engaged numerous audiences in a wide range of topics.

Dialogues offered multiple perspectives on the subject matter they discussed, but they were often linked to counsel thanks to the multiple voices and perspectives displayed through many dialogues. Readers were allowed to ‘hear’ the opinions offered by the voices represented on the page, and select the opinion that they believed was most correct. For Virginia Cox, the most important aspect of the prose dialogue was its concern with language and persuasion. She contends that wide-scale use of the dialogue indicated a failure in communication, or ‘a symptom of unease with the conventions which govern the transmission of knowledge within a society, and a desire to reform them by returning to a study of the roots of persuasion’.<sup>30</sup> Though Cox focuses primarily on Italian writers, her description of the dialogue matches the purpose behind many dialogues printed in England during the first half of the sixteenth century. English writers used the dialogue as a means to restore a conservative style of political discourse, a purpose which is implied in the characters writers selected to speak in their dialogues and in the subject matter many of them addressed in their texts. The use of dialogues had many advantages for English writers. As a literary form it showcased an author’s rhetorical skills. In some cases, the dialogue illustrated an author’s connections to the highly-regarded universities in Italy, where the dialogue peaked as a literary form in the mid-sixteenth century.<sup>31</sup> During the early English Reformation, writers were able to capitalize on the prose dialogue’s fictive qualities. They used the dialogue for many purposes, including to draw an audience’s attention to political concerns or to provide information about a problem or event. The dialogue replicated counsel by offering at least two differing perspectives on the topic at hand; the form was a way to voice counsel through the protective distance of manuscript or printed text. For English writers, the dialogue provided an opportunity to extend counsel to an audience through the distance of the fictive voices that spoke through the text.

Chapter Two offers two case studies to explore how members of the aristocracy and the upper clergy could engage with politics through text. Thomas

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<sup>30</sup> Virginia Cox, *The Renaissance Dialogue: Literary Dialogue in its Social and Political Contexts, Castiglione to Galileo* (Cambridge: Cambridge University Press, 1992), 7.

<sup>31</sup> Cox, *The Renaissance Dialogue*, 1-8.

Elyot and John Skip respectively presented viewpoints that reflected a traditional outlook on the political roles of temporal and ecclesiastical elites. The same idiom was deployed with similar objectives across the line marking the boundary separating the temporal from the spiritual. However, members of each group responded to notions of political engagement according to their traditional places in the social order. Both Elyot and Skip believed that their place in the social order was being usurped by less worthy men. At the same time, they were both afraid that the royal supremacy had caused the ‘temporalitie’ and the ‘spiritualitie’ to converge into one entity with a similar political remit: their texts reveal anxieties about the loss of distinction between these two realms. The printed and preached texts that they directed at the king provide examples of *consilium* but they also engaged with commonwealth ideals in order to illuminate political problems. This chapter will show how the political idiom could be used to construct and to challenge royal authority from the perspective of the political elite.

Chapter Three turns to another form of political engagement by examining the textual exchange between the rebels and the crown in 1536 during the Lincolnshire rising and the Pilgrimage of Grace. The rebels who participated in these risings claimed they took arms in order to support two social groups they believed were unfairly treated by the new men at Henry’s court, the aristocracy and the clergy. The rebels suggested that the aristocracy were being silenced by men like Cromwell and the clergy were assaulted through the harsh measures of the Reformation and dissolution of the monasteries. They rose apologetically, maintaining the idea that the king was being shielded from the realities of the ways these groups had been treated because otherwise the king would not allow such atrocities. Richard Morison’s texts responded to the rebellions by invoking the commonwealth and the organic body politic as ways to illustrate the problems caused by such disorder. Here the body politic metaphor served as a way to bring the idea of the commonwealth to life by illustrating how rebellion harmed the members of the political body. Morison’s texts also helped to bring the royal supremacy to life by depicting in pictorial terminology what the body politic looked like with the king as its head. These texts allowed Morison to rewrite the supremacy in a literally embodied fashion, defining the roles and functions of each part of the polity, while also explaining that each had a part in it, even if the relative importance of each member was unequal. *Answers* printed by the king’s printer, Thomas Berthelet, and

supposedly written by the king also emphasised the social order and the damage the rebellions did to the commonwealth. But the regime was not alone in using this language: texts drawn up by the rebels in both Lincolnshire and as part of the larger Pilgrimage of Grace, also invoked the commonwealth idiom in the texts they sent to the king. This chapter will argue that such languages were used by a wide spectrum of the polity in order to participate in politics and to add definition to the contours of power.

The metaphor of the polity as an organic body politic plays a central role in many texts analysed in Chapter Three. When Morison used the metaphor, he used it to argue against the rebels. In this instance, and in other texts evoking the organic body politic metaphor throughout the early modern period, the body politic was invoked as a way to restore order to a polity that had become frenzied and confused. By assigning the different estates and orders within the commonwealth an organic counterpart within a body, Morison and other writers provided a recognisable image that illustrated the social hierarchy in light of the royal supremacy. The organic body politic metaphor helped to reinforce the king's position as the head of the body politic, and the head of the Church, naturalising the social order that resulted from the royal supremacy. The organic body politic metaphor could be used as a shorthand metaphor for the commonwealth, linking it to languages involving sickness and health, and inviting additional forms of political engagement through these themes.

The first three chapters of this thesis pay attention to the ways specific social groups within the polity used languages to engage with politics and describe changing notions of political authority within the context of the Reformation Parliament. The second part of the thesis focuses not on groups but on the contexts in which languages of power adapted as the Reformation matured. The final two chapters argue that the political idiom was highly malleable, readily adapting to the needs of the writer or the addressed audience.

Chapter Four argues that the political idiom was transformed in light of the major preoccupation of the final decade of Henry's life, war. This chapter shows how writers used the metaphor of the organic body politic in new ways in the late 1530s and early 1540s. Morison found this metaphor particularly useful during the Pilgrimage of Grace but he transformed his use of this metaphor to denounce his acquaintance Reginald Pole in a summary of Pole's work that he prepared for the king and in two tracts that he printed in response to political events. Where his

earlier works used a holistic approach to the metaphor to encourage conformity, his later texts use the exemplary bodies of traitors to emphasize their foreign-ness and to encourage further support for the Reformation. Thomas Elyot also wrote about exemplary bodies late in his career. For Elyot, the king and commonwealth are mirror images for each other. His texts suggested means for determining the cause of war and general discontent in the realm. The final text examined in this chapter, Roger Ascham's *Toxophilus*, returns to the prose dialogue form and blends the earlier organic body politic metaphor with the exemplary bodies of individuals that Elyot and Morison had used in their later works. Ascham uses the metaphors to show that the damage done by traitors to the whole body politic was matched in the good that individuals did when they engaged in virtuous behaviour, including preparing for war by practising archery. Taken as a group, these texts demonstrate how exemplary bodies worked in the context of the commonwealth to prepare for war.

Chapter Five examines another context in which the languages of power were adapted, the conditions of Edward VI's minority. This chapter argues that the expression of power continued to be a dominant concern during Edward's reign, and that this expression was made more difficult by Edward's age. It was further complicated by the royal supremacy, which posited the king as the highest authority in the realm. Counsel was one of the prevalent concerns for writers who engaged with political thought during Edward's reign. For this reason, the role of the audience features heavily in this chapter as a means for thinking about the division and exercise of power in the context of minority kingship. Texts in this period were directed at a variety of influential figures, including the Lord Protector, the Privy Council, rebellious subjects, and the king himself; the texts themselves took on characteristics of counsel but these varied with the audience addressed. Each of these utilises a similar political idiom but is used for different political purposes depending on the audience. Once again, the idea of the organic body politic takes on a different nuance in the context of rebellion during the king's reign. It is also coupled with the idea of the body of Christ in works written by the evangelical John Hales. Thomas Smith and John Cheke offered different kinds of dialogues to their readers; both were forms of counsel in their own way, and each deployed the organic body politic metaphor to encourage order within the commonwealth. The Clerk of the Privy Council, William Thomas, offered Edward a different kind of counsel in a series of



Machiavellian essays dedicated to the king. These also gave the king the opportunity to exercise good counsel as he learned from the essays' contents. Here, counsel and commonwealth interacted in a complex way that was shaped by the king's age.

The expressions and terminology found in draft bills and enacted statutes also made their way into the petitions that were sent to the king, letters sent between councillors and their associates, in essays written to educate the young King Edward. Some of these texts were meant to influence the work of Parliament; some attempted to influence the king. They were focused on explaining to the king how to view his own authorities, or they appealed to the king for aid, warning him about the corrupt men who surrounded him, and arguing for the distinctiveness of the temporal and spiritual spheres. Languages of power were utilised by writers working across the social hierarchy, each using the idiom to engage with authority, despite not always expressing this political engagement with the same meanings as the intended audience. But languages of power deployed during the early Reformation adapted to the authors' intentions and to the contexts in which they were written. The place to start is the context in which the Act in Restraint of Appeals was written.

## Chapter 1

### Law and Political Language in the Henrician Reformation

In November 1538, Henry VIII presided over the trial of John Lambert at York Place in London. Lambert was a preacher and author, and stood trial for heresy because he denied the bodily presence of Christ in the sacrament. These opinions, expressed in his *Treatise upon the Sacrament*, conflicted with Henry's perspective on the Eucharist, most recently re-stated in a proclamation of 16 November 1538, which re-asserted the traditional view of the sacrament and the power of ordained clergy to preside over transubstantiation.<sup>1</sup> Outspoken reformers like Lambert had attempted to move the English Reformation in an increasingly evangelical direction but had mis-read the pace at which reforms would transpire. Reformation historians have identified this trial as the end of the first phase of Henry's Reformation.<sup>2</sup> However, this event tells us as much about Henrician kingship as it does about religion. Lambert's trial was highly symbolic, with the king dressed in white and flanked by civic and ecclesiastical authorities alike. It demonstrated the vast reforms that had taken place over the 1530s: the king here served as the judge in what amounted to an ecclesiastical trial, demonstrating the crown's supremacy over matters of religion in the kingdom.

Just a decade earlier, such a trial would have been impossible. The king would not have interfered in such matters: questions of heresy would have been left to the ecclesiastical courts, even if the temporal authorities were called upon to carry out the punishment. In the intervening years, however, the law was transformed alongside an alteration in the way that the English constitution was imagined. These transformations furthered the modifications to the legal profession that were already underway during the 1530s. Statutory law was established as a species of law superior to others in the realm because of its origins in custom and the process of formal counsel that it experienced in its journey through parliament. Most important for the king's purposes, the crown was now the undisputed authority in the realm,

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<sup>1</sup> *TRP* i. 186.

<sup>2</sup> Susan Brigden, *London and the Reformation* (Oxford: Clarendon Press, 1989), 296-8; Christopher Haigh, *English Reformations: Religion, Politics, and Society under the Tudors* (Oxford: Clarendon Press, 1993), 136, 137, 152-67; Alec Ryrie, *The Gospel and Henry VIII: Evangelicals in the Early English Reformation* (Cambridge: Cambridge University Press, 2003), 14, 34-9.

combining both temporal and ecclesiastical powers into one body. These changes were enshrined in law through the royal supremacy but expressed in a number of different ways by a variety of participants.

Law made crucial contributions to political language during the era of the Henrician Reformation, providing a framework and a vocabulary for describing power. Law was the means of interaction between the crown and its subjects, making it an essential component of the commonwealth idiom typically deployed during this period. One of the most important groups of participants in the political culture of the 1530s was the legal community, and the largest group of experts came from the field of common law.<sup>3</sup> In the mid-sixteenth century, the courts reserved for the practice of English common law were experiencing a crisis. By the time of Lambert's trial, however, common law practitioners had confirmed their position as an integral component of the wider political nation. They were regularly consulted, providing advice about draft legislation and printing vernacular texts about the law, and were popularly understood to hold undue influence over the king's decisions. Their contributions to the political culture of the 1530s, as controversialists and theorists, helped to justify the changes brought about by king and parliament together during the 1530s, and explained their important role in the newly re-imagined body politic. Studies of Tudor government at the beginning of the Reformation have focused on the relationship between the monarch and the law.<sup>4</sup> This chapter will instead examine the concurrent relationship between the law and commonwealth. The legal community provided a language that contextualised the monarch's authority within common law through their use of a vernacular political idiom that encompassed such ideas as an organic body politic metaphor and the need for a formal council to advise the king. This chapter will explain how the common lawyers articulated power and enabled the king to assert the royal supremacy in such

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<sup>3</sup> Glenn Burgess, *British Political Thought, 1500-1660: The Politics of the Post-Reformation* (Basingstoke: Palgrave Macmillan, 2009), 44-8; E. W. Ives, *The Common Lawyers of Pre-Reformation England – Thomas Kebell: A Case Study* (Cambridge: Cambridge University Press, 1983), 7-22; David Rollison, 'Conceit and Capacities of the Vulgar Sort: The Social History of English as a Language of Politics', *Cultural and Social History* 2, no. 2 (2005): 141-63.

<sup>4</sup> G. R. Elton, *Policy and Police: The Enforcement of the Reformation in the Age of Thomas Cromwell*. Cambridge: Cambridge University Press, 1972; G. R. Elton, *Reform and Reformation: England 1509-1558* (London: Arnold, 1977); Graham Nicholson, 'The Act of Appeals and the English Reformation,' in *Law and Government under the Tudors*, ed. Claire Cross, David Loades, and J. J. Scarisbrick (Cambridge: Cambridge University Press, 1988), 19-30; Walter Ullmann, "'This Realm of England is an Empire'", *JEH* 30, no. 2 (1979): 175-203.

a way that John Lambert's trial was a plausible outcome of the decade's reforms. Though lawyers like Christopher St German and Thomas Starkey wrote from differing perspectives within the legal tradition, they shared a common framework and language because of their knowledge of the law.

At the time of the Henrician Reformation, the English legal system was in the process of transformation. Legal cases were becoming the favoured means for settling disputes, particularly those pertaining to real property or last wills and testaments. The two primary common law courts, King's Bench and Common Pleas, were steadily losing business to Chancery and the newer Court of Star Chamber, courts which specialised in equity. The rivalry between these courts was a competition over legal jurisdiction, and this struggle for jurisdiction extended beyond the secular courts to include the realm's ecclesiastical courts.<sup>5</sup> However, common lawyers were viewed as having an exclusive monopoly on the common law: law was the primary means for settling disputes, yet common law had no set code for ready consultation. Instead, it was rooted in the nebulous customs of the realm and relied on lawyers' knowledge of the legal writs that recorded judicial decisions or mandated actions.

Legal cases and decisions were inaccessible to those who had not received the training necessary to understand them. This meant the majority of the king's subjects, of both the temporal and spiritual realms and of every social degree, relied on their services. Cases and decisions were recorded in Latin or Law French, and students of the law typically spent seven years mastering the field's intricacies at one of the Inns of Court. Here, they formed close communities with their own calendars, customs, and regulations.<sup>6</sup> Although the Inns of Court and the major crown courts

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<sup>5</sup> Paul Brand, *The Making of the Common Law* (London and Rio Grande: Hambledon Press, 1992), 245-66, 450-6; C. W. Brooks, *Pettyfoggers and Vipers of the Commonwealth: The 'Lower Branch' of the Legal Profession in Early Modern England* (Cambridge: Cambridge University Press, 1986), 18-9, 82-5; Christopher W. Brooks, *Law, Politics and Society in Early Modern England* (Cambridge: Cambridge UP, 2008), 8-9; Cromartie, *Constitutionalist Revolution*, 10-1, 13-4, 31; J. A. Guy, *The Public Career of Sir Thomas More* (New Haven and London: Yale University Press, 1980), 37-40; Ives, *The Common Lawyers of Pre-Reformation England*, 197-9, 220-1; Anthony Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke: Macmillan, 1999), 8-10, 12-28; Anthony Musson with Edward Powell, eds., *Crime, Law and Society in the Later Middle Ages* (Manchester and New York: Manchester University Press, 2009), 67-70, 107-10; Edward Powell, *Kingship, Law, and Society: Criminal Justice in the Reign of Henry V* (Oxford: Clarendon Press, 1989), 42-4, 51-2, 54-5, 95.

<sup>6</sup> J. H. Baker, 'The Third University 1450-1550: Law School or Finishing School?' in *The Intellectual and Cultural World of the Early Modern Inns of Court*, ed. Jayne Elisabeth Archer, Elizabeth Goldring, and Sarah Knight (Manchester and New York: Manchester University Press, 2013), 14-5,

were located in London, the central courts heard cases from the entire kingdom. But London was not the only place in the kingdom where legal cases were brought and decided. Much of the work done by the common lawyers was carried out far away from London. The same system for the administration of justice was replicated in the counties, through manor courts, quarter sessions, the assizes, and other local courts.<sup>7</sup> Men familiar with the law or who had had some form of legal training were needed in every part of the kingdom. Their knowledge was required for the just application of the law in the realm's many diverse courts.

A career in law was often regarded as the most certain secular means for social and economic advancement, and it was a profession which required specialist skills in order to carry out the king's responsibility of administering justice in the realm. Those who studied at the Inns included gentry and younger sons of lesser nobles, who mixed with members of families whose social status was on the rise.<sup>8</sup> Eric Ives has observed the close relationship between the crown and the common lawyers, noting that service to the law was tantamount to service to the king.<sup>9</sup> On a national level, common lawyers contributed to politics in an official capacity, either as members of parliament or as participants in the king's council. Henry VIII advanced common lawyers to the prominent positions of master of the rolls, master of requests, and lord chancellor for the first time.<sup>10</sup> Common law practitioners were called upon to draft the bills which were presented in parliament, and they were often well represented in the Council. Common lawyers were readily identified with the king because they were so closely associated with activities directly related to the crown.<sup>11</sup> Lawyers often approached the law as a practical or mechanical craft, rather than considering the law as an object of theoretical examination. However, the texts

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16; Brooks, *Law, Politics and Society*, 15-7; Ives, *The Common Lawyers of Pre-Reformation England*, 39-41.

<sup>7</sup> Baker, *History of the Laws*, 7-8; Brooks, *Pettyfoggers and Vipers*, 30-47; Ives, *The Common Lawyers of Pre-Reformation England*, 9, 11-3, 19-20; Cromartie, *The Constitutionalist Revolution*, 33-5.

<sup>8</sup> Baker, 'The Third University', 9-11; Brooks, *Pettyfoggers and Vipers*, 11-2; Ives, *The Common Lawyers of Pre-Reformation England*, 2, 8-9, 11-3, 20.

<sup>9</sup> Ives, *The Common Lawyers of Pre-Reformation England*, 224.

<sup>10</sup> Baker, *History of the Laws*, 5.

<sup>11</sup> Brooks, *Pettyfoggers and Vipers*, 23.

examined below show that some lawyers did complement their practical knowledge of the law with theoretical treatises.

On a local level, lawyers and other members of the legal community contributed to sixteenth century politics by interpreting the law for the king's subjects. As they interpreted the law for their clients, the legal community confirmed the law according to the particular details and circumstances of the cases they confronted. As Henry VIII's reign progressed, the common law courts recovered the business they had lost to the equity courts. With the help of thinkers like St German, these courts were seen as providing a refinement of the common law system, helping to enhance common law by filling in any gaps between law and conscience.<sup>12</sup> Yet the law was viewed as an immutable entity: though it could be re-articulated, the major principles and values enshrined in it were unchangeable.<sup>13</sup> The stability of the common law displayed its origins in natural law and confirmed its superiority as a legal species.

The legislation produced over the course of the Reformation Parliament was instrumental in re-defining the relationship between crown and subjects. The Reformation Parliament also transformed the political theories lying behind the legislation and provided a practical testing-ground for these ideas. The 1534 Act in Restraint of Appeals identified the king as the head of an organic body politic. The Act calls England's ruler 'oon Sup[reme] heede and King . . . unto whome a Body politike compacte of all sortes and degrees of people, devided in termes and by names of Sp[irit]ualtie and Temporalitie, ben bounded'.<sup>14</sup> The bodily metaphor used in this act helped to naturalise the king's authority over the church in England. The king's position as the head of an organic body reinforced a social hierarchy that stemmed downwards from king to nobles, and finally to the rest of the social body: the Act describes the roles of the clergy and the nobility in relation to the rest of the body politic as it progresses, helping to establish the foundations of the new Act.<sup>15</sup> Furthermore, this metaphor helped to confirm the equal status before the law of the

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<sup>12</sup> Baker, *History of the Laws*, 8-9, 14-5, 31-2.

<sup>13</sup> Brooks, *Law, Politics and Society*, 30-2; Burgess, *Politics of the Ancient Constitution*, 3-4, 6-7, 17, 29-30.

<sup>14</sup> 24 Henry VIII, c. 12 (*Statutes* iii. 427)

<sup>15</sup> 24 Henry VIII, c. 12 (*Statutes* iii. 427-30)

king's temporal and ecclesiastical subjects, a legal custom that benefited the entire commonwealth.

Perceived privileges enjoyed by the clergy had long been a part of a tradition of anticlerical complaints. Richard Rex is right to point out that anticlerical tracts were part of a larger attitude that could be used to draw attention to specific political crises, as he does with the example of two tracts printed around the time the petition known as the Supplication of the Ordinaries was presented to the king in 1531-2.<sup>16</sup> The Supplication has been understood as an important step leading to the royal supremacy but, at the same time, it has puzzled historians because of its numerous surviving drafts, the uncertainty of its precise purpose, and because it has been difficult to determine whether its origins lay with the king, Cromwell, or the Commons.<sup>17</sup> Susan Brigden is right to suggest that the clergy's power to punish laymen for heresy was an important component of this Supplication, though it seems to be just one of the many reasons behind its appearance.<sup>18</sup> The Supplication is interesting as a political event because it demonstrates that there was to attempt from participants in a wider political culture to influence parliamentary activity. The clergy were believed to have exclusive legal privileges because they were subject to ecclesiastical law. These privileges had two aspects: first, the clergy were able to avoid prosecution in the king's courts because of their status as spiritual persons; second, the laity believed that they were often dealt with harshly in the ecclesiastical courts and had no recourse for this treatment. The general complaints raised against the clergy were outlined in Christopher St German's *Treatise Concernynge the Division between the Spiritualtie and Temporalitie*.<sup>19</sup> An example of this can be seen

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<sup>16</sup> Richard Rex, 'Jasper Fyllol and the Enormities of the Clergy: Two Tracts Written during the Reformation Parliament' *SCJ* 31, no. 4 (2000): 1043-62; for a concise overview of anticlericalism, see Christopher Haigh's 'Anticlericalism and the English Reformation' in *The English Reformation Revised*, edited by Christopher Haigh (Cambridge: Cambridge University Press, 1987), 56-74.

<sup>17</sup> G. W. Bernard, *The King's Reformation: Henry VIII and the Remaking of the English Church* (New Haven and London: Yale University Press, 2005), 50, 57-63; J.P. Cooper, 'The Supplication against the Ordinaries Reconsidered', *English Historical Review* 72 (1957): 616-41; G. R. Elton, 'The Commons' Supplication of 1532: Parliamentary Manoeuvres in the Reign of Henry VIII', *English Historical Review* 66 (1951): 507-34; Guy, *Public Career of Sir Thomas More*, 190-97; M. J. Kelly, 'The Submission of the Clergy', *TRHS*, 5th ser. 15 (1965): 97-119.

<sup>18</sup> Brigden, *London and the Reformation*, 198-208.

<sup>19</sup> Christopher St German, *A Treatise Concernynge the Division between the Spiritualtie and Temporalitie* (London: Thomas Berthelet, 1532; STC 21587.3).

in the numerous complaints against mortuary fees, a topic that found its way into St German's *New Additions* and was one of the primary grievances denounced in the anonymous tract *Enormytees usyd by the Clergy*.<sup>20</sup> Mortuary fees, along with probate, pluralism, and non-residence, were one of the first grievances addressed in the Reformation Parliament's first session.<sup>21</sup> The idea that ecclesiastical law privileged the clergy at the expense of the laity was familiar in printed texts and had currency in popular politics. This currency was used to inspire support for the royal supremacy.

The supremacy encouraged a sense of social cohesion through the body politic metaphor that it reinforced. The importance of parliament as a forum for counsel stemmed from classical republican ideals and helped to reinforce the sense that the king ruled according to *imperium*, or that the king was the highest political authority in his own realm. The argument put forward by proponents of the royal supremacy was that ecclesiastical law undermined the king's authority by nurturing the clergy's loyalty to Rome rather than the king's own laws. These perceptions prompted the king famously to declare in a speech before Parliament in May 1532 that the clergy 'bee but halfe our subjectes, yea, and sca[r]ce our subjectes: for all the Prelates at their consecracion, make an othe to the Pope, clene contrary to the othe that thei make to us'.<sup>22</sup> The legislative work of the Reformation Parliament helped to put an end to this perceived double system through the royal supremacy, the rendering of parliament as the ideal forum for the king to receive counsel, and through the elevation of common law above other species of law active in the realm. Amongst other changes brought about by the Reformation, canon law was removed from the universities' curricula in 1535, thereby stressing England's autonomy in the secular and religious spheres.

The elevation of common law was concurrent with both the royal supremacy and the idealisation of parliament as the highest conciliar court in the realm. As a

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<sup>20</sup> Christopher St German, *New Additions* (London: Thomas Berthelet, 1531; STC 21564), Sigs. A2<sup>f</sup>-A5<sup>v</sup>; *Enormytees usyd by the Clergy* (London: John Skot, 1532; STC 10421.5), Sigs. A1<sup>v</sup>-A2<sup>v</sup>.

<sup>21</sup> Lehmborg, *Reformation Parliament*, 76-104; Jennifer Loach, *Parliament under the Tudors* (Oxford: Clarendon Press, 1991), 62-3.

<sup>22</sup> For the parliamentary context of this speech, see Lehmborg, *Reformation Parliament*, 150-1; the speech is quoted from Edward Hall, *The Union of the Two Noble and Illustre Famelies of Lancastre [and] Yorke* (London: Richard Grafton, 1548; STC 12722), fol. CCV<sup>f</sup>.



system of legal thought and practice, common law was unique to England.<sup>23</sup> It was a species of law to which all the regions loyal to the crown offered their submission. These ideas were confirmed in the dossier compiled by a team of scholars including Reginald Pole under the direction of the king's almoner, Edward Fox, and Stephen Gardiner, bishop of Winchester.<sup>24</sup> The dossier, now known as *Collectanea satis copiosa*, circulated in manuscript at court, and a copy of the collection contains annotations in the king's hand.<sup>25</sup> The *Collectanea* was a large undertaking: an unknown number of scholars searched manuscripts throughout Europe for evidence that would support the king's claims to *imperium* as well as the supremacy of common law. The compilers hoped that their evidence would persuasively demonstrate that the king's authority was ancient and independent from the papacy. The dossier drew support for these assertions from a number of sources, including the Brutus myth, Arthurian legend, chroniclers such as William of Malmesbury, a survey conducted by Edward I in 1301, and the Donation of Constantine. According to the origin myths, one of parliament's tasks was to confirm the legal truth of the realm's laws and customs already in operation throughout the kingdom.<sup>26</sup> One of the key proponents of the idea that parliament reinforced the prestige of the common law was the late medieval legal theorist Sir John Fortescue. The following section will examine how the political tracts he wrote in the late fifteenth century contributed to the political thought of the Reformation Parliament and provided a template for the legal writers who followed him to make their own contributions to the political culture of the sixteenth century.

### Fortescue and Political Language

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<sup>23</sup> Baker, *History of the Laws*, 8-12; Glenn Burgess, *The Politics of the Ancient Constitution: An Introduction to English Political Thought, 1603-1642* (Basingstoke and London: Macmillan, 1992), 11-8.

<sup>24</sup> Andrew A. Chibi, 'Fox, Edward (1496-1538)', *ODNB*, online edition, Oxford University Press, 2004).

<sup>25</sup> Nicholson, 'The Act of Appeals', 21, 23-5; the *Collectanea* is housed by the British Library, BL Cotton MS Cleopatra E VI fos. 16-135.

<sup>26</sup> Nicholson, 'The Act of Appeals', 21-5.

Sir John Fortescue (c. 1397-1479) is often seen as the starting point for early modern political thought.<sup>27</sup> In his lifetime, Fortescue was recognised as one of the kingdom's most astute legal minds. He had an active legal career, arguing cases before the King's Bench and the Court of Common Pleas, and briefly served as Henry VI's lord chancellor. He was retained as a serjeant in 1441, and was elevated to Chief Justice of King's Bench in 1443. He accompanied Margaret of Anjou and Prince Edward into exile first in Scotland and then in France, spending the years 1463-1471 abroad.<sup>28</sup> This experience provided him with an opportunity to prepare a first-hand comparison of English and French political customs. He wrote ten tracts challenging Edward IV's claim to the throne. These experiences and events gave him the necessary background that would help him write later texts on legal history and theory.<sup>29</sup> Edward IV recognised Fortescue's prestige, granting him a royal pardon, a reversal of the attainder levelled against him, and a role as counsellor in exchange for the refutation of his Lancastrian loyalties.<sup>30</sup> Fortescue was a constant figure throughout the political turmoil of the late fifteenth century, as was the common law he practised.

Two of Fortescue's texts have been associated with the idea of the ancient constitution. *In Praise of the Laws of England* was a manuscript dialogue recounting an imaginary conversation between Henry VI's heir Prince Edward and the Lord Chancellor. In it, the Chancellor chides the Prince for devoting all his energy to military training, arguing that the best way to prepare for becoming king was to study the law. He reminds the Prince that the king's first duty is to dispense justice to his subjects. The Chancellor ultimately convinces the Prince that devoting time to studying England's laws was a virtuous pursuit. According to Fortescue's preface, *In*

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<sup>27</sup> Brooks, *Law, Politics and Society in Early Modern England*, 23-4; Burgess, *Absolute Monarchy*, 2, 102-6; Burgess, *Politics of the Ancient Constitution*, 6-7; Alan Cromartie, *The Constitutional Revolution: An Essay on the History of England, 1450-1642* (Cambridge: Cambridge University Press, 2006), 10; Paul Raffield, 'Contract, Classicism, and the Common-Weal: Coke's *Reports* and the Foundations of the Modern English Constitution', *Law and Literature* 17, no. 1 (2005): 75, 90-1.

<sup>28</sup> E. W. Ives, 'Fortescue, Sir John (c. 1397 – 1479)', *ODNB*, online edition, (Oxford University Press, 2004).

<sup>29</sup> Craig Taylor, 'Sir John Fortescue and the French Polemical Treatises of the Hundred Years War', *English Historical Review* 114 (1999): 112-3.

<sup>30</sup> Guy Lurie, 'Sir John Fortescue's Legal Prestige', *History of Political Thought* 32, no. 2 (2011): 295-6, 313-15.

*Praise of the Laws* was written in France during his exile in the 1460s.<sup>31</sup> The second text, *The Governance of England*, is a prose tract, originally written in Latin, that has been viewed by Shelley Lockwood as a gift for Edward IV, a manual to steer the new king away from his predecessor's preventable errors.<sup>32</sup> The date of the composition of *The Governance of England* is disputed, with a suggested date set in the 1450s because the propositions submitted in the text seem to align better with the political climate of that timeframe. However, the more specific date of sometime between 24 July 1470 and 14 April 1471 has been proposed, aligning it with the parliamentary reforms from that period.<sup>33</sup> Establishing the date of composition may shed light on the origins of the observations expressed in the text and add nuance to the events that occurred around the composition. More important than these texts' precise dates of composition in the sixteenth century context, however, are the political language and imagery expressed in them. As later sections of this chapter will show, the language Fortescue deployed was used by political theorists and a variety of other writers who participated in political concerns in the sixteenth century.<sup>34</sup>

Fortescue memorably described England's political system as a *dominium politicum et regale*, a way of political life that was preferable to France's *dominium regale*. His texts distinguished the limited monarchy in England from the absolute monarchy in France. The English government system was superior, Fortescue argued, because French kings maintained their wealth and power by overburdening their subjects with taxes. French kings were sole legislators, who could create law based on their will alone. The French were particularly susceptible to tyranny because their subjects had no means of resistance to the monarch's imposing will. Fortescue's assessment of the French political system contended that the people were

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<sup>31</sup> Sir John Fortescue, *In Praise of the Laws of England*, in *On the Laws and Governance of England*, ed. Shelley Lockwood (Cambridge: Cambridge University Press, 1997), 3-4; other standard modern editions of these works include Fortescue, *The Governance of England: otherwise called, The Difference between an Absolute and a Limited Monarchy*, ed. Charles Plummer (Oxford: Oxford University Press, 1885) and Fortescue, *De Laudibus Legum Angliae*, ed. and trans. S. B. Chrimes (Cambridge: Cambridge University Press, 1942). This thesis follows Lockwood's edition of Fortescue's works.

<sup>32</sup> Fortescue, *On the Laws*, xxxiii-xxxiv.

<sup>33</sup> Lurie, 'Sir John Fortescue's Legal Prestige', 294.

<sup>34</sup> Cromartie, *The Constitutionalist Revolution*, 32, 42, 101-2, 111.

burdened and oppressed by the king who ruled over them. In contrast, Fortescue maintained, monarchy in England rose organically from the body politic, which needed one ruler to be its head for the sake of good order. Yet, because the king was part of the body politic, the king voluntarily submitted to the realm's laws and won the consent of the estates for taxation and statutory laws through parliament. English monarchs were therefore less likely to fall into tyranny than their French counterparts because they depended on the realm's consent for the imposition of taxes and the confirmation of law. Several aspects of Fortescue's treatises have been identified as crucial to the development of early modern political thought. The roots of seventeenth-century republicanism have also been traced to Fortescue's work.<sup>35</sup>

In addition to his formulation of England's political system as a mixed monarchy, Fortescue's works provided templates for political engagement by providing rhetorical frameworks and supplying the bodily imagery that were used by sixteenth-century writers.<sup>36</sup> The literary form of the dialogue provided a method for writers to express ideals. This form was didactic, but allowed room for the development of multiple perspectives on a particular political problem. Writers who chose this framework also benefited from the dialogue's inherent invitation to explore themes deeply and critically through the use of questions asked by the text's interlocutors. Fortescue's use of the political treatise was also emulated by later political writers. The way he described England's mixed polity as a natural body with the king as its head became a common metaphor for later political thinkers, particularly during the 1530s. The image found its way into a variety of texts and contexts, from political treatises written by apologists and disgruntled nobles offering counsel to statutory legislation. Over the course of Henry VIII's reign, Fortescue's positioning of the king as the head of a natural body politic became increasingly important. The analogy would make its way into the statutory legislation that formally broke from the Roman church and created the royal supremacy. It would also find its way into the wider language of political

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<sup>35</sup> Brooks, *Law, Politics and Society*, 305-6; Glenn Burgess, *British Political Thought, 1500-1660: The Politics of the Post-Reformation*, 170-3, 234-6; Michael Mendle, *Dangerous Positions: Mixed Government, the Estates of the Realm, and the Making of the Answer to the six propositions* (University, AL: University of Alabama Press, 1985), 15, 18-9, 42.

<sup>36</sup> Burgess, *Politics of the Ancient Constitution*, 6-7, 37-8, 77, 129; Cromartie, *Constitutionalist Revolution*, 59-79; Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 2 (Cambridge: Cambridge University Press, 1978), 53-8.

engagement, appearing in treatises that imagined the ideal commonwealth or sought to restore order when the social order seemed to be on the brink of collapse. The relationship of the law to both ruler and ruled was a crucial component in the political culture of the decade which encompassed the Reformation Parliament.

Fortescue's political texts have also been examined for their contributions to the concept of the commonwealth.<sup>37</sup> The commonwealth ideal plays an important role in Fortescue's political imagery, and was a governmental model whose prominence was rising during the period Fortescue's texts were written. 'Commonwealth' was a neologism in the mid-fifteenth century but one which was useful as a descriptor of government's primary purpose. John Guy has viewed contemporary appropriations of the commonwealth during the crisis of Henry VI's reign as rhetorical devices that sought to restore peace rather than ensure the continuation of the Lancastrian dynasty.<sup>38</sup> For Fortescue, Guy argues, appeals to the commonwealth were a means to prevent the tyranny of either the king or the aristocracy through the means of a council who held the commonwealth's welfare as its foremost concern. Fortescue's text 'highlighted the inefficiency, corruption, and malfeasance in matters of patronage that accompanied the "myscounseling" of the king'.<sup>39</sup> Fortescue was sceptical of the noble estate's role as the king's 'natural' councillors. Instead, Guy shows that Fortescue proposed a council of thirty-two members drawn from the spectrum of the social order, echoing parliament's composition, in order to control the crown's patronage and finance, and thereby creating a group who was responsible for the kingdom's financial health.<sup>40</sup> This proposal brings together the customary feudal ideal of an expert group extending

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<sup>37</sup> Alan Cromartie, 'Common Law, Counsel and Consent in Fortescue's Political Theory', in *Political Culture in Late Medieval Britain*, ed. Linda Clark and Christine Carpenter, *The Fifteenth Century* 4 (Woodbridge: Boydell Press, 2004): 47-8; Early Modern Research Group, 'Commonwealth: The Social, Cultural, and Conceptual Contexts of an Early Modern Keyword', *Historical Journal* 54, no. 3 (2011): 665-6; John Watts, "'Common weal" and "Commonwealth": England's Monarchical Republic in the Making, c. 1450-c. 1530', in *The Languages of Political Society: Western Europe, 14th - 17th Centuries*, ed. Andrea Gamberini, Jean-Phillippe Genet, and Andrea Zorzi (Rome: Viella, 2011), 155-6, 159.

<sup>38</sup> Guy, 'The King's Council and Political Participation', in *Reassessing the Henrician Age: Humanism, Politics, and Reform, 1500-1550*, edited by Alistair Fox and John Guy (Oxford and New York: Basil Blackwell, 1986), 121-47.

<sup>39</sup> Guy, 'King's Council and Political Participation', 126.

<sup>40</sup> Guy, 'King's Council and Political Participation', 127-8.

counsel to the king with the newer commonwealth ideal as it was articulated in the revived classical texts emulated by educated elites. The commonwealth ideal was one political image expressed in many of Fortescue's tracts.

Another image that Fortescue deployed in his political treatises was that of the realm imagined as an organic body. The way that Fortescue imagined it, the king was the head of this body, and the rest of the social order made up the other members. Less prominent in discussions of Fortescue's impact on sixteenth-century political thought has been his treatment of the common law in this figuration of the realm as a natural body. In *Praise of the Laws*, Fortescue compared the law to the sinews of a physical body, because 'just as the body is held together by the sinews, so this body mystical is bound together and preserved as one by the law'.<sup>41</sup> Furthermore, he explained, the law could not be altered by the head alone but relied on the adherence of the entire body politic, just as the head was unable to steal from the body's other members their 'proper strength and due nourishment of blood'.<sup>42</sup> With this analogy, Fortescue sought to describe the symbiotic relationship between ruler and ruled, and showed the significant place that the law had within this dynamic. Not only was the law a binding force, it also offered a kind of protection, preventing the head from exerting more than its fair share of power over the rest of the body.

Guy Lurie has placed *The Governance of England* within a parliamentary context. Fortescue advocated a wealthy monarch as a means for preventing tyranny. He had witnessed the extreme wealth of the French crown, and recognised that this was only possible through the equally extreme impoverishment of France's subjects. Yet Fortescue was sceptical of the landed aristocracy, and blamed the aristocracy's access to extreme wealth for the impoverishment of the crown and the civil wars of the fifteenth century. A wealthy king with upwardly mobile subjects was the way to prevent the agony he witnessed in France, and was also a way to discourage the landed aristocracy from seeking to overthrow the king. In *The Governance of England*, Fortescue suggested that the way for the crown to replenish its lost wealth was through the restoration of the crown lands. He proposed that this resumption should be achieved through means of parliamentary legislation, a suggestion that

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<sup>41</sup> Fortescue, *In Praise of the Laws*, 20-1.

<sup>42</sup> Fortescue, *In Praise of the Laws*, 20-1.

Lurie finds innovative because of Fortescue's willingness to lend his own legal prestige to Edward IV in order to prevent monarchical tyranny.<sup>43</sup>

Fortescue's writings have been appreciated for the way in which they articulated the nature of political authority. His understanding of the limitations placed on royal power was known to the political theorists writing in the sixteenth century.<sup>44</sup> Fortescue's opinions were influenced by the problems of factionalism and civil war caused by a financially and personally weak king. His successors confronted different challenges to political power. Instead of over-mighty subjects, the commentators who participated in the political culture of the Henrician Reformation faced the problems of divisions between secular and ecclesiastical estates. They upheld the realm's commonwealth as the primary concern of the political nation. The texts they produced prescribed ways for ensuring stability in the commonwealth. The ways these writers approached these problems were inherent in the ways they practised and described law. The following sections will examine key political and legal texts written by lawyers who were active during the early stages of the Reformation. Christopher St German (c. 1460-1540), a common law practitioner, helped to theorise the royal supremacy in both manuscript and printed tracts, arriving at the formula for the royal supremacy at least two years before it became statutory law.<sup>45</sup> In addition to writing one of the foundational textbooks on common law theory, he engaged in a printed literary controversy with Thomas More between 1532 and 1534. His dialogues highlight the divisions between the king's subjects in the religious and secular spheres, and offer solutions for re-creating social cohesion through the common law as exercised in parliament. Thomas Starkey studied civil law in Avignon and Padua in the circle who travelled with Reginald Pole. His *Dialogue between Pole and Lupset* also questioned political authority but he proposed a solution to the realm's social problems through a humanistic conciliar perspective. In common with each other and with Fortescue, St German and Starkey often used the dialogue to express their ideas. They also used a similar political

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<sup>43</sup> Lurie, 'Fortescue's Legal Prestige', 294, 304, 307-8.

<sup>44</sup> Burgess, *Politics of the Ancient Constitution*, 6-7, 26, 27; Cromartie, *The Constitutional Revolution*, 10.

<sup>45</sup> John Guy, 'Thomas More and Christopher St German: The Battle of the Books', in *Reassessing the Henrician Age: Humanism, Politics, and Reform, 1500-1550*, ed. Alistair Fox and John Guy (Oxford and New York: Basil Blackwell, 1986), 95-120.

vocabulary in order to articulate their remedies for the commonwealth. The remainder of this chapter will show how these writers emulated Fortescue and adapted his approaches in their own political climate.

### Christopher St German and the Supremacy of Common Law

Christopher St German's texts have often been approached from the vantage point that he was closely connected to high politics in the earliest stages of the Reformation. He was one of the legal scholars that the crown consulted in the events preceding the Reformation Parliament. He has been described as instrumental in crafting the legal manoeuvres leading to the Submission of the Clergy and has also been regarded as one of Cromwell's most important propagandists in the campaign leading to the break with Rome.<sup>46</sup> This section will examine the political themes St German presented in his works. These traversed the confines of the controversy with More and the specific details of the clerical submission, and instead permeate the majority of the texts that he produced in the 1530s. St German has been described as taking an oppositionary approach to the regime's agenda near the end of his writing career because his understanding of the supremacy seems to deviate from the king's perspective after 1534.<sup>47</sup> However, examining St German's positions on the common law and its relationship to the crown reveals that he was a proponent of the royal supremacy throughout his writing career. Like Fortescue, St German used his perspective on the common law in order to describe authority. Common law thus provided the language that shaped his political ideas and the way he understood how the commonwealth functioned. The common law was important to individual practitioners like St German but also had an influential role in the wider political culture.

Christopher St German was one of the most influential common lawyers of the early Reformation period. He has been seen as the bridge between Fortescue and Coke.<sup>48</sup> His works have been considered through two main routes of enquiry, one that has sought to determine his relationship to the inner circle of the regime during

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<sup>46</sup> Elton, *Reform and Reformation*, 159-60; Guy, 'Battle of the Books', 95-9.

<sup>47</sup> Mark D. Walters, 'St. German on Reason and Parliamentary Sovereignty', *Cambridge Law Review* 62, no. 2 (2003): 337.

<sup>48</sup> Burgess, *Politics of the Ancient Constitution*, 5-7, 39-32, 37.



the early 1530s, and the other dedicated to understanding his legal positions and their ties to religious reform.<sup>49</sup> St German had a long and celebrated career in London's legal community, and was affiliated with the Middle Temple. He was also known for owning an extensive library, which was dispersed on his death.<sup>50</sup> His reputation for knowledge in jurisprudence and practical law brought St German into powerful political circles. John Guy believes he was one of the king's informal advisers during the early 1530s, citing an extant draft bill in St German's unique hand and the close correspondence between his writings and this period's legislation.<sup>51</sup>

Late in life, St German transitioned from the practice of law to its theory. He began publishing his writings from around the time he reached the age of seventy until the end of his life. John Bale attributed sixteen anonymously published tracts to St German between 1528 and his death in 1540. Research conducted by both John Guy and Richard Rex has led to the identification of Bale's Latin titles with the original vernacular editions of the texts.<sup>52</sup> His works primarily examined legal and political theories but he also wrote about history and theology. He wrote at least two pieces of religious devotion.<sup>53</sup> He was particularly dedicated to St Bridget, a personal detail that has confused scholars who have affiliated St German with religious evangelicalism.<sup>54</sup> He has a reputation for being a religious radical due in part to his suggestion that religion be practiced in the vernacular. More's texts in their literary controversy furthermore labelled St German's perspectives as evangelical in their outlook. For example, More explains in the preface to *The Debellacyon of Salem and Bizance* that the 'very specyall poynte that made me wryte yet agayne' was St German's 'intent' to 'putte heretyques in corage, and therby decaye the fayth'.<sup>55</sup> In

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<sup>49</sup> Cromartie, *The Constitutionalist Revolution*, 1-3, 75; Guy, 'Battle of the Books', 100-2; Walters, 'St German on Reason', 359-63.

<sup>50</sup> Guy, 'Battle of the Books', 99-100.

<sup>51</sup> SP 6/7, 55-74; J. A. Guy, *St German on Chancery and Statute* (London: Selden Society, 1985), 19, 20, 33.

<sup>52</sup> Guy, *St German on Chancery and Statute*, 16-8; Richard Rex, 'New Additions on Christopher St German: Law, Politics and Propaganda in the 1530s', *Journal of Ecclesiastical History* 59, no. 2 (2008): 281-300.

<sup>53</sup> Rex, 'New Additions', 283-4, 286.

<sup>54</sup> Eppley, *Defending Royal Supremacy*, 65-6.

<sup>55</sup> Thomas More, *The Debellacyon of Salem and Bizance* (London: William Rastell, 1533; STC 18081), Sig. a5<sup>v</sup>.

contrast to these assumptions, however, St German's religious affiliation appears to be conservative. His attacks on the clergy can therefore be seen not as a result of an ardour to the Protestant cause but instead as part of what Benjamin Thompson has termed a 'rhetoric of reform' that was commonly applied to, and used by, the late medieval clergy.<sup>56</sup> St German saw a need for reforms in the Church without necessarily adopting a Protestant theological outlook.

The most famous of St German's texts was the dialogue *Doctor and Student*. This would become one of the most important legal works written in English, and one of the clearest articulations of common law since Glanvill in the twelfth century and Bracton in the thirteenth century.<sup>57</sup> Initially published in Latin in 1528, *Doctor and Student* was printed numerous times in St German's lifetime. It was printed in English for the first time in 1530. Subsequent editions were printed exclusively in the vernacular. He expanded the text with supplementary legal themes several times over the course of the 1530s, each time adding further explanations that supported the royal supremacy. These revisions ceased with St German's death but the text continued to be printed long afterwards. *Doctor and Student* was still regarded as the foremost legal textbook into the nineteenth century, revered for its explanations of the different species of law and its treatment of the common law.<sup>58</sup> One of the major principles he introduced in *Doctor and Student* was that the clergy and the laity should receive equal treatment under common law. Over the course of this series of tracts, St German extended the understanding of the Church to include all people, not only the clergy. This principle helped him to justify the royal supremacy and to claim the primacy of temporal over ecclesiastical authority.<sup>59</sup> Outside London, his works were known to his contemporaries, despite his tactic of publishing anonymously: his name appears amidst Rastell's and Wycliffe's in the list of those

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<sup>56</sup> Benjamin Thompson, 'Prelates and Politics from Winchelsey to Warham' in *Political Culture in Late Medieval Britain*, ed. Linda Clark and Christine Carpenter *The Fifteenth Century* 4 (2004): 73-5.

<sup>57</sup> Burgess, *Politics of the Ancient Constitution*, 6-7, 40, 42-3; Cromartie, *Constitutionalist Revolution*, 10, 13-6; R. H. Helmholz, 'Christopher St. German and the Law of Custom', *University of Chicago Law Review* 70, no. 1 (2003): 129-30; Skinner, *Foundations*, vol. 2, 55-8.

<sup>58</sup> Burgess, *Politics of the Ancient Constitution*, 7; Helmholz, 'St. German and the Law of Custom', 130-1.

<sup>59</sup> Eppley, *Defending Royal Supremacy*, 94-8.

whose literary endeavours were deemed offensive to the Pilgrims of Grace during their rebellion in 1536.<sup>60</sup>

St German participated in a diverse political culture. His works have therefore been analysed from a wide variety of perspectives. His affiliation with Cromwell during the earliest years of the Reformation Parliament, particularly his suspected involvement in the 1532 Submission of the Clergy, has been observed numerous times.<sup>61</sup> He also engaged in a printed literary controversy with the then-imprisoned Thomas More, a bitter campaign that took place over two years and encompassed a total of five texts between the two writers. Although this controversy took place against the backdrop of high politics, a wider audience was also involved in their dispute. The two lawyers chose to conduct their exchange in the vernacular rather than in Latin. This decision implies an audience larger than those who were members of the kingdom's legal community, and their intended readership perhaps extends beyond those who were directly involved in high politics in these early stages of the Reformation Parliament. Yet, as St German pointed out in his second contribution to the controversy, the vernacular also limited the question of ecclesiastical behaviour to their conduct within the realm of England alone. For St German, this was not a general question of priestly behaviour in all of Christendom but limited to the problems the king could redress.<sup>62</sup> The use of the vernacular restricted the audience of the exchange to English readers: this debate concerned domestic political concerns and was largely for domestic consumption.

St German's texts in the controversy reveal a serious concern for the commonwealth and contribute a detailed analysis of the interaction between the lay and clerical spheres. In *Salem and Bizance*, for example, St German finds More's solutions to the growing tensions between clergy and laity inadequate because More 'deviseth no remedy how to appese it, but only through the execucion of streite lawes, and by harde correction of heresy'.<sup>63</sup> Over several chapters, St German

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<sup>60</sup> Enumerated in the Pontefract articles of 4 December 1536, SP 1/112 fos. 119<sup>r</sup>-211<sup>r</sup>; LP XI, no. 1245 (1-2); also cited in R. W. Hoyle, *The Pilgrimage of Grace and the Politics of the 1530s* (Oxford: Oxford University Press, 2001), 459-63.

<sup>61</sup> Guy, *St German on Chancery and Statute*, 19-55; Rex, 'New Additions', 295-7.

<sup>62</sup> St German, *Salem and Bizance*, Sig. B2<sup>r</sup>.

<sup>63</sup> St German, *Salem and Bizance*, Sigs. A5<sup>r</sup>-A6<sup>v</sup>.

argues that, in blaming heresy as the source of tension between the laity and the clergy, More takes the clergy's side and ignores the genuine concerns that the laity harbour. Instead, St German contends that it is the clergy's responsibility to allay the laity's suspicions by explaining the misperceptions underscoring popular anticlerical sentiment. Although they reiterate a well-rehearsed anticlerical sentiment, his texts are about the relationship between the king's authority and the two social estates, the temporal sphere and the religious sphere, and ensuring that there is consistency in the interaction between the king and these two spheres for the good of the entire commonwealth. The commonwealth was dependent upon balance between the two spheres. The king's ability to dispense justice was undermined if one side exerted more influence than the other. Within the scope of St German's political thought, the two spheres needed to be indistinguishable before the law. Fortescue had described the common law as the sinews holding together the body politic. For St German, the common law was the blood that nourished the body politic. The life of the commonwealth was at risk when the social spheres lost their equilibrium. St German's controversialist texts all dealt with the problems that had arisen within the commonwealth, and the solutions he offered for its restoration were obtained through the common law.

St German drew attention from Thomas More as a controversialist with his 1532 tract, *A Treatise Concernynge the Division between the Spiritualtie and Temporalitie*.<sup>64</sup> This text enumerated and denounced numerous abuses perpetrated by the realm's clergy. These grievances ranged from the complaint that the clergy did not 'kepe the perfection of theyr ordre to the honoure of god and good example of the people' to a belief that 'all spirituall men . . . be more diligent to enduce the people to suche thynges, as shall brynge riches to the churche'.<sup>65</sup> By listing all the advantages that the clerical estate enjoyed because of their office, St German drew attention not only to the sharp division between the king's secular and ecclesiastical subjects but also the division between the king and this estate. His treatise helped to illustrate the idea that the clergy were not wholly loyal to the king. The ecclesiastical

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<sup>64</sup> Christopher St German, *A Treatise Concernynge the Division between the Spiritualtie and Temporalitie* (London: Thomas Berthelet, 1532; STC 21587.3)

<sup>65</sup> St German, *A Treatise Concernynge the Division between the Spiritualtie and Temporalitie*, Sig. A2<sup>v</sup>, Sig. A3<sup>v</sup>.

estate had furthermore become interested in acquiring worldly goods and possessions for themselves and for the church, putting their interests into the secular sphere.<sup>66</sup>

The text describes specific instances in which ecclesiastical law clashed with the realm's temporal laws and customs, including *ex officio* suits pursued in ecclesiastical courts and 'dyvers lawes' made by popes, legates, or bishops 'wherin they have many tymes exceded theyr auctoritie, and attempted in many thynges agaynste the lawe of the realme'.<sup>67</sup> Some of these transgressions were ignoring the custom of the realm regarding the wood tithe, interfering in the work of executors, and refusing to allow priests accused of felony, murder, or treason to appear before lay justices.<sup>68</sup> St German believed that the two spheres should be kept separate. However, he also believed that the clergy were in need of sweeping reforms, citing the disparity in way the same crime was treated when members of the different spheres were the perpetrators. For example, St German writes that 'if a manne in violence lay his hande only upon a clerke, he is accoursed: but thoughe a clerke beate a laye manne wrongfully, and with voilence, he is not accoursed'.<sup>69</sup> The ecclesiastical estate had a tainted reputation for protecting its own members from the punishments that the temporal authorities would level against them. In St German's opinion, and echoing the sentiment expressed through an anticlerical tradition, this was an obstruction to justice. In order to ensure that the whole social order received equal justice, St German advocated reforms within the clerical estate. The only person who could properly reform this group, however, was the king, because the clergy could not be trusted to adequately reform themselves. There was too much at stake for the commonwealth to leave clerical reformation to the clergy themselves.

*A Treatise Concernynge the Division between the Spiritualltie and Temporalltie* and *Treatise Concerninge the Power of the Clergye and the Lawes of the Realme* examined the nature of the common law in England; some of St

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<sup>66</sup> St German, *A Treatise Concernynge the Division between the Spiritualltie and Temporalltie*, Sig. A3<sup>r-v</sup>.

<sup>67</sup> St German, *A Treatise Concernynge the Division between the Spiritualltie and Temporalltie*, Sigs. B8<sup>v</sup>-C1<sup>r</sup>, Sig. D4<sup>v</sup>.

<sup>68</sup> St German, *A Treatise Concernynge the Division between the Spiritualltie and Temporalltie*, Sigs. D5<sup>r</sup>-D8<sup>v</sup>.

<sup>69</sup> St German, *A Treatise Concernynge the Division between the Spiritualltie and Temporalltie*, Sig. B4<sup>r-v</sup>.

German's later works analysed the king's authority, and concurrently English common law, in an international context. For example, *Salem and Bizance* and its *Additions*, both part of the controversy with More, explored authority within the context of religious councils. He would return to these themes in his 1535 *Treatise Concernynge Divers of the Constitucyons Provinciaill and Legantines* and *A Treatise Concernynge Generall Councilles, the Byshoppes of Rome, and the Clergy* in 1538. All of these texts use a common law perspective to explain how the spiritual realm have differentiated themselves from the temporal realm. In these texts, St German depicts a social order that has been fractured, not only between secular and religious but also because of internal divisions within the the religious part of the social order. St German ultimately suggests that these divisions can be reconciled by placing the king's laws before any other in the kingdom, and by viewing parliament as the highest court at which any of the king's subjects could sue. Securely fixing the institutions of the king and parliament at the highest level of the hierarchy helped to reinforce the supremacy of common law over other kinds of law in the realm: these laws were the king's, and that was enough for common law to be regarded as the highest species of law in the realm. In these treatises, general examples drawn from Scripture are used as a basis for understanding and justifying the specific laws that operated in the realm.

*A Treatise Concernynge the Division between the Spiritualtie and Temporalitie* was dedicated to outlining and explaining the advantages that the clerical estates enjoyed: these were primarily legal advantages that the secular estates simply could not share. St German contributed to a tradition of anticlericalism by identifying and expounding the unfair advantages and abuses that were associated with the ecclesiastical estates. Over the course of sixteen chapters, most of them entitled a variation of 'Other causes of the sayde divysion', he places the blame for the ever-worsening divisions between the two estates on the spiritual rulers.<sup>70</sup> His foremost complaint regarding these differences in legal advantages is that these created 'great hurte and inconvenience' for numerous people but without any means to redress these wrongs. Instead, the increasing numbers who had been disadvantaged by the clergy would have to wait until the leading clerics answered

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<sup>70</sup> This is the title of Chapter XI, St German, *A Treatise Concernynge the Division between the Spiritualtie and Temporalitie*, Sigs. D3<sup>v</sup>-D4<sup>r</sup>.

‘afore god, wha[n] he shall aske accompte of his people’.<sup>71</sup> But St German sees this ever-increasing disparity between the religious and secular realms as harm to the commonwealth that could be redressed in the present through the means of temporal law. For St German, as in the message of popular anticlericalism, recourse through the ecclesiastical courts was not possible because these unfair advantages always favoured the clergy. Temporal law is therefore the only option available for healing the divisions he sees in the commonwealth. St German emphasises the widespread inconvenience and turmoil springing from the divisions between the two groups and exaggerates the impossibility of finding a solution to the problem. In doing so, the solution he ultimately posits emphasises the importance of law as a means for the resolution of difficult problems and disputes. St German says that ‘none may sette a meane way betwene these extremities ne that mindeth any thyng to do good in it, but the kynges grace and his parlyamente’.<sup>72</sup> This conclusion situates the king and parliament as the arbiters of the dispute between the temporal and the spiritual, reinforcing the role of parliament as the kingdom’s highest court. An unwritten outcome of St German’s treatment of parliament is that there is no external court for appeals: the king’s decision, reached with the aid of parliament’s counsel and through the clarity of temporal law, is final.

Fundamental questions about the nature of secular power were examined alongside more specific questions about the application of authority in St German’s *Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme*. The first three chapters of this treatise cite several passages from Scripture as proof that ‘ki[n]ges and princes have theyr auctoritye imediately of god’.<sup>73</sup> These early chapters simply provide lists of Latin biblical verses or passages with their English translations without additional commentary. The selected passages provide a commonplace that show that kings and other secular authorities were instituted by God for the good order of the people. The remaining chapters of the treatise are more catechetical in nature, with each chapter dedicated to posing then answering a

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<sup>71</sup> St German, *A Treatise Concernynge the Division between the Spiritualltie and Temporalitie*, Sig. C4<sup>v</sup>.

<sup>72</sup> St German, *A Treatise Concernynge the Division between the Spiritualltie and Temporalitie*, Sig. C4<sup>v</sup>.

<sup>73</sup> St German, *A Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme* (London: Thomas Godfray, 1535; STC 21588), Sig. A2<sup>f</sup>.

specific question regarding the interaction between secular and religious authority. In these sixteen chapters, St German poses a question, such as ‘whether it be agaynste the lawe of god to araigne prestes before laye me[n] or nat’ or ‘by what lawe the kyngs courte is put out of Jurisdiccyon for tithes’. These questions are then explained by using statutory or common law as a starting point for analysing each question. St German’s emphasis switches from the general to the particular in the fourth chapter, beginning with the question of the validity of Edward III’s *Silva Cedua* statute, an example that allows him to investigate the boundaries between ecclesiastical property and temporal law. But other sections of this treatise illustrate more fully St German’s view on the intricacies of the relationship between the law and the commonwealth.

One of the longest examinations in St German’s text considers the question of ‘whether it be agaynste the lawe of god to araigne prestes before laye me[n] or nat’.<sup>74</sup> St German’s answer emphasises that the king is the ruler over both of the social estates in his realm through the law of custom, and argues that custom has always established the king’s jurisdiction over the clerical estate. For St German the ‘very aunce[n]t grou[n]des of the come[n] lawe of this realme’ demand that ‘prestes shulde be put to answe[n]re before the ki[n]ges justyces: as well in actions real and personall, as i[n] felonys murdrers & treasons, as farforth as any laye men shulde be’.<sup>75</sup> This shows that the king’s authority over both realms is fundamental to the exercise of royal power in the realm because it is drawn from the kingdom’s customary law but is also occasionally confirmed in statutory law through parliamentary assent.

The question of whether priests should be tried in the king’s courts is further connected to the idea of the favour that the ecclesiastical estate has been shown in the realm. St German argues that clerics have been misguided in their understanding of where this favour has originated. St German complains that the spirituality have ‘natt taken it as a favoure of the kynge or his lawes: but as a thi[n]ge whiche they ought of right to have by the lawe of god. And therupon they have at many parliame[n]tes made pretence to have more lybertie in that behalfe than the comen

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<sup>74</sup> St German, *A Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme*, Sigs. B2<sup>v</sup>-C1<sup>v</sup>.

<sup>75</sup> St German, *A Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme*, Sig. B3<sup>r</sup>.



lawe & custome of the realme hath gyven them, and more than laye men have had'.<sup>76</sup> To more fully illustrate the argument that the clergy receive favour from the king rather than from divine law, St German lists statutes made in a number of different parliaments during the reigns of numerous kings. Absent from his account of these favours shown by kings to the clergy is the reason why they have granted these benefits to the clergy; instead, St German merely shows that this favour stems from the king's prerogative.

The sixth chapter of St German's treatise dispels the idea that the realm's clergy are deserving of any partial treatment based on divine law, and instead reveals that the prerogative of England's kings lies behind the laws and statutes that grant these favours. But St German is careful to show that royal prerogative alone is not the sole source of the favour extended to the ecclesiastical estate. Instead, St German demonstrates that these are affirmed by common law and parliament. His conclusion to the chapter reiterates the reasons why the clergy who argue that their estate should not be brought for justice before temporal courts is contrary to the laws of the realm: 'furthermore it is nat lyke that there was any sufficient proufe shewed at any of the seyd parlyaments that it shulde be against the lawe of god, that preestes shulde be put to aunswer before laye men. For it is nat to presume that so many noble princes and their counseyle, ne the lordes, and the nobles of the realme ne yet the Co[m]mons gathered in the sayde parlyamente, wolde fro[m] tyme to tyme, renne in to so gret offence of consyence, as is the brekyng of the lawe of god. And if ther be no suffycyent proufe, that it is against the lawe of god, than the custome of the realme is good'.<sup>77</sup> This longer passage articulates two fundamental ideals relating to political power in England. Both of these ideals stem from St German's common law perspective on the nature of authority. First, this passage argues for the primacy of parliamentary authority over ecclesiastical law. The collective authority of the king, the council, the lords (including bishops), and commons, outweighs ecclesiastical favours because parliamentary statutes combine the opinion of these estates with statutory law. The second perspective underscoring St German's argument in this passage is that common law cannot be contrary to divine law. To defend this point

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<sup>76</sup> St German, *A Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme*, Sigs. B3<sup>r-v</sup>.

<sup>77</sup> St German, *A Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme*, Sigs. B8<sup>v</sup>-C1<sup>r</sup>.

more clearly, St German uses the passage frequently cited by the clergy when they argued that priests were not subject to the secular authorities: *Nolite tagere christos meos*. This passage meant ‘do not touch my anointed’, which priests restricted to themselves. However, St German argues that this passage ‘maye as wel be applied to kynges, yea, and to every christen man, as to prestes’, thereby destroying the priests’ claim for exceptionalism by suggesting that every man had the same status before the law.<sup>78</sup> Ultimately, St German argues, since the realm’s laws are not contrary to divine law but are instead derived from divine law and confirmed by parliament, the spiritual realm must conform to temporal law.

The superiority of common law over ecclesiastical law within England is further delineated in St German’s *Treatise Concernynge Divers of the Constitucyons Provinciaill and Legantines*. The primary purpose of this text is to show that ‘divers of the said constytutyons and legantynes be against the kynges lawes and his prerogatyve. And that some of them be also very troublous unto the people and nat so charitable as they ought to have been’.<sup>79</sup> This treatise attacks the clergy through its rhetorical strategy: each chapter takes the argument drawn from a Latin decree issued by the ‘sometyme legates in this realme’, translates it into the vernacular, and then explains how that decree harms the realm.<sup>80</sup> This strategy allows St German to combine his knowledge of Latin with his knowledge of law to bring a specific reading of these church decrees to a wide audience: he wants to underscore the differences between the ecclesiastical and temporal estates. The importance of the king’s law and parliament as a means for resolving these differences once again helps to reinforce the superiority of common law as a legal species that should be followed by the entirety of the social order while also denouncing the use of canon law in the kingdom.

The sixth chapter deviates from the usual structure by providing a commentary on authority within the kingdom. St German begins this chapter by stating, ‘It is a ryght troublous thyng to the people to have two powers within the

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<sup>78</sup> St German, *A Treatise Concerni[n]ge the Power of the Clergye and the Lawes of the Realme*, Sigs. C1<sup>r-v</sup>.

<sup>79</sup> St German, *A Treatise Concernynge Divers of the Constitucyons Provinciaill and Legantines* (London: Thomas Berthelet, 1535; STC 24236), Sig. A1<sup>v</sup>.

<sup>80</sup> St German, *A Treatise Concernynge Divers of the Constitucyons Provinciaill and Legantines*, Sig. A1<sup>v</sup>.

realme, whereby they may be sued for one thyng in severall courtes and by severall auctorities, and great expenses and unquietnes to the people'.<sup>81</sup> This condensation of the decree St German describes in the chapter points to the larger problem of the Roman church's hierarchy and the way it operated in the temporal realm throughout Europe. St German illustrates this larger problem by comparing the legal action taken against the clergy and a secular man: if both commit the same offence, the secular man is subject to a special legal process taken up by the ecclesiastical courts but the religious man faces no action. St German also poses the question of what happens when a religious man and a lay man steal goods from a poor man. He argues that 'the offence is most co[m]menly greater agaynste god, than if he toke than if he toke them from any of the clergye, and yet no remedye is provided for the poore man. But the clergye is in suche lawes highly regarded, and that in such a synguler and parcyall maner, that many of the temporaltye thynke that they force but lytell how pore lay men be ha[n]dled ne what wronge they have, so that they have none themselfe'.<sup>82</sup> These observations illustrate the disparity between the temporal and the spiritual at work in ecclesiastical law. Here, St German uses the problem of ecclesiastical law not only to show that the clergy received an unfair advantage in these courts but also to point to the emphasis on protecting clerics, even at the cost of protecting the poor, who are doubly disadvantaged by being secular men and without the financial means to put forward lawsuits in their defence. The clergy received nothing but opportunities through the ecclesiastical courts, and these advantages mean that the laity have no place to seek recourse for their grievances against the clergy, even within the legal system that is meant to address these very problems.

The question of political authority is specifically addressed near the end of this *Treatise*: chapter 28 engages with the intersection between ecclesiastical and royal authority through the question of taxes that must be paid to the Church under the threat of excommunication. St German argues that this law contradicts the king's laws and prerogatives because 'it pretendeth above the comon use of the spirituall jurisdiction and agaynst all lawes that have ben made in tyme paste concernynge the

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<sup>81</sup> St German, *A Treatise Concernynge Divers of the Constitucyons Provinciall and Legantines*, Sigs. B1<sup>v</sup>-B2<sup>r</sup>.

<sup>82</sup> St German, *A Treatise Concernynge Divers of the Constitucyons Provinciall and Legantines*, Sig. B4<sup>r</sup>.

spirytuall jurisdiction'.<sup>83</sup> He condemns this law as contrary to the customs of the realm because it asserts that the clergy and their courts 'have power to holde plee and gyve sentence upon mere Temporall thynges'.<sup>84</sup> For St German, this points to a corruption in the spiritual estate that can be remedied by contemporary clergy if they simply amend this law so that 'mere Temporall thynges' are left to the king's laws. St German's appeal to custom in this example suggests that many of the laws used by the clergy were in need of reform. A law like this one was contradictory to the rule of custom. But custom held the most significant place in St German's legal thought: a just law had to conform to customary law because custom was itself derived from natural law, which in turn could not be corrupt. If a law contradicted custom, then that law was unjust and in need of reform. Here, the virtues of the realm's customs are held up as the standard for measuring good laws. Because the clergy's laws contradicted custom, they needed to be reformed for the sake of the common good. As St German points out the problems within ecclesiastical law, he also points to their solution: the king and his laws alone could undo the damage perpetrated by these corrupt laws and restore peace and order to the social hierarchy.

By outlining the laws that were advantageous or unique to members of the secular realm, St German sharpened the distinctions between the temporal and ecclesiastical estates. These were thrown into even greater focus in the way that St German described ecclesiastical law. By examining these laws through the perspective of the temporal estate and a common law framework, St German was able to impart the sense that the clergy did have unfair advantages over the laity. More importantly, however, he was able to offer a solution for this problem. For St German, common law and parliament were the only means to redress the disparities between the two estates. These were the two institutions that could ensure an even dispersal of justice throughout the social order and throughout the realm.

As the king achieved his objective of a divorce from Katherine of Aragon, St German's involvement in the legal manoeuvres behind the royal supremacy seemed to end. He had declined an offer from Cromwell to be involved in the propaganda campaign surrounding the Blackfriars trial. This decision, coupled with St German's

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<sup>83</sup> St German, *A Treatise Concernynge Divers of the Constitucyons Provinciall and Legantines*, Sigs. G<sup>r-v</sup>.

<sup>84</sup> St German, *A Treatise Concernynge Divers of the Constitucyons Provinciall and Legantines*, Sig. G<sup>v</sup>.

printed devotional material, has led many to believe that his personal religious policies had taken a conservative turn, and were therefore no longer compatible with the king's religious beliefs.<sup>85</sup> Yet St German still displayed support for the royal supremacy until his death. The amendments he made to *Doctor and Student* continued to support this policy and the imagined social order that came along with it. For St German, the explanations he offered for the law helped to forge the law, just as the writs he had learned and drafted himself were valuable additions to the common law that helped to extend the law.

'Gud rularys ever be lyfely lawys': The Law in Starkey's *Dialogue*<sup>86</sup>

In the modern scholarship of political thought, Thomas Starkey's *Dialogue between Pole and Lupset* is regarded as a foundational text.<sup>87</sup> For example, Quentin Skinner has called Starkey's *Dialogue* 'one of the major treatises of humanist political thought'.<sup>88</sup> Glenn Burgess characterises Starkey's text as 'more radical than [Thomas More's] *Utopia*'.<sup>89</sup> Despite widespread admiration for Starkey's text, the work has still not been subjected to much recent critical analysis. A manuscript version of the *Dialogue* survived in the State Papers because Starkey's personal papers were seized by Cromwell in 1538: he was accused of treason as part of the Exeter conspiracy, and he died that August, only a few months after the investigation began.<sup>90</sup> He was regarded with suspicion because of his employment by members of Pole's family. Starkey's background and his long affiliation with Reginald Pole influenced the way that he understood the role of the law and counsel, and found their way into his *Dialogue*.

Thomas Starkey (c. 1499-1538) came from a lower gentry Cheshire family. His mother was the daughter of John Mainwaring, who was one of Cheshire's

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<sup>85</sup> Guy, 'St. German's Later Career', 397-8.

<sup>86</sup> Starkey, *Dialogue*, 132.

<sup>87</sup> Burgess, *British Political Thought*, 20-5; Conal Condren, *The Language of Politics in Seventeenth-Century England* (Basingstoke: Macmillan, 1994), 102-3, 107-8; Mendle, *Dangerous Positions*, 42-3; Skinner, *Foundations*, vol. 1, 215, 222-5.

<sup>88</sup> Skinner, *Foundations*, vol. 2, 100.

<sup>89</sup> Burgess, *British Political Thought*, 20.

<sup>90</sup> Starkey, *Dialogue*, ix-x.

wealthiest and most prominent men.<sup>91</sup> He attended St Magdalen's College School before beginning his degree at Oxford around 1513. His background in Cheshire was significant to the development of Starkey's political thought because, as Mayer has stressed, it was a county palatinate with a very small number of nobility. This meant that the Cheshire gentry consequently had a greater degree of influence over local political matters than their counterparts in other localities. Furthermore, Cheshire had a greater degree of political autonomy than most of the realm's counties because of its status as a palatinate and because of its close affiliations with Wales and the Council in the Marches.<sup>92</sup> Cheshire was administered through its county council and its own exchequer. These bodies were responsible for managing the *mise* – the subsidy Cheshire paid in lieu of the taxes imposed by parliament – and administering justice within the palatinate's jurisdiction.<sup>93</sup> Cheshire's political culture made it similar to the Italian city-states that Starkey would idealise in his *Dialogue between Pole and Lupset*.<sup>94</sup> Starkey may have acquired a connection to Cardinal Wolsey through their joint affiliation with Magdalen College in the 1510s. He made his own significant contacts during this period, including Thomas Lupset, Reginald Pole, and Edward Wotton. Little is known for certain about Starkey's activities during the 1520s but he does appear in Padua for Wotton's examination for doctor of medicine in 1525.<sup>95</sup> Starkey and Lupset had worked together as part of the commission sent to the French universities to garner greater support for the royal divorce in the late 1520s. Starkey stayed in Avignon to study civic law in the latter part of that decade, returning to England in 1534.<sup>96</sup>

Starkey likely wrote his *Dialogue* between 1529 and 1532. It was initially directed at Reginald Pole, and its aim was to convince Pole that he should return to England and assume his rightful position as one of Henry VIII's closest advisors.

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<sup>91</sup> Thomas F. Mayer, *Thomas Starkey and the Commonweal: Humanist Politics and Religion in the Reign of Henry VIII* (Cambridge: Cambridge University Press, 1989), 15; Tim Thornton, *Cheshire and the Tudor State, 1480-1560* (Woodbridge: Boydell, 2000), 17-20.

<sup>92</sup> Thornton, *Cheshire and the Tudor State*, 28-31; 81-6.

<sup>93</sup> Thornton, *Cheshire and the Tudor State*, 63-100.

<sup>94</sup> Mayer, *Starkey and the Commonweal*, 15-9, 29-30.

<sup>95</sup> Mayer, *Starkey and the Commonweal*, 30.

<sup>96</sup> Starkey, *Dialogue*, viii.

The *Dialogue* was later revised to illustrate Starkey's education and rhetorical competence as he sought royal patronage.<sup>97</sup> Like Fortescue's *Praise of the Laws of England*, the text follows the form of a dialogue and the object of persuasion – in this case, Pole – is presented as one of the interlocutors in the discussion. Rather than using himself as the persuading figure in the discussion, Starkey uses the recently-deceased Thomas Lupset to plead the case to Pole. The topics these figures discuss are illuminated through the extensive use of the metaphor of the commonwealth as a physical body. The conversations are broken into three main sections. In the first, Pole and Lupset discuss the best state of a commonwealth. Lupset's character works the hardest to persuade his interlocutor to enter public service in this section, drawing distinctions between public life and private contemplation in order to compel Pole to serve the commonwealth as the king's best advisor. The second section moves from the general to the particular by examining the problems plaguing England in great detail. In the final section, Pole describes his remedies for curing the afflicted English commonwealth. In this concluding section, Starkey puts forward his ideal plan for preserving the commonwealth and preventing the prince from falling into tyranny. He proposes limiting the practice of law to the nobility because their virtues can be diffused through the rest of the body politic through the law. This proposal fixes the nobility in an established place within the commonwealth and reserves for them an elevated position within the body politic as the defenders of justice. In a bodily metaphor of the commonwealth, Starkey would place the nobility and the king together as the head of the body politic.

The royal supremacy was a welcome assertion in Starkey's estimation, as it paved the way for achieving the twin ideals of purging the realm of the corruption that arrived through the Catholic Church and providing a mechanism for ensuring the common law had a structured order. The state and health of the law is a serious concern for Starkey in his *Dialogue* because of the interconnected relationship between the law and the common good. According to Starkey's theories, the character and corpus of the law shapes how it is interpreted and reveals important details about the nature of the commonwealth: whether the commonwealth is virtuous or tyrannous, just or unjust, can be determined by examining the health of the legal system. For Starkey, the legal system includes all the laws and species of

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<sup>97</sup> Mayer, *Starkey and the Commonweal*, 90.

law practised in a realm, whether canon or secular law, as well as its practitioners. The inclusion of all species of law is significant, as the tensions between canon law and English common law escalated during this period. Starkey experienced these tensions first-hand as Pole's assistant in his assignment to win support for the royal divorce from continental elites.<sup>98</sup> If the common law – the law common to both temporal and ecclesiastical estates alike, and common in every place in the realm – is overblown and unruly, then the commonwealth is in danger of falling into the same condition. The origins and language of the law furthermore have an influence on the commonwealth's order. The law reflects the virtues of its practitioners, and, for Starkey, this is a compelling reason to restrict the study of law to the realm's most virtuous men. These foundational components indicate the kind of authority the realm's prince can wield. All of these aspects shaping the relationship between the law and the commonwealth find their way into Starkey's proposals for the kingdom's political reforms.

Starkey was sceptical of the common laws and customs which comprised England's temporal legal system. In the *Dialogue*, Pole complains that 'our law & ordur therof ys over confuse[d], hyt ys infynyte & wythout ordur or end, ther ys no stabul grounde therin nor sure stey but every one that can coloure reson makyth a stope to the best law that ys before tyme devysyd'.<sup>99</sup> Starkey sees this species of law as little more than a competition to claim the earliest precedent in customary law. This leads to an inconsistent application of law across the realm. The unwieldiness of local customs has created technical problems in the conveyance of justice as well. Because the common law is disordered and unstable, lawsuits take an unnecessary long time to process and it is difficult for judges to arrive at decisions. These aspects of the common law left it susceptible to becoming unjust, and miscarrying rather than delivering justice. Pole's recommendation is to revise and summarise the laws so that there are a smaller number. The unruliness of the common law could be detected in the 'barbarouse tong' in which it is recorded.<sup>100</sup> He observes that, a result of the law French used to record the law, 'many of the lawys themselfys be also barbarouse & tyrannycal', and have therefore been an obstruction to virtue, civility,

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<sup>98</sup> Mayer, *Starkey and the Common Weal*, 78-80.

<sup>99</sup> Starkey, *Dialogue*, 128.

<sup>100</sup> Starkey, *Dialogue*, 128-9.



and the common good.<sup>101</sup> The threat to justice posed by the temporal legal system in England arose from its origins as the law brought by the Normans in the aftermath of the Conquest. Pole asks ‘who ys so blynd that seth not the grete schame to our natyon, the grete infamy & note that remeynyth in us to be governyd by the lawys gyven to us of such a barbarouse natyon as the normannys be’, thereby revealing how much the legal system needed reform in order to ensure the delivery of justice.<sup>102</sup> Pole recommends that England follow Justinian’s example in order to remedy these ‘barbarouse custummys & ordynance’ by adopting civil law and by recording the law in either English or Latin.<sup>103</sup> Pole argues that a virtuous language and more efficient legal corpus would support the common good. These measures would cultivate civility within the people and ensure the even conveyance of justice in every area of the realm. Rather than imitating the barbaric customs of the Norman invaders, Starkey suggests that the commonwealth would be better served by emulating the virtues of the Roman republic.

Starkey was sceptical of England’s common law system, but he was equally apprehensive of the ecclesiastical law structure, and recommended numerous changes to church law. His distrust of ecclesiastical law stemmed from the corruption of the head of the system, the pope. Starkey describes how the papacy had usurped temporal powers in his discussion of the faults within the commonwealth. The authority of the papacy was limited to the Office of the Keys, which granted absolution to ‘penytent hartys contryte for their syn’, and did not give the pope authority to overturn laws made by man or the cardinals.<sup>104</sup> In the *Dialogue*, the Church should limit its jurisdiction to spiritual matters, leaving the Church’s temporal affairs – matters involving the Church’s material goods and landed property – to the secular legal system. Starkey’s proposals regarding the question of church law were compatible with the royal supremacy, and specifically address the Act in Restraint of Appeals. Pole identifies a ‘grete mysordur in the appellatyon of such as be callyd sprytual causys, appelying to rome’. Just as aspects of the common

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<sup>101</sup> Starkey, *Dialogue*, 129.

<sup>102</sup> Starkey, *Dialogue*, 129.

<sup>103</sup> Starkey, *Dialogue*, 128-9.

<sup>104</sup> Starkey, *Dialogue*, 82-4.

law rendered it unstable, decisions determined in Rome were neither ‘sure nor firme’.<sup>105</sup> The trouble with such decisions was that they were unstable and somewhat unpredictable. Starkey uses his *Dialogue* to present the ecclesiastical law system maintained in the Church as corrupt because of the pope’s usurpation of temporal powers. Starkey called into question the ecclesiastical law structure and its decisions because of the corrupt nature of the head of the structure. The vices and faults of the ecclesiastical practitioners threatened to destroy the legal system. Such corruption rendered its judgments unstable.

But the greater danger posed by the authority that the pope had usurped was the harm that institution did to the temporal laws of the realm. Pole’s character observes that these appeals to Rome give the impression that ‘wythin our reame ther were nother wysdome nor justyce to examyn such materys’, which ‘ys not only grete hurte to the commyn wele, but also grete schame & dyshonowre to our cuntrey’.<sup>106</sup> Appeals to Rome undermined the authority of the king and the temporal law by suggesting that decisions made in English ecclesiastical courts were not necessarily final. It also gave the impression that ecclesiastical law was more authoritative than temporal law. Appealing to Rome hurt the kingdom’s temporal law by suggesting that the king’s authority rested on the pope. Appealing lawsuits before Rome was one aspect of the pope’s usurpation of the temporal sword; another aspect was demonstrated in the papacy’s use of tithes to fund the majesty of the papacy and wars. Pole argues that the Church should refrain from involving itself in temporal matters. He calls for an ordinance ‘that ther be no cause sewyd out of the reame, except causys of scysme in the fayth wych perteyn to the dyssolutyon of the unyon of the catholyke & chrystyan fayth’.<sup>107</sup> Pole states that ‘the defence of the church pertynyth not to the pope & hys see, but rather to the emperour & other chrystun pryncys’.<sup>108</sup> Taken together, appeals and the pope’s involvement in temporal matters were signs of the church’s corruption and need of reform. The papacy’s usurpation of temporal affairs challenged the sovereignty of the princes and their states. ‘the

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<sup>105</sup> Starkey, *Dialogue*, 83.

<sup>106</sup> Starkey, *Dialogue*, 83.

<sup>107</sup> Starkey, *Dialogue*, 132.

<sup>108</sup> Starkey, *Dialogue*, 84.

maynteynyng of thys holy powar under pretense of relygyon, thys hath byn one of the gretyst ruynys ther ever hath come to the reame of england'.<sup>109</sup> For Starkey, the Appeals Act preserved the prestige and sovereignty of the monarch and of the realm's laws. The integrity of ecclesiastical law could be preserved by reforming the churches and monasteries.

The need for reform in the Roman Church provides Starkey with a comparative model for recognising abuses in the commonwealth, and to make his case for reforms in council and parliament. The *Dialogue* uses the example of the College of Cardinals, in its role as the pope's advisers, to exemplify the king's need to maintain an independent body of counsellors. He highlights the role that these high-ranking clerics are supposed to take by referring to them as 'hys counseyl of Cardynallys'.<sup>110</sup> The Cardinals were the pope's advisors but had become a corrupt body because, instead of checking the pope's predilection to tyranny, they simply supported the decisions the pope made, even those made without the authority of the Church's general councils. In the *Dialogue*, Pole denounces this practice, and calls for the cardinals to be elected rather than 'made by the fre wyl of the pope by money'.<sup>111</sup> He calls for the selection of bishops to be made within the kingdom, and wants the authority of church councils to be re-instated in order to prevent the pope's tyranny.<sup>112</sup> Starkey did not believe the authority of general councils rested with the agenda set forward by the pope. Instead, he believed that its authority was derived from the representatives of Christendom, and was motivated by the doctrines and concerns they raised. The general council thereby serves as a forum for mediating doctrinal disputes that cannot be determined by local religious authorities. In this formulation, the pope and the cardinals together govern the Church; in a natural body metaphor, they are both the head of the Church.<sup>113</sup> This figuration provides Starkey with a useful model for the counsel that took place in England. The College of Cardinals was the pope's conciliar body, and it served as the Church's legislative

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<sup>109</sup> Starkey, *Dialogue*, 133.

<sup>110</sup> Starkey, *Dialogue*, 132.

<sup>111</sup> Starkey, *Dialogue*, 132.

<sup>112</sup> Starkey, *Dialogue*, 132-3.

<sup>113</sup> Starkey, *Dialogue*, 132-4.

body. Starkey invites a comparison between the College and the English parliament by invoking these similarities.

Starkey's solution to the problems in the English legal system is to educate and elevate the nobility to a prominent position within the realm's social order. Like the College of Cardinals, Starkey thinks that the king's counsellors need to be independent of the king in order to resist flattery, and they need to represent the entire realm. The foundation of this advancement is rooted in the law: Pole urges 'the nobylite & gentylnen of every schyre' to 'consydr theyr offyce & duty therin wych ys chefely to see justyce among theyr servantys & subjectys, & to kepe them in unyte & concorde'.<sup>114</sup> Pole denounces the tendency to allow suits to be removed to London by writ; the presumption with this practise is that the temporal laws need to be applied evenly throughout the shires.<sup>115</sup> The character of the men who practise law is also considered by Lupset and Pole in their exchange. They agree that only those who were learned in the law should be allowed to render judgments, and believe that wealthier men are best-suited to handle legal cases because they can resist the temptations of bribery and using the law to amass personal wealth.<sup>116</sup>

The most innovative measure that Starkey presents is his recommendation that the role of Constable of England be reintroduced. This role would elevate one nobleman to an elite position, potentially placing his authority in competition with that of the king. In the text, Pole recommends that 'the connestabul schold be hede of thys other conseyl wych schold represent the [w]hole body of the pepul wythout parlyament & commyn counseyl geddryd of the reame'.<sup>117</sup> The councillors would consist of both ecclesiastical and temporal subjects, including experts in civil law and common law. The purpose of this new institution was 'to see unto the lyberty of the hole body of the reame & to resyst al tyranny wych by any maner may grow upon the hole commynalty'.<sup>118</sup> The Constable would also have the power to summon parliament, even if the king did not want to call it, to ensure that weighty political

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<sup>114</sup> Starkey, *Dialogue*, 126.

<sup>115</sup> Starkey, *Dialogue*, 126-7.

<sup>116</sup> Starkey, *Dialogue*, 128-9.

<sup>117</sup> Starkey, *Dialogue*, 121.

<sup>118</sup> Starkey, *Dialogue*, 121.

matters would be addressed by the entire political nation. Starkey's advocacy of the role of Constable points to the major flaw of treating parliament as a conciliar body: it still relied on a king – possibly a tyrannical king – to summon it. This meant that decades could pass without a session of parliament, and left the act of summoning parliament susceptible to the judgement of a tyrannical prince. The addition of another council headed by a constable would formalise the extension of counsel in times when parliament was not in session.

This insistence on a constant conciliar institution shows that Starkey believed that counsel was integral to the prince's authority, and that the nobility were closely connected to the head within the body politic. Pole even argues that 'the authoryte of the prynce may not rest in hym alone, but in hym as the hede joynyd to hys counsel as to the body'.<sup>119</sup> For him, a mixed polity was more than a king and a parliament theoretically acting independently from one another. Instead, the king and the realm needed to constantly consult each other in order to develop laws that protected the commonwealth.

The place of law, and of lawyers, was central to Starkey's reform programme, whether the audience was the king or Pole. He believed that the law was the only sure way to safeguard the commonwealth from the tyrannical tendencies that often afflicted the prince in the development of new laws and statutes, and the lawyers in their means of interpreting the law. The best way to prevent the tyrannies of both of these groups was to condense the legal system so that it was streamlined, efficient, and rooted not in the language of the Norman invasion but in English or in Latin. The body of the law reflected the body of the commonwealth. The law that Starkey wanted to promote was efficient, virtuous, and English.

### Conclusion

Fortescue's formulation of the English polity as an organic body with the king at its head proved to be a practical political metaphor that later English writers could adapt and apply as they considered the nature of authority. Later writers including St German and Starkey shared Fortescue's view that common law provided a network for distributing the king's justice evenly throughout the realm. They moreover followed Fortescue's example of applying their knowledge of the

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<sup>119</sup> Starkey, *Dialogue*, 121.

law to writing treatises and dialogues aimed at specific audiences. Similar rhetorical strategies, along with shared imagery and vocabulary, demonstrate continuities in the legal community, despite the changes to the way England's polity was imagined in the sixteenth century.

St German's advocacy of vernacular common law and his English-language legal texts demonstrate a shift in the place of law during the early decades of the sixteenth century. Greater numbers of people were involved in legal cases as a result of land disputes caused by the wars in which Fortescue participated, and as the common law courts enjoyed a resurgence of popularity for these plaintiffs to attempt their suits.<sup>120</sup> St German argued that the way to ensure order and consistency throughout these different jurisdictions was to establish the king as the single source of all the realm's laws. Lawyers could be called upon to make suggestions about the monarch's decisions, fulfilling the crucial role of counsel that accompanied the king's imperial powers.

Starkey too understood that parliament could be a site for the extension of formal political counsel in the kingdom. However, he believed that the king needed to be served by a permanent, formal body of counsellors who would prevent tyranny by advising him even when parliament was not in session. The king was clearly the head of the body politic, but Starkey developed a plan that would restore the nobles to their earlier role as the king's natural advisors. Starkey hoped that reviving the role of Constable of England would help to preserve the common good by ensuring that an independent opinion could be expressed to the king to aid him in his decision-making. The Constable would be free to dispense advice that was not bound to the king's favour or his personal wishes. In this figuration, the king and the nobility together were the polity's head, the king merely one among many nobles who helped give the commonwealth direction and justice.

Fortescue, St German, and Starkey all had access to legal knowledge through their status as lawyers. They all had first-hand experiences that shaped the way they thought about the law and the ways that justice could prevent tyranny. They engaged with and deployed a legalistic framework and vocabulary that sought to preserve the common good. The language they used was rooted in earlier ideals regarding the commonwealth, and recalled classical republicanism not only as a trope but also as a

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<sup>120</sup> Brooks, *Law, Politics and Society*, 278-85; Ives, *Common Lawyers*, 7-13.

genuine possibility. The audiences they selected indicated their imagined positions with respect to the government of the realm: they all regarded themselves as having a privileged knowledge of the law, and believed that they needed to compel their audiences to share in the knowledge that they had. They all believed that the law was the foundation of the commonwealth: without the justice ensured through the right and consistent application of law, the commonwealth would fall into a tyrannical state. Fortescue argued that the law was so important that the princes of the realm should know it as well as they knew their weapons. St German believed that the law should be recorded in English so that the people knew it, and could better keep it. For Starkey, the study of the law should be restricted to the nobility, whose virtues could be diffused through the law to the rest of the populace. For all these legal writers, the law was a conduit through which the realm's virtues were diffused through the polity. It mattered to them who wrote and interpreted the law, as there was a close correlation between the virtues of these individuals and the dispensation of justice. Near the end of his *Dialogue*, Starkey writes that the particular details of how to train those who 'schold be true lordys & masturys' in virtues was a topic that would require 'a [w]hole book', and leaves the topic.<sup>121</sup> Whether he intentionally or coincidentally took up Starkey's proposition is difficult to determine but this is one of the tasks that another law practitioner, Thomas Elyot, took up in his publications. These are addressed in the following chapter.

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<sup>121</sup> Starkey, *Dialogue*, 125.

## Chapter 2

### Counsel and the Political Elite

In the chapel royal on 2 April 1536, the preacher addressed a congregation composed of members of the king's household, prominent nobles, members of parliament, the kingdom's political elite, and the king himself, all gathered to observe Passion Sunday.<sup>1</sup> This Sunday marked the beginning of the two week long introspective Passiontide period within the penitential season of Lent. This service must have had an even larger attendance than usual: the ecclesiastical convocation was meeting alongside parliament, whose current session had convened in February. Court may have been busier than usual with influential members of parliament and convocation hoping to attract additional royal favour. The man selected to deliver the sermon on that Sunday was John Skip, prebendary of the chapel royal and an almoner to Anne Boleyn. Skip would have been well aware of the composition of his audience that Sunday and he drafted his sermon with the political elite in mind. Though he used the prescribed Gospel lesson of the day as a guide for his sermon, the themes he chose to address and the anecdotes he selected to clarify his points were primarily related to the concerns many members of his audience would have been contemplating at convocation or in parliament. In addition to the problems of vagrancy, poverty, and the implementation of justice throughout the realm, the political elite were developing the legislation pertaining to the impending monastic dissolution. They were considering who should facilitate the seizure of ecclesiastical properties, and what should be done with the proceeds once they were collected.<sup>2</sup> Skip had opinions about these matters, too. He had an attentive audience, including the king, and the chance to share his perspective on the contemporary political atmosphere; he seized his opportunity. As Skip stepped into the pulpit to deliver his message, he willingly walked directly into a controversy.

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<sup>1</sup> A document investigating the sermon confirms the attendance at the sermon of members of the Council, SP 1/103 fos. 75-81; for their accounts of the sermon, see also G. W. Bernard, 'Anne Boleyn's Religion', *HJ* 36, no. 1 (1993): 13-18; E. W. Ives, 'Anne Boleyn and the Early Reformation in England: The Contemporary Evidence', *HJ* 37, no. 2 (1994): 395-400.

<sup>2</sup> Stanford Lehmborg, *The Reformation Parliament, 1529-1536* (Cambridge: Cambridge University Press, 1970), 224, 230-1, 244-5.



This chapter will examine how the aristocracy and the upper clergy participated in the political process of the Reformation by examining representative texts written by some of their ranks. It will argue that members of this elite group deliberately used a political idiom that encompassed commonwealth and conciliar vocabularies in order to join in the debate about who was best-suited to participate in the regime's decision-making processes. The royal supremacy threatened to transform the way these two groups contributed to high politics. One major concern for the clergy was that the break with Rome meant that the king now governed ecclesiastical matters through parliament and through his vicegerent, the layman Thomas Cromwell. This caused tension for the ecclesiastical aristocracy, as it was perceived that their access to leadership positions had been supplanted by new men like Cromwell. Furthermore, distinctions between the political responsibilities of the spiritual and temporal elite threatened to collapse as the new men gained favour at court. Men wishing to speak on the behalf of the aristocracy and upper clergy approached the changes to political authority caused by the royal supremacy through a process of counsel. Men like John Skip and Sir Thomas Elyot used the texts that they wrote as a means to reinterpret the political responsibilities of the realm's elites in light of the royal supremacy. Such writers made use of the metaphor of the polity as a natural body in order to engage with politics and to communicate a political message to their audiences. This idiom was supported with examples drawn from classical history and Scripture to create a rounded political vocabulary and to deliver a pointed message to the intended audience. Ultimately, members of the aristocracy and the upper clergy who used political discourse did so in the attempt to present their best versions of the commonwealth and to argue for their continued importance in the new social hierarchy caused by the royal supremacy.

Recent accounts of the English Reformation have uncovered the popular politics of religious change and have shown how ordinary people engaged with the political process of religious reform through the reception of texts. Tom Betteridge has shown that literature helped individuals navigate the changes brought about by the Reformation while Susan Wabuda has focused on the ways that popular preachers helped articulate religious changes and doctrine throughout the course of

the Reformation in England.<sup>3</sup> Another strand of Reformation historiography has argued for Henry VIII's personal involvement in religious policy, identifying him as the primary driving force behind doctrinal reforms and religious change during this period.<sup>4</sup> Much of this scholarship has thus focused on the reception of reformative measures by socially diverse audiences, from those gathered at Paul's Cross to hear evangelical sermons and local parish responses to official reformative measures and the religious factions who competed with each other for the king's ear. Often missing from these studies is attention to the ways the aristocracy and upper clergy responded to the reforms in the texts that they produced. This chapter will examine the language used by representatives of these groups with the aim of establishing how they interpreted and negotiated their changing political roles in light of the supremacy.

The theme of counsel was the most significant preoccupation for writers who engaged with politics during the early Reformation era and was typically situated within a larger discourse about commonwealth. The king claimed imperial authority through the break with Rome. This *imperium* had implications for the way the king exercised his authority, granting him power over the realm's ecclesiastical sphere in addition to the temporal.<sup>5</sup> This imperial status also changed the way that those around the king exercised power. According to the customs of the realm, the king's *imperium* necessitated counsel, whether it came informally from his nobles or formally from councillors at court or in parliament. This hierarchy was reinforced by an understanding of parliament as a more formal version of earlier kings' great councils. Here, the feudal-baronial tradition of counsel evolved into what Jacqueline Rose terms a 'parliamentary counsel'.<sup>6</sup> The powers of the kingdom's 'other

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<sup>3</sup> Tom Betteridge, *Literature and Politics in the English Reformation* (Manchester: Manchester University Press, 2004); Susan Wabuda, *Preaching during the English Reformation* (Cambridge: Cambridge University Press, 2002).

<sup>4</sup> G. W. Bernard, *The King's Reformation: Henry VIII and the Remaking of the English Church* (New Haven and London: Yale University Press, 2005); Richard Rex, 'The Religion of Henry VIII', *HJ* 57, no. 1 (2014): 1-32; Alec Ryrie, 'Divine Kingship and Royal Theology in Henry VIII's Reformation', *Reformation* 7 (2002): 49-77.

<sup>5</sup> John Guy, 'Rhetoric of Counsel in Early Modern England', in *Tudor Political Culture*, ed. Dale Hoak (Cambridge: Cambridge University Press, 1995), 292-3; Anthony Musson with Edward Powell, eds., *Crime, Law and Society in the Later Middle Ages* (Manchester and New York: Manchester University Press, 2009), 19-20

<sup>6</sup> Jacqueline Rose, 'Kingship and Counsel in Early Modern England', *HJ* 54, no. 1 (2011): 50.

governors', the elite of these two realms, were consequently re-inscribed. This encouraged close scrutiny of the influential advisors who immediately surrounded the king and invited investigations into political values. The new learning, with its appreciation of classical definitions of virtue, prompted tension between its proponents and the traditional elite who generally did not receive this education. This second group instead valued a customary understanding of virtue and authority. The traditional elite believed in the inherent virtue of the gentry and nobility, and wished to retain this group's place in the hierarchy as the king's natural advisors. Members of both groups strove to participate in high politics, and both groups saw themselves as the realm's protectors, responsible for keeping their prince's natural tendencies towards tyranny in check through the application of their political expertise. Questions of nobility at the highest level of the social order and access to power were therefore framed in terms of counsel. Such terminology provided a framework and the basis of a political idiom that the temporal and ecclesiastical elite could use as they reinterpreted their positions in the realm in light of the royal supremacy. The theme of counsel emerges in John Skip's sermon and across the body of work written by Thomas Elyot during this period. These texts provide an opportunity to examine political themes away from the formal context offered by parliament.

The break with Rome had a transformative impact on the relationship between crown and clergy. These changes were largely enshrined in statutory law through the 1533 Act for the Submission of the Clergy but are also present in the dissolution of the monasteries, the supplication against the ordinaries, and the anticlerical sentiment fostered by the body of legal texts written in support of the royal supremacy theorised by Christopher St German.<sup>7</sup> In the Submission of the Clergy, the Church renounced its authority to create canon law without the crown's approval. This Act had been ratified in Convocation in April 1532 before its approval by parliament the following year.<sup>8</sup> The Submission of the Clergy, then, enshrined in law a change in the dynamic between temporal and ecclesiastical power, clearing the way for the re-imagining of this relationship in the fictive body politic.

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<sup>7</sup> 25 Henry VIII, c. 19 (*Statutes* iii. 460-61).

<sup>8</sup> Lehmborg, *Reformation Parliament*, 149-53.

The power dynamic between the crown and the clergy was met with overt change over the course of the Reformation Parliament; however, the strategy the crown directed at noble power was more subtle. Like the clergy, the aristocracy were encouraged to consider parliament as an occasion for the exercise of power, a pattern that began with Henry VIII's reign. Henry used parliament as an opportunity to enhance his prestige by ennobling or elevating peers when parliament was in session. This practice helped to ensure that the requisite ceremonies were well-attended, and celebrated the prestige and wealth of the nobles and the king who rewarded them. G. W. Bernard has shown that, when compared to the nobility of the fourteenth and fifteenth centuries, the sixteenth-century nobility was not subject to a decline in fortune or political prestige. Instead, the crown relied on the nobility to aid in governing the realm and shared a number of interests with the nobility, including the benefits of peace in the kingdom and the rule of law.<sup>9</sup> Helen Miller's study of the English nobility reached similar conclusions, arguing that Henry carefully balanced the ennoblement of new peers alongside the elevation of other nobles and avoided excessive grants of honours as a way to preserve the nobility's status and prestige.<sup>10</sup> However, she points to the establishment of a formal council as a change in the way that noble power was exercised at the centre. Office-holding, rather than noble status, became the most certain route to a position on the privy council and the political power that accompanied such a role.<sup>11</sup> Together, these studies show that the place and work of the nobility, though not the status of the nobility, underwent a change during the early stages of the Reformation. Though the crown still relied on the nobility for support and prestige, the power dynamic was itself re-written in the formalisation of the council, leading to a perceived change in the contours of the imagined polity.

Elyot and Skip exemplified the political roles of the aristocracy and upper clergy during one of the most contentious periods of the Reformation Parliament. They used their texts, whether written or spoken, to fulfil their role of counselling the

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<sup>9</sup> G. W. Bernard, *The Power of the Tudor Nobility: A Study of the Fourth and Fifth Earls of Shrewsbury* (Sussex: Harvester Press, 1985), 173-85.

<sup>10</sup> Helen Miller, *Henry VIII and the English Nobility* (Oxford and New York: Basil Blackwell, 1986), 6-37.

<sup>11</sup> Miller, *Henry VIII and the English Nobility*, 111-6, 132.

king and to participate in the political process through the idiom they used. The work they produced reveals the fear that the traditional role played by these groups was fading away. This diminishment of elite political power was the result of two factors. First, they believed they were being replaced with men who enjoyed the benefits of the new learning, figures like Cromwell and members of his circle, who were respected for the education they received. Although they did not discount the merits of a humanist education, the traditional elites questioned whether such men could possess the requisite virtue that such a role required, or attain this virtue through learning alone. The second factor was the royal supremacy. As the king was regarded as the head of both temporal and ecclesiastical alike, the elite of these two realms feared that their distinctive qualities were eroding and collapsing into one. The texts that Elyot and Skip produced used contemporary languages of power to draw attention to matters that concerned them and to propose solutions to these problems. What is significant about the texts that Elyot and Skip wrote during this period is their attempt to use their positions as members of elites within the social hierarchy to address numerous audiences at once. Furthermore, they used rhetorical forms that were appropriate to their positions as a means for engagement with their audiences and as a platform for the suitable political language.

#### Exemplary Counsel: Thomas Elyot's Fictive Entreaties

Greg Walker has shown that, over the course of the 1530s, Elyot wrote and printed a series of dialogues, political treatises, and translations in an attempt to persuade the king to heed his advice about the pace of reforms and the responsibilities of the well-counselled prince. Elyot was afraid that the king had eschewed too many of the traditional elite from his council and had become detrimentally reliant on a small group of obscure and evangelically-driven reformists.<sup>12</sup> This section will complicate Elyot's use of counsel during the early stages of the Reformation by arguing that he deployed this rhetorical strategy within a larger conversation about the changing nature of political authority in the early 1530s. Elyot's works from the first half of this decade, most notably the satirical dialogue *Pasquil the Playne* and his translation of Isocrates' mirror for princes

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<sup>12</sup> Greg Walker, *Persuasive Fictions: Faction, Faith and Political Culture in the Reign of Henry VIII* (Aldershot: Scolar Press, 1996); Walker, *Writing under Tyranny: English Literature and the Henrician Reformation* (Oxford: Oxford University Press, 2005), 256-8.

known as *The Doctrinall of Princis*, employ a political idiom that signal his participation in the debate about the changes in the exercise of authority. The idiom Elyot uses includes classical allusions, the importance of giving counsel rather than remaining silent, and the need for honesty in advice and in appearance. Elyot selected rhetorical forms that indicate his desire to engage with numerous audiences, including the king. Close examination of the language he deploys in these works reveals the tensions between royal and elite power, and between temporal and spiritual authority, in light of the royal supremacy.

The textual form that Elyot used helped to form one element of his argument. The form provided the rhetorical space for the political language that was deployed within the text, and signalled to the audience how they should read the characters presented within each text. The literary conventions of the dialogue allowed readers to weigh the perspectives on a topic each character presented, selecting for themselves which course of action was the best based on that evidence. The dialogue provided a good model for showing how counsel worked by putting the reader into the role of the counselled prince. When Elyot used the satirical mode of the pasquinade, as he does in *Pasquil the Playne*, readers familiar with this form of satire knew that they should regard the characters' words as a satirical exaggeration. The pasquinade was a unique form of satire tied to the tradition of attaching irreverent verses to a Roman statue known as Pasquino on St Mark's Day. Drawing on a Venetian tradition provided a degree of protection for Elyot, as any offensive or questionable content of the work could be attributed to the text's satirical mode rather than Elyot himself. The distance between text and satirist is emphasised in the preface, where Elyot stresses that this is 'a mery treatise, wherin plainnes and flateri do come in trial', a text whose themes are 'merily brought in', thereby downplaying the gravity of the language used in the text.<sup>13</sup> Elyot used the dialogue in conjunction with satire, as in the case of *Pasquil*, and translations such as *The Doctrinall of Princes*, as methods for modeling effective counsel for his readers. In this text, the character whose advice should be followed, the statue Pasquil come to life, is easy to identify. Elyot was able to address diverse audiences by blending together different literary modes and was able to imply various political meanings through the languages he used.

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<sup>13</sup> Thomas Elyot, *Pasquil the Playne* (London: Thomas Berthelet, 1533; STC 7672), Sig. A1<sup>v</sup>, Sig. A2<sup>r</sup>.

Elyot deployed satire to attack those he thought exerted an unwarranted degree of influence on the king. In the fictive dialogue *Pasquil the Playne*, first printed in 1533, he presents two such groups: those who flatter the prince and those who remain silent, refusing to offer their opinion despite their expertise and nearness to the prince. These two types of dangerous counsellors, embodied in the characters of Gnatho as the first type and Harpocrates as the second, were ultimately too dependent on maintaining the prince's favour to impart genuine advice. Although it is suspected that Gnatho represented an interchangeable group of recently-promoted evangelicals, consensus has determined that the character of Harpocrates was intended to parody Thomas Cranmer.<sup>14</sup> Cranmer epitomised those relatively obscure courtiers who had risen quickly at court: despite holding only minor church office, he was appointed Archbishop of Canterbury in 1532, bypassing likely candidates like the long-serving Bishop of Durham, Cuthbert Tunstal. Elyot may have held personal resentment against Cranmer as well: Cranmer replaced him as ambassador to the Holy Roman Empire in early 1532 after an unsuccessful diplomatic stint.<sup>15</sup> The identity of Pasquil, the plain-speaking figure, has been identified as either Elyot or as an extreme figure based on no particular person.<sup>16</sup> In reading Elyot's *Pasquil* as a Lucianic, rather than Platonic or Ciceronian, dialogue, Arthur Walzer concludes that these central characters are simply broad types representing three very different approaches to counsel rather than each character standing for a specific individual.<sup>17</sup> Elyot's aim is likely to do both: the king and members of the court who read *Pasquil* would probably be able to recognise the figures Elyot is mocking in the satire; however, a general audience may have been less likely to know the identity of Elyot's targets but could have inferred who he was suggesting. The satirical mode once again worked in Elyot's favour, as he could simply claim it was one type or another in order to avoid offence. *Pasquil* likely achieved some success in the

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<sup>14</sup> Alistair Fox, 'Sir Thomas Elyot and the Humanist Dilemma', in *Reassessing the Henrician Age: Humanism, Politics and Reform, 1500-1550*, edited by Alistair Fox and John Guy (Oxford and New York: Basil Blackwell, 1986), 69; Stanford Lehmborg, *Sir Thomas Elyot, Tudor Humanist* (Austin: University of Texas Press, 1960), 119; Walker, *Writing under Tyranny*, 184-5.

<sup>15</sup> Fox, 'Elyot and the Humanist Dilemma', 61, 63-4; Lehmborg, *Sir Thomas Elyot*, 100-1; Walker, *Writing under Tyranny*, 188.

<sup>16</sup> Walzer, 'Rhetoric of Counsel in Thomas Elyot's *Pasquil the Playne*', *Rhetorica* 30, no. 1 (2012): 6.

<sup>17</sup> Walzer, 'Rhetoric of Counsel', 5-6.

marketplace, and Elyot produced a second, less hostile edition after its first anonymous printing. The strategy of dedicating satire to the king, however, was ultimately fruitless. While *Pasquil* reflects Elyot's fear that Henry had become too reliant on a small group of counsellors much like those he satirised, his objective of attempting to secure an invitation to return to court through this literary work failed, and his warnings continued to go unheeded by the king.

*Pasquil* is a fictionalised conversation between Pasquil and Gnatho, with Harpocrates joining them later. A discussion about which kinds of counsellors best serve the commonwealth ensues after Pasquil discovers he disagrees with Gnatho on the meaning of a maxim posited by Aeschylus. Aeschylus instructed counsellors to wait for the right moment to advise their princes. Gnatho understands this to mean that they should only tell their employers what they want to hear.<sup>18</sup> Pasquil vehemently disagrees, and Elyot has primed his audience to disregard Gnatho's opinions as well. In the preface, Elyot encourages his readers to 'consider diligently the state and condition of the person that speketh with the ordre and conclusion of his hole reason'.<sup>19</sup> When he is introduced, Pasquil is taken aback by Gnatho's appearance, even accusing him of dissembling. Gnatho wears a mixture of different clothing, ranging from an ostrich feather in his cap, worn in a style appropriate for an apprentice, to a lawyer's gown and a clergyman's tippet.<sup>20</sup> As surprised as he is by Gnatho's apparel, Pasquil is even more astonished by the two books he carries: the *Novum testamentum* and an edition of *Troilus and Chreseyd*. He exclaims, 'what discorde is bytwene these two bookes? yet a great dele more is there than in thyn apparayll. And yet moost of all betwene the boke in thy hande and thy condicions. As god helpe me, as moche as betwene trouth and leasyng'.<sup>21</sup> Gnatho's clothing marks him as someone who should not be trusted: he has combined too many different elements to mark him as belonging to any of the groups his clothing represents. The books Gnatho carries further add to confusion about his identity: they point to a mind as divided as the clothing on his body. Such clear visual cues

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<sup>18</sup> *Pasquil*, Sigs. A5<sup>v</sup>-A6<sup>r</sup>.

<sup>19</sup> *Pasquil*, Sigs. A2<sup>r-v</sup>.

<sup>20</sup> *Pasquil*, Sig. A3<sup>v</sup>.

<sup>21</sup> *Pasquil*, Sig. A4<sup>r</sup>.



indicated to readers that the opinions this figure presents in the dialogue should be questioned, as should those of their real-life counterparts.

Elyot tried to show how inappropriate it was for the king's counsellors to mix different types of expertise by exaggerating the accessories that Gnatho displayed on his body. Gnatho's outward appearances blended together too many different degrees, or 'condicions', from the social order, leaving him with no clear purpose or special expertise. His apparel represented a mixture of different kinds of knowledge: the lawyer's gown and clergyman's tippet suggesting the advanced education appreciated by the king at the time Elyot wrote the piece but the apprentice's cap and feather belying these symbols and implying less gentle origins. The two books indicated further discord within the figure of Gnatho: the Latin New Testament was an appropriate text to guide a learned clergyman but the vernacular romance was an entertainment piece, and unsuitable as a guide for the work of clerics, lawyers, or apprentices. Elyot uses the visual cues projected onto Gnatho's body to argue for the clear delineation between social degrees, a clarity that was under threat as a result of the royal supremacy. If those who advised the king were confused in their knowledge, the king would be equally confused in discerning what elements of their advice were sensible. The commonwealth would suffer if the clear distinction between the social realms was lost.

If Gnatho represented one dangerous kind of counsellor, Harpocrates was an equally ineffective type. Gnatho, with his confused dress, is visually distinctive. In contrast, Harpocrates has a generic appearance, and is merely described as someone who 'semeth a reve[n]de p[er]sonage'.<sup>22</sup> Gnatho describes for Pasquil the dynamic of the working relationship he and his typically silent counterpart share: 'we bothe have one mayster. And whan he spekethe, or doethe any thyng for his pleasure: I studye with wordes to commende it. If my couseyn stande by, he speketh littell or nothyng but formynge his visage in to a gravitie with silence, loketh as if he affirmed all thyng'.<sup>23</sup> This silent tactic, which Harpocrates adopted as a 'student at Bonony', satirises the Italian-educated members of Henry's court.<sup>24</sup> The silence is described as sugary, rather than salty or savoury, suggesting that someone like Harpocrates

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<sup>22</sup> *Pasquil*, Sig. B4<sup>r</sup>.

<sup>23</sup> *Pasquil*, Sig. B4<sup>r-v</sup>.

<sup>24</sup> *Pasquil*, Sig. B4<sup>v</sup>.

consistently sacrifices the common good for affability at every opportunity.<sup>25</sup>

Though Harpocrates's appearance identified him with a position and level of expertise, his affability rendered him as superfluous because of his silence.

Harpocrates refused to use his knowledge for the common good. In his presentation of Harpocrates, Elyot reminds his readers that advisors needed to be evaluated for the quality of the advice they offered; sober appearances alone were not enough to guarantee that any counsellor was worth the office he was entrusted to hold.

The discussion between Pasquil, Gnatho, and Harpocrates centres on the usefulness of speaking in matters of state. Elyot uses the metaphor of the polity as an organic body to help illustrate the troubles for the commonwealth that superficial counsellors could create. In this discussion, Elyot reverses the trope of the prince as physician in order to demonstrate the danger such figures as Gnatho and Harpocrates inflicted on unsuspecting commonwealths. In Elyot's alteration, the king is a patient rather than a physician. Princes, like other patients, are susceptible to injury and disease but the prince's illnesses could have consequences for the rest of the body politic. Pasquil points to the differences between surface-level cosmetic injuries and the real harms that could hurt a body politic. Pasquil argues that neither 'a knocke on the heed, though it be to the scull' nor 'a wipe over his face with a sworde' can render permanent damage to a prince or his realm. These things can hurt, and even transform, the prince externally but such wounds heal. More dangerous are the 'yvell affection thrust in to thy maisters braynes by false opinion' and vice, which 'deforme his soule & deface his renome, wherby he is further knowen than by his phisonomy'.<sup>26</sup> This observation reveals the significance of the prince's reputation. Pasquil's comparison between these two sets of wounds indicates two of a prince's responsibilities: military defence and providing a stable commonwealth. The battlefield injuries are external to the prince's body yet their consequences are much easier to allay as they generally harm only the prince's natural body, and usually temporarily. The other kind of hurt particular to princes is no less violent than the warfare injuries but is much more pernicious in Elyot's formulation. The 'evil' outlook planted in the prince's mind by false counsellors threatens to destabilise the

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<sup>25</sup> *Pasquil*, Sigs B4<sup>v</sup>, C1<sup>r</sup>.

<sup>26</sup> *Pasquil*, Sig. D1<sup>r</sup>.

realm by destroying the prince's soul and his good reputation, thereby leaving it open to dangers.

Pasquil links the symptoms of an improperly counselled prince to vice, wondering, 'Is there any poison can make him to be so abhorred of man, as avarice, tyranny, or be[a]stly livynge shall cause hym to be hated of god and of man universally?'<sup>27</sup> Although the damaging opinions come from a source external to the prince, once inside his mind, they soon spread to the rest of the body politic as though he had ingested a poison, a comparison Pasquil makes before examining these illnesses unique to princes.<sup>28</sup> In the dialogue, the two counsellors are cast as ineffective physicians who are unable to help their ill patient-prince. When Harpocrates mocks him for speaking like an apothecary, Pasquil rejoins that 'I have knowen a wyse poticarie done moche more good, if he were trusted, than a folyshe phisition'.<sup>29</sup> Elyot here suggests that the proper role of the king's counsellors is to offer the kind of technical expertise that apothecaries do, having knowledge of poisons as well as sweet and savoury spices. The use of this comparison implies that it is not enough to know policy by sight; instead, effective counsellors must distinguish between healthy and harmful through other means.

Translation was another method Elyot used to subtly offer advice to Henry VIII. His *Doctrinall of Princis*, a translation of work Isocrates wrote to guide his pupil and future king Nicocles, was presented to Henry as a New Year's gift for 1534.<sup>30</sup> The *Doctrinall* is a collection of phrases describing how best to rule a kingdom. The medium of translation provided Elyot with a number of opportunities: he could showcase his skills in rhetoric and ancient languages but could more importantly use the translation to provide some distance between himself and his implicit criticism of the king. Elyot exploited the parallels between the ancient prince and his own king to extend his advice without being dangerously blatant in his commentary. He was therefore able to filter his own concerns about the king's movement towards tyranny through the historical figure Isocrates while denying his

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<sup>27</sup> *Pasquil*, Sig. D1<sup>r</sup>.

<sup>28</sup> *Pasquil*, Sig. C4<sup>v</sup>; the comparison appears again later, at Sig. D2<sup>r</sup>.

<sup>29</sup> *Pasquil*, Sig. B8<sup>r</sup>.

<sup>30</sup> Thomas Elyot, *The Doctrinall of Princis* (London: Thomas Berthelet, 1533?; STC 14278); Walker, *Writing under Tyranny*, 64, 66.

criticisms were directed at specific members of the king's council. The most significant drawback to this approach was if the intended audience did not recognise the parallels between the two situations. If these similarities went unobserved, then the suggestions provided in the translated text would not be implemented. Translation could therefore provide a route for addressing the king but it ran the risk of being too subtle and therefore unsuccessful in its execution.

*The Doctrinall of Princis* was initially directed at the very limited audience of the king but the translation additionally provided for Elyot the means to reach a wider audience beyond court. *The Doctrinall* was printed by Thomas Berthelet, possibly in 1533, in conjunction with its presentation as a gift and was later reprinted in 1550. The preface to the earlier printed edition explains that Elyot had undertaken this 'litle exercise' so that those who 'do not understande greeke nor latine, shoulde not lacke commoditee and pleasure, whiche may be taken in readyng therof' and to impart to his readers 'profitable counsaile and lernyng'.<sup>31</sup> This statement shows that the text was directed at an array of audiences but the humanists at court were not at its core. Rather than inviting the circle of humanists at court to check his translation, as these scholars often did with their own works, Elyot presented this text to the ruling elite who were lacking in knowledge of the ancient languages as a service to them and to the commonwealth. Elyot believed that *The Doctrinall* provided some intellectual value to his contemporaries. Like *Pasquil*, *The Doctrinall of Princis* taught its readers how to test counsellors to determine if they were good or merely flatterers. For example, Elyot subtly reminds readers that 'goodes may be gotten by fame, but good fame canne be bought with no money', thus encouraging them to pursue honesty over materials.<sup>32</sup> Elyot strives to achieve two outcomes with this translation: first, he once more seeks to influence the king, hoping to persuade him to retain the traditional aristocracy as his counsellors; and, second, he provides a model of good counselling to the temporal elites who lacked the classical training through the form of the dialogue and through the message of the text he translates.

Elyot exploited the distance offered by the medium of translation with respect to his primary audience, the king. This strategy allowed him to filter his own concerns about the king's movement towards tyranny through the words of the

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<sup>31</sup> *Doctrinall*, Sig. A2<sup>r</sup>.

<sup>32</sup> *Doctrinall*, Sig. B1<sup>r</sup>.

historical figure Isocrates while denying his criticisms were directed at specific members of the council. The key danger *The Doctrinal* identifies is that of flatterers who surround the prince and encourage him to rule with a distorted image of his realm's affairs. The solution the text advocates is to foster a strong aristocracy. This strategy is suggested in a discussion of the king's friends. Isocrates encourages his prince to seek friendship with 'neither those, with whom thou shalt live pleasantly, but with whom thou maiest governe thy countrey most surely'.<sup>33</sup> The aristocracy are here presented as a prince's partners in ensuring stability throughout the realm despite occasional disagreements or personal clashes. The need for the prince's counsellors to remain a group largely independent from the king was highlighted in the translation. Isocrates encourages his prince to 'geve to wise men libertee to speake to thee freely: that in thynges, wherof thou doubttest, thou maiest have them, with whom thou maiest trie out the certaintee'.<sup>34</sup> This provided a safety valve that allowed the prince to receive sound advice about matters without wasting time and resources on fruitless endeavours. A prince who would receive good counsel without a predetermined outcome would serve the commonwealth best in the end.

To his secondary audience, the nobles, Elyot offers encouragement. Through Isocrates, he poses a problem for this group: 'many men dare not approche [princes], and thei that kepe them companie speake alwaie to please them'.<sup>35</sup> As a result, princes became unaware of necessary information and sometimes enthusiastically pursued inadequate or even ruinous policies. At the very worst, these are the princes who are most prone to tyranny. Elyot reminds both audiences 'it is expedient to take counsaile, and examine suche actes as be in daily experience'.<sup>36</sup> The king could only take advice if it was given, and they needed to fulfil this duty despite any apprehensions about approaching the king. Neglecting this responsibility would mean that the kingdom had fallen to tyranny. *The Doctrinal of Princes* situates the aristocracy as the king's allies as they maintain the realm's stability. It acknowledges the king's *imperium* throughout, and identifies independent counsel as the sole

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<sup>33</sup> *Doctrinal of princes*, Sig. B2<sup>v</sup>.

<sup>34</sup> *Doctrinal of princes*, Sig. B3<sup>r</sup>.

<sup>35</sup> *Doctrinal of princes*, Sig. A3<sup>v</sup>.

<sup>36</sup> *Doctrinal of princes*, Sig. A4<sup>v</sup>.

remedy for tyranny. Although Elyot applied imagery and rhetorical strategies that were similar to those utilised by the humanist scholars at court, he hoped to achieve a different outcome. The rapid advancement of obscure humanists demonstrated that virtue could spring from surprising origins, contributing to an atmosphere that rewarded demonstrations of virtue ahead of traditional manifestations of nobility. Elyot nevertheless remained suspicious of individuals who actively sought the king's favour and promotion. He thought the commonwealth was best served by a group of counsellors who did not rely on the king's favour for advancement or monetary gain. He believed tyranny could only be avoided if the prince was willing to hear the advice of his counsellors; but this advice was contingent on the prince's receptiveness and the ability of virtuous counsellors to extend it. Elyot acknowledged the benefits of the classical education the new elite at court had received but maintained it would be more beneficial to the commonwealth if the traditional aristocracy learned its lessons. This translation taught this group how they should execute their duties as the king's natural counsellors.

In practice, Elyot's literary works deferred to the monarch's *imperium*. His printed words represented those he would have spoken to the king had his opinion been sought. The texts acquired a performative function: he advocated a specific kind of counsel – advice from the traditional aristocracy rather than the rising elite – while at the same time extending this advice from the very position his texts championed. But Elyot's opinions were unsolicited and filtered through spatial distance, the passage of time, and print. The subtleties caused by fictional discussions of the problems Elyot perceived at court, and his sometimes multidirectional or imprecise audience, may have undermined the reception of his intended message. The king was free to read and refer back to the documents' suggestions whenever he wished but there was no stipulation that he must read them in the first place. Over the course of about a decade, Elyot printed at least eight texts on the theme of properly governing a kingdom aimed at attracting the king's attention. The success of these attempts to influence the king was negligible. He ultimately failed to achieve a permanent place in the king's council or to regularly extend political advice because of an inattentive audience.

Elyot maintained a conservative position with respect to counsel and political advancement. Elyot implied that the aristocracy were inherently more virtuous than the majority of their learned counterparts by dedicating his texts to the traditional

elites. The figures representing the new learning he presents are flatterers or divided within themselves; they are somehow compromised or monstrous and therefore inadequate to serve in important state capacities. He declined to extend his analysis to the entire body politic, preferring instead to focus on the metaphorical bodies of the politiques who surrounded the king. Elyot remained focused on political issues pertaining to the temporal sphere. He declined to comment on the best way to bring the clergy into submission following the Act of Supremacy, and he also remained silent on the topic of how all the secular social orders could contribute to the common good of the entire realm. Though he and the humanist courtiers shared an interest in ensuring the commonwealth's prosperity, the new elites' dependence on patronage left Elyot wary of them. His scepticism is best summarised in a phrase from *Pasquil the Playne*: 'I had wende all this whyle, that by nature onely thou haddest ben instructed to flatter, but by saint Jone I se[e] now... it were a crafte gathered of lernynge and scripture'.<sup>37</sup> The texts Elyot wrote throughout the era of the Reformation Parliament provided a model for extending counsel that the noble elite and others in positions of authority around the king could follow. He hoped that those who heeded his advice could restore a commonwealth harmed by ineffectual counsel.

Elyot's efforts to capture the attention of the king and the realm's political elite were undermined by his intended audience's lack of interest but his contemporary John Skip found himself in the opposite predicament in the spring of 1536. His highly political Passion Sunday sermon was preached before the audience of the king, high-ranking courtiers, and parliamentarians with the consequences of an investigation on suspicion of treason and possible interrogation. In addition to the deployment of similar rhetorical devices, Skip's single sermon and the bulk of Elyot's work shared analogous political themes. Both men were clearly concerned about the rapid rise of some prominent members of court, even though they differed in their solutions to the problem of the king's counsellors. The two writers' agendas differed greatly, with Skip hoping to change the business of the parliament in session and defending Anne Boleyn in contrast to Elyot's more general appeal to uphold the quality of advice the king received from his counsellors. They were both worried about taking the reformation in an overtly evangelical direction. But both men used

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<sup>37</sup> *Pasquil*, Sigs. A5<sup>r-v</sup>.

allusions to events recorded in the Bible or in classical texts to provide clarity about their concerns in the contemporary world. And both used the problem of external appearances to draw attention to the deficiencies they perceived amongst the rapidly rising elite who surrounded the king. They were both afraid that the boundaries between temporal and spiritual were becoming blurred. Both men were certain of their responsibilities to the commonwealth and assured of the influence they wielded. Although they posited the viewpoints of different social spheres, they both hoped their words would achieve the same basic outcome. The difference between Elyot's works and Skip's sermon is the context in which they were received and the attentiveness of the audiences these contexts of reception fostered.

#### Preaching Counsel: Skip's Passion Sunday Sermon

John Skip's Passion Sunday sermon has received some attention from historians, largely in the context of Anne Boleyn's religious inclinations and her sudden downfall in the spring of 1536. It has been used as evidence of her patronage of less evangelically-minded preachers, thereby complicating her religious convictions. Skip was one of the clerics who had supported Henry's divorce when the question was brought before the universities, and he had been made a chaplain to Anne Boleyn and an almoner in 1535.<sup>38</sup> In E. W. Ives's estimation, the queen's connection to the message can be found in the sermon's anti-dissolution sentiment as well as Skip's claim that the universities were in need of endowment. His loyalty to and favour from Boleyn have therefore been used to show that the queen's religious opinions were therefore rather broad instead of strictly evangelical and his sermon has been read as a way for determining when she lost Cromwell's favour.<sup>39</sup>

Beyond the details of Boleyn's personal affairs, Skip's sermon has been viewed through the lens of a characterisation of him as a religious conservative in later life. Skip became Bishop of Hereford in 1539 and retained that position until his death in 1552. His name has been treated as a byword for the kind of cleric who would side with Stephen Gardiner in most religious matters and whose positions

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<sup>38</sup> D. G. Newcombe, 'Skip, John (d. 1552)', *ODNB* (Oxford University Press, 2004; online ed., Jan 2008), accessed 30 March 2015.

<sup>39</sup> Bernard, 'Anne Boleyn's Religion', 13, 14; Ives, 'Anne Boleyn and the Early Reformation', 395; Haigh, *English Reformations*, 187.



were tested by the powerful evangelical majority after Henry's death.<sup>40</sup> From this perspective, the sermon has been seen as a defence of ancient religious customs and one of the first criticisms of the imminent monastic dissolution. Stanford Lehmborg locates the sermon squarely in the midst of the Reformation Parliament, reading it for the clues it could offer about legislative chronology and parliamentary procedure.<sup>41</sup> G. W. Bernard locates Skip's sermon within the larger context of the upcoming June convocation, a meeting whose primary task was to administer the dissolution. He describes the sermon as an overt movement towards religious conservatism within a defence of customary practice: 'in defending ancient ceremonies he was taking the side of those who did not seek any radical reformation'.<sup>42</sup> Diarmaid MacCulloch takes a more nuanced approach to Skip's allegiances, calling the sermon 'a declaration of war' but nonetheless a 'clumsy attempt' to separate the purifying kinds of reforms he supported from those desired by the much more radical evangelicals whose lives often ended at the stake.<sup>43</sup>

These religious contexts for Skip's sermon are valuable for what they reveal about court faction and the trajectory of religious politics over the course of the Reformation. However, the language used throughout Skip's sermon shows that it has another use: the sermon and the cognate documents it produced provide a case study showing an independent intervention into the political problem of religious doctrine during the early stages of the Henrician Reformation. Skip's sermon is a significant moment of political engagement in an unexpected location. The sermon's setting and its highly specific audience set it apart as a unique document amongst the contemporary religious polemics in circulation. It is religious discourse in favour of the royal supremacy despite its criticism of the religious radicals at court who had made that policy possible. The sermon is one part of a rhetorical exchange between the upper clergy and the regime about the role of the ecclesiastical elite in the process of religious reform. Like Elyot, Skip saw a blurring of boundaries between the aristocracy and the elite clergy as the Church was subsumed into the crown's

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<sup>40</sup> Haigh, *English Reformations*, 173; Richard Rex, *The Theology of John Fisher* (Cambridge and New York: Cambridge University Press, 1991), 175.

<sup>41</sup> Lehmborg, *Reformation Parliament*, 244-5.

<sup>42</sup> Bernard, 'Anne Boleyn's Religion', 17, 18.

<sup>43</sup> MacCulloch, *Thomas Cranmer*, 155.

political jurisdiction. Skip used his sermon to offer the king counsel about the dangers of this blending. Skip offered the congregation a religious message in his sermon; he also used the current political idiom to counsel the king and contribute to a larger conversation about the perceived transformation of political power from the pulpit.

Skip took for his sermon text a verse from the day's Gospel lesson: 'Quis ex vobis me arguet de peccato', or 'which of you can convict me of sin?', perhaps by coincidence the story of Christ's willingness to pardon a woman guilty of adultery in sharp contrast to the assembled chief priests, scribes, and Pharisees who wished to stone her to death.<sup>44</sup> In a liturgical context, the lesson is significant because it marked the point at which the Jewish religious authorities decided actively – yet secretly – to pursue Christ's execution. The sermon could therefore subtly resonate with the queen's plight in the spring of 1536. Skip's sermon accomplishes much more than defending Anne Boleyn: he used the pulpit to campaign for the continued autonomy of the ecclesiastical elite. Elyot had argued that the temporal aristocracy needed to be free from the crown's influence so its members could responsibly offer counsel for the prevention of tyranny. Skip's sermon contended that the religious orders needed to retain a similar independence from the crown so they could fulfil their own obligations to the commonwealth. It was their responsibility to keep the kingdom's religion from heresy, its leaders free from vice, and to guide them back to spiritual health if they went astray. The religious orders could only see the ills in the political body's spiritual health if the ecclesiastical estate avoided completely integrating with the temporal realm and if it maintained some autonomy from the crown. Both of these dangers were possible in light of the royal supremacy.

The word Skip uses most frequently throughout his sermon is 'vainglorious'. He identifies the problem of vainglory as the most prevalent crisis beleaguering Henry's court, threatening to destabilise the entire kingdom by undermining a fragile social order. This suggestion that there was something amiss within the company of the ruling elite caused trouble for Skip. He was investigated for his personal religious beliefs and was required to submit a copy of the sermon to his interrogators. Three copies of the sermon, representing various stages of drafting, survive in the State

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<sup>44</sup> John 8:46; the longest and cleanest version of the sermon, which could have been the draft Skip preached from, is SP 6/2 fos. 4-21, and forms the primary basis of this analysis. The other drafts of the sermon can be located at SP 6/6 fos. 43-52 and SP 6/6 fos. 53-55.

Papers, along with Wriothesley's sermon notes, an anonymous account of the sermon, and the document entitled 'Interrogatoryes and articles to be admynystred to the precher whiche preched the sermon yn the Co[ur]te on Passion Sunday'.<sup>45</sup> If Skip was questioned, his responses to the investigators' concerns have been lost. Together, the extant documents provide a valuable case-study revealing how the commonwealth idiom was used as an imaginary rhetorical space to discuss political power in light of the royal supremacy. The documents also demonstrate that audiences looked for the political engagement Skip signalled with his use of language, metaphor, and allegory, and that they were active participants in the construction of political meanings.

Audience was an important factor in the conveyance of political messages during the Reformation. Elyot's attempts to guide king or council were unsuccessful because his audience either never read his works or they were simply silenced amongst all of the other printed and manuscript documents in circulation. Skip's audience was assembled before him with the purpose of hearing his message. By preaching a court sermon, he was speaking directly to those who were already generally convinced that the legislation they pursued during this session of parliament was the best possible for the kingdom. While the sermons preached at Paul's Cross in early 1536 had deliberate political overtones, Skip's first and foremost responsibility with this court sermon was to fulfil a liturgical role. Peter McCullough has shown that court preaching during the season of Lent retained its importance despite the upheavals caused by Henry's Reformation.<sup>46</sup> He has furthermore noted that many of those who preached before Henry at court were 'aggressive' reformers. This had the effect of revealing the tensions and divisions between different types of reformers.<sup>47</sup> Court sermons had an altogether different purpose than those preached at Paul's Cross. While Paul's Cross sermons often clarified the regime's religious positions for the benefit of a wide audience, court sermons were often more contentious, and helped Henry and his religious elite determine what exactly those positions were. Just as Elyot attempted to use the press to advise the king from a distance, so did preachers from the pulpit.

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<sup>45</sup> SP 1/103 fos. 75-81; hereafter referred to as *Interrogatoryes*.

<sup>46</sup> McCullough, *Sermons at Court*, 52.

<sup>47</sup> McCullough, *Sermons at Court*, 54, 55.

Although some of his message resonated with Anne Boleyn's plight, Skip's sermon is much more wide-ranging in its topicality and is less narrowly-focused than its criticism implies. The vocabulary Skip deployed throughout his sermon invited the assembled congregation to think about contemporary political events and concerns beyond the monastic dissolution. Skip constructed a vocabulary of power – incorporating terminology like *body politic*, *commonwealth*, *degree*, *infection*, *nobility*, and *virtue* – to signal engagement with political matters. This vocabulary allowed him to extend problems and solutions that customarily fell into the category of the ecclesiastical sphere into the temporal realm. Additionally, this vocabulary invited Skip's audience to respond to his message from a political perspective. These words signalled that Skip was addressing them not as individuals within a parish or congregation but that he was largely speaking to them as the kingdom's ruling elite, as influential members of court or parliament who understood the political ramifications of the weightier matters his sermon addressed. Skip used the pulpit to defend Anne Boleyn and to urge using the proceeds from the monastic dissolution wisely; he also posed a challenge to the social order by questioning political platforms. The sermon sheds light on only one aspect of this dialogue; significantly, it provided an opportunity for members of the regime to gather and then articulate their own positions on the things they thought Skip had attacked in his document.

The two accounts of the sermon written by courtiers in the audience reveal that Skip's words prompted an interest in the origins of the virtue of nobility within individuals. The two documents share a number of traits and feature a number of similar points. Both accounts appear to have been written primarily for personal edification rather than providing evidence for legal action. Wriothesley and the anonymous recorder noted the multiple echoes resounding between the sermons and the business of the sitting parliamentary session, inferring, for example, that Skip's call to preserve religious ceremonies and other customs was connected to the king's powers over ecclesiastical matters as well as the religious reformation.<sup>48</sup> One striking feature about these accounts is that they both digest the sermon in light of its political implications; both writers interpret the sermon's message from the perspective of the political elite, as individuals who could potentially influence both king and parliament. Skip deploys a vocabulary that invites his audience to consider

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<sup>48</sup> Wriothesley's hand is identified on one account of the sermon in the calendar for this set of documents, *LP X*, no. 615 (3).

the ways his message can be applied to their own commonwealth, and these observations of his sermon readily take up this invitation.

Wriothesley's account of the sermon is straightforward and concise: it is free from either direct quotation or commentary. This conciseness lends the document a tone that suggests it could have been composed from memory later in the same day. Although he records the sermon's theme at the beginning and end of his notes, he mentions neither the preacher's name nor the date it was delivered. This document, which comprises about six pages of notes, simply records points Skip had made in his sermon without expounding the references or adding supplementary comments. Wriothesley identifies a few key things that were particularly relevant to someone in his position at court. He is particularly interested in Skip's thoughts on the origins of nobility as a virtue rather than a social position, Skip's applications of vainglory and charity in their contemporary era, and the dangers to order caused by introducing unfamiliar innovations. The vocabulary Skip applied in his sermon signalled to his audience that he was engaging with political discourse; the way the accounts record his sermon indicates that these recorders responded to this engagement accordingly. The anonymous account, in contrast to Wriothesley, offers more commentary on the sermon, identifies the sources of Skip's allusions to classical thinkers, and provides notes on more of the sermon's themes and arguments.<sup>49</sup> This observer includes a detailed heading unmistakably identifying the particular circumstances of the sermon and its contents. The notes are collected under the heading: 'Heirafter followthe the ser[mon]e of the mooste speciale and principall place whiche maister Skyppe broght in his sermonde sayde w[ithin] the kyngs chappell apo[n] passion sundaye in the ye[a]r of o[ur] lorde 1536'.<sup>50</sup> This chronicler, whatever his identity, offered opinions and observations on the sermon, along with additional notes and explanations of references Skip applied in the text. Perhaps he included this level of detail so that he could return to the notes again for devotional purposes but some of his observations closely resemble the interrogations Skip faced. Like Wriothesley, this observer was interested in the question of whether the intangible virtue of nobility could be inherited. He also noted Skip's comparisons between ancient history and what he termed 'nowadays', is intrigued by Christ's sinless nature and how that shapes

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<sup>49</sup> SP 6/1 fos. 7-10.

<sup>50</sup> SP 6/1 fo. 7<sup>r</sup>.

discussions of guilt in the temporal world, and provides a thoughtful analysis of the question of whether the observation of specific religious ceremonies ultimately did more harm or good for the soul.

The third external document, the *Interrogatoryes*, is an altogether different kind of document. While the accounts were presumably drafted with the objective of serving as devotional aids or for personal edification, this document served an altogether different purpose. The *Interrogatoryes* were devised after the sermon's delivery with the explicit purpose of responding to the sermon's overall message in addition to the political themes within it. This document therefore provided a platform for some of the kingdom's political elite to respond to Skip's insinuations in a formalized manner. The perspectives taken by the interrogators reflected an official position but one that was neither inscribed in law nor broadcast widely throughout the realm. The document therefore captures a glimpse of the political elite as they consider some of the practical consequences of putting the royal supremacy into action, and as they tried to define their own religious positions.

Skip was able to engage with a variety of different political positions by referring to the problem of vainglory repeatedly throughout his sermon; over the course of the sermon, it functions as a shorthand version of the sermon text. He applies a number of different political tropes to vainglory: he pathologises it by regarding it as a deadly disease that infected the body politic; he appeals to social order by invoking vainglory to describe perceptions about social advancement in both secular and religious orders; he uses it to encourage a consideration of virtue with regard to the king's counsel and for the realm's commonweal. Some of these applications were more subtle than others but the surviving accounts and *Interrogatoryes* reveal that the audience registered his rhetorical suggestions. The set – the sermon and the audience's impressions together – form a dialogue about the consequences of the royal supremacy, the king's power in theory and in action, the power relationship between the king and his subjects, and how to best govern a realm.

One way Skip used vainglory was to invoke the anticlerical sentiment common in the reformatory rhetoric. In his sermon text, the chief priests, scribes, and Pharisees were guilty of vainglory.<sup>51</sup> Skip argued that these men, experts in Moses'

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<sup>51</sup> SP 6/2 fo. 5<sup>r</sup>.

Law, were behaving unnaturally: they had become so convinced of their own sinlessness, according to their ability to follow the rule of the law, that they had become hard-hearted and blind to Christ's message. Skip likened them to his own contemporaries who became angry when confronted with the realities of guilty behaviour, considering both groups to be 'infected' with envy and vainglory.<sup>52</sup>

Vainglory was a particularly dangerous malady in Skip's message, for it had the power to infect all the social orders within the body politic. He describes it as the 'poyson herb of vaynglorie', and its danger lay not only in its ability to 'infecte & poyson all oth[er] vertues that it fyndyth in the sowle of ma[n], but also it bryngith w[ith] dyvers & many greate vices therunto'.<sup>53</sup> This vice was not self-contained but capable of contagion. Skip uses vainglory to refer not only to pride and pomposity but also to overreaching one's social degree. He takes this problem, often attributed to his fellow clerics in the manoeuvres leading to the monastic dissolution, and finds a concrete example of it present within the secular orders: the conundrum of excessive apparel. Skip notes, 'we see that many persons do abuse theym selfs vayngloriosly in excesse of apparell many both spirituall & temporall, for the most p[ar]te of all for many thei be of worshipfull estate, then uses vestures of gold or of silv[er], more semely for p[rince]s & p[rin]ces p[e]ers to use'.<sup>54</sup> Here, he complains that individuals of both realms were known to dress themselves in garments and materials reserved for ranks higher than their own. This posturing filtered down to people of 'meaner estate' copying their betters in the acquisition of fine cloths, rich colours, golden chains, and precious gemstones previously restricted to princes, leading to confused identities. Skip argues that the problem was so great that 'a ma[n] can[n]ot well descerne a gent[leman] from a ye[oman], a lord from a gent[leman], a princ[e]s pere from a minor lord'.<sup>55</sup> For Skip, excessive apparel indicated the over-reaching of a social position, leading to a confused and disorderly body politic. It was a deliberately dishonest representation of the self with great consequences for the entire commonwealth: 'vaynglorios excesse of apparell doth

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<sup>52</sup> SP 6/2 fo. 5<sup>v</sup>.

<sup>53</sup> SP 6/2 fo. 17<sup>v</sup>.

<sup>54</sup> SP 6/2 fo. 10<sup>f</sup>.

<sup>55</sup> SP 6/2 fo. 10<sup>f</sup>.

not only bryng many worshipfull p[er]sons to extreme powi[r]te, but also many other people of meane degre'.<sup>56</sup> The acquisition and lavish display of material wealth was perhaps especially alarming for Skip during the most sombre period of Lent, and appeal to sumptuary law was a logical step from the pulpit.

Sumptuary law regulated two areas of consumption: the things people ate and the things people wore. The most recent sumptuary law, the Act in Reformation of Excess in Apparel, was approved by Henry's parliament in 1533.<sup>57</sup> This act banned the ostentatious display of wealth rather than the purchasing or possession of certain goods. Alan Hunt has viewed sumptuary legislation as a response to social transformations often linked to the acquisition of wealth during the transition from feudalism to a market economy. Particularly in the case of clothing, sumptuary regulation acknowledged privilege even as it excluded the lower orders who were sometimes viewed as challenging social stability by mimicking the elite.<sup>58</sup> The legislation was therefore an attempt to control the 'social manifestations of consumption'.<sup>59</sup> Luxury was another important site of discourse in early modern England. Hunt sees it as socially divisive, threatening the stability of the entire commonwealth as individuals placed themselves over the common good in their attempts attain symbolic luxury. Skip's sermon can therefore be seen as a fairly typical response to rapid social change. But the composition of his audience suggests that he used an appeal to a confused body politic for a much more urgent purpose. He invokes the materials and fineries affiliated with luxury in order to draw attention to discord in the commonwealth, seeing it as another symptom of tyranny amongst Henry's courtiers and counsellors, who seemed to be more interested in pursuing individual fineries than ensuring the common good.

Excessive apparel was an example of disorder within the body politic at a material surface level. The practice, Skip charged, was creating a monstrous social body, with misplaced or misshapen limbs replacing the visible code that made possible appropriate interaction between social ranks and estates possible. In

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<sup>56</sup> SP 6/2 fo. 10<sup>v</sup>.

<sup>57</sup> 24 Henry VIII, c. 13 (*Statutes* iii. 430-32).

<sup>58</sup> Alan Hunt, *Governance of the Consuming Passions: A History of Sumptuary Law* (London and Basingstoke: Macmillan Press, 1996), 27.

<sup>59</sup> Hunt, *Governance of the Consuming Passions*, 7.



addition to the visible corruption, Skip also identified something equally destructive yet less obvious in his attack on vainglory: dissembling for advancement. Achieving titles and promotions could be understood as the equivalent of excessive apparel: ‘We see also summe p[er]sons be so vaynglorios, that they do apply all theyr chef stody, in devysing, how they may obteyne the lawde & favo[ur] of their sup[er]iors’.<sup>60</sup> Skip implies that those who applied their energies to determining their superiors’ tastes and interests with the aim of receiving undue advancement from them were just as guilty of deception as those who literally put on the material symbols of high estate. He cautions his audience to be aware of the motivations of those who surround them: those who flaunt their virtues are perhaps the least worthy of all, and he urges this group of elite individuals to be vigilant in their observations of their servants. Skip continues, ‘many tymys they will not a little dissemble, in asserting & affirmyng all arts, the sayings, wils & pleassurs of their sup[er]iors thowgh they be not cheritable ne vertouse’.<sup>61</sup> Here, like Elyot’s agreeable Gnatho and sugary-silent Harpocrates, Skip suggests that such men harm their patrons by urging them to continue towards destruction for the sake of affability. Skip concludes this section with the hope that ‘me[n] of high degre both spi[ritu]all & te[m]p[or]all (as wel as me[n] of lowgh degre) do not thus summe tymys glose & dissemble w[ith] their sup[er]iors for like p[re]ferements’.<sup>62</sup> Skip distinguishes between the two realms so that he is able to apply the lesson to both religious and secular individuals.

Dissembling and excess apparel were vainglorious maladies that ruined social order. Both examples were used in the sermon to indicate an organic body politic. Skip uses this pathological imagery to encourage his elite audience to act responsibly without directly accusing them of any sin. This elite audience is envisaged as the physician to the body politic and therefore responsible for its health: ‘if the physition of the body did know a p[er]fecte or a suwar medisyn whiche would help the pacient, and by his negligens would suffre his pacient to p[e]rish he were but a very oncharitable phisition’.<sup>63</sup> He encourages the political elite in this

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<sup>60</sup> SP 6/2 fo. 14<sup>v</sup>.

<sup>61</sup> SP 6/2 fos. 14<sup>v</sup>-15<sup>r</sup>.

<sup>62</sup> SP 6/2 fo. 15<sup>r</sup>.

<sup>63</sup> SP 6/2 fo. 11<sup>r</sup>.

congregation to examine the outward manifestations of the body politic's health, pointing to these problems of rampant vainglory. His image of the political elite as a physician draws on the trope of Christ as the good physician. Just as one of Christ's roles was to heal spiritually sick sinners, Skip suggests, it was part of the king's office to find cures for a diseased body politic. Skip saw the political elite as an extension of the king's authority. It was therefore crucial that these powerful administrators of the king's authority were aware of any deception directed at them.

Skip connected appearance and truth in his sermon to another wider problem in the 1530s political arena: the question of who should be able to offer advice to the king. Elyot had advocated for the traditional nobility and aristocracy, arguing that they were inherently virtuous and it was their duty to use their attributes for the commonwealth by serving the king honestly. Skip used his sermon to participate in the same conversation about virtue and counsel but arrived at no definitive conclusion about which group was best prepared to participate in high politics. He ultimately found virtue and vice amongst both groups and suggested that diligence and awareness, and paying close attention to the king's counsellors' actions rather than their words, were the only way to safeguard the kingdom from tyranny.

Members of Skip's audience saw his perspective on virtue and vice as significant to their own roles as part of the political elite. Both the anonymous observer and Wriothesley recorded notes drawn from the sermon's ideas on the topic. The anonymous account engages with virtue and applies it to the question of whether such virtue or nobility was inherited from noble parents. The recorder observes that 'parentts hathe butt fleishe, bludde, & bonne, whiche is nott noble, for trew nobilite consist[et]he only in the sowile'.<sup>64</sup> He then looks at the example of David and Solomon: Solomon inherited great wisdom and a kingdom from his father David, who was in turn a great king and considered noble despite his shepherding origins. The example helped this recorder elucidate Skip's point that virtue was not an inherited trait. Wriothesley observed that Skip 'reproved thopinion of them that accompte themselves noble only bicause they com of noble parents, declaring true and perfite nobilitie to resise [*sic*] only in vertue and in the excellencye of the same'.<sup>65</sup>

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<sup>64</sup> SP 6/1 fo. 7<sup>r</sup>.

<sup>65</sup> SP 6/2 fo. 1<sup>r-v</sup>.

Wriothesley noted that virtue was not a material or moveable object that could be passed between different owners; instead, it was intangible and fixed. Like his anonymous counterpart, Wriothesley tied virtue to the examples of David, Solomon, and Solomon's son, Rehoboam. This was a complex, even dangerous example, connected to Henry's personal iconography and incorporated into the fabric of the English Church as it cleansed itself from a papalist identity.<sup>66</sup> In the scriptural account, Rehoboam fared the worst of these three kings: opting to seek and then completely dismiss the advice of Solomon's more experienced counsellors in favour of his sycophantic new advisors. Rehoboam chose not to relieve the tax burdens his father had imposed but increased them. The consequences of listening to his flattering counsellors were disastrous. Wriothesley records that the 'resolte soo devided his cuntrey that ther was especial warres [ten] p[ar]tes against his two'.<sup>67</sup> By looking at the examples of these three Biblical kings, Skip showed that virtue was inherent in some who were not born into the aristocracy and was absent from some who were. His exploration of this group challenged the assertion that the nobility were inherently more virtuous than those who were not initially members of that estate.

Wriothesley makes a note at the very end of the section on Rehoboam: 'hier [Skip] exhorted them that be in auctorite abowte princes to take good advisement what cownsail they shuld give to the same'.<sup>68</sup> This statement downplays Rehoboam's responsibility for his kingdom's fall into civil war. Rehoboam had to choose between the advice offered by two factions, and he made the wrong choice. What Skip is suggesting is that, although a king must seek counsel, his decisions are only as good as the individuals who provide it. The example endorses neither the king's usual advisors, the traditional aristocracy, nor those who gained advancement through other means. But some of those who heard the sermon took offence at the implication that Rehoboam could have prevented the destruction of his kingdom if he had chosen to follow the advice of Solomon's advisors instead of those he had elevated. Rehoboam's mistake was put into the context of his grandfather David

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<sup>66</sup> Pamela Tudor-Craig, 'Henry VIII and King David', in *Early Tudor England: Proceedings of the 1987 Harlaxton Symposium*, ed. Daniel Williams (Woodbridge: Boydell, 1989), 191-2; 198.

<sup>67</sup> SP 6/2 fo. 1<sup>v</sup>.

<sup>68</sup> SP 6/2 fo. 1<sup>v</sup>.

rather than his father and immediate predecessor Solomon. The inexperienced elites led Rehoboam astray but David himself was transformed from an obscure shepherd into a respected and powerful king. David's lowly origins are explained more clearly in the anonymous account of the sermon. This writer observes, 'thoo yet Davithe his father weyre a choson kyng he was before a viell officer, a sheparde'.<sup>69</sup> Skip attempts to offer a balanced presentation of both kinds of counsellors in his version of Rehoboam's story, endorsing neither talented individuals from obscure backgrounds nor the traditional aristocracy as natural counsellors. But his message suggests that both groups must be certain that their ranks are filled with people who are truly virtuous in order to avert disastrous consequences within the commonwealth. The vainglorious, then, whether they hide behind the cloak of noble blood or under the cap of scholarly knowledge, are equally dangerous to the whole state, for they do not exercise their influence judiciously or for the common weal.

In the anonymous account, this question of whether nobility could be viewed as an inherited trait is taken very seriously as prompted by Skip's use of David, Solomon, and Rehoboam. This chronicler concludes, 'nobilite consistethe nott in bludde for Salomo[n] at the begynning of his reign was verey noble and eytt [*sic*] he came of no olde noble bludde'.<sup>70</sup> A few lines later, he adds 'also R[eh]oboam Salomons so[n]ne whiche was kyng after hym, had a kyng to his father, and a kyng to his grawndefather and eytt [*sic*] he was no noble kyng butt verey onnoble'.<sup>71</sup> Where Wriothsley had understood the important influence exacted by those who surrounded the king, this other observer glosses over the king's companions, simply leaving the solution to the problem posed by nobility at the king's knowledge. And, in his estimation, a king's knowledge seems bound to his individual character. The anonymous listener therefore disagrees with Wriothsley and misunderstands an important aspect of Skip's sermon. This part of his observation suggests that princes are not bound to follow the advice that best serves the commonwealth but that they are free to select the information that best resonates with their own inclinations, however selfish they may be. He seems to trust that a 'bad' prince, like Rehoboam, will be consistently bad, while a good prince is more likely to be good, ignoring the

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<sup>69</sup> SP 6/1 fo. 7<sup>v</sup>.

<sup>70</sup> SP 6/1 fo. 7<sup>v</sup>.

<sup>71</sup> SP 6/1 fo. 7<sup>v</sup>.

example of Solomon's reign in the sermon and in his own notes. Unlike the more general observation on nobility, where he noted that nobility was a virtue that could not be inherited, the anonymous chronicler declines to extend the sermon's message about the role of kings' counsellors to the present. The section on Rehoboam would prove to be an important element in the interrogation: its purpose was questioned and contributed to the primary charge that Skip was inciting the people to rebel against their king by supplying through this an example an Old Testament precedent for such actions.<sup>72</sup>

Wriothesley notes that Skip 'exhorted princes and them that be in auctorite about them to beware howe they bring in any innovations against old ordinances bringing in the example of the Locrenses'.<sup>73</sup> The example of the Locrenses is mentioned here in Wriothesley's account, the anonymous account, and the *Interrogatoryes*, but is absent from the surviving sermon texts. It is impossible to determine whether this memorable example was deliberately edited out of Skip's text as a judicious form of self-censorship, or whether it was an extemporaneous addition that occurred to him as he preached. The example is one of the most frequently-cited elements from the sermon, often used to demonstrate the preacher's anti-dissolution viewpoint.<sup>74</sup> Lehmborg suggests that the inclusion of this story, and the offence it caused, was the primary reason the regime prepared the preacher's interrogation.<sup>75</sup> It is a rather vivid, if not dangerous, example: the Locrenses had been subjected to a wide array of measures arising from the 'cownsel house' until finally a statute was adopted that required individuals who wished to introduce new legislation to do so wearing a noose around their necks. The purpose of the noose, as Wriothesley explains, was to provide recourse to the populace: if 'they thought not the laws profitable they might strangle' on the spot the individual who introduced the new legislation.<sup>76</sup> According to Wriothesley, this example arose in relation to a section on religious innovations within the sermon.

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<sup>72</sup> SP 1/106 fo. 77<sup>r</sup>.

<sup>73</sup> SP 6/2 fo. 2<sup>v</sup>.

<sup>74</sup> Bernard, 'Anne Boleyn's Religion', 16-7; Ives, 'Anne Boleyn', 398-9.

<sup>75</sup> Lehmborg, *Reformation Parliament*, 245.

<sup>76</sup> SP 6/2 fo. 2<sup>v</sup>.

Skip's sermon, and particularly his allusion to religious ceremonies, prompted the anonymous observer to define his own opinion of the king's responsibilities towards his church. After a long list of religious customs and their purposes, including sprinkling with holy water, the pieces of holy bread signifying the Church as members of Christ, the imposition of ashes to 'putt us in re[m]embrance that we be ashes & duste and into ashes & duste we shall returne', and the role of palm branches in the Easter narrative, amongst others, the anonymous writer finally argues that it 'is the preichers parte to speicke ayenste thabuses of suiche thyngs, and the kyngs office is to se thabuses taken away, and nott the good things themself except hit so be that thabuses can nott be taken away'.<sup>77</sup> This opinion aligns with the evangelical principle of *adiaphora*, that practices neither explicitly condemned nor commanded in the Bible were observable as long as they did not detract from the Gospel message. The opinion also implied that the king was slightly removed from the clergy and was therefore in a better position to take action against abuses than a figure like the pope, who was more likely to perpetuate these abuses. The observation furthermore suggests that good customs could become corrupt if the wrong emphasis was placed on them. In an extra-sermonic digression, the observer notes that the prophet Ezekiel was compelled to destroy the bronze serpent Moses had had crafted to heal Israelites who were bitten by poisonous snakes during their desert wanderings. The serpent, rather than the healing power of trust in God's Word, had become the focal point, and the bronze serpent therefore became an abused, idolatrous object.<sup>78</sup> Skip might agree with Henry that, in their own country, pilgrimages to various shrines had taken on just this idolatrous connotation, and these were discouraged while chantries were still allowed. Likewise, Skip believed that other minor practices and 'ceremonies' should be retained for the spiritual benefits and understanding they encouraged. Notably, the observation does not indicate that the preacher does not believe that eliminating these practices fell outside the king's authority; these simply show that Skip believed these things should not be banned. The king's role was therefore to ensure that ceremonies and customs preserved from the ancient church retained their original scripturally-derived meanings and did not slip into heretical practices.

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<sup>77</sup> SP 6/1 fo. 9<sup>r</sup>.

<sup>78</sup> SP 6/1 fo. 9<sup>r</sup>.

The anonymous account includes an observation about Christ's divinity that shapes his perspective on the difference between the ecclesiastical and temporal realms, an observation that is independent from anything Wriothesley describes. This observer says Skip returned once more to his main sermon theme, noting how 'Christe myght mooste surely demawnde this question for he was conceived withowitt sinne, borne w[ith]owitt synne, and ne[ver] co[m]mitted any spotte of synne, butt no puire ma[n] myght so well demawnde this question for we be all synners'.<sup>79</sup> In the sermon, this recorder notes, this observation in turn leads to a defence of the ecclesiastical estate in the face of sharp criticisms from other parts of the social body. He notes that Skip understands that the clergy were to serve as examples for the rest of the world, living as sinless and blameless as they possibly could. But he also says that Skip launched a tempered attack on those who had been using the pulpit to preach in open hostility against the clerical estate. He records that Skip said, 'now a dayes many me[n] take upon them to rebuicke the clergy'. Skip conceded that such attacks were often done out of 'charite' but also that sometimes these were undertaken out of malice and 'bycause they wold have fro[m] the clergy their possessions'.<sup>80</sup> Though the anonymous account does not link this defence of the clergy to the monastic dissolution, Skip likely had this in mind as he preached. Skip draws a clear parallel between his sermon theme and the on-going assault against the clergy, arguing that to 'saye a greite or notable vice or fawlte in one preiste, or any of the clergy then they will infame & rebuycke all the hoill clergy for the same' was simply uncharitable.<sup>81</sup> He warned that pitting the entire body politic against the clerical estate could only have disastrous consequences, for doing so merely created divisions within the social order, and no good could ever come from such divisions.

The anonymous recorder places the Locrenses discussion after the list of religious customs and ceremonies, and in the midst of a more general discussion of the commonwealth and the role of the king's counsellors within it.<sup>82</sup> Criticism of the sermon emphasises this section, noting Skip's position favouring ceremonies and

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<sup>79</sup> SP 6/1 fo. 8<sup>r</sup>.

<sup>80</sup> SP 6/1 fo. 8<sup>r</sup>.

<sup>81</sup> SP 6/1 fo. 8<sup>r</sup>.

<sup>82</sup> SP 6/1 fo. 9<sup>v</sup>.

arguing that defending the clerical estate from political interference rather than the poisonous influence of vainglory was his main theme. Bernard draws on the anonymous account of the sermon to reveal Skip's conservative affiliation, arguing that 'in defending ancient ceremonies he was taking the side of those who did not seek any radical reformation'.<sup>83</sup> This part of the sermon encouraged the anonymous recorder to think not about the extent of religious reforms but instead about the king's powers and how to exercise them over the populace. The example encouraged members of the audience to consider the example and the issues surrounding it in terms of the commonwealth.

This concern about the conflation of temporal and spiritual realms stems from the royal supremacy. In this new social order, with the king at the head of the body politic and the papacy completely banished, the king is the bridge linking together the laity and the clerical. Skip acknowledges the king as 'the p[ro]tector & defend[our] of fawth & fawthfull people, a title most high of fav[our] amongst all oth[er] christen princes'.<sup>84</sup> In Skip's imagination, one of the king's identities was the chief noble of the realm, responsible for their actions within the temporal sphere. The political elite of both estates were depicted as an extension of the king's powers, fully reinforced by the royal supremacy. Skip used the problem of vainglory to draw his audience's attention to political matters within the kingdom's governance, suggesting that both virtue and vice were to be found amongst the aristocracy, and imploring them to fulfil their duties following a virtuous model.

#### The Regime Responds: The *Interrogatoryes*

Skip and Elyot had both used their rhetorical skills to extend advice to king and council, using the rhetorical media available to their own social estates. While Elyot's criticisms were largely ignored, Skip's were taken to heart by members of the king's council, and caused them much offence. In the *Interrogatoryes*, the regime acknowledges Skip's political engagement and responds to the challenges portions of his sermon had posed. The document's origins lie with the regime, and its purpose was to ensure that Skip's sermon accomplished nothing in terms of harming the regime's reputation or the effectiveness of its authority. This set of questions and

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<sup>83</sup> Bernard, 'Anne Boleyn's Religion', 17.

<sup>84</sup> SP 6/2 fo. 12<sup>v</sup>.



statements carefully weighs each objection to Skip's sermon, at times providing lengthy arguments to demonstrate the severity of the preacher's faults. The *Interrogatoryes* comprise an exploratory document designed to determine whether Skip should be subject to formal legal proceedings. Skip had presented a challenge to the regime's authority; this document provides insight into the political elites' perspective on aspects of the relationship between the king and the commonwealth even as the royal supremacy forced its re-evaluation. In the process, the questions address the specific challenges prompted by Skip's sermon. The document also illuminates how members of the regime understood their relationship to the king's authority in light of the royal supremacy. The *Interrogatoryes* complete the dialogue about political power and authority that Skip's sermon had initiated.

Skip was not the only religious figure who was questioned by the regime during the 1530s. Protestants and papal loyalists alike were punished under the vague banner of heresy for the threats to the common order they posed. But Skip was not accused of preaching heretical opinions. His position was consistently supportive of the royal supremacy. Instead, the charge levelled against Skip was sedition. Specifically, he was accused of maliciously and publicly slandering 'the kynges highnes, his counsellors, his lords and nobles, and his hoole parliament'.<sup>85</sup> Skip was to be questioned not for his religious convictions but for his political opinions.

The response to Skip's sermon suggests the differences in expectations of roles and responsibilities the two spheres held regarding each other in light of the royal supremacy. The interrogators were furious that Skip had used the pulpit to accuse the elite of vice. As a religious figure, they thought he should have focused his attentions on spiritual matters, and left temporal concerns to the civil authorities. They argued that he could not possibly understand 'the consideracions whiche movethe a kyng, counsaillors, nobles, the parliament, to do many thynges justly'.<sup>86</sup> They thought he should have preached about the Gospel instead of political matters outside his purview. Striving 'to teche the kynges highnes his counsaill and his parliament howe the Realme shuld be ordered touchyng lawes and civile policies,' the accusation continues, 'is no part of the prechyng of the gossell'.<sup>87</sup> Some of the

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<sup>85</sup> SP 1/103 fo. 75<sup>r</sup>.

<sup>86</sup> SP 1/103 fo. 75<sup>v</sup>.

<sup>87</sup> SP 1/103 fo. 79<sup>v</sup>.

temporal authorities therefore believed that clerics should solely address theological matters, and not their contemporary application. At the most basic level, the *Interrogatoryes* affirmed that members of the religious orders were subservient to the crown's authority.

Within the scope of the *Interrogatoryes*, the temporal political realm was concerned with counselling the king and creating or revising laws that would best serve the commonwealth. The document declines to mandate exactly what preachers should say in their sermons even if it does demand that their messages remain dedicated to religious concerns. The document therefore demonstrates that these temporal authorities reciprocated in matters relating to these spheres by commenting only on things directly related to their own realm. These temporal elite recognised Skip as their counterpart in the ecclesiastical sphere.

The *Interrogatoryes* allude to appropriate preaching subjects for clerics. The political elite who drafted the questions believed the preacher was over-reaching his position by identifying 'the kings cownsaill as flaterers and decevours of the kyngs grace'.<sup>88</sup> The threat his message posed was further compounded through the medium of the pulpit in the presence of a public audience. The *Interrogatoryes*, then, show the political elite in a defensive position. They took Skip's message as tantamount to waging an open attack on the realm's temporal authorities. The sermon was an attack on the foundations of the realm's political structure. The metaphors the interrogators use to describe the commonwealth emphasise its fragility. A preacher had attacked them, not through a rebellion, but rhetorically. The document therefore provided the temporal elite with the opportunity to describe their own political positions and to clarify their relationship to the king.

Within the scope of the *Interrogatoryes*, the political elite were a wide-ranging group. It counted members of parliament and the traditional aristocracy in its membership, along with the king's council and the king himself. The group the document defends the most resolutely is the aristocracy. The questioners take issue with Skip's argument that 'nobilite consistethe not in flesshe blode and bone but in vertuose livyng and good gow[er]nance', challenging him to identify a corner of the realm where the nobles were 'clere voyde of vertuous livyng'.<sup>89</sup> The document

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<sup>88</sup> SP 1/103 fo. 77<sup>r</sup>.

<sup>89</sup> SP 1/103 fo. 77<sup>v</sup>.

indicates a moment of transition: nobleness is seen in the traditional sense as a degree within the social order and a quality unique to that group, and simultaneously in a more humanistic light. In the latter sense, the interrogators imply that the virtue of nobility should be rewarded with titles regardless of its origins. The authors of this section of the document therefore refused to mark a distinction between newly-created nobles and the long-standing aristocracy, and saw no difference between the nobles who had received the king's favour and those who had inherited their titles and positions. As a result, attacks on the virtue of nobility are posited as a destabilising threat.

Skip accused the king's counsellors of vice. The *Interrogatoryes* respond to this point by stating Skip's purpose in proposing such an idea was 'only to bryng the nobles into the contempte of the peple', thereby bringing confusion and disarray to the entire realm.<sup>90</sup> Furthermore, they feared Skip's ideas would 'induce the vulgar peple and the multitude to overthrowe all good rulis and and ordynaunces contemmyng the peple in good peace and order'.<sup>91</sup> These were the matters that the political elite concerned themselves with: laws and ordinances to encourage peace and order throughout the realm. From their perspective, Skip had encroached on this order, making their work harder to accomplish. The sermon had called into question the king's virtues and legitimacy just by questioning the virtues of some of the his counsellors. The king and the temporal elite were symbiotically joined.

The vision of the commonwealth imagined by the regime in the *Interrogatoryes* clashes with the perspectives Skip posed in his sermon and the descriptions Elyot had presented across the body of his writing. This was particularly the case in the way the aristocracy were treated. Skip had seen the commonwealth composed of all the different social orders, none of them fully dependent on any other. Elyot saw the aristocracy as the king's partners in the governance of the commonwealth; their role was to ensure that the realm remained impervious to the threat of tyranny. He therefore advised the king to retain a largely independent corps of traditional nobles who could serve as his counsellors and promote the common weal. These views are completely counter to the description of the commonwealth presented in the *Interrogatoryes*. Here, the temporal political elites are described as

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<sup>90</sup> SP 1/103 fo. 78<sup>r</sup>.

<sup>91</sup> SP 1/103 fo. 78<sup>r</sup>.

an extension of the king's powers rather than independent of them. One of the early questions attacks Skip's choice of subject matter, wondering why 'he shuld tax and slauder the greatt postis pillers and columnys susteynyng and holdyng up the co[m]mon welthe as pryncipally the kyng, secondary his counsaill, thirdly his nobles, forthly his [w]hole p[ar]liament'.<sup>92</sup> In this metaphor, the commonwealth is imagined as a building supported by the political elite, the various groups comprising the this sphere given a surprisingly equitable importance as they supported the rest of the kingdom. According to this metaphor, the entire commonwealth would collapse from the destruction of even one of these four pillars. The political elite must have therefore been imagined as integrated into, rather than independent from, the king's authority within the scope of the metaphor. The indivisibility of these four temporal branches – king, counsel, nobles, parliament – is reiterated throughout the *Interrogatoryes*. They are often presented as a group and always listed in the same order, descending from king to parliament.<sup>93</sup> This consistency points to an indivisibility of temporal powers and their conflation with the ecclesiastical, confirming the problem that Skip had feared.

### Conclusion

The texts by Elyot and Skip show how some Reformation-era writers used the stability and conservatism of the bodily metaphor in response to rapid social change. They invoked the image of the state as an organic body as a way to depict the on-going need to maintain order within society at large. Emphasising the king's role as the body's head reinforced the royal supremacy by naturalising the king's place in this body and lending a sense of familiarity to a social order that had been re-oriented alongside the break with Rome. The writers drew from the new learning tradition, privileging the vernacular and idealising the realm's commonweal as the ultimate priority of the ruling elite. These writers offered subtle commentary about problems they feared were present in their own age by drawing on examples of ideal or tyrannical commonwealths from Biblical texts or classical history. These exemplars favoured individuals who displayed genuine virtue in the service of the common good. Elyot was more certain about the outcomes he wished to see as a

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<sup>92</sup> SP 1/103 fo. 76<sup>r</sup>.

<sup>93</sup> SP 1/103 fos. 75<sup>f</sup>, 75<sup>v</sup>, 76<sup>f</sup>, 78<sup>r</sup>, 80<sup>f</sup>, 80<sup>v</sup>.

result of his textual efforts, hoping to gain a position within the king's council. Skip's sermon was inconclusive, calling for a need to examine carefully the actions and motives of the advisors surrounding the king. While Elyot clearly favoured the traditional aristocracy for what he thought was their inherent virtue, Skip favoured neither long-standing nobles nor the newly-favoured. Instead, he wanted to question all those who had influence over the country's political direction. The king's powers and his relationship to the social orders were rearticulated in the legislation arising from the Reformation Parliament. As these interconnected relationships were examined, so was the influence over the king's decision-making process exerted by those who surrounded him.

The most significant legislation resulting from the Reformation Parliament was the royal supremacy. This principle dramatically altered the relationship between the king and the ecclesiastical estate, but its impact was felt in other parts of the kingdom's social order. Canon law became subservient to common law, and was no longer taught in the universities. Counsellors affiliated with the new learning and with evangelical opinion gained favour and prominent positions at court. The composition of the political elite was transformed, changing from members of ancient noble families to individuals who had proven their value to the crown in other ways. Values had shifted along with these new influential elites. At court, the maxim that nobleness was a trait inherently possessed by the traditional aristocracy was called into question. Nobility was increasingly seen as a virtue to be found across the social spectrum and made manifest in surprising places, like the acquisition of knowledge or displaying rhetorical skill.

Even as the king's powers were rewritten, members of the realm's religious establishment and traditional aristocracy called for the retention of a conservative social order. Some of the ranks of these two estates saw the changes confirmed through the Reformation Parliament as an assault on their traditional roles. One danger posed by the king's placement as the head of the realm's temporal and spiritual affairs was that the boundaries between the two spheres could become blurred. Both estates risked losing their individual domains and the power over the commonwealth's governance that they had once commanded. Against these attacks on their influence, Elyot and Skip argued the commonwealth would be best served if their estates' traditional responsibilities were preserved. As the next chapter will show, the political elite were not the only group in the social body who believed that

the orders should retain traditional roles and responsibilities. Those who participated in the rebellions of 1536-7 argued for the same conservative social order.

### Chapter 3

#### Commonwealth and Reformation Popular Politics

The royal supremacy prompted changes in the ways that different degrees in the social order viewed their places in the polity. Common law practitioners argued that they had a unique role in preserving the common good based on their unique knowledge of the law and the cohesion throughout the realm that the law provided. They theorised political authority in a coherent language that corresponded to the common law and that was suitable for translation into statutory law. The aristocracy and upper clergy witnessed changes to the ways they practised their political power. The Church yielded its authority to king and parliament while the aristocracy increasingly found that the advisors surrounding the king wielded the informal power that they once held. These groups blended the commonwealth ideal with their education and sense of position in the social hierarchy to extend counsel to the king. The clergy and aristocracy maintained that they needed to remain distinctive entities in order to extend their own versions of counsel to the king for the good of the polity. They perceived a threat from the king's new counsellors, and argued for their own importance using languages of counsel.

This chapter turns to the aftermath of the Reformation Parliament away from the high politics of the court by examining how the royal supremacy was presented to the polity in the wake of the risings of 1536-7. Ethan Shagan has examined these rebellions through the political actions undertaken by their participants, arguing that the rebels ceremonially and rhetorically performed an outward ideological unity that was inwardly fractured. For Shagan, the rebels' self-representation was infused with religious imagery and the attempt to reconstruct the hierarchy in contrast to the regime's disruption of order and abandonment of the universal Church.<sup>1</sup> This chapter will focus on the political languages used by crown in response to the languages and actions deployed by the rebels. The languages used by the rebels in their texts demonstrates how the populace responded to and drew conclusions about the changes to the shape of the body politic that the royal supremacy had initiated. In the

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<sup>1</sup> Ethan H. Shagan, *Popular Politics and the English Reformation* (Cambridge: Cambridge University Press, 2003), 89-98.

literary exchanges between crown and populace, royal authority was articulated through a language of commonwealth.

Generally, the changes to the mechanisms of power enshrined in the Reformation Parliament were not met with open hostility, even if private opinions regarding political change were less favourable. However, the risings across northern England that took place from the autumn of 1536 through the winter of 1537 forced a confrontation between discontented members of the populace and the crown. Here, the regime and the populace engaged in a politically-charged dialogue about the nature and operation of power in light of the royal supremacy. This exchange circulated around commonwealth ideals but the metaphor of the polity as an organic body politic was also deployed to create a short-hand image of the ideal state. Its participants included lawyers trained in the common law operating on both sides of the rebellion, Richard Morison, Thomas Starkey, and even the king, following a conceit whereby two answers to rebel demands were printed in his name. The purpose of this chapter is not to examine the events of the uprisings but rather to scrutinise the contributions to Reformation political thought made by the texts written at the time of these crises. Commonwealth language, further nuanced by the invocation of the organic body politic, was deployed by both sides in the conversation, even though each imbued the language with their own, sometimes incompatible, set of meanings.

#### The King's 'Trew Subjects': Richard Morison's Post-Reformation Social Order

The rebellions that took place in northern England in 1536-7 have been sometimes collectively called the Pilgrimage of Grace.<sup>2</sup> More recently, this description has come into question, and the rebellions have been instead defined more accurately as a series of different risings, each with their own leaders and objectives. They have been analysed for the information they can reveal about the

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<sup>2</sup> The Pilgrimage of Grace has been recounted and examined in a number of studies: M. L. Bush, *The Pilgrimage of Grace: A Study of the Rebel Armies of October 1536* (Manchester: Manchester University Press, 1996); M. L. Bush and David Bownes, *The Defeat of the Pilgrimage of Grace: A Study of the Postpardon Revolts of December 1536 to March 1537 and Their Effect* (Hull: University of Hull Press, 1999); Madeleine Hope Dodds and Ruth Dodds, *The Pilgrimage of Grace and the Exeter Conspiracy, 1538*, 2 vols. (Cambridge: Cambridge University Press, 1915); Anthony Fletcher and Diarmaid MacCulloch, *Tudor Rebellions*, rev. 5th edition (Harlow: Pearson, 2008), 28-66; R. W. Hoyle, *The Pilgrimage of Grace and the Politics of the 1530s* (Oxford: Oxford University Press, 2001); Geoffrey Moorhouse, *The Pilgrimage of Grace: The Rebellion that Shook Henry VIII's Throne* (London: Weidenfeld & Nicolson, 2002).



changing role of rebellion in the sixteenth century. M. L. Bush has argued for the importance of clerical taxation in the rebellions, particularly in the articles written by the rebels in Lincolnshire. For Bush, the prominence of the complaints about the First Fruits and Tenths tax on the clergy and the Statute of Uses in the documents written by the rebels in Lincolnshire and Yorkshire reveals that taxation was viewed as a serious concern for members of all the social orders.<sup>3</sup> The rebellions have also been used as a means for measuring noble power in light of Henrician authority and have been viewed as a movement in opposition to religious reforms.<sup>4</sup> R. W. Hoyle, who has produced the most comprehensive recent study of these rebellions, argues that the best way to understand the rebellions of 1536-37 is as ‘risings of the commons which the gentry, ultimately successfully, worked to tame through the re-establishment of their authority’.<sup>5</sup> All of these readings of the risings show the importance of changes in the social order resulting from the royal supremacy and its related legislation.

The rebellions demonstrate opposition to the royal supremacy and the political order it articulated. They reveal resistance to the idea that royal authority could exert such a great degree of influence over the religious sphere, particularly as it meant a change in daily life for the large number of people who depended on the religious houses for the social services they provided. The dissolution of the monasteries was a starting point for the risings in 1536. While much of the Reformation Parliament’s legislation was aimed at clarifying the king’s political powers and his worldly prestige, some of the final measures had implications for members of every parish in the kingdom. One such measure was the Dissolution of the Lesser Monasteries Act, which authorised the closure of religious houses whose annual income was less than £200.<sup>6</sup> This Act was directed against the kingdom’s religious houses rather than the parishes but the Lesser Monasteries Act nonetheless showed that the king planned to be more than a mere figurehead over the church in

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<sup>3</sup> M. L. Bush, “‘Up for the Commonweal’: The Significance of Tax Grievances in the English Rebellions of 1536”, *English Historical Review* 106 (1991): 302-3, 316-7.

<sup>4</sup> S. J. Gunn, ‘Peers, Commons and Gentry in the Lincolnshire Revolt of 1536’, *PP* 123 (1989): 52-79; M. E. James, ‘Obedience and Dissent in Henrician England: The Lincolnshire Rebellion 1536’, *PP* 48 (1970): 3-78.

<sup>5</sup> Hoyle, *Pilgrimage of Grace*, 422.

<sup>6</sup> 27 Henry VIII, c. 28 (*Statutes* iii. 575-78).

England and implied that more changes were on the horizon. The king's actions against the monasteries signalled that the realm was facing something new.

The fiscal value of the realm's religious institutions and their assets had been surveyed in the *Valor Ecclesiasticus* completed in 1535. After the Lesser Monasteries Act became law, visitation commissions were sent to the localities to assess the smaller religious houses, taking stock of their financial states as well as recording moral indiscretions. The Lesser Monasteries Act accused the smaller houses of wasting valuable resources and described them as places where 'manifest synne, vicious carnall and abhomynable lyvyng, is dayly usyd & co[m]mytted'.<sup>7</sup> The clerics who formed these smaller religious communities could attempt to transfer to larger houses but the treasures were sold and their proceeds, along with the property itself, were subsumed into the crown's coffers. The visitations put into practice the king's authority to reform clerical abuses in his role as the head of the Church in England and showed that Henry would be no mere figurehead but an active participant in religious matters. To the professional clergy, this measure looked like punishment. For their lay neighbours and the secular priests, closing the minor houses represented the loss of local sources of wealth, knowledge, aid, and sanctuary. The actions looked like an attack on a religious sphere that had been made somewhat defenceless with the break from Rome. The arrival of the earliest visitation commissioners and the enforced enclosure of some monasteries confirmed that the regime was serious about their plans to restructure the Church. The visitations fostered rumours that suggested parish churches would be subject to similar treatment.

The first wave of the rebellion began in Louth in Lincolnshire on 2 October 1536, where the commissioners were violently attacked by commoners under the leadership of a local cobbler. He, and others who joined his cause, were probably encouraged by the sermon given by the vicar of Louth, Thomas Kendall, the day before. No direct account of the sermon survives but the combination of the sermon and the tense atmosphere likely made a tense situation worse. Hoyle observes that Nicholas Melton believed that Kendall had given his blessing to the rebels' activities, and suggests that the basis for this belief may have come from the sermon.<sup>8</sup> The

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<sup>7</sup> Ibid.

<sup>8</sup> Hoyle, *Pilgrimage of Grace*, 104-6.

appearance of visitation commissioners had brought the realities of religious reforms into sharp relief and seemed to confirm the worst fears circulating in rumours. The rising quickly gained support and spread through neighbouring Lincolnshire villages. The majority of the participants were commoners but some of the local gentry took leadership roles in organising the rebellion. An estimated 20,000 people joined the revolt, which culminated in the occupation of Lincoln Cathedral. The rebels drafted articles demanding the end of the dissolution of the monasteries, the repeal of the Act of Ten Articles, protection for the treasures of Lincolnshire's parish churches, and the repeal of the Statute of Uses. However, the rising dispersed even more quickly than it had started. On 11 October, a royal herald informed the rebels that an army led by Charles Brandon, duke of Suffolk, was on its way to confront them. The leading gentry balked at the crown's response, and withdrew their support from the rebellion. When the duke arrived in Lincoln the following day, he was unopposed.<sup>9</sup> Less than two weeks after the rising had started in Louth, the rebellion in Lincolnshire was over.

The duke of Suffolk had managed to raise an army and move it into Lincolnshire with great speed. The crown responded to the rebels quickly with military force, letters sent to the rebels addressing their demands, and printed texts. Two of the earliest printed responses to the rebellion, *A Lamentation in which is shewed what ruyne cometh of seditious rebellyon* and *A Remedy for Sedition*, were written by Richard Morison.<sup>10</sup> Morison was first employed as a polemicist by Cromwell in 1536, when poverty forced him to leave his studies and position amongst Reginald Pole's circle in Padua, seeking a stable income at court.<sup>11</sup> These texts were the first he wrote in Cromwell's service, but Morison is now regarded as the Crown's most prolific propagandist.<sup>12</sup> Perhaps for this reason, his texts have not received the same deep level of analysis as those of contemporaries like John

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<sup>9</sup> Hoyle, *Pilgrimage of Grace*, 93-7.

<sup>10</sup> Morison, *A Lamentation in whiche is Shewed what Ruyne and Destruction Cometh of Seditious Rebellyon* (London: Thomas Berthelet, 1536; STC 18113.3); Morison, *A Remedy for Sedition* (London: Thomas Berthelet, 1536; STC 18113.7).

<sup>11</sup> G. R. Elton, *Reform and Renewal: Thomas Cromwell and the Common Weal* (Cambridge: Cambridge University Press, 1978), 24-5, 57-8; Tracey A. Sowerby, *Renaissance and Reform in Tudor England: The Careers of Richard Morison* (Oxford: Oxford University Press, 2010), 1-40.

<sup>12</sup> Quentin Skinner, *The Foundations of Modern Political Thought*, vol. 2 (Cambridge: Cambridge University Press, 1978), 100-7; Sowerby, *Renaissance and Reform*, 41.

Skelton and Thomas Wyatt. The most recent literary analysis, offered by Stewart Mottram, examines his work through the theme of nation-building, placing it in the same context as the royal entries into London made by Charles V and Anne Boleyn, and John Bale's *King Johan*.<sup>13</sup> He describes Morison's two tracts as a 'mouthpiece' for the royal supremacy while identifying his contribution to nation-building through his use of the prosopopoeic figure of Mother England speaking on behalf of the English commonwealth.<sup>14</sup> Tracey Sowerby's biographical study champions Morison's place amongst his humanist contemporaries, placing due emphasis on the evangelical dimension of these texts and the insight they provide into the government's political thought.<sup>15</sup> This section will build on these studies, reading Morison's work for its contributions to the political thought of the early Reformation and examining how these works added to the unofficial conversation between crown and disgruntled subjects.

Morison sought to discourage the spread of rebellion from its origins in Lincolnshire outward by explaining the recent legislation to the wider audience outside of parliament. *A Lamentation* was hastily written and published, perhaps as early as 15 October.<sup>16</sup> By then, the Lincolnshire rebellion had collapsed but the second rebellion, centred in Yorkshire, was already underway. This second wave of rebellion was better organised and its leaders had a clearer agenda. Amongst the leaders of this movement was the common lawyer Robert Aske. Aske identified himself as the author of the Pilgrims' Oath and primary contributor to the Pontefract Articles, another key document in the rebels' negotiation with the crown. Aske advocated restitution for the deprived religious houses and called for a new session of parliament and convocation to be held at York with the aim of overturning the unpopular legislation. Morison directed some of the arguments contained within *A Remedy for Sediton* in response to this second, larger, rebellion. *A Remedy for Sediton* is longer than its companion piece. Where *A Lamentation* focused on containing the rebellion, *A Remedy* offered solutions for preventing further dissent.

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<sup>13</sup> Stewart Mottram, *Empire and Nation in Early English Renaissance Literature* (Woodbridge: D S Brewer, 2008), 105-35.

<sup>14</sup> Mottram, *Empire and Nation*, 107.

<sup>15</sup> Sowerby, *Renaissance and Reform*, 39-40, 42, 113.

<sup>16</sup> Sowerby, *Renaissance and Reform*, 43.

*A Lamentation* directly addresses the Lincolnshire rising: Morison identifies Lincolnshire as a hotspot of sedition repeatedly within the text. He simultaneously expresses outrage at the rebellion there and stresses the king's benevolence to those who asked forgiveness. The tract was written with a first-person narration and filled with rhetorical questions, lending it a sermon-like quality perhaps to match the religious tone of the rebels' grievances and suggesting it may have been intended for an audience who would have heard it read aloud to them. Like the works written by humanist scholars analysed in previous chapters, Morison's tract employed a number of allusions drawn from classical sources, English history, and the Bible to strengthen his claims and further his appeals to peace. The text is written for the moment, referring to current policies such as the dissolution of the monasteries in an attempt to discredit the defence of the monasteries as an appropriate reason for rebellion.

Morison uses the organic body politic imagery to encourage the populace to see the clergy as confused and to equate monstrosity with support for rebellious clergy. For Morison, the rising in Lincolnshire indicated a lack of clerical support for the royal supremacy, and he took this opportunity to address the problem of tension between the two kinds of authority. He supposed the clergy were the leaders of the rebellion in Lincolnshire and denounced this conduct as inappropriate to their religious vocation and their political role, echoing the sentiment Elyot expressed in *Pasquill the Playne* against counsellors who ineffectively mixed their identities to the detriment of king and commonwealth. Morison deploys martial language to describe their activities, calling them 'spirituall traytours, that are in harneys ayenste theyr countrey'.<sup>17</sup> This image is meant to be ridiculous, inviting his readers to imagine martial captains replaced by priests in clerical dress. Morison points to the clergy's manifest hesitance to submit to the king's religious supremacy over the course of the Reformation Parliament and convocation as particularly contradictory and destructive, writing, 'Sory I must nedes be, to se monkes, friers, and priestes, whyche so longe stode doubtynge, whether they myght aknowledge our soveraygne lorde the kynge to be theyr heed, soo without any staggerynge, to have made a Cobbler their heed'.<sup>18</sup> In this example, Morison takes particular advantage of

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<sup>17</sup> Morison, *A Lamentation*, Sig. B3<sup>v</sup>.

<sup>18</sup> Morison, *A Lamentation*, Sig. C2<sup>v</sup>.

Melton's occupation as a cobbler to add weight to his polemic. He implies that Melton's attention should be kept with the feet of the imagined body politic, which would have been the focus of his occupation and appropriate to his rank amongst the commons in the social order. The charge Morison levelled here was particularly damning, suggesting that the rebellion was bound to fail because all the participants were monstrous, following the wrong head.

The primary concern Morison addressed in *A Lamentation* was for the commonwealth, but he expounded this theme through the metaphor of the commonwealth as an organic body. The repeated use of bodily imagery helped to elucidate the problem of division in the social body. He cited division as the most dangerous consequence of rebellion and uses language to show how appalling it was to the commonwealth. To 'trayterously make of one nation two, of them that even now were frendes, sodaynly to be utter enemies' was so contrary to the laws of nature and of man that Morison advocated the harshest forms of punishment to be levelled against those who rebelled.<sup>19</sup> The division to which Morison referred was not an allegiance to the king versus an allegiance to Rome, as might be expected from a text responding to religious contention; instead, Morison identified rebellious Lincolnshire as a region isolated from the rest of the commonwealth because of its social unrest. In his description, the region became a monstrous place, 'where a Cobler shalbe counted a capitayne'; another specific reference to Nicholas Melton.<sup>20</sup>

Lincolnshire's monstrosity was bad enough for its inhabitants, but Lincolnshire's division from the rest of the kingdom had dangerous consequences for the entire realm; namely, the possibility of a foreign invasion. A personified England asks, 'If Lyncolneshyre seke to distroye Englande, what wonder is hit, yf Fraunce and Scotlande sometime have soughte to offende me?'<sup>21</sup> Mottram reads this personified figure as a call for readers 'to ask to whom they should owe their primary political allegiance, whether to the king as head of the political community, or whether to the political community itself'.<sup>22</sup> But such a reading divorces this trope

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<sup>19</sup> Morison, *A Lamentation*, Sig. A2<sup>r</sup>.

<sup>20</sup> Morison, *A Lamentation*, Sig. A4<sup>r</sup>; for Melton's role in the initial phase of the Lincolnshire Rising, see Hoyle, *Pilgrimage of Grace*, 104-7, 111.

<sup>21</sup> Morison, *A Lamentation*, Sig. A4<sup>v</sup>.

<sup>22</sup> Mottram, *Empire and Nation*, 108.

from the rest of the text and undermines the effect of the royal supremacy on the imagined body politic. Rather than dividing the king from the rest of the political nation, the royal supremacy inscribed into law the king's embodiment within the body politic as its head. Morison's use of the natural body politic imagery in the tract thus extends the conceit of the political nation forming one body in parliament to the entire commonwealth. The allegorical England Morison evokes illustrates the impossibility of such divided loyalties. Morison makes this point even more explicit near the end of the tract. Drawing examples from England's history, he writes, 'all that ever came to Englande, to infeste us, never dyd hurte, excepte we were divided'.<sup>23</sup> The implication is clear: although a cohesive kingdom was undefeatable, domestic strife could only lead to the misery of foreign conquest.

Protecting the realm from invasion and caring for the commonwealth were the king's primary responsibilities, and the king could not be expected to tolerate the destruction of his laws and commonwealth.<sup>24</sup> Morison again used the rebellious cobbler as a way to show how misguided the rebels were, and to indicate that the events in Lincolnshire were monstrous. Morison shows that the rebels were usurping the responsibilities of other degrees in the social order, writing, '[i]t farre passeth Coblers craft to discusse, what lordes, what byshops, what counsaylours, what actes statutes and lawes are mooste mete for a common welthe, and whose judgement shuld be best or worst, concernynge matters of relygion'.<sup>25</sup> Here, Morison excludes the populace from discussions about current political matters, restricting these concerns to acts, statutes, and laws. He reinforces the ideas that had been put forward by Christopher St German as the royal supremacy was forged, presenting the law as a means for ensuring the common good and parliament as the site for extending counsel about legislation before authorising them. In *A Lamentation*, then, Morison encourages his audience to regard parliament as a collaborator in the creation of law.

Morison points to the importance of law in *A Lamentation* and uses the tract as a platform for explaining the particularly unpopular dissolution legislation to his readers. He describes this legislation in reformatory language, using it to illustrate the king's care for the commonwealth, including the clergy, in contrast to the clergy's

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<sup>23</sup> Morison, *A Lamentation*, Sig. A4<sup>v</sup>.

<sup>24</sup> Morison, *A Lamentation*, Sigs. A3<sup>v</sup>-A4<sup>r</sup>.

<sup>25</sup> Morison, *A Lamentation*, Sig. A4<sup>v</sup>.

tendency to put Rome before England. Morison demonstrates the king's concern for the commonwealth when he explains that the houses that have been targeted for closure will be 'toured into a better use'.<sup>26</sup> In the context of the text, this statement suggests that the king had an even larger, and still unrevealed, plan for these religious institutions. The king's concern for the commonwealth is further revealed when Morison points out that these policies are a response to the populace's long-standing complaints against the abuses perpetrated by the clergy and he suggests that the rebels should view the visitations in a positive light. He recommends that the rebels consider the visitations as an opportunity for corrupt clergy to receive pardon for their amoral activities: 'the kynges goodnes gave them this space both to aknowledge theyr hyghe and detestable faute, and to declare unto all his subjectes, howe loth he is to shede the bloode of them, that ought to love his grace beste, nexte unto god'.<sup>27</sup> For Morison, these commissions took on a quasi-sacramental dimension, serving as a conduit through which the disobedient clergy could confess their faults and receive the king's full pardon even as they acknowledged the king's rightful place as the head of the church in England. The phrase 'nexte unto god' is a vital clause: it appropriates the language of the Act in Restraint of Appeals, thereby reinforcing the king's position at the head of the social order.

It is difficult to determine the impact that *A Lamentation* may have had on its intended audience. The Lincolnshire rising grew at a rapid rate but it dispersed even quicker, as the rebels capitulated to the threat posed by Suffolk's army. The rebellion in Lincolnshire was significant because it was the catalyst that made possible the subsequent rebellion in Yorkshire. R. W. Hoyle reports that Sir Robert Aske, the primary leader of the Pilgrimage of Grace, and Sir Ralph Sadler, who investigated the rebellion for Cromwell, both believed that the revolt would have never happened in Yorkshire if Lincolnshire had not rebelled.<sup>28</sup> Yet, as Hoyle has determined, Aske devised the appellation 'Pilgrimage of Grace' in order to distinguish this rising from the Lincolnshire rebellion and to forge a connection between it and a politically-charged concern for the Church.<sup>29</sup> If the Lincolnshire rising was largely a reaction to

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<sup>26</sup> Morison, *A Lamentation*, Sig. B3<sup>r</sup>.

<sup>27</sup> Morison, *A Lamentation*, Sig. B4<sup>v</sup>.

<sup>28</sup> Hoyle, *Pilgrimage of Grace*, 176-9.

<sup>29</sup> Hoyle, *Pilgrimage of Grace*, 206.



the appearance of visitation commissioners, the Pilgrimage of Grace was a proactive and ideologically-driven movement involving a cross-section of northern society. This rebellion, too, was largely driven by popular support, but a number of leadership positions were taken by some of the regional gentry and nobility. The message of the rebellion was spread through circulated handbills and ballads, encouraging support behind the image of the Five Wounds of Christ. Even as Suffolk turned his attention south to prevent the Lincolnshire rebellion from spreading to London, the climate was growing more hostile further north.<sup>30</sup>

The second round of rebellion drew participants from an area stretching from Lancashire, Cumberland, Westmorland, and Yorkshire south into Derbyshire and Lincolnshire. This rebellion started when news of Lincolnshire's rising reached Beverley, on 8 October. Beverley took to arms in solidarity with the rebellion to the south and began to spread further north. As news of rebellion spread, Robert Aske emerged as a leader. After threatening a siege of the city, Aske entered York on 16 October. The city of Hull fell to the rebellion on 19 October. Rebel forces were organised according to the local patterns of musters. Its supporters, perhaps 30,000 strong, swore an oath of loyalty to the cause and participated in a series of local meetings. The Oath was an important component of the rebellion and was one of many documents the rising produced as the Pilgrims constructed a dialogic exchange with the regime over the rebellion's active weeks. The main action of the Pilgrimage concluded at Doncaster, where a rebel force of an estimated 28,000-35,000 fighters faced an army led by the duke of Norfolk.<sup>31</sup> A truce between the two sides was arranged on 27 October, and the armies began to disperse.

Commonwealth language was a central part of the Pilgrims' strategy, and it helped to distinguish the Pilgrimage of Grace from the Lincolnshire rebellion that had preceded it. The Pilgrimage's leaders, particularly Robert Aske, drafted articles that outlined the rebels' chief complaints and their primary demands. They submitted petitions to the king, detailing their concerns and the outcomes they hoped to achieve. The documents detailed specific objectives, the most important of which were the preservation of abbeys and monasteries in the north and granting the region

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<sup>30</sup> Hoyle, *Pilgrimage of Grace*, 282.

<sup>31</sup> Andy Wood, *Riot, Rebellion and Popular Politics in Early Modern England* (Basingstoke: Palgrave, 2002), 50-1.

a larger presence in political matters. The rebels demanded that the king call new sessions of parliament and convocation to be held at York. Articles issued at Pontefract and York levelled criticism at Cromwell and Sir Richard Rich and expressed suspicion about the religious convictions held by newly-appointed bishops. The documents indicate an awareness of the constitutional changes caused by the break with Rome, and the Pilgrims did not like what they saw as the legislation was put into practice.

*A Remedy for Sedition*, written shortly after its companion piece, was thus composed in the midst of a larger and more complex crisis than the rising in Lincolnshire had been. The text's main objective was not the vilification of the rebels but rather the prevention of further uprisings. Its tone is less immediately reactive, and, although Morison occasionally deploys a bathetic appeal, the rhetoric is more measured and contemplative in tone. The reflective quality present in *A Remedy* is largely due to the documents written by the rebels involved in the Pilgrimage of Grace. Morison was compelled to address a number of specific demands and grievances, and these were more numerous and clearer than the nascent rising in Lincolnshire had been. The metaphor used most frequently in *A Remedy* is that of the commonwealth as an organic body, appearing in several key sections to help Morison more clearly illustrate his points about order and leadership. But *A Remedy* addressed multiple audiences at once, just as Thomas Elyot and Christopher St German had when the Reformation Parliament was in session. *A Remedy* contains praise for the nobility, who had remained loyal to the king throughout the disturbances, suggesting that Morison hoped to reach a wide audience that included men who could put his proposals into practice.

*A Remedy for Sedition* opens with the basic components of law and governance. He writes, 'a comune welth is, as I thynke, no thynges elles but a certayne nombre of cities, townes, shires, that all agre, upon one lawe, and one hed, unyted and knytte together by thobservation of the lawes'.<sup>32</sup> In Morison's framework, the rule of law was a feature of an imperial realm and preservative of the commonwealth. Morison encourages his readers to view the flourishing of laws as an indication of God's blessings, explaining that they should take 'all those lawes that are made for the welthe and safegarde of mankynde, to be of god, all be it they be

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<sup>32</sup> Morison, *A Remedy for Sedition*, Sig. B2<sup>v</sup>.

constituted by manne'.<sup>33</sup> This understanding of the law echoes sentiments expressed earlier by St German and earlier still by Sir John Fortescue by maintaining that English common law by its very essence could not be contrary to natural law.<sup>34</sup> Morison regarded the law as a means for communication between the king and his subjects: it was the cumulative result of discussions that were conducted by council and parliament about the realm's well-being.

The Pilgrimage of Grace was an overtly religious rebellion whose participants felt compelled to petition the king on behalf of the ecclesiastical realm, which seemed to be treated unfairly in the king's most recent policies. Morison directly addresses these charges in *A Remedy for Sediton*, largely by re-situating the place of the clergy in the post-supremacy social order. The clergy are portrayed as the king's natural allies within the reformed religious structure, and they are charged with the responsibility of acting as worthy examples for the laity to emulate. Morison writes of the reforms, 'a greatte parte lyeth in the prelates of the Church. They muste begynne, thother can not leade this daunce. If religious men begyn, laye people will folowe, as soone as they shall have lerned wel the fotyng of it'.<sup>35</sup> But Morison warned that the clergy needed to be reformed before they could properly take up their rightful place in the social body. Morison describes the ecclesiastical orders in Christendom as hopelessly divided, full of fabricated divisions between the orders. He suggests that these divisions are the cause lying behind the rebellions, writing, 'Christen men do so varye, Englande is so devyded, that I wonder rather that sediton sprange up no sooner, than that nowe men begyn to rebell. Englande is lyttell bounde unto them, that at the fyrst devyded it so madly'.<sup>36</sup> In this passage, Morison argues in favour of both the break from Rome and the royal supremacy. He implies that the Roman Church had put these divisions into the realm, that these were not naturally a part of the Church as it had existed in England. This passage suggests that these divisions could be healed now that the papacy's influence had

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<sup>33</sup> Morison, *A Remedy for Sediton*, Sig. A2<sup>r</sup>.

<sup>34</sup> Sir John Fortescue, *In Praise of the Laws of England*, in *On the Laws and Governance of England*, ed. Shelley Lockwood (Cambridge: Cambridge University Press, 1997), 25-8.

<sup>35</sup> Morison, *A Remedy for Sediton*, Sig. E3<sup>v</sup>.

<sup>36</sup> Morison, *A Remedy for Sediton*, Sig. E1<sup>r</sup>.

been purged. With the clergy's support of the new religious order, uniformity and harmony could once more be restored.

For Morison, the papacy was the root of the problem of this rebellion. He enumerated the problems caused by a spatially distant religious head that was distant from its body of believers. Morison refers to the monstrous social body in order to clarify the effect the papacy had had on the kingdom. He writes, 'This foreyne heed, that is in Rome, the body being in England, hath brought the sely braynes of many a poore manne into depe errorrs. Alas what greater ignorauncye can there be, then to take hym for hede, that never was with the body? Hym for the heed, that hitherto hath done nothyng, but consumed the membres? The kyng is our heed, though popyshe say nay'.<sup>37</sup> The bitter tone levelled at the pope here establishes a contrast for the church under the king's direction. Though the papacy was a distant ruler, had introduced theological error, and had greedily consumed the wealth of the people, Morison implied that the king would correct error and false doctrine, and would tend to the needs of the church because of his knowledge of their concerns. This was an argument that cast the royal supremacy as a rational policy: the king could better address his subjects' religious concerns because he ruled amongst them and the spiritual well-being of his subjects was one of his responsibilities. Morison here skilfully invokes the image of the polity as an organic body to naturalise the royal supremacy.

The king's role as head of the English church was endorsed elsewhere in *A Remedy for Sediton*. Morison suggests that God's special providence had worked together with the realm's own laws and customs to ensure Henry's place on the throne. He writes, 'Thynges be not doone in this worlde by chaunce, neyther ought [they] to be governed by rasshennesse. God maketh kynges, specyally where they reigne by successyon. God toke awaye prynce Arthure, & wold king Henry the eyght, to be our heed, and governour. Woll we be wyser than god? wol we take upon us, to know who ought to governe us, better than god?'.<sup>38</sup> Morison here overtly links religious obedience with obedience to the earthly authorities. He shows that the rule of law and God's providence were conjoined to ensure the kingdom's stability after Prince Arthur's death to ensure a peaceful succession. This death allowed Henry to

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<sup>37</sup> Morison, *A Remedy for Sediton*, Sig. D3<sup>v</sup>.

<sup>38</sup> Morison, *A Remedy for Sediton*, Sig. B3<sup>r</sup>.

take his rightful place in the line of succession and as the head of the social order. The passage was not meant to slander the king's older brother but merely to affirm Henry's suitability as king. Arthur's death, the peace that accompanied Henry's accession, and the rule of law all confirmed God's endorsement of Henry's reign, and also suggested that the realm's laws and customs were favourable to the king.

The Pilgrims of Grace despised many of Henry's most trusted advisors, singling them out by name in their complaints and petitions. They were particularly hostile to Cromwell and Richard Rich, the chancellor of the Court of Augmentations, which had been established in April 1536 to administer the dissolution of the monasteries. The Pontefract Articles condemned Cromwell and Rich as 'subvertors of the good laws of this realm'.<sup>39</sup> These counsellors received commensurate attention in *A Remedy for Sedition*, where Morison defends the king's prerogative to select his own advisors, despite their personal or political unpopularity. Morison describes plainly the purpose of the king's political appointments: 'Governours in a common welthe, muste loke to the comons profyte, but they muste rule or els howe can they governe? They must make lawes, and not suche as every man wolle, neyther esteme that to be profytable to a few, which bryngeth damage to the hole. They onely oughte to be offycers, that are knowen to be discrete, polytique, wyse, and of suche stomake, that yf nede be, they can sette lyttell the hatrede and malyce of them, that seldome love suche as are in greattest auctorite, and not onely sette lyttel by them, but also contemne their owne profyte, welthe, ye and lyfe to, sooner than to seke prayse at their tonges, that for the moste parte, love they wote not what, and hate they wote not why'.<sup>40</sup> This passage contains several messages: it reiterates the commonwealth ideal that was held in high regard at court, perhaps reminding some of these elites to emulate the ideal more fully, and it encourages the officers and advisors who had come under attack from the rebels, possibly attempting to dissuade them from considering calls to repeal unpopular legislation at a new parliament. It also pointed to the fickleness of the rebels, who spoke loudly but without reason. But it was ultimately the king's decision to choose officers and advisors. Just as the king enjoyed resounding endorsements from the realm's laws and from God's providence, the people were to trust his decisions in advancements and in political appointments.

<sup>39</sup> SP 1/112, fos. 119<sup>r</sup>-211<sup>r</sup>; LP XI, no. 1246 (1-2).

<sup>40</sup> Morison, *A Remedy for Sedition*, Sig. A4<sup>r-v</sup>.

Morison argues, ‘If we woll this to be our prince, heed, & governour, than we must also lette his grace govern by suche officers, as he shall knowe to be beste for us, and not we to appoynte hym’.<sup>41</sup> Morison’s message was plain: God endorsed Henry’s rule, and the people were to obey him and trust his decisions.

Morison addresses the roles of the king, his counsellors, and the clergy in the social order and in the political life of the commonwealth. He also re-articulates the place of the commons in the social order. Early in the text, he writes, ‘An order, an order must be hadde, and a waye founde, that they rule that beste can, they be ruled, that mooste becommeth so to be’.<sup>42</sup> In the York Articles, the rebels complained that the king relied too heavily on corrupt, over-reaching counsellors who originated in the wrong social degree. This was an accusation that the king had misinterpreted the way the commonwealth functioned. For Morison, the rebels improperly interfered in political concerns that were best suited to the king and those he tasked with such matters. By taking on this role without invitation, the rebels had brought the social order to the brink of collapse. Morison once more deploys the image of the commonwealth as a natural body to further his point about the necessity of not confusing roles and corresponding responsibilities in the social order. He asks, ‘were it not by your faythe a madde herynge, if the fote shuld say, I wyl weare a cappe, with an ouche, as the heade dothe? If the knees shulde say, we woll carie the eyes, an other whyle: if the shulders shulde clayme eche of them an eare: if the heles wold nowe go before, and the toes behind? This were undoubted a mad heryng: every man wold say, the fete, the knees, the shoulders, the heles make unlauffull requestes, and very madde petitions. . . . [W]hat a monstrous body shuld this be? God send them suche a one, that shall at any time go about to make as evil a comune welth, as this is a body’.<sup>43</sup> Morison’s point here is that the king’s subjects must not act outside their proper places in the social body. It is not a coincidence that he begins this analogy with a foot, the lowest part of the imagined body, taking on a bejewelled object designed specifically for the head. It both highlights the absurdity of the rebels’ actions and points to the rising’s origins with the cobbler in Lincolnshire. A few lines after his description of the monstrous body, Morison discusses Plato, noting ‘It

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<sup>41</sup> Morison, *A Remedy for Sedition*, Sig. B3<sup>r</sup>.

<sup>42</sup> Morison, *A Remedy for Sedition*, Sig. A2<sup>v</sup>.

<sup>43</sup> Morison, *A Remedy for Sedition*, Sig. B3<sup>v</sup>.

is noo parte of the peoples play, to discusse actes made in the parliame[n]t. Every man dothe well in his office'.<sup>44</sup> In his estimation, it was equally ridiculous for a common subject to discuss parliamentary business outside parliament as it was for a foot to wear a hat. The implication of these statements was that the commonwealth worked best when subjects did not undeservedly aspire past their political or vocational stations. When they attempted to acquire powers not inherently their own, they trampled on the crown.

The armed phase of the Pilgrimage of Grace ended in Doncaster. Like the Lincolnshire rising before it, the rebellion was halted before the armies could face each other. The terms of the truce between the two sides included the provision that emissaries would be sent to London so that they could negotiate a solution to the Pilgrims' grievances on their behalf. The majority of the Pilgrims returned to their homes but Aske waited eagerly and impatiently for a response from the king. He kept busy as he waited, corresponding with court officials and developing working relationships with important political figures in northern England. Working as part of a 'Pilgrim Council', Aske prepared for the new convocation and parliament that he believed would be called imminently. He even prepared documents from a pseudo-convocation held at Pontefract in December 1536. Ultimately, Aske's hopes were crushed. The parliament he had wanted was never called but the participants in the rebellion were granted royal pardons on 8 December 1536. The king took revenge on the rebels' leaders: when Sir Francis Bigod, a zealous Protestant, attempted to re-launch the rebellion without success in January, the crown wrongly blamed the Pilgrim leaders and convicted many of them, including Aske, of treason.

Morison's two printed responses to the rebellions in autumn 1536 engaged in a conversation with the rebels and some of their demands. But his greater contribution is to the political thought of the early Reformation. In *A Lamentation* and *A Remedy for Sediton*, Morison rounds out the political process started by the Reformation Parliament by explaining aspects of its legislation to the widest possible audience. The rebellions drew on religious ideas and imagery to show support for the clergy, who the rebels maintained were treated unfairly by the Reformation. Morison addressed this concern by deploying the language of commonwealth and of the organic body politic in his tracts. Both sides argued for a conservative social order

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<sup>44</sup> Morison, *A Remedy for Sediton*, Sig. A4<sup>r</sup>.

but what each side had in mind for this order was something different. The rebellion demanded a social order that was essentially the same as it had been before the break with Rome. Morison, on the other hand, reflected a social order based on the reformation legislation. His tracts engaged with some of the broader themes of rebellion but were more fully compatible with other texts written at court. He presented ideas about commonwealth and the organic body politic in order to broadcast details about the royal supremacy to a wider audience. Another set of pamphlets printed in the same year, two *Answers* addressed to the rebels, also sought to articulate the change in the power dynamic caused by the royal supremacy before the rebellion was brought to its end. These texts were the background policy for the denunciations of rebellion that Morison wrote; these in turn responded to texts written by the rebels themselves. As the next section will show, the commonwealth idiom Morison illuminated in his texts was also present in the documents the rebels sent to the crown.

### The Rebels on King and Commonwealth

Richard Morison had explained the 1536 rebellions through the lens of the king's authority in religious matters. He considered the rebellions a result of the undue influence of corrupt priests, and perhaps of a failure to properly broadcast the benefits of the reforming legislation to the populace. Ethan Shagan explores the events of the northern rebellions through the themes of counsel, an enduring Roman Catholic piety, and various kinds of taxation, describing these events as a 'combination of popular and elite politics' through which the two groups interacted. He argues that, despite the naturally-occurring fragmentation caused by the passage of time and geographical distance between the risings' numerous sites, the rebellions were 'performed' in a way that built cohesion and unity across the events, creating 'a perfectly inverted mirrored image of the regime's failings'.<sup>45</sup> Shagan sees one cohesive rebellion unified by its actions, despite stretching from Lincolnshire to Cumbria, over the course of the month. As Morison's works show, the regime understood the risings not as a mixture of popular and elite but rather as a devious collaboration between clergy and laity working together to erase the royal supremacy and undermine the king's authority. Counsel, piety, and taxation were all

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<sup>45</sup> Shagan, *Popular Politics*, 89-90.



components of the rebellions, and may provide individual explanations showing why such a variety of people joined the risings. These rebellions drew an array of participants, each with their own objectives. Nonetheless, they share a unifying political idiom focused around the idea of the commonwealth. This concern united popular and elite, clergy and laity, and even subject and crown, across the rebellions that took place in 1536-7.

Commonwealth language, used in conjunction with the image of the organic body politic, helped Morison respond to the northern rebellions in the autumn of the 1536. This idiom allowed for engagement between the regime and a wide array of audiences. The term ‘commonwealth’, and its related vocabulary, had the power to resonate with a wide cross-section of the polity, making it a particularly attractive word choice for the regime to use in texts like those written by Morison and in legislation. A danger arising from appeals to the commonwealth, however, was that the same language could be appropriated by those who the regime wished to silence. The Early Modern Research Group describes this danger as arising from a ‘multivalency’ particular to the term, and note that it could be ‘used to legitimise protest or rebellion’.<sup>46</sup> Such terminology was used by these rebels; commonwealth language is found in the articles written by the Lincolnshire rebels. The Pilgrims’ Oath and articles developed by Aske and the Pilgrim Council incorporate commonwealth language, and the full title of the rebellion, according to the Oath, was the ‘Pilgrimage of Grace for the Commonwealth’.<sup>47</sup> Concern for the commonwealth abounds in the rhetoric and the objectives of this rebellion. The rebels, for example, use commonwealth languages in order to justify their disobedience; however, the regime also uses this language to legitimise their own positions and to defend the controversial legislation, unofficially in Morison’s texts and officially in other documents produced in light of the rebellions. Commonwealth language was an important way for a wide range of participants to signal engagement with political matters. Far from being restricted to the elite of the political nation, the use of the language of commonwealth could signal political involvement from anywhere within the social hierarchy, and could even be used to initiate new members into political activity.

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<sup>46</sup> Early Modern Research Group, ‘Commonwealth’, 668.

<sup>47</sup> SP 1/108 fo. 48; *LP XI*, no. 705 (4).

The leader of the Pilgrimage of Grace, Robert Aske, was a lawyer who received training in the common law at Gray's Inn. Aske was responsible for much of the rhetoric that arose from the rising, whether the form of the Oath, the articles sent to the king, or documents devised at meetings of the Pilgrim Council. These documents expressed the rebels' opinions on kingship, commonwealth, the social order, and the rule of law. The activities the rebelling subjects undertook were significant as well. This act of rebellion could be seen as part of a pattern of late medieval risings and rebellions – including the Peasants' Revolt in 1381 and a rebellion in Yorkshire in 1489 – undertaken by the commons in order to express grievances. While the aristocracy and upper clergy had taken upon themselves to counsel the king in print or from the pulpit, the commons expressed concern for the realm's political trajectory through the medium of rebellion. But the action of holding parliament-like meetings, of creating a Pilgrim Council, and developing a Pilgrims' Oath, are other means of political engagement. Such activities support the complaints the Pilgrims made in the documents they sent to the king. They had genuine concerns about political matters and felt that the appropriate sites for addressing these concerns had been undermined by wicked counsellors surrounding the king. By undertaking these political activities, the rebels who participated in them hoped to undo the misguided work that had been done by a political nation that they viewed as ill and illegitimate. Like Morison's tracts and the statutes themselves, the rebels' documents utilised appeals to the king's power and the common good of all subjects in order to explain their positions.

The language the rebels deployed in their texts appropriated customary notions of good governance paired with appeals to the commonwealth. The first document arising from the rebellions was a set of articles compiled and sent to the king in the midst of the crisis. The five Lincoln Articles, dated 9 October 1536, feature three articles directed against recent legislation.<sup>48</sup> The complaint about this legislation was that it hurt a number of the king's subjects. The first article explained that the suppression of the smaller religious houses hurt the commons by leaving 'at large' the sisters who were expelled from them. The second and third articles complained that the Act of Uses and the fifteenth tax would lead to further impoverishment, with the second article concluding that these laws are a great harm

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<sup>48</sup> SP 1/108 fo. 45; *LP XI*, no. 705 (1). These are modernised in Hoyle, *Pilgrimage of Grace*, 455-6.

‘to the commonwealth’. The final two articles directly attacked Henry’s choice of counsellors, both secular and religious. The fourth article personally attacked Cromwell and Rich, singling them out as ‘persons as be of low birth and small reputation’ who privately ‘procured the profits’ from the properties seized in the dissolution of the smaller religious houses.<sup>49</sup> The fifth article directed its attention at seven bishops who had recently received promotion to their sees. The rebels cast these men as ‘diverse’ in religious opinions. They also singled out John Longland, Bishop of Lincoln since 1521, as an unpopular cleric who was ‘the beginnings of all the trouble’. These articles were solely focused on domestic concerns, pointing to wicked counsel, and never the king personally, for all the troubles that afflicted the commonwealth.

Robert Aske invokes commonwealth language in a Proclamation to the City of York, which was circulated on 15 or 16 October.<sup>50</sup> Aske identifies himself in the proclamation’s enclosure as the ‘chief captain of the conventual assembly on pilgrimage for the same, barony and commonalty of the same’ and signs ‘in the name of the baronage and commonalty of the same’.<sup>51</sup> With these words, Aske creates a community that includes members of the entire social order, and he extends his invitation to the whole community of York. But these words represent an ideal, and reflect the support that Aske would have liked to have received. The highest-ranking people he was able to attract were the gentry, whom he invited to a special convention. At this meeting, the gentry were promised a twenty-four hour window in which they could join the rebellion before their property was destroyed.<sup>52</sup> When Aske includes the nobles and commons in his proclamation, he implies he has already secured support from a wider social spectrum than he has achieved in reality. He implores the ‘Lords, knights, masters, kinsmen, and friends’ of the city to join the pilgrimage, which he says has been undertaken because of the king’s impositions. The proclamation blames the ‘simple and evil disposed persons’ of the king’s council for the ‘many and sundry new inventions’ that are contrary to religion and to the commonwealth. He accuses the council of intending to destroy the church and

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<sup>49</sup> Ibid.

<sup>50</sup> Hoyle, *Pilgrimage of Grace*, 199-202.

<sup>51</sup> SP 1/108 fo. 46; *LP XI*, no. 705 (2). These are modernised by Hoyle in *Pilgrimage of Grace*, 456-7.

<sup>52</sup> Hoyle, *Pilgrimage of Grace*, 199-204.

believes that the same group of men intends ‘utterly to spoil and rob the whole body of this realm’. Aske’s proclamation attempts to re-articulate the proper social order by stating that he and his fellow rebels have undertaken their pilgrimage ‘for the preservation of Christ’s church of this realm of England, the king our sovereign lord, the nobility and commons of the same’. This phrasing is important because it shows conformity to the royal supremacy: the rebels here do not demand a return to loyalty to the papal see but acknowledge the distinctive nature of the church in England. The rebels also refrain from directing their complaints to Rome or foreign authorities for aid to the plight of the ecclesiastical realm in the kingdom. These overtures suggest that Aske and the rebels saw the matter as one whose remedy could only be sought through the kingdom’s political institutions, and not those of the Church. Aske has been technically careful here to ensure that nothing that was written was contrary to statutory law, perhaps so that the Pilgrims could maintain that they never subverted the king’s laws or resorted to treason. Though the motivation behind this is unclear – whether the Pilgrims refused to subvert the king’s laws because of fear of retribution or because they simply believed in maintaining good order – this action in itself shows deference to the commonwealth and to the order established by the royal supremacy.

Documents produced by the rebellious Pilgrims reveal respect for the king’s laws, including the royal supremacy, an appreciation for the social order, and zeal for the commonwealth. The grievances the Pilgrims raised were rooted in the belief that the only way for the hurt that the realm had suffered because of the Reformation Parliament’s legislation was to undo it through additional legislation. The Pilgrims thus demonstrate that they understood the role of Parliament as an institutional site for counsel. In other words, they realised the implications that the royal supremacy had for the social order and these were incorporated into their own language and thought as a way to acknowledge these changes. Ultimately, the northern rebels, of whichever phase in the rebellion they participated, wanted to restore the former social order and carry on as though the royal supremacy had not happened. For them, the supremacy represented a diminishment in their quality of life. Resistant members of the upper clergy and the aristocracy were afraid that the royal supremacy was threatening to collapse the spiritual and temporal realms into one indistinct entity; the rebels were afraid that an entire order of the clerical realm was targeted for elimination. Even in the earliest stages of the dissolution of the monasteries, these

rebels believed that their political body was about to lose a limb. They looked to the root of the problem and determined that it originated with the men who advised the king. For these rebels, the only way to save the commonwealth was to restore it to the social order that had existed before royal supremacy had taken effect.

### The King's *Answers* to the Northern Rebels

The articles, petitions, and other documents produced by the rebels show how members of the populace interpreted reformative legislation as it was put into practice. The language that they used in their texts appropriated an idiom that they hoped the crown would recognise and would find sympathetic. Morison responded to the rebellions in two tracts, but his efforts were part of a larger propaganda campaign designed to prevent the spread of rebellion to other areas of the kingdom. According to W. Gordon Zeeveld, Thomas Berthelet, the king's printer, published at least five such tracts in the month following the initial rising in Lincolnshire.<sup>53</sup> Amongst these documents were two tracts from October 1536 printed in the king's name: *Answer to the petitions of the traytours and rebelles in Lyncolneshyre* and *Answer made by the kynges hyghnes to the petitions of the rebelles in Yorkeshire*.<sup>54</sup> Zeeveld estimated that the tract addressed to the Lincolnshire rebels was composed sometime between 12 and 15 October. At the same time, the duke of Suffolk was leading his hastily-raised army southward out of a capitulated Lincoln.<sup>55</sup> A version of the text was sent to the rebels on 15 October and an edition was in general circulation by 18 October, as the Pilgrimage of Grace was gaining momentum.<sup>56</sup> That the text was included in the response to the rebels indicates that the crown was willing to engage in rhetorical exchanges about political concerns. However, the responses to the rebels that were produced by members of the regime were inflexible and re-asserted the crown's earlier positions. The regime was perhaps willing to entertain other perspectives on political decisions but they took the chance to re-

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<sup>53</sup> W. Gordon Zeeveld, *Foundations of Early Tudor Policy* (Cambridge, MA: Harvard University Press, 1948), 173.

<sup>54</sup> *Answer to the petitions of the traytours and rebelles in Lyncolneshyre* (London: Thomas Berthelet, 1536; STC 13077.5); *Answer made by the kynges hyghnes to the petitions of the rebelles in Yorkeshire* (London: Thomas Berthelet, 1536; STC 13077).

<sup>55</sup> Hoyle, *Pilgrimage of Grace*, 166-75.

<sup>56</sup> Zeeveld, *Foundations*, 173-4.

articulate their position whenever possible. Although these texts respond to rebel concerns, they provided an opportunity to re-articulate the regime's model of kingship to a wide audience.

Written from the king's perspective and deploying a first-person narrative style, these two tracts respond directly to the rebels' complaints, addressing what the regime considered the most significant of the articles in turn. They adopt a formal tone, eschewing figurative language in order to stay on the task of directly responding to the charges levelled at the crown. The rhetorical style is similar to that found in other official documents, such as royal proclamations or parliamentary statutes. Rather than describing the entire social order in light of the royal supremacy, the two *Answers* focused on the king's place in the body politic. They examined themes that were significant to the regime's construction of Henry's kingship, including the inherent logic of the royal supremacy and its origins in historical precedent and custom, statutory law as the dividing line between the king and his subjects, and a clear definition of the king's singular prerogatives.

The *Answer to...Lyncolneshyre* is largely concerned with the question of counsel: although these were the topic of the final two Lincoln Articles, the figure of the king begins with them 'bycause upon them dependeth moche of the reste'.<sup>57</sup> Chapter Two examined the significance of counsel to the elite members of the political nation; that the 'King' begins his tract with this topic indicates the significance of counsel to ruling, and the widespread knowledge of it as a critical part of good kingship. However, as John Guy has shown, from Fortescue's political treatises of the fifteenth century forward to the Reformation Parliament, the idea of counsel was in flux, caught between two converging political traditions: the feudal-baronial tradition and the humanist-classical tradition.<sup>58</sup> The rebels were opposed to the king's new counsellors, and especially Cromwell and Rich, because they were from base backgrounds. The attack on the king's counsellors invited the writer, or writers, of these tracts to examine questions about the relationship between counsel and royal authority. Just as Morison had used the organic body politic metaphor to restructure the social order, the *Answer to...Lyncolneshyre* reinscribes theories of

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<sup>57</sup> *Answer to...Lyncolneshyre*, Sig. A2<sup>r</sup>.

<sup>58</sup> John Guy, 'The Rhetoric of Counsel in Early Modern England', in *Tudor Political Culture*, ed. Dale Hoak (Cambridge: Cambridge University Press, 1995), 292-310.

royal power through the question of counsel. On one level, the *Answer to...Lyncolneshyre* sought to reconcile the feudal-baronial and humanist-classical traditions by rewriting counsel in terms of the king's prerogative and by demonstrating that the royal supremacy conformed to the realm's customary practices. These tracts echo the sentiment of the parliamentary legislation by stating once again that the supremacy was not innovative but rather confirmed in statute the authority that English kings had long practiced.

The 'King' denounces the rebels' call for new counsellors and bishops, labelling this desire as innovative and contradictory to the customs of the realm. He writes, 'I never had redde h[e]ard nor knowe, that princis counsaylours and prelates shulde be appoynted by rude and ignorant common people'.<sup>59</sup> This rebuke is related, as in Morison's works, to the commons' lack of the specialist knowledge to serve the king in this capacity. The figure of the king denies this group's ability to act as 'persones mete or of habilities to discerne and chose mete and sufficient counsailours'.<sup>60</sup> The *Answer to...Yorkeshire* would repeat this sentiment, with the figure of the King arguing that 'it apperteyneth not to any subjecte, to presume to take upon hym, to appoynte his kynge and soveraigne lordis counsaile, ne for our part we wol take any such thing at any of our subjectes handes'.<sup>61</sup> In these passages, the 'King' links the rebels' actions to custom, indicating that the rebels were completely out of order in their approach: they had inappropriately assumed for themselves a role belonging to another group in the social order. Instead of achieving their goal of restoring custom, as their articles had implied, the rebels actively negated and threatened to overturn customary order. It would be equally inappropriate for the king to submit to these demands because they were unsolicited and would compel the king to follow the wrong advice, leading to a diminishment in his authority. The king is here depicted as jealous of his prerogatives and unwilling to submit these to the opinions of his subjects.

The *Answer to...Lyncolneshyre* reinforced the notion that parliament should be regarded as a site for the extension of counsel by introducing the idea that counsellors did not hold the same authority as parliament. The rebels' articles had

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<sup>59</sup> *Answer to...Lyncolneshyre*, Sig. A2<sup>r</sup>.

<sup>60</sup> *Answer to...Lyncolneshyre*, Sig. A2<sup>r</sup>.

<sup>61</sup> *Answer to...Yorkeshire*, Sig. A5<sup>f</sup>.

implied that the king merely followed his counsellors' political agenda, rather than actively making decisions based on the common good. For the rebels, the king was not uncounselled but rather becoming tyrannical because he was dangerously over-counselled. The 'King' directly refutes this charge in the *Answer* in response to the claim that the dissolution of the religious houses had been undertaken only to benefit Cromwell and Rich. Instead, the 'King' writes, that this act was settled 'by act of parlyment, and not set forth by any counsaylour or counsaylours upon theyr mere wyll and fantasy'.<sup>62</sup> One implication stemming from this statement was that the king's administrators were compelled to carry out the dissolution because parliament had authorised it and the king had merely assented to the statute. It was the parliamentary act that put the dissolution into motion. Henry here argued that he was firmly in control of his own decisions and the kingdom's policies; he chose his counsellors and listened to their advice but his decisions were ultimately his own. In the tract, the character of the 'King' thus gives voice to the king's own policies. The words of the law are rephrased in a more natural way and placed into the king's mouth. The effect of this rhetorical strategy is to pinpoint the correct way to interpret the legislation so that there can be no deviant readings of it.

The importance of parliamentary authority is further expounded as the tract addresses the rebels' complaint about the Statute of Uses. In a rare metaphor, the 'King' takes on the role of a physician, diagnosing an ill body politic. He responds, saying, 'we mervaile what madnes is in your braine, or upon what grounde ye wolde take auctorities upon you to cause us to breake those lawes & statutes, whiche by all the nobles knyghtes and gentylnmen of this realme (whome the same chiefelye toucheth) hath ben graunted'.<sup>63</sup> The illness that the king recognised in the rebels discredited their opinion on the matter, and their attempt to persuade the king to reconsider the Statute of Uses was in vain. Initially proposed in 1529, the Statute of Uses was finally passed in the final session of the Reformation Parliament, seven years later. The statute was ostensibly meant to help simplify the complicated problems of real property law and inheritance law. As a legal device, use presented a financial problem for the crown: in the absence of a common law method to bequeath land by will, uses provided a way for the gentry to hold land in trust. The

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<sup>62</sup> *Answer to...Lyncolneshyre*, Sig. A2<sup>r-v</sup>.

<sup>63</sup> *Answer to...Lyncolneshyre*, Sig. A3<sup>r</sup>.



property never changed ownership under the terms of the common law so the crown never received tax on these lands.<sup>64</sup> Disputes over uses were considered a matter of equity, and the crown was obliged to rule against its own interests in order to ensure justice in such disputes. Instead of fully resolving this problem, however, the statute altered the jurisdiction of legal disputes over use, moving them from the jurisdiction of Chancery court into the common law courts. The other key result of this statute was that the king obtained feudal rights over landed properties.<sup>65</sup> In addition to depleting the treasury, to repeal the statute would be tantamount to admitting the king was fallible, and indicated a lack of discernment in legal matters.

The Statute of Uses primarily affected the nobility and the landed gentry. The rebels saw this statute as an unjust attack on this group and were determined to use their rebellion to defend the nobles and landed gentry from a harsh king, just as the Pilgrimage of Grace defended the ecclesiastical estate. But the 'King' points out that the statute had received parliamentary consent, and this included consent from members of the group the rebels hoped to aid. Furthermore, the statute had been supported by 'all the well lerned men of Englande in Westmynster halle'.<sup>66</sup> Here, the weight of parliamentary approval reinforced the lawfulness of the statute. The statements about parliament, particularly the role of parliament as a site for the extension of formal counsel, are significant in this text. The legislation leading to the royal supremacy had introduced these ideas but the acceptance of parliament as a formal council had not been filtered out to the general political imagination by this point. But the voice of the king explaining how the government ought to function was an intervention into popular political perceptions and helped to support the earlier legislation and the legal theories lying behind them. The voice of the king in this context, explaining the political process as it had happened rather than in theory, helped to shape a new conception of the practice of political power.

Law and counsel were once again the primary themes in the king's *Answere to...Yorkeshire*. The elevation of statutory law over other forms of law is given attention in the text, and the king explains the importance of convocation in a post-supremacy context. Precisely when this second tract was written is uncertain but

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<sup>64</sup> E. W. Ives, 'The Genesis of the Statute of Uses', *English Historical Review* 325 (1967): 673.

<sup>65</sup> Ives, 'The Genesis of the Statute of Uses', 676-7, 679.

<sup>66</sup> *Answere to...Lyncolneshyre*, Sig. A3<sup>r</sup>.

Zeeveld dated the composition and distribution of the piece to before 5 November 1536.<sup>67</sup> The king responded to three main complaints in this *Answer*: religion, the maintenance and ‘lyberties’ of the church, and, finally, the king’s authority. This final topic was divided into three further sections: the law, the commonwealth, and counsel. The tone of this piece is sharper than the first *Answer*: the first two sections, pertaining to the rebels’ grievances about the Church in England and the royal supremacy, were addressed curtly, almost dismissively, and with what Zeeveld referred to as ‘varying degrees of condescension’.<sup>68</sup> This response contains many assertions of authority but offers little explanation of the rationale behind the laws and policies the Pilgrims so despised. Of all the grievances addressed in this tract, the figure of the king most fiercely argues for his right to choose his own counsellors. This is the lengthiest and best-developed section in the *Answer to...Yorkeshire*. The attention given to this topic therefore reveals what the regime believed was the most indispensable element of Henry’s kingship.

One objective of the *Answer to...Yorkeshire* is to demonstrate how the religious legislation that the rebels complained about was derived from the laws and customs unique to the realm. In accordance with these, Henry VIII is depicted as ‘that prince, that dothe entende and hath always mynded to lyve and dye in the maytenaunce defence and observation’ of the ‘faith of Christe’.<sup>69</sup> The effect of this statement is to assert the king’s alliance with the Church. It implies that the king can only fulfil this function through the royal supremacy. The king’s adherence to custom was also posited with respect to the re-foundation of the monasteries for different purposes. These actions are compared with those of earlier monarchs, clerics, and nobles, including the king’s own grandmother. The dissolution of the lesser houses is described in comparison with Henry V’s suppression of a hundred monasteries and Edward III’s renovation of one order’s properties ‘[w]holly to his owne use’.<sup>70</sup> This demonstrates that there was a long precedent of the royal seizure of monastic properties. But Henry’s plan to transform monasteries into educational

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<sup>67</sup> Zeeveld, *Foundations*, 173.

<sup>68</sup> Zeeveld, *Foundations*, 172.

<sup>69</sup> *Answer to...Yorkeshire*, Sig. A2<sup>f</sup>.

<sup>70</sup> *Answer to...Yorkeshire*, Sig. A2<sup>v</sup>.

institutions puts a positive light on the dissolution and shows his concern for the commonwealth. Where the *Answere to...Lyncolneshyre* emphasised the importance of parliament as a means to counsel the king, this *Answere* encourages the audience to regard ecclesiastical convocations in similar manner. The Pilgrims claimed to defend the clergy from the king's unjust attacks. But in this *Answere*, the author shows that there had been clerical support for the unpopular measures, arguing, 'we and our [w]hole clergy in convocation have in articles declared' the lawfulness of the acts.<sup>71</sup> In using such language, the text posits the king's role as head of the Church in England as a correlative of his role as head of the realm's temporal order. The comparison serves to naturalise the royal supremacy, abating the unfamiliar concept of a temporal ruler directing a spiritual body by suggesting that governing the Church was similar to governing Parliament, and both were corroborated by the realm's customs.

The defence of Henry's counsellors is the longest section in this *Answere*. The beginning of the section on this topic starts with a reflection on the early years of Henry's reign, 'where it is sayde, that so many noble menne were counsaylours'.<sup>72</sup> He considers the rebels' complaint as a gross mischaracterisation of the earlier era, since, 'of the temporaltie, there were but two worthy to be called noble'; the rest were promoted on the basis of their proven merits.<sup>73</sup> The composition of the council is described in detail, with the writer pointing out how many lawyers and priests had served in this capacity. The present council, the king argued, contained 'so many nobles in dede, bothe of byrthe and condition', suggesting that his later counsellors were of a better character than in the earlier era.<sup>74</sup>

The texts printed in the king's name, along with Morison's two tracts, provided an official public response to the uprisings in northern England. They were written in haste to prevent the rebellion from spreading and reveal the Crown's priorities, particularly with respect to the way that power was articulated. The group of texts offered a comprehensive interpretation of the events: the rebels were cast as

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<sup>71</sup> *Answere to...Yorkeshire*, Sig. A2<sup>f</sup>.

<sup>72</sup> *Answere to...Yorkeshire*, Sig. A4<sup>f</sup>.

<sup>73</sup> *Answere to...Yorkeshire*, Sig. A4<sup>f</sup>.

<sup>74</sup> *Answere to...Yorkeshire*, Sig. A4<sup>f</sup>.

blinded by the usurped authority of corrupt religious figures still loyal to the papacy; the rebels had aimed their hostilities at the king's counsellors when it should have been directed at disobedient clerics; the king and the rebels were on the same side, even if the rebels had not yet recognised this fact. The crown also expressed the extreme danger that the rebellion was causing: it could prompt the kingdom to fall victim to a foreign invasion. These tracts aimed to rearticulate the royal supremacy in more concrete terms, helping their audiences to share the vision of the realm envisaged by the court.

The printed texts reveal a type of ideological conversation the crown was engaging with its subjects. In the early stages of the Reformation Parliament common lawyers had printed texts that set forward how the law was the primary conduit between the king and his subjects. But their texts also indicated that individuals could participate in a larger political culture that was suggested through the languages used in texts. The rebels demonstrated that they understood this process of political engagement through their use of the commonwealth idiom in the recruiting materials, like Aske's Proclamation and the Pilgrims' Oath, they used to foster the rebellions in 1536-7, and in the texts that they sent to the crown. The regime responded to the rebels' texts with similar language, incorporating the legal ideas into the king's *Answers* alongside the commonwealth idiom and the detail bodily imagery deployed by Morison. But these were also part of a larger textual conversation about the nature of royal authority that circulated in manuscript at court. Other tracts were written in response to the rebellions but were not printed. It is impossible to reconstruct why some texts were selected for print over others but the surviving texts nonetheless reveal the scope of the political idiom as a means for political engagement during this crisis.

#### Manuscript Responses to the Rebellions

The texts Thomas Berthelet printed reveal the crown's public perspective on the exercise of power in light of the rebellions. They show that the crown could responsively engage with the populace through a variety of media. Printed texts could serve a variety of purposes at once: they could articulate a policy position to a wide audience, they could strive to create uniformity within the political nation by providing a replicable template, and they could answer criticisms levelled at the crown. These texts could also be put into another context: that of an attempt to

articulate the nature of royal power in light of the supremacy. A number of background conversations and documents complemented and informed the tracts that reached the publication stage. Two of these texts, an anonymous *Letter Sent to the Comons that Rebell* and *An Induction to Concord, to the pepul of Englund*, attributed to Thomas Starkey, use language and themes similar to the printed texts in their interpretation of the rebellions and the understanding of power that they convey.<sup>75</sup> Despite the reputation of its author as an influential humanist, *An Induction to Concord* has received little critical attention. By 1536, Starkey had become a royal chaplain, which may explain the tone of the tract. A small audience would have seen these documents, even if they had circulated in manuscript form, as Sowerby believes they did, but the unprinted texts reveal the political concerns prevalent amongst the scholars at court in the autumn of 1536.<sup>76</sup> They reveal different ways to explain the operation of royal power in light of the supremacy, showing that the supremacy was open to interpretation even at court.

*A Letter Sent to the Comons that Rebell*, like Morison's *Lamentation*, adopts a sermonic tone to address an audience of disobedient subjects. It is full of emotion, with rhetorical questions, appeals to the rebels' Christian faith, and a hostile tone.<sup>77</sup> The *Letter* encouraged the rebels to consider the implications of their actions within the commonwealth and in a broader international context. The *Letter* uses great emotional appeal throughout the text. It begins with the anonymous author lamenting the loss of the 'quiete, virtue, and peace that reigned uni[ver]sally' in England in the years before the rebellion. The text immediately draws connections to the kingdom's tranquility and the international context. The author recalls 'how terrible and dredefull was the strengthe and power of the same to all the worlde'.<sup>78</sup> The author links international renown to social cohesion and unity. This echoes sentiments that were expressed in the tracts written by Morison and in the king's *Answers*. All of these texts urge for a cohesive commonwealth as the surest way to prevent foreign invasion.

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<sup>75</sup> *A Letter Sent to the Comons that Rebell*, SP 1/113 fos. 216-21; Thomas Starkey, *An Induction to Concord, to the pepul of Englund*, SP 6/9 fos. 106-7.

<sup>76</sup> Sowerby, *Renaissance and Reform*, 43.

<sup>77</sup> *Letter*, fo. 218<sup>r</sup>.

<sup>78</sup> *Letter*, fo. 217<sup>r</sup>.

Thanks to Cardinal Pole's suspicious legation to the anti-English stronghold of Flanders, foreign attack was one plausible outcome resulting from the rebellions; another was self-reflexive destruction within the kingdom.<sup>79</sup> The author of the *Letter* postulated that any pretensions the rebels had espoused about their preservation of the commonwealth were nullified through the rising itself. The author writes that it is 'farre impossible, to have any good co[m]mon weale there, where as rebels beare the rule'.<sup>80</sup> The author also highlighted the problem of the rebels attempting to force the king to submit to their demands. In the *Letter*, the king's office prevented him from capitulating to their demands; to submit to a rebellion would be a sin, and the king's sin would spread to the rest of the commonwealth.

Another common trope the *Letter* shares with the printed responses to the rebellions was the link between rebellion and madness. The author encourages the rebels to return home, thereby demonstrating 'you are true subjectis, & rebelle not ayenst yo[ur] soverayne, but of an ignorance rose up by the p[er]swasion of some mischevous mad braynes'.<sup>81</sup> These texts showed two different ways to indicate the folly of rebellion: externally with the clothing that was worn or internally with a frenzy in the brain. Morison's *Remedy for Sedition* showed the first kind of madness, offering a depiction similar to a comedic case of mistaken identity, as though no real harm could result from this folly as long as order was quickly restored.<sup>82</sup> This portrayal placed responsibility for the rebellion with the commons who rebelled by appropriating prerogatives and responsibilities that were out of their reach. At best, the rebels could only mimic the outward manifestations of power, with no authority to enforce them. The *Answer to...Lyncolneshyre* placed the madness, and responsibility for rebellion, with the leaders. In this case, the madness carried with it a more sinister edge, and the author argued that the rebels were attempting to persuade the king to break laws that had received parliamentary approval, a move that was both immoral and impossible.<sup>83</sup> The *Letter* mediates between these two

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<sup>79</sup> T. F. Mayer, 'A Diet for Henry VIII: The Failure of Reginald Pole's 1537 Legation', *Journal of British Studies* 26, no. 3 (1987): 305-31.

<sup>80</sup> *Letter*, fo. 218<sup>r</sup>.

<sup>81</sup> *Letter*, fo. 219<sup>r</sup>.

<sup>82</sup> Morison, *Remedy*, Sig. B3<sup>v</sup>.

<sup>83</sup> *Answer to...Lyncolneshyre*, Sig. A3<sup>r</sup>.

applications of madness: the body politic had suffered from a momentary lapse in judgement, as Morison also understood the rebellion, but the author was certain ‘god woll shortly send and delyver into the kyngis handes, to rescyve suche punisheme[n]t as they have deserved’ the sinister leaders, as in the *Answer*.<sup>84</sup> The *Letter* blamed not the populace who participated in the rebellion but the individuals responsible for instigating it. In texts written by the regime with the general populace in mind, the organic body politic metaphor was invoked with the objective of convincing the people to return to order and to illustrate the mistakes that were made by the rebels as they rebelled. The metaphor was a useful correlative in the case of rebellion because of its common appeal and familiarity.

*An Induction to Concord* has been used by G. R. Elton and Thomas F. Mayer as a device for dating events within Cromwell’s circle, but the ideas examined within it have been largely overlooked. The extant document is an edited draft but, although Elton and Mayer have both treated it as a completed text, it seems to be missing pages, at one point completely changing topic mid-sentence as the paragraph continues onto a new folio.<sup>85</sup> Mayer, who offers the text’s contents the fullest attention, dedicates very little space to *An Induction* in his examination of Starkey’s political thought, emphasising its brevity and citing its failure to be printed as evidence of Starkey’s fall from favour with both the king and Cromwell.<sup>86</sup> Without offering specific examples to support his claim, Mayer finds that the Pilgrims’ demands aligned with Starkey’s own vision of the commonwealth as expounded in his *Dialogue between Pole and Lupset* and a treatise he had composed during the summer of 1535, *An Exhortation to Unitie and Obedience*. As the second chapter of this thesis has detailed, in these longer texts, Starkey advocated a conciliar government, heavily influenced by the ideal example he had observed in Venice, to protect the commonwealth from tyranny. He also promoted the idea of a clerical council to guide the English church, fearing that direction by a quasi-papal king-in-

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<sup>84</sup> *Letter*, fo. 219<sup>r</sup>.

<sup>85</sup> The extant document can be found at SP 6/9 fos. 106-7. The jump occurs between fo. 106<sup>v</sup> and fo. 107<sup>r</sup>. Fo. 106 concludes with the phrase ‘schold so sodanly without shedyng of any blud put away your’, and fo. 107 begins with ‘hym, wyth ourselves’.

<sup>86</sup> Elton, *Reform and Renewal*, 52; Thomas F. Mayer, *Thomas Starkey and the Commonweal: Humanist Politics and Religion in the Reign of Henry VIII* (Cambridge: Cambridge University Press, 1989), 242-3.

parliament could result in heresies similar to those present in the Roman Church. Both of these texts showcased Starkey's rhetorical mastery, and the *Exhortation* skilfully deployed an evangelical understanding of *adiaphora* to support the royal supremacy. But *An Induction to Concord* is better placed not with these larger and more theoretical works aimed at friends and potential employers, but in the context of the other printed responses to the risings. Their shared objectives and audiences mark this set of documents as more closely related than Starkey's earlier texts. One important theme all these documents share is that God and the king have a unique interaction. Morison's texts in particular were, in Sowerby's phrasing, 'beginning to develop a providentially tinged theory of kingship'.<sup>87</sup> The remains of Starkey's *Induction* push that idea further, illustrating in specific detail exactly how divine providence manifested itself through natural events and in the king's actions. The *Induction* experimented with themes that would become increasingly significant later in the century as the trope of England as a new Israel became more common. Starkey employs a somewhat hyperbolic appeal to underscore two points. First, he argues that living peaceably in a commonwealth is the clearest and easiest way to demonstrate obedience to the king and to God. Second, he shows how God uniquely interacts with the English people and with their king, supporting this premise with well-known examples from the events of the Pilgrimage of Grace.

Mayer attributed the *Induction*'s shortness and sometimes ambivalent positions to its author's 'latent sympathy with the Pilgrims'.<sup>88</sup> He is correct in his assertion that Starkey refused to overtly support the king's forces over the rebel army in his account of the events at Doncaster. However, this refusal to overtly endorse one temporal power over the other matches the tactic Starkey employed: he was attempting to demonstrate that God was on the king's side in the matter of this domestic war, and he chose to portray the populace as one indivisible entity, regardless of side in the dispute. This position was supported by the examples he took from nature to show God's obvious endorsement of the king. His subtle rhetoric matched the subtleties of divine intervention. Starkey recalls the meeting between the two armies at Doncaster in rather violent terms: the people had been separated into 'dyverse partys [and] sundry factyonys' with the aim of meeting 'toggudyr to

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<sup>87</sup> Sowerby, *Renaissance and Reform*, 48.

<sup>88</sup> Mayer, *Starkey*, 242-43.



murder [each] other' on the battlefield.<sup>89</sup> He argues that God had caused 'the ryver betwyx you to flow over the bankys, [and] so therby to lett you from your owne destructyon'.<sup>90</sup> This piece stripped valour and glory from the language of military confrontation, reducing it to murder. Ultimately, by ascribing the prevention of death on both sides solely to God's providential intervention, Starkey may have unintentionally robbed the king of an outright victory over the Pilgrims' forces but his account does not demonstrate sympathy for the rebels. Starkey refused to apply the terminology used by Aske and his companions, thereby casting the rising not as a religious pilgrimage but simply as disobedience and outright rebellion. Starkey had described the miraculous flooding of the River Don as an instance in which the people could mark 'the playn voyce of god sownyng in your yeres'.<sup>91</sup> This metaphor indicates a correspondence between the audible and the visual or, more specifically, the readable. It points to a collective understanding of a sign, as though both parties in the dispute could correctly interpret this sign because of their shared experiences as members of the same community.

These two unprinted manuscripts enrich our understanding of the documents printed in response to the 1536 risings, revealing an evangelically-leaning theological component that was expressed differently in the printed texts. The manuscripts made much more direct correlations between divine intervention and natural events, correlations that may have pushed the evangelical agenda too far had they been printed. Perhaps the populace was seen as too unfamiliar with protestant theology for these ideas to make sense, or they feared objections to these ideas since the risings already used conservative religious imagery. These documents may have run counter to other aspects of the printed appeal as well. The emphasis on the special interactions between God and the king, for instance, may have reduced the impact of appeals to the body politic. In Morison's texts, these appeals demonstrated that the king was embodied within the kingdom's social order. The examples showed that events that harmed the commonwealth harmed the king. But these manuscripts separated the king from his subjects, and potentially damaged the work of the

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<sup>89</sup> Starkey, *Induction*, fo. 106<sup>r</sup>.

<sup>90</sup> Starkey, *Induction*, fo. 106<sup>v</sup>.

<sup>91</sup> Starkey, *Induction*, fos. 106<sup>r-v</sup>.

legislation. Although these documents remained unprinted, some of their core tenets were revisited later.

### Conclusion

The royal supremacy had firmly situated the king at the head of an organic body politic, but the enshrinement of this ideal in statutory law did not offer automatic assurance that the populace would accept it as political orthodoxy. By the time the provisions of the Dissolution of the Lesser Monasteries Act were put into effect in autumn 1536, the supremacy was a well-established idea. The legal writers who explained its principles in print were openly denounced for their contribution to a political heresy in the articles and complaints presented to the king by the dissatisfied commons. Christopher St German was placed in the same category as Luther, Tyndale, and Barnes in the Pontefract Articles drafted by a pseudo-convocation of northern clerics with input from Robert Aske. St German's printed explanations of the legal theories that made the royal supremacy possible had helped to place the supremacy in the context of a political culture that existed beyond law alone, but printing these texts had the effect of implying that these ideas were open to interpretation by a wide audience.

The language of the texts printed by legal writers that had led to the supremacy legislation provided a starting point for the rebels to articulate their grievances. St German's texts had invoked the language of commonwealth in order to foster support for the break from Rome. His texts had argued that England's ancient kings had exercised authority over the church in their realm as a means to protect their subjects from heresy. He claimed that the best way to protect the commonwealth was to promote social unity across the divide between temporal and spiritual subjects by ensuring that the king was the only clear authority in the realm. These ideas were articulated once again in the supremacy legislation. The legislation claimed that the papacy had encroached on a customary social order; the royal supremacy restored this earlier ideal. Soon after the rebellion in Lincolnshire started, its leaders appropriated the same language, arguing that they rose to protect the commonwealth.

Commonwealth language filled the texts recording the rebellions of 1536-7. The oath taken by members of the Pilgrimage of Grace included a promise to protect the king and his laws alongside the commonwealth. The rebels used this language in

the letters they sent to the king, the articles of complaint they drafted, and the answers they provided during interrogations.<sup>92</sup> The rebels believed that the best way to achieve the common good was the restoration of order, but this was not the same order that the regime advocated. Instead, the rebels recognised that parliament had enacted the legislation that had angered them, and demanded a new parliament to undo the work that they disliked. While the regime had used parliament to restore a forgotten or suppressed social order, the rebelling commons wished to restore the familiar social order that had existed before the royal supremacy had been enacted.

The regime responded to the rebellions in a number of different kinds of texts. They used the language of the supremacy legislation and the organic body politic metaphor in conjunction with each other to provide a specific reading of the commonwealth ideal. This reading endorsed the king's right to be the head of the entire social order, of both clerical and temporal subjects alike. The regime addressed the articles written by the rebels in *Answers* printed in the king's name. In these two documents, one each for the rebellions in Lincolnshire and Yorkshire, the figure of the king rhetorically asserts control over the rebellious subjects, addressing the articles the groups had presented in the order of his choosing, not theirs, and completely ignoring some of their grievances. The *Answers* provide not only a response to the complaints but another re-articulation of the royal supremacy. St German had helped to broadcast the theory that was enshrined in law, but the *Answers* supplied a model for understanding the way the supremacy should operate. The printed *Answers* endorsed a viewpoint of the royal supremacy that was consistent with the king's own interpretation of it. In these *Answers*, the head of the body politic symbolically reclaims the social order through the language of the royal supremacy.

The *Answers* were part of a larger group of texts that collectively helped shape the regime's political thought. The texts that were printed reached a larger audience, but the manuscripts that circulated at court also reflect a political thought process that sought to define the king's authority in light of the royal supremacy. The presentation of the commonwealth as an organic body politic proved useful in

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<sup>92</sup> Lincoln Articles: *LP XI*, no. 705 (i); York articles: *SP 1*, 466-7 (*LP XI*, no. 705 (2)); accounts of Aske's activities and a report of his interrogation can be found in Mary Bateson, 'Aske's Examination', *English Historical Review* 5 (1890): 550-73 and Mary Bateson, 'The Pilgrimage of Grace', *English Historical Review* 5 (1890): 330-45.

communicating the idea that the social order was one unified entity that combined the temporal and spiritual together. The anonymous *Letter* used the idea of the body politic to illustrate that the commons were mad for rebelling, and that the king would be equally mad to capitulate to their demands. This echoed sentiments expressed in Morison's *Lamentation*, in which the rebels were foolish for appropriating the dress and behaviour reserved for different members of this body politic.

But the organic body politic idea remained somewhat undefined. The metaphor encouraged the populace to maintain order, placing the commons at the feet and the king at the head. But the relationship between the different orders and degrees within the body politic remained obscure. Outward appearances were important, as Morison pointed to the ridiculousness of feet wearing caps or clerics taking on the role of noblemen but wearing ecclesiastical gowns into battle on horseback. Despite the fears that Elyot and Skip had raised in their own texts, the regime still maintained the need for a distinction between the religious and the secular in these texts, perhaps alluding to the similarities between the past that the people hoped the rebellions would restore and the earlier kind of monarchical authority that the king had achieved through the royal supremacy. In 1536-7, political concerns remained focused on maintaining order in the kingdom for the good of the commonwealth within it.

In the transformative decade of the 1530s, the texts that engaged with political authority, like the rebellions that prompted them, showed that the languages used in legislation could be used to engage with political ideas across the social spectrum; these languages were not reserved for one part of the political nation, but rather were available for use throughout the polity. Statutory law encoded political ideas, including commonwealth and the body politic, within a framework that was applicable throughout the realm. The languages used to express law had equal coverage across the kingdom's social order. The king's status as an imperial ruler announced that the kingdom favoured the process of counsel, whether in a formal institution or through informal means, like the texts written by Elyot or the letters sent to the king by the rebels. This openness to counsel indicated which kinds of texts writers should utilise when engaging with political materials. The commonwealth ideal, expressed in the metaphor of the organic body politic, reminded the polity that each group within the social order had a specific function to fulfil. The commonwealth ideal also drew connections between the past that existed

out of memory and the present that hoped to restore it. The Reformation Parliament's legislation had transformed the kingdom's social order as it re-articulated the king's authority. But the languages and legal frameworks these texts employed were malleable. Not only were they available for use across the social order, they were also applicable in new contexts. The royal supremacy laid the foundations of Henry's Reformation, and the languages used to introduce the king's newly-articulated powers were similarly available as the Reformation developed over the course of Henry's reign and through Edward's. Texts invoking law, counsel, and the commonwealth ideal were highly adaptable to the political contexts their writers encountered. In the final decade of Henry's reign, they responded to the challenges prompted by the threat of foreign war.

## Chapter 4

### The Body Politic at War

The final decade of Henry's reign, from the dissolution of the Reformation Parliament in April 1536 until his death in January 1547, had a legislative schedule that was nearly as active as that of the 1530s, but its rhetorical output has been largely overlooked. Investigations into this decade have overwhelmingly focused on the era's fierce religious polemic and the development of England's Protestant religious identity.<sup>1</sup> The regime's response to individual opposition, like the burnings of the reformers Robert Barnes, Thomas Garrett, and William Jerome alongside the executions of three priests convicted of treason for their loyalty to the pope in July 1540, or the hunt for sacramentarians amongst Katherine Parr's circle in 1546, are viewed as means to measure the progress of Protestant belief. Such events are markers that help determine where the king's religious sympathies rested or which faction had the upper hand at any given moment.<sup>2</sup> But the rhetorical output of this final decade was dynamic and extended beyond confessional politics. As with the Reformation Parliament, writers sought to influence the kingdom's political nation through their texts. The political culture of the 1540s was just as diverse as that of the 1530s, and it engaged the themes that were relevant to it, including the changing nature of power, the fragility of the royal succession, the ongoing threat of foreign invasion, social problems including poverty, and the process of religious reformation. The languages writers used to participate in politics during the final decade of Henry's reign adapted to meet the contexts in which they wrote. Richard Morison and Thomas Elyot produced texts in this later decade, deploying a more nuanced idiom to address their audiences. Newcomers like Roger Ascham relayed

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<sup>1</sup> Tom Betteridge, *Literature and Politics in the English Reformation* (Manchester and New York: Manchester University Press, 2004), 44-86; Christopher Haigh, *English Reformations: Religion, Politics, and Society under the Tudors* (Oxford: Clarendon Press, 1993), 56-71; 152-67; J. K. McConica, *English Humanists and Reformation Politics under Henry VIII and Edward VI* (Oxford: Clarendon Press, 1965), 235-7; Andrew Pettegree, 'Humanism and the Reformation in Britain and the Netherlands', in *The Education of a Christian Society: Humanism and Reformation in Britain and the Netherlands*, ed. N. Scott Amos, Andrew Pettegree, and Henk von Nierop (Aldershot: Ashgate: 1999), 1-18; Alec Ryrie, *The Gospel and Henry VIII* (Cambridge: Cambridge University Press, 2003), 58-89; Ethan Shagan, *Popular Politics and the English Reformation* (Cambridge: Cambridge University Press, 2003), 131-61.

<sup>2</sup> Susan Brigden, *London and the Reformation*, (Oxford: Clarendon Press, 1989), 325-77; Christopher Haigh, *English Reformations*, 152-67, 187-202.

political concerns through this idiom, altering it to address new political anxieties in a familiar framework.

Religion and politics were inseparable in the period immediately following the Reformation Parliament, on both domestic and international fronts. The lack of a consistent religious policy has been attributed to a number of factors: a power vacuum created by Cromwell's fall and execution in 1540; the king's personal indecision regarding religion; Archbishop Cranmer's own personality; the changing fortunes of a variety of court factions.<sup>3</sup> More recently, reliance on factionalism has been called into question by Greg Walker, who finds that factional accounts tend to ignore the individual complexities and nuances involved in the political process.<sup>4</sup> Factionalist accounts of the Reformation have also been interrogated by G. W. Bernard, Richard Rex, and Alec Ryrie, who have all depicted the king as the driving force behind the advancement of reform following the break with Rome.<sup>5</sup> This chapter will complement these studies by examining the political concerns that have been overshadowed by emphasis on the decade's religious disputes. It will place these tensions within the context of a wider political culture whose most pressing concern was war.

The primary impetus for summoning parliament after its adjournment in 1536 was the problem of war. The Reformation Parliament was dissolved on 14 April 1536, and a new parliament met from 8 June 1536 with the aim of resolving the succession, and favouring Jane Seymour's heirs over Anne Boleyn's in the wake of Anne's rapid fall.<sup>6</sup> Parliament and convocation were again dissolved in July 1536,

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<sup>3</sup> G. R. Elton, 'Tudor Government: The Points of Contact. III: The Court', *TRHS* 5th series 26 (1976): 211-28; E. W. Ives, 'Faction at the Court of Henry VIII: The Fall of Anne Boleyn', *History* 57 (1972): 169-88; E. W. Ives, *Faction in Tudor England*, rev. ed. (London: Historical Association, 1986); Eric Ives, 'Henry VIII: The Political Perspective' in *The Reign of Henry VIII: Politics, Policy and Piety*, edited by Diarmaid MacCulloch (Basingstoke and London: Macmillan, 1995), 28-34; J. J. Scarisbrick, *Henry VIII* (London: Eyre and Spottiswoode, 1968), 424-6; David Starkey, 'Court History in Perspective' in *The English Court: from the Wars of the Roses to the Civil War*, edited by David Starkey (London and New York: Longman, 1987), 7-13.

<sup>4</sup> Greg Walker, *Persuasive Fictions: Faction, Faith and Political Culture in the Reign of Henry VIII* (Aldershot: Scolar Press, 1996), 1-31.

<sup>5</sup> G. W. Bernard, *The King's Reformation: Henry VIII and the Remaking of the English Church* (New Haven and London: Yale University Press, 2005), 569-79; Richard Rex, 'The Religion of Henry VIII' *HJ* 57, no. 1 (2014): 1-32; Ryrie, *The Gospel and Henry VIII*, 39-57.

<sup>6</sup> Stanford E. Lehmberg, *The Later Parliaments of Henry VIII 1536-1547* (Cambridge: Cambridge University Press, 1977), 1-39; For the role of faction in Anne's fall, see E. W. Ives, 'Faction at the Court of Henry VIII: The Fall of Anne Boleyn', *History* 57 (1972): 169-88.

and would not meet again until the spring of 1539. With the royal supremacy operational, a tangible religious policy under development, and the succession reasonably assured with the birth of Prince Edward in October 1537, parliament's business was directed away from establishing the line of succession and toward levying taxes to fund wars against the Scottish and the French. The change in legislative topicality was registered by some of the texts printed during these final years of the reign, as the themes of military valour and the assessment of foreign kingdoms acquired an additional, more pressing, facet. War continued to be a major impetus for the summoning of parliament in Edward's reign as well, transforming the kingdom's scope and shape beyond the finer questions of confessional loyalties. The continued threat of treason and war helped re-make the realm's identity, both in geographical boundaries with the acquisition of Boulogne in 1544, and in its imagined social composition. If the England of the 1530s was regarded as a place of scholarly pursuit, the same realm in the 1540s was one of armament, construction, and preparing the country for war.

In late 1536, as we have seen, Henry prevented the most significant internal challenge to his rule from turning into a disaster. Rebellions in the north, largely in Lincolnshire and, most significantly, the Pilgrimage of Grace based in Yorkshire, were defeated relatively quickly. Its leaders were made exemplars of the crown's reaction to revolt, and a small resurgence in early winter 1537 led by Francis Bigod was stopped swiftly. G. R. Elton suggests that domestic affairs were largely peaceful later that year: 'the desultory war continued between the French and the Imperialists, and England could comfortably attend to its own affairs'.<sup>7</sup> In this case, Cromwell and Cranmer turned their attention to drafting the doctrines of the Church in England, and forging alliances with representatives from the protestant League of Schmalkalden.<sup>8</sup> This peace would not last, however, as Henry realised that he had become isolated from his continental rivals, and as Reginald Pole's activities became increasingly suspect.<sup>9</sup> In early 1537, Pope Paul III created Pole a cardinal to fill the vacancy left by the execution of John Fisher, and sent him on a legation to the anti-

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<sup>7</sup> G. R. Elton, *Reform and Reformation: England 1509-1558* (London: Arnold, 1977), 276

<sup>8</sup> Elton, *Reform and Reformation*, 276-80; Guy, *Tudor England* (Oxford and London: Oxford University Press, 1988), 178-80.

<sup>9</sup> David Potter, *Henry VIII and Francis I: The Final Conflict, 1540-47* (Leiden: Brill, 2011), 14-6.



English hotbed Flanders. Publicly, his mission was to prepare the Christian princes for a council that would arrange a war against the Turks. However, Henry and his regime doubted the sincerity of these intentions, and correctly suspected that Pole's true objective was to negotiate a military alliance that would culminate in an invasion of England and the kingdom's return to the papal fold.<sup>10</sup> Although Pole's enemies at home credited him with attempting to achieve much more than he was capable of realising in their polemical campaign against him, his activities crossed a serious line in Henry's estimation, and represented overt action against the crown.

Henry took action, too. Fearing isolation, his reaction to a suspected peace agreement between France and the Empire between 1538 and 1540, enhanced by serious anxieties about Pole's activities, was the wide-scale fortification of the coasts and further attempts to win an alliance with the Schmalkaldic League.<sup>11</sup> In addition to the possibility of joining the combat on the Continent, Henry was also in the midst of starting a war with the Scots. Late in the summer of 1541, he went on an unprecedented progress to the North, to impress and bestow pardon upon subjects who had recently revolted, and to broker an agreement with James V of Scotland in person. Henry had hoped to convince James to share his perspective on religious houses and the papacy. But the Scottish king never arrived to meet Henry in York, and he returned to London to learn that his fifth wife had been unfaithful.<sup>12</sup> In response to James's insult, Henry sent the duke of Norfolk on a series of raids on the border in the following years, finally culminating in James's death following defeat on the battlefield at Solway Moss in 1542. The raids and skirmishes continued, even as the Treaty of Greenwich in 1543 formally brought hostilities to an end with the promise of a future marriage between the infant Queen Mary and Prince Edward.<sup>13</sup>

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<sup>10</sup> Guy, *Tudor England*, (Oxford and New York: Oxford University Press, 1988), 184; T. F. Mayer, 'A Diet for Henry VIII: The Failure of Reginald Pole's 1537 Legation', *Journal of British Studies* 26, no. 3 (1987): 305-31; Potter, *Henry VIII and Francis I*, 120-1.

<sup>11</sup> Steven Gunn, 'The French Wars of Henry VIII', in *The Origins of War in Early Modern Europe*, ed. Jeremy Black (Edinburgh: John Donald Publishers Limited, 1987), 30; Gervase Phillips, *The Anglo-Scots Wars 1513-1550: A Military History* (Woodbridge: Boydell Press, 1999), 32-3, 40-1; David Potter, *Henry VIII and Francis I*, 33-5, 36.

<sup>12</sup> Potter, *Henry VIII and Francis I*, 88-91, 93; Scarisbrick, *Henry VIII*, 427-9; 431-3.

<sup>13</sup> Guy, *Tudor England*, 190-1; Phillips, *Anglo-Scots Wars*, 147, 149-54; David Potter, 'Foreign Policy', in *The Reign of Henry VIII: Politics, Policy and Piety*, edited by Diarmaid MacCulloch (Basingstoke and London: Macmillan, 1995), 122-3; Potter, *Henry VIII and Francis I*, 86.

As the threat from Scotland seemed to wane, however, the potential for Continental warfare again increased. With the Scottish more or less subdued, the English once again focused attention on the more serious threat to their stability: the French.<sup>14</sup> By 1543, the French had fashioned an alliance with the Turks, and the English and Imperialists planned a joint invasion of France to take place in the summer of 1544. When the invasion failed because Charles V negotiated a separate peace with Francis, Henry continued his French war effort, personally leading an army into battle from Calais later the same year. His army besieged the city of Boulogne for months, eventually winning it, though the war with the French continued until 1546.<sup>15</sup> The economic burden of these wars persisted through the end of Henry's reign and beyond, despite numerous subsidies, taxation, the sale of property formerly held by the monasteries, and the revenue that could be raised with the Chantries Act in December 1545.<sup>16</sup>

A vast amount of religious polemic was printed during this decade. But the crown's activities show that religion was not the kingdom's main priority. Instead, the king and his ministers were obliged to respond to foreign challenges to their position in the European community of princes. The decade's secular writers were also compelled to consider this international context, addressing England's relationship to Europe in their texts. Vernacular writers, including Sir Thomas Elyot and Richard Morison, were forced to consider these accusations and looked for signs that would explain the dire political climate. Elyot and Morison turned to more concrete and literal discussions of human bodies, probing them for signs of illness and decay. Elyot compared the health of the Roman body politic with the health of two very different emperors, the tyrannical and diseased Heliogabalus and the just and healthy Alexander Severus. Morison considered the bodies of two men Henry had executed, Cardinal John Fisher and Sir Thomas More. The specific bodies examined by both Elyot and Morison became exemplary models for their readers to emulate, either in copying the virtues of good subjects or refuting the evil ones. These exemplary bodies also became microcosmic sites for the authors to examine

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<sup>14</sup> Gunn, 'French Wars', 30; Potter, *Henry VIII and Francis I*, 37, 98, 100, 118.

<sup>15</sup> Potter, *Henry VIII and Francis I*, 73-4, 76-79, 268-9.

<sup>16</sup> Guy, *Tudor England*, 192; Phillips, *Anglo-Scots Wars*, 46-7, 50; Potter, *Henry VIII and Francis I*, 20.

the complexities of the symbiotic relationship between ruled and ruler, with the individual bodies sometimes standing in for the body politic. Neither Elyot nor Morison would argue that their king was a tyrant, but they did see correlations between foreign policy and the ill health of the commonwealth. Both writers took a preventative approach to this topic, encouraging their audiences to behave as loyal subjects with the hope that the social order's behaviour could preclude an enemy intervention. Written a few years later, Roger Ascham's *Toxophilus* was published in the midst of a years-long war against the French. He uses fictive exemplary bodies to illustrate how the royal supremacy had made temporal and spiritual concerns equal. For Ascham, participation in the kingdom's singular sport, archery, corresponded to holding the king's religious beliefs. In his argument, the actions of individuals had a profound effect on the commonwealth. In this decade, then, secular writers used the metaphor of the body politic in conjunction with examples of health and illness in order to analyse the commonwealth, and to explain the consequences of the royal supremacy in the temporal realm. The authors of religious polemic tried to teach their audiences how they should order their souls in light of the king's religious headship. Secular writers sought to explain the social order for the good of the commonwealth.

#### Richard Morison and the Unkindness of Reginald Pole

Richard Morison had written in support of crown and supremacy during the rebellions of 1536, using his pen to prevent the kingdom's fall into further rebellion. He helped to construct a fall with his second set of printed texts. In 1538, prominent members of the Pole family, along with some of their associates, were accused of treason. Cromwell selected Morison to write in response to the Poles' treasonous activities and in preparation for impending war.<sup>17</sup> His concern in 1536 was to quell the rebellions that threatened to destabilise the entire realm. As chapter 3 explained, Morison's used the metaphor of the organic body politic to alert his readers to the dangers of rebellion and to show them how the polity should instead be ordered,

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<sup>17</sup> Thomas F. Mayer, *Reginald Pole: Prince & Prophet* (Cambridge: Cambridge University Press, 2000), 41, 42; Thomas F. Mayer, *Thomas Starkey and the Commonwealth: Humanist Politics and Religion in the Reign of Henry VIII* (Cambridge: Cambridge University Press, 1989), 231-2; Anne Overell, 'Cardinal Pole's Special Agent: Michael Throckmorton, c. 1503-1558', *History* 94, no. 3 (2009): 270; Tracey A. Sowerby, *Renaissance and Reform: The Careers of Sir Richard Morison c. 1513-1556* (Oxford: Oxford University Press, 2010), 55-6.

with each degree in its place. In 1539, he used bodies as an illustrative device again, but for an altogether different purpose. The 1539 texts use bodies as examples of the illnesses that can infect traitorous members of the polity. In all, Thomas Berthelet published three tracts written by Morison in 1539. *An Invective* and *An Exhortation* respond most directly to the Pole incident but the suspected treason is also anecdotally mentioned in the third book, a translation of Frontinus Junius Sextus. These texts respond to the volatile international political climate, which Cardinal Pole had helped create. More significantly, however, *An Invective* and *An Exhortation* contribute to a larger conversation about the royal supremacy and its impact on the commonwealth's structure. Morison uses these tracts to engage with Pole's activities and ideas on counsel, advancing the themes he had initially posed in his 1536 publications, and explaining the supremacy to multiple audiences. Before these tracts were published, Morison wrote a short summary of Pole's opinion on the supremacy for the specific audience of the king. In all of these texts, the physical bodies of traitors were sites for the exploration of the figurative body politic. Images of traitors' bodies therefore became the key way for Morison's readers to understand their own places in a commonwealth that supported Henry's role as their secular and ecclesiastical head.

The immediate context for Morison's *Invective Ayeinst the Great and Detestable Vice, Treason* is the so-called Exeter conspiracy. Although the plot centred on the allegedly treasonous words spoken by Henry Courtenay, the nineteenth Earl of Devon and first Marquess of Exeter, much of the crown's actions were directed against members of Pole's immediate family, including his mother and two brothers, along with their extended family and associates. In August 1538, this group was accused of plotting to remove Henry from the throne, to restore Catholicism, and with destroying the evidence the crown would have used against them. Pole's older brother, Lord Montague, and his mother, the Countess of Salisbury, were eventually executed for their alleged roles in this treason.<sup>18</sup> The Exeter incident was the most recent in a series of volleys between the king and Reginald Pole leading to the publication of Morison's tract. The wider context for his 1539 works includes the ongoing feud between king and prominent subject,

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<sup>18</sup> J. P. D. Cooper, *Propaganda and the Tudor State: Political Culture in the Westcountry* (Oxford: Clarendon Press, 2003), 148-52; Mayer, *Reginald Pole*, 77-8; Sowerby, *Renaissance and Reform*, 91-2.

fuelled in part by Pole's elevation to the position of cardinal within the Roman church, his hostile activities on the Continent, Pole's unfavourable response to the king's divorce, *Pro Ecclesiasticae Unitatis Defensione* (known as *De Unitate*), and the fragile international political climate in which war seemed imminent.<sup>19</sup>

Henry had long sought Pole's opinion on his divorce and on the royal supremacy. As the king's royal cousin, Pole was a rare figure who fused traditional feudal-baronial nobility with the favoured humanist-classical education.<sup>20</sup> As early as 1530, Henry offered Pole the archbishopric of York in exchange for his support of the divorce.<sup>21</sup> The king had great respect for Pole, sending him on the delegation to elicit support for the royal supremacy from the theologians of the University of Paris in 1529-30.<sup>22</sup> He was Pole's patron for a number of years, funding Pole's education at Magdalen College, Oxford from an early age and later on the Continent with the ultimate aim of preparing him for the royal service Cromwell performed and Elyot desired.<sup>23</sup> For his part, Pole had been extremely loyal to the king for much of his life, his attitude changing in 1535 on the executions of his friends John Fisher and Thomas More, and in response to a spiritual conversion he experienced around the same time.<sup>24</sup> These deaths, part of a larger string of executions of papal loyalists during that summer, along with a pair of letters from Thomas Starkey on the king's behalf requesting an opinion, prompted him to begin composing the book from the September 1535.<sup>25</sup> Pole finally sent his response, via Michael Throckmorton, from Padua on 27 May 1536. The large book was accompanied by a covering letter suggesting that the king appoint a learned scholar, preferably Cuthbert Tunstall, bishop of Durham, to read and then abstract the book's main arguments for him. A committee, including Tunstall, the newly-arrived Richard Morison, Thomas Starkey,

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<sup>19</sup> The copy Pole sent to the king can be found at SP 1/104A, fos. 1-139.

<sup>20</sup> Guy, 'The Rhetoric of Counsel in Early Modern England', 297-8.

<sup>21</sup> Mayer, *Reginald Pole*, 55.

<sup>22</sup> Mayer, 'A Fate Worse Than Death: Reginald Pole and the Parisian Theologians', *English Historical Review* 103 (1988), 870-91.

<sup>23</sup> Mayer, *Reginald Pole*, 46-50.

<sup>24</sup> Donaldson, *Machiavelli and State*, 3, 4-5; Mayer, *Reginald Pole*, 5, 15, 24.

<sup>25</sup> Bernard, *King's Reformation*, 219-21; Brigden, *London and the Reformation*, 230-1; for the dates of composition, see Mayer, *Reginald Pole*, 13.

and probably John Stokesley, completed this task.<sup>26</sup> A summary of *De Unitate* in Morison's hand still exists.<sup>27</sup>

It is difficult to ascertain which, if any, of these documents the king read. The anxious tone of Morison's concluding remarks suggests that he believed the king would read his summary, and was worried he would suffer the consequences intended for the absent Pole. He asserts that 'my love toward the king hath no bottom, yet I will cutte it and marke an ende', and wonders whether Pole would have made the same spiteful accusations 'before the tribunal of Christe'.<sup>28</sup> Morison softens Pole's vitriol as he conveys the book's key themes, including the tension between ecclesiastical and temporal power, the hostility of foreign princes toward the king, and Pole's continued mourning for his executed friends. Pole argued that temporal powers were subordinate to the authority of the Church on the grounds that the Church derived its power from Christ's mandate to the apostles.<sup>29</sup> Morison tempers this point by reporting that the book is about the differences between these powers. He also paraphrases Pole as writing that 'ther was nev[er] king hetherto, that toke upo[n] hym his supremite no nor flatterer, that ev[er] gave any such title to prince', declaring that the king and his counsel had broken with civil and ecclesiastical custom.<sup>30</sup> Morison reports that Pole believed Henry could never effectively govern the Church because he 'lacketh the spirite of Christe, and that is evyde[n]t by hys deedes'.<sup>31</sup> Pole furthermore demanded that Henry return his kingdom to the papal fold. This demand implied that Pole saw Henry as a schismatic, a threat to the stability of Christendom, and susceptible to a Rome-backed war. The supremacy was a foreign-policy issue for Pole. Domestic events harmed the kingdom's international reputation, particularly because of Henry's treatment of More and Fisher. Morison conveys Pole's meaning here without

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<sup>26</sup> Mayer, *Reginald Pole*, 41-2; Morison had left Padua in early May to take up employment with Cromwell, gained through his connection with Thomas Starkey; Sowerby, *Renaissance and Reform*, 29, 30.

<sup>27</sup> SP 1/104, fos. 57<sup>r</sup>-61<sup>v</sup>; LP X 975 (2); the calendar appends the title 'Abbreviations of a certain evill willyd man or wryt ayenst the Kynges doinges', not written in Morison's hand, to this document.

<sup>28</sup> SP 1/104, fo. 61<sup>v</sup>.

<sup>29</sup> SP 1/104, fos. 57<sup>v</sup>-58<sup>v</sup>.

<sup>30</sup> SP 1/104, fo. 57<sup>r</sup>.

<sup>31</sup> SP 1/104, fo. 58<sup>v</sup>.

embellishment or allegory, using precise language to distance himself from a disagreeable opinion.

The executions of More and Fisher play an integral role in the abstract, as in the book it paraphrases. Their bodies function as relics, with Morison returning to them often in his summary in response to the prominent place Pole had given them. Pole perceived their executions as a turning point, using this act to draw attention to rampant corruption and flattery within Henry's council. His repeated commemorations of their deaths form a sustained attack on the counsellors in his text. Morison reports that Pole considered both men martyrs. For Pole, the executions justly supplied the impetus for foreign aggression towards England, rendering Henry more dangerous than the heretic Luther and the unchristian Turks. Morison notes that Pole said, '[a]lbeit Luther hated the[m] bothe, yet he wold nev[er] have desyred ther deathes', and that he encouraged Charles V 'to leave the turkes and to sett upo[n] the inglishe turke'.<sup>32</sup> Pole would actually pursue this objective in his first papal legation, a mission to Flanders in 1537.<sup>33</sup> He believed his friends' deaths were a wicked act, and Morison reports that he 'saith the devyl was preside[n]t of cou[n]sel, wher More and Rochester were co[n]demmed'.<sup>34</sup> Peter Donaldson has shown how Pole would further develop this sentiment in his 'Apology to Charles V', later identifying Cromwell with the Antichrist because of his alleged reliance on Machiavelli as a guide to counsel and his role in these executions.<sup>35</sup> Pole himself moved ever further from secular understandings of counsel, casting himself as a spiritual physician whose task was to minister to the unhealthy Henry. In adopting this role, Pole implied that Henry had become incapacitated by tyranny, too caught up in his diseases and vice to notice the inflection spreading through his council. That he cast his role in spiritual terms reinforces Pole's views about the supremacy of ecclesiastical over temporal law, views which the regime saw as Pole presenting himself to the international community as a viable alternative to the king.

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<sup>32</sup> SP 1/104, fos. 59<sup>v</sup>, 60<sup>v</sup>.

<sup>33</sup> Mayer, 'A Diet for Henry VIII', 306.

<sup>34</sup> SP 1/104, fo. 58<sup>v</sup>.

<sup>35</sup> Peter S. Donaldson, *Machiavelli and the Mystery of State* (Cambridge: Cambridge University Press, 1992), 6-9; Mayer, *Reginald Pole*, 96, 98.

Morison shows Pole placing the martyred bodies of More and Fisher at the convergence of temporal and ecclesiastical authority. This placement is significant because it reinforces a conservative perspective of the social hierarchy that keeps the two spheres distinctive. The executions of these two prominent men, a former lord chancellor and a high-ranking cleric, and therefore the exemplars of their respective spheres, marked a transgression against the laws of both realms. Pole's ability to read this situation properly implies that he himself could successfully traverse the boundaries between the temporal and spiritual realms. It furthermore suggests that he believed the king had lapsed into tyranny in both spheres, led astray by wicked counsel. In Pole's opinion, then, the royal supremacy was a misguided disaster that should have never happened, a point made manifest in Henry's failure to govern either sphere properly.

The influence *De Unitate* had on Morison's *Invective* has been overlooked. In these texts, Pole and Morison engage in a political debate over the legitimacy of the royal supremacy. *De Unitate* established the framework for the way that Morison would respond in the language and metaphors he used, and even the hostile tone with which he wrote his own tract. One of the crown's great fears about *De Unitate* was that Pole would publish the book, thereby inciting war with any combination of foreign powers.<sup>36</sup> Pole repeatedly maintained that his purpose was merely to show the king the errors of his ways and help him return to the true church. G. W. Bernard asserts that Pole genuinely intended *De Unitate* to be read only by the king and a small group of advisors, but this perspective discounts Pole's activities as a papal legate and ignores his writing practices.<sup>37</sup> By the time Pole sent the book to the king, he had already shared it with a number of friends and looked forward to discussing their responses to it.<sup>38</sup> Furthermore, as Donaldson has suggested, Pole took the practice of counsel seriously: he believed that advice should be offered privately, either verbally or in private treatises, lending counsel a sense of ephemerality and secrecy.<sup>39</sup> But Pole seems to have a different objective with this treatise: he advises

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<sup>36</sup> Mayer, *Reginald Pole*, 19, 42.

<sup>37</sup> Bernard, *King's Reformation*, 220-2.

<sup>38</sup> Mayer, *Reginald Pole*, 13.

<sup>39</sup> Donaldson, *Machiavelli and State*, xii.



numerous princes in the text and seems to have intended an audience that included the Continental scholarly community. Pole therefore likely tendered *De Unitate* as a political position piece rather than a means for offering counsel.

T. F. Mayer has characterized *De Unitate* as a work of resistance directed against the king's authority but also against a number of other types of power, especially papal supremacy. Mayer has also shown the resonances between Pole's work and a work sharing a similar title, Cyprian's *De ecclesiae catholicae unitate*, a text that argued that the pope was head of the church for the sake of good order but that the church was best governed collectively by the bishops.<sup>40</sup> Mayer concludes that Pole's understanding of church hierarchy was not one in which the clerical orders submitted to the pope but instead that 'the leadership of the church was oligarchical, rather than monarchical'.<sup>41</sup> Pole locates the authority of the church in the succession of the bishops who truly governed it.<sup>42</sup> In the spiritual realm, the authority of the church rested with its counterpart to the temporal aristocracy, the bishops. Mayer's argument about Pole's view on the church hierarchy therefore had serious implications for Henry and his supremacy. Pole believed that the authority of the church lay with the bishops rather than the pope; this meant that Henry could be the head of the church with no consequence because the power of this role was of minimal consequence. Morison likely downplayed the sharpness of Pole's claims in the document he sent the king in order to protect both Pole and his own newfound financial stability. Morison was likely as surprised by *De Unitate* as the king.<sup>43</sup> Pole's advocacy for aristocratic authority is softened in Morison's abstract, but it was clearly a troublesome perspective for Morison and made its way into his published works on authority.

Morison's *Invective*, published three years after he wrote the abstract, serves a different rhetorical purpose from his earlier unprinted work, functioning as a belated response to Pole's work and an apology for the royal supremacy. Like Elyot's advice to the king that also appealed to the aristocracy, Morison's work

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<sup>40</sup> Mayer, *Reginald Pole*, 14, 18-9.

<sup>41</sup> Mayer, *Reginald Pole*, 19.

<sup>42</sup> Mayer, *Reginald Pole*, 16.

<sup>43</sup> Sowerby, *Renaissance and Reform*, 55-6.

simultaneously addressed multiple audiences. It was a policy document that circulated amongst the diplomatic corps, providing a way for the crown's agents to articulate a uniform response if questioned about the matters it addressed.<sup>44</sup>

Morison's largest audience was the general population. Written in the vernacular, the treatise explained the regime's perspective on the Exeter conspiracy, justified the harsh treatment of the Poles and their associates, and sought to steel the country in the increasingly likely event of an invasion. At the same time, Morison used the Poles as a warning for others who denied the supremacy and still clung to the papacy. *An Invective* therefore justified the regime's attack on the Poles, preemptively discrediting Pole by offering a vernacular reading of his yet-unpublished opinion on the supremacy.<sup>45</sup> All of these aims were directed at the final audience Morison addressed: Pole himself.

Pole and Morison were known to each other. Morison had gained a premier humanist education in Italy, serving as a scholar-companion to Cardinal Wolsey's son Thomas Winter in the late 1520s. Morison travelled to Paris, Venice, and Padua with Winter, becoming well-versed in the writings of foundational humanist writers, including Aristotle, Cicero, and Plato, studying civil law and taking a sharp interest in medicine.<sup>46</sup> But Winter proved to be a poor patron, and Morison was forced to sell his books, rely on the English scholars based in the Veneto for basic essentials, and ultimately relinquish his studies in the summer of 1535 without taking a degree beyond the BA he had earned at Oxford years earlier. Though he often relied on Edmund Harvel for financial support, Morison did receive money from Pole when the latter was in Padua, stayed in Pole's house for a time in 1534, becoming indebted to Pole's servant Michael Throckmorton on more than one occasion. He was therefore overjoyed when his acquaintance Thomas Starkey was able to secure a position for him with Cromwell in spring 1536.<sup>47</sup> Despite their earlier amicable affiliation, Morison's *Invective* marks a distancing in his friendship with Pole.

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<sup>44</sup> Sowerby, *Renaissance and Reform*, 99.

<sup>45</sup> Pole published a Latin edition of *De Unitate* in 1539.

<sup>46</sup> For Morison's continental education, see Sowerby, *Renaissance and Reform*, 20-40; and for details about the vast library he acquired over his lifetime, *ibid*, 241-52.

<sup>47</sup> Robert Barrington, 'Two Houses Both Alike in Dignity: Reginald Pole and Edmund Harvell', *HJ* 39, no. 4 (1996): 896, 902; Mayer, *Starkey and the Commonwealth*, 198; Sowerby, *Renaissance and Reform*, 24, 27-8, 29-30.

Morison chose to devote himself to his king and religious reform, and his printed works are hostile towards Pole after this point.<sup>48</sup>

In *An Invective*, Morison draws parallels between the traitor's body and matters pertaining to sumptuary legislation, particularly food and clothing. When Morison urges his readers to look at Reginald Pole's body, he emphasises its appearance, arguing that his new role as one of the pope's cardinals has removed him, along with anyone who might empathise with his sympathies, from the social order. Cardinal Pole's apparel provides a ready example for Morison's readers, along with a warning that God will not tolerate treasonous activity against the king forever: 'thy cappe, thy hatte wolle cover treason no longer than he lysteth'.<sup>49</sup> The cap and robes are the livery of a foreign prince. But the surface-level material aspect of the Cardinal's body is not the sole reason why Morison connects him with the papacy. The pope and his forces had easily recognised Pole as one of their own, long before England's religious identity changed. At various places in *An Invective*, Pole is accused of attempting to subvert the royal supremacy, posited as a restoration of true religion, and of attempting to harness the Pilgrimage of Grace as a way for the pope's allies to invade England and force its people into religious submission. Morison mocks the cardinal, saying, 'The bysshop of Rome & his godly sowers of treson, thought they had spun a wonderful fine thred, and weaved a gay pece of worke, whan they gate this Reynarde to play the traytour in a Cardinals apparell, thinkinge, ye and knowynge by theyr longe experience, no garmente so fitte for oone, that wolde take suche an enterprise upon him'.<sup>50</sup> The clothing merely indicated what king and papacy alike already knew: Pole belonged to the Church. His continued allegiance to the papacy transformed him into the kingdom's natural enemy.

In *An Invective*, Morison enumerates the specific ways treason damages a body politic. He describes his motivation for writing the tract as ensuring that 'all subjectes ones being brought into hatred of treason, maye at the laste fall in love

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<sup>48</sup> Barrington, 'Two Houses', 901; *The Correspondence of Reginald Pole*, eds. Thomas F. Mayer and Courtney B. Walters (Aldershot and Burlington, VT: Ashgate, 2008), vol. iv., 370; Sowerby, *Renaissance and Reform*, 102.

<sup>49</sup> Richard Morison, *An Invective ayenste the Great and Detestable Vice, Treason* (London: Thomas Berthelet, 1539; STC 18112), Sig. C8<sup>v</sup>.

<sup>50</sup> Morison, *Invective*, Sig. C2<sup>r</sup>.

with their duetie, and seke truly to serve, where god hath appoynted theym so to doo'.<sup>51</sup> The authority of the royal supremacy is a key reference point for Morison in this tract, a point he often returns to as he makes his case against the Poles and their associates. In *De Unitate*, Pole read the bodies of More and Fisher in religious terms, reclaiming these crown-designated traitors as martyrs. Morison examines traitors' bodies only from the perspective of temporal authority, using the vocabulary of commonwealth to explain their actions as transgressions against the social order. Pole himself exemplifies the vices the regime wished to purge from the body politic. Morison denounces Pole as 'the unnaturallest beaste', condemning his activities as both disloyal and generally unhuman.<sup>52</sup> Referencing Cicero, Morison describes how Pole and others like him were different from Henry's faithful subjects: they were unkind. 'Unkyndnesse,' Morison writes, 'is a fyttte name for so unnaturall a vice: they that fal into it, go from the kynde of men, they lose that state and name, that nature put them in, and are tourned into cruell & unnaturall beastes'.<sup>53</sup> In his earlier works, Morison had called such individuals monstrous; here, disloyal subjects are equated with something even worse, beastliness. Cicero's name is invoked to remind readers of *De officiis*, in which Cicero advocated the expulsion from civil society of those undermined the common good. Such men were to be considered beastly and avoided. Here, Morison denounces Pole's activities as so treasonous and beastly that he was now denied access to his natural commonwealth. A traitor's body therefore revealed its beastly characteristics in its appearance and in the actions the traitor performed. Morison highlights these aspects of treason in order to discredit Pole and his supporters, and to teach his readers how to identify other such threats should they arise.

In addition to external signs and activities indicting beastliness, internal physiology worked against a disloyal subject. The traitor's own constituent body parts betray him to protect the commonwealth. Morison writes, 'Many chaunces make trason, whan it is kepte most secrete, to appere. An harte, that styлле feleth the stinge of treason must needes at one tyme or an other, make the tonge and

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<sup>51</sup> Morison, *Invective*, Sig. a2<sup>v</sup>.

<sup>52</sup> Morison, *Invective*, Sig. C3<sup>r</sup>.

<sup>53</sup> Morison, *Invective*, Sig. B2<sup>v</sup>.

countenance partakers of his greffe'.<sup>54</sup> This observation points to the inner conflict the traitor suffers because of his guilt. It also threatens potential traitors, warning that their actions will be discovered and they will be punished. He expounds on the rebellion of the treasonous body later in the text, saying, 'Treasone can never lye alone in a traytours harte, it hath suche a rablemente with it, that deathe is pleasure, if it be compared with the gripes, the woundes, the tossyng and turmoylyng, the heavyng and shovyng, that traitours fele in their stomackes'.<sup>55</sup> For the traitor, treason grows, and must be shared. In these moments of sharing, it is discovered and stopped, the body betraying the intentions of its person and causing fracturing within a person just as internal rebellion within the country. For Morison, the internal anguish the traitor felt reflected the unnatural character of his actions against his country.

Morison describes the internal physical turmoil that traitors must feel as they conspire against their king. Morison had an immense interest in medicine and owned a vast medical library but does not draw on this medical knowledge in his condemnation of the Exeter conspiracy.<sup>56</sup> Instead, he relies on interrogation reports and trial records to bolster the tract's truthfulness.<sup>57</sup> Morison recounts the details of Geoffrey Pole's confession and subsequent mental breakdown to support the argument that the guilty traitor's own body will betray him. In this example true loyalty is inextricably connected to the royal supremacy and its religious implications. Morison argues that it was utterly impossible to be a papist and remain a loyal subject. A papist, he writes, may 'well lacke power, or stomacke, to utter treason, but he can not lacke a trayterous hart. What so ever he be, that thynketh the byshoppe of Rome supreme heed of our churche of englande, can never beare the kynge suche an harte, as a trewe subjecte oweth his soverayn lord'.<sup>58</sup> Here, Morison strives to bring together the domestic activities of Pole's circle and the Cardinal's work as papal legate on the Continent, thereby demonstrating that the threat this

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<sup>54</sup> Morison, *Invective*, Sig. a4<sup>r</sup>.

<sup>55</sup> Morison, *Invective*, Sig. B7<sup>r</sup>.

<sup>56</sup> Sowerby, *Renaissance and Reform*, 26-7.

<sup>57</sup> Sowerby, *Renaissance and Reform*, 93-4.

<sup>58</sup> Morison, *Invective*, Sig. F3<sup>v</sup>.

group posed was genuine. In 1537, Paul III sent Pole to Flanders with the official mandate of arranging a general council that would address the problem of the Turks. The pope had also asked Pole to find support for Pilgrims of Grace, with the hopes of re-kindling this rebellion and using perceived factionalism in the English court to bring the kingdom back into submission to Rome.<sup>59</sup>

Morison extends the dangers posed by papal loyalists beyond the Pole family, accusing anyone with suspicions about the royal supremacy to be a threat. He concludes that anyone loyal to the Bishop of Rome ‘can in no case love his highnes, he can nat chose but be a traytour’.<sup>60</sup> The traitor’s heart belongs to Rome; so, too, must the rest of his body, despite professions of loyalty. The body betrays those sceptical of the royal supremacy. Ultimately, these examples of ill traitorous bodies reveal that subjects sceptical of the royal supremacy transgressed not against the king alone but against the entire social order. Morison therefore uses the bodies of traitors to illustrate the serious risks their religious divisiveness brought to the commonwealth, including the threat of invasion.

*An Invective* poses a solution to the problem of papal sympathy: knowledgeable preachers. Morison argues that the king’s faithful subjects still had more to learn about the true faith. They needed help learning how to live in a social order headed by the king alone. He advocated an English translation of the scriptures but believed it needed supplementation. Morison writes, ‘they, having the word of god in their owne tonge, woll not yet lerne, what a kynge is, and what a bysshop, what lordes owe unto thone, and what they may requyre of thother’.<sup>61</sup> It was simply not enough for the people to have access to the true faith; they needed scholars and preachers who could properly teach it to them. Morison here acknowledges that the royal supremacy involved more than simply cutting ties to Rome but instead involved different ways for the entire body politic to interact with and within the social order. He is perhaps attempting to encourage members of parliament to take action on this problem.

Morison concludes the *Invective* with a promise to write another book, with examples drawn from scripture and legal doctors to explain the king’s supremacy

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<sup>59</sup> Mayer, ‘A Diet for Henry VIII’, 317-8, 331.

<sup>60</sup> Morison, *Invective*, Sig. F3<sup>v</sup>.

<sup>61</sup> Morison, *Invective*, Sig. F3<sup>v</sup>.

and to address this problem of insufficient knowledge.<sup>62</sup> These are the main themes of Morison's second 1539 publication, *An Exhortation to Styrre all Englyshe Men to the Defence of Theyr Countreye*. Like the *Invective*, the *Exhortation* was written in response to both the Exeter conspiracy and the ongoing threat of foreign invasion.<sup>63</sup> The figure of Cardinal Pole has a presence in this document but primarily as an exemplary device. Morison's primary objective in the *Exhortation* is to educate the king's subjects about the supremacy and prepare them for war. He furthermore reinforces Pole's place as an outsider who does not share in the kingdom's commonweal, and cannot possibly intend its success, despite his polemic and interventions on the continent.

The threat of war found in the *Exhortation* is specifically tied to religion and is directly linked to the claims Morison made about Reginald Pole in his *Invective*. But he articulates the assumption that readers have been persuaded to abandon all loyalties to the pope by his tract, thereby showing that Pole was one of his own kind. Morison invites his readers to join in a patriotic inside joke: 'Percase the byshop of Rome is perswaded, that men here ar[e] of two sortes, some yet remaynyng his true frendes. Reynard his man, may put this in his heed. But I truste they bothe be deceyved'.<sup>64</sup> Here, and throughout the text, the figure of Pole appears as a way to signal the theological atrocities and deception perpetrated by the papacy. He serves to remind readers of the international context in which they lived, and rallies them to be united in their religion and actions. Morison suggests that this unity in mind and action creates commonwealth, and is the force that will protect the kingdom from enemy invaders.

The topic Morison examines most fully in the *Exhortation* is the king's royal supremacy. These explorations follow three categories: describing the king's responsibilities to his subjects, explaining the duties subjects owed their king, and comparing the king to the papacy. The metaphorical language Morison uses to explain topics related to each category changes with each subject. When describing the king's duties to his subjects, Morison argues that one of the king's most

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<sup>62</sup> Morison, *Invective*, Sig. F4<sup>r</sup>.

<sup>63</sup> Morison, *An Exhortation to Styrre all Englyshe Men to the Defence of Theyr Countreye*. (London: Thomas Berthelet, 1539. STC 18110.5), Sig. C1<sup>v</sup>; C2<sup>r-v</sup>.

<sup>64</sup> Morison, *Exhortation*, Sig. A6<sup>v</sup>.

important duties is to use the sword ‘to defende them from the violente power of their ennemies, to keepe them from rauyn, spoyle, and force of foreyne powers’.<sup>65</sup> This does not ascribe any new powers to the monarch, even in light of the royal supremacy. Rather, this is a re-articulation of the king’s traditional powers. Morison may have included this passage in order to encourage his readers during a time of political uncertainty and to prepare them for war.

The physical body is the metaphorical device Morison uses most frequently in the passages that explain how subjects should behave in response to the benefits bestowed to them by their king. The imagery associated with the body takes on a particularly militaristic angle in this tract as it reminds readers that they owe the king their help in the form of military service when needed. Morison writes that, ‘as subjectes are to be kepte frome injuryes, perylle, and slaughter by their kynge, an heed provydnge for the rest of the members: so muste they all be redy, not onely with bodies, but with their goodes also, to se their soveraynge in savegarde, to see their countreye defended’.<sup>66</sup> The king is the head, and the arms of the body politic must do their best to ensure that their head is defended. Morison uses the example of arms instinctively flying to protect the head when something attempts to strike it. Morison explains that an ‘arme is often tymes cut of, where if it stode styll, it had not ben touched, the wonde beinge profered to the heed’.<sup>67</sup> Morison’s interest in applying a bodily metaphor takes a graphic turn when he describes how the papacy cares for the souls of English Christians: the pope, he writes, ‘is so farre in love with our sowles, that he wolde with swerde seke for them in our bowels’.<sup>68</sup>

Morison frequently makes comparisons between the king and the papacy. He often invokes the idea of the commonwealth to make these comparisons. The effect of these commonwealth comparisons is to show that the papacy meddles in temporal affairs, or matters that pertain to the temporal realm and that the spiritual sort have no business intervening in. Morison’s primary message with regard to the papacy is that the institution completely destroys the social order in the kingdoms in which it is

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<sup>65</sup> Morison, *Exhortation*, Sig. A2<sup>v</sup>.

<sup>66</sup> Morison, *Exhortation*, Sig. A3<sup>r</sup>.

<sup>67</sup> Morison, *Exhortation*, Sig. A3<sup>r</sup>.

<sup>68</sup> Morison, *Exhortation*, Sig. A8<sup>v</sup>.



present. The pope overturns the very necessary things God has commanded and established. Morison argues that the pope ‘delyvereth all pryncis subjectes from the bondes, that god hath knyght them in, and gyveth theym pardon, that leave their duetie, that breke goddis commaundement, and curseth all theym that wol not folow his malyce’.<sup>69</sup> He further describes how those loyal to the pope have no regard for social order or the duties princes owe their subjects: ‘It is with them a gay schole poynte, without any drede of god, to breake that lovely bonde, whiche god hath ordeyned and sete in nature, to holde togyther, to preserve and maynteyne a thyng in this worlde for mans welth and safetie moste nedefull, civyle ordinaunce, obeysaunce of the membres to the heed, of the subjectes to theyr soveraynge’.<sup>70</sup> Here, Morison once more invokes the organic body metaphor to reinforce the importance of the social order as a way to protect the polity from the kingdom’s enemies.

Early in his career in royal service, Richard Morison was forced to confront the intricacies of the royal supremacy. His initial response to Pole’s *De Unitate* temperately summarised its key arguments for the king but these arguments clearly had a lasting impression on Morison and his writing style. By 1539, he was comfortable with explaining the royal supremacy to a wide range of readers. *An Invective* followed Pole’s lead in its use of the bodies of exemplary men in order to examine the problem of treason. By focusing on the bodies of specific individuals, Morison was able to show how traitors wrongly believed that they acted against the king. Instead, Morison argues, traitors harmed the entire body politic by destroying the commonwealth. Their appearances and actions revealed a condition so contrary to the common good that they simply had no place within it. Here, bodies reveal the inner workings of a treasonous disposition in order to protect the commonweal.

In *An Exhortation*, Morison used traitors’ bodies to exemplify the very real dangers the kingdom faced. War seemed to loom on the horizon, a war for which Morison held the papal loyalist largely responsible. In addition to the exemplary bodies of villains, Morison uses the method of personifying the body politic, transforming it into a living body composed of the realm’s multiple estates and degrees. This was an adaptation of a rhetorical trope he had deployed in his 1536 tracts written against the Pilgrimage of Grace. *An Exhortation* rearticulates the

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<sup>69</sup> Morison, *Exhortation*, Sig. B1<sup>v</sup>.

<sup>70</sup> Morison, *Exhortation*, Sigs. B1<sup>v</sup>-B2<sup>f</sup>.

king's role as the head of a militaristic body politic ready to confront its enemies, with each degree fulfilling its role in conjunction with the others. In the 1539 tracts, Morison stressed the importance of cohesion and unity throughout the social order, and in the secular and religious spheres alike. Without this unity, Morison warned, the vitality of the commonwealth was lost, leaving the body politic susceptible to beastliness and ultimately defeat.

### Diagnosing the Body Politic: Elyot's *Image of Governance*

Richard Morison used exemplary bodies in order to educate the polity about the dangers of disloyal subjects in 1539. In 1541, Sir Thomas Elyot published *The Image of Governance*, a prose treatise he described as a translated biography of the revered ancient Roman emperor Alexander Severus. He offered it to his readers as a substitute for the 'boke of the forme of good governance' that he had promised to write in *The Book Named Governour* years earlier.<sup>71</sup> The book marked a turning point in its author's career: this was the last piece Elyot dedicated to Henry VIII as a work of counsel and one of the final texts he wrote before his death in 1546. His political career took a different direction after this point, his name largely disappearing from historical records. He appears to have retired to his country estates, dedicating his time to other pursuits, perhaps including a stint as an MP, continually revising his *Dictionary*, purportedly writing a history of Britain, and writing a final, meditative piece entitled *A Preservative Agaynste Deth* (1545).<sup>72</sup> *The Image of Governance* is a complex work, offering not only a biography of Alexander Severus but also one of his wicked immediate predecessor, Heliogabalus, dedicating equal space to both rulers, explaining the successful and unsuccessful tactics each had undertaken when in power, and describing the impact of these decisions on the Roman body politic. The body politic plays a significant role in *The Image*, participating in the narrative as a major third character, and as one of the few figures to feature consistently in the reigns of both emperors. This section will argue that, in addition to producing an exemplary encomium dedicated to Alexander Severus, Elyot writes an autopsy report on a body politic that ultimately succumbed to

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<sup>71</sup> Thomas Elyot, *The Image of Governance Compiled of the Actes and Sentences Notable, of the Moste Noble Emperour Alexander Severus* (London: Thomas Berthelet, 1541; STC 7664), Sig. a2<sup>v</sup>.

<sup>72</sup> Stanford E. Lehmborg, *Sir Thomas Elyot: Tudor Humanist* (Austin: University of Texas Press, 1960), 181-2.

tyranny. By closely examining the symptoms the body politic presented simultaneously with Heliogabalus as their ruler, in comparison with those surfacing during Alexander's reign, Elyot was able to explore the symbiotic relationship between ruled and ruler, thereby filtering a reading of his own tense political situation through the distances of time and translation, and through literary genre.

Critics have tended to overlook *The Image of Governance*, reading it solely as a mirror for princes and favouring *The Book Named the Governour* as Elyot's more astute work on a similar topic.<sup>73</sup> Stanford Lehmborg dismisses *The Image* completely, considering it 'of no particular interest' and noting that its preface is significant only for its list of Elyot's works.<sup>74</sup> Common amongst critics is the tendency to focus on Alexander Severus's deeds and actions, reading these as a programme for reform while altogether ignoring Elyot's treatment of the villain Heliogabalus.<sup>75</sup> While Pearl Hogrefe likens Elyot's objective in *The Image* to More's in *Utopia*, her analysis focuses not on Elyot's presentation of the ideal commonwealth but on the prosperity this emperor brought to his people.<sup>76</sup> Such emphasis on the didacticism directed at the behaviour of princes misses the reciprocal relationship between body politic and the ruler's physical body, and the complex entanglement of each type of body with the commonwealth. Elyot's book instead offers something much more challenging for his readers than a mirror for princes. *The Image of Governance* is rather more like a mirror for the commonwealth, teaching king and polity how to diagnose vices or illnesses within the other. For Elyot, the ability to achieve a truly prosperous commonwealth was conditional on the health of both the head and rest of the body politic. Princes and

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<sup>73</sup> David Weil Baker, *Divulging Utopia: Radical Humanism in Sixteenth-Century England* (Amherst: University of Massachusetts Press, 1999), 79-81; Uwe Baumann, 'Sir Thomas Elyot's *The Image of Governance*: A Humanist *Speculum Principis* and a Literary Puzzle', in *The Virtues of Language: History in Language, Linguistics and Texts*, ed. Dieter Stein and Rosanna Sornicola (Amsterdam and Philadelphia: John Benjamins Publishing Company, 1998), 177-99; Alistair Fox, 'English Humanism and the Body Politic', in *Reassessing the Henrician Age: Humanism, Politics and Reform 1500-1550*, ed. Alistair Fox and John Guy (Oxford: Basil Blackwell, 1986), 45-6; John M. Major, *Sir Thomas Elyot and Renaissance Humanism* (Lincoln: University of Nebraska Press, 1964), 179.

<sup>74</sup> Lehmborg, *Sir Thomas Elyot*, 179.

<sup>75</sup> Mary Lascalles, 'Sir Thomas Elyot and the Legend of Alexander Severus', *Review of English Studies* new series 2, no. 8 (1951), 305-6.

<sup>76</sup> Pearl Hogrefe, *The Life and Times of Sir Thomas Elyot, Englishman* (Ames: Iowa State University Press, 1967), 324-9.

magistrates could gaze upon their body politic to determine the health the kingdom; the people, Elyot suggests, could look to court to determine the same information, and respond appropriately. Virtuous princes recognise illnesses in the body and, like skilled physicians, cure them. But the tyrant is so unhealthy that he can neither see his illness nor recognise its symptoms, and is therefore unable to cure these illnesses. *The Image* suggests that divine intervention could be the only way to heal a kingdom fallen into tyranny, perhaps in the form of an invading prince who could cure the realm and restore peace, prosperity, and order, a sentiment that itself reflected political tensions during the early 1540s.

*The Image*'s origins as a purported translation form an integral part of Elyot's message to his readers, and has determined how many critics read the work. He had used the tactic of translating texts from an ancient language to English as a means of extending counsel to the king in the form of New Year's Gifts in the past. His translations were significant for the context in which the original works were written and for the contemporary messages each conveyed.<sup>77</sup> Elyot claimed that *The Image* came from a borrowed manuscript written in Greek by Eucolpius, advisor to Alexander Severus. This claim has led to speculation and confusion for modern critics: the source cannot be traced.<sup>78</sup> Greg Walker offers the most logical solution to the puzzle, bringing together the decisive element of translation and the multiple audiences Elyot addresses. For Walker, Cromwell's fall in July 1540 is the key to understanding why Elyot chose to present this likely original work as a translation. He sees *The Image* as 'the most daringly oppositional of all his political treatises', despite the potential danger of writing in such a way in the aftermath of Cromwell's fall and execution.<sup>79</sup> Here, translation offered Elyot some protection: any suspected criticisms of the regime could be explained as simply part of the source text, the translator staying true to the original.

Translation was an important method Elyot used often, particularly when his target audience was the king. Richard Rex considers the activity of presenting

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<sup>77</sup> Walker, *Writing under Tyranny: English Literature and the Henrician Reformation* (Oxford: Oxford University Press, 2005), 217-9.

<sup>78</sup> Lascalles, 'Elyot and Severus', 312; Lehmborg, *Sir Thomas Elyot*, 178; Baumann, 'Sir Thomas Elyot's *The Image of Governance*', 181.

<sup>79</sup> Walker, *Writing under Tyranny*, 239; 240-3.

translations of classical texts to Henry VIII a ‘safe’ way for English scholars to participate in the project of humanism, especially in the period surrounding Cromwell’s fall.<sup>80</sup> Although this text is a translation, one key change Elyot made in *The Image* is his audience, a change closely bound to the difficult political atmosphere of the years leading to the work’s publication and reflected in its subject matter. Elyot dedicates the work not to the king, but ‘to al the nobilitie of this flourishynge royalme of Englande’.<sup>81</sup> This audience determines how Elyot constructs his narrative. He places less emphasis on *consilium* and instead embraces the topic of the body politic. This subject is more suitable for an audience comprising minor lords and magistrates than the king. As a result, Elyot takes care to examine closely how Rome’s body politic responds to the atrocities inflicted on them by the tyrant Darius Heliogabalus and marks their responses to Alexander’s goodness. Elyot examines the bodies of rulers, nobles, and the populace on a microcosmic level to determine the state’s health. They are exemplary models that help his audience understand the order’s afflictions and the cure for its ailments.

The increasingly volatile foreign political context, a context which contrasted sharply with the relative security and prosperity the kingdom had enjoyed in the preceding years, influenced *The Image*. By 1541, the Anglo-Imperial alliance against the French was tenuous, due in part to the failure of the Cleves marriage. England was engaged in a series of raids on the border with Scotland, a policy which threatened to encourage Scotland’s French allies to intervene on their behalf. A larger problem that affected all of Europe was the threat posed by Suleiman, as he led Turkish forces further into the heart of the continent. The kingdom was also susceptible to invasion by the Catholic princes: Henry had been excommunicated as a heretic, and Cardinal Pole tried to persuade Charles V and Francis I to invade England for the sake of its subjects’ souls on two separate papal legations.<sup>82</sup> Placing *The Image* into this hostile international political climate complicates readings of it

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<sup>80</sup> Richard Rex, ‘The Role of English Humanists in the Reformation up to 1559’, in *The Education of a Christian Society: Humanism and Reformation in Britain and the Netherlands*, ed. N. Scott Amos, Andrew Pettegree, and Henk von Nierop (Aldershot: Ashgate: 1999), 23-4.

<sup>81</sup> Elyot, *Image*, Sig. a2<sup>r</sup>.

<sup>82</sup> Guy, *Tudor England*, 184, 187; Mayer, ‘A Diet for Henry VIII’, 331; Thomas F. Mayer, *A Reluctant Author: Cardinal Pole and his Manuscripts* (Philadelphia: American Philosophical Society, 1999), 3-4; Phillips, *Anglo-Scots Wars*, 36, 138-9.

by expanding its metaphors beyond the immediate setting of Henry's court and extending them to a wider audience, helping to create a more particular sense of the body politic's shape and features. This context also helps to explain why Elyot devoted more attention to the relationship between governors and the governed. He acknowledges the equal parts both groups contributed to the commonweal, perhaps seeking inoculation against invasion by encouraging virtue amongst the polity.

As an example of a corrupt ruler whose tyranny was finally ended by a foreign invasion, Elyot denounces Heliogabalus as monstrous or beastly, incapable of establishing a commonwealth with his subjects because of his destruction of the social order and the horrors he enacted on his subjects. Elyot emphasises the connection between Heliogabalus's excesses and physical bodies, including his own, providing a clear image of vice. Heliogabalus was a ruler whose 'glotonye was almoste equall unto his lechery' and he 'was never two days togyther served with one meate, nor ware twyse one garmente, nor companied twyse with one woman, excepte his wyfe'.<sup>83</sup> Consumption here offers the key to determining whether a ruler and his state were corrupt. Heliogabalus indulged his passions to such an extreme that he began to rely on superstition and necromancy to determine his fate, sacrificing the bodies of his subjects to provide the answers to these questions. Elyot recounts how Heliogabalus 'violently ravyshynge from the noble men and women of Italy, their yonge infantes, he caused in his presence their bodies to be opened they lyvyng, and most cruelly serched in their tender bowelles for his moste damnable desteny'.<sup>84</sup> By the end of his reign, Heliogabalus executed virtuous men because of their good reputations, indicating that there was no health in him and no chance for his commonwealth to escape his tyranny as long as he lived. Elyot submits as evidence for tyranny the ways in which a ruler treats his subjects, particularly the defenceless and the few who chose to identify the problems plaguing. Here, he teaches his audience to look at the welfare of these two groups to determine whether their own commonwealth remains in a healthy state or if it has lapsed into tyranny. If a regime is killing innocent victims in the name of religion or wise men because of their virtue, he suggests that the populace should be aware of possible retribution in the form of foreign invasion. Elyot here invites his readers to

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<sup>83</sup> Elyot, *Image*, Sig. A4<sup>v</sup>; Sig. B1<sup>r</sup>.

<sup>84</sup> Elyot, *Image*, Sig. B1<sup>r</sup>.

consider recent events, perhaps suggesting that they reflect on the executions of prominent figures like Cromwell, or the six religious in the same month in 1540. Such events could explain the regime's massive war preparations.

Elyot and other writers use translation to create distance between themselves and their criticisms of the regime. Other literary genres allowed writers to examine subjects in intimate detail. Nancy Siraisi has discussed the centrality of historical inquiry in medical writing during the fifteenth and sixteenth centuries, arguing that the period's medical writers increasingly presented specific cases or injury or illness as both historical and medical events. She identifies a number of new medical genres that emerged during the Renaissance, among them *consilia*, which focused on treatment and eventually became medical textbooks; anatomies, which were general and interested in the overall structure and design of the body; and autopsy narratives.<sup>85</sup> Unlike anatomical narratives, autopsy reports addressed the particular body under investigation, reflecting anatomical knowledge and practice combined with a narrative of life events and experiences, with the addition of moral judgement to provide a complete depiction of the life. Autopsies were conducted on individuals of elevated status who typically had been the patients of the autopsying physician in life. Siraisi explains that the purpose of an autopsy was to describe 'the condition of one body at a specific point in time, and, often, the sequence of events that brought it to that state'.<sup>86</sup> When Elyot examines the commonwealth subjected to Heliogabalus's rule, he finds a lifeless body politic. He finds no signs of life in an empire completely stifled by the tyranny exacted by its ruler and his supporters.

Elyot demonstrates how the polity can reflect their leaders' illnesses. Heliogabalus's subjects, of all ranks and degree, became active participants in the tyranny their emperor perpetuated. Elyot recounts that Heliogabalus 'promoted to the greatest dignities of the publyke weale, common bawdes, notable ribauldes, solicitours and furtherers of dishonest appetites, often tymes cokes and devisars of lecherous confections and sawces'.<sup>87</sup> The people Heliogabalus placed in the empire's highest offices were not promoted because of their knowledge or virtue. Instead,

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<sup>85</sup> Nancy G. Siraisi, *History, Medicine, and the Traditions of Renaissance Learning* (Ann Arbor: University of Michigan Press, 2007), 65-71.

<sup>86</sup> Siraisi, *History, Medicine*, 71.

<sup>87</sup> Elyot, *Image*, Sig. A4<sup>r</sup>.

they were elevated solely because of their predilection to share in the same excesses as their prince. Because those who were positioned at the top of the kingdom's social order were skilled in vice, corruption spread downwards through the rest of the hierarchy. Elyot writes that, by the time of his death, the emperor had managed to 'constrayne all men to lyve as beastely as he dyd'.<sup>88</sup> This social order is completely confused, taking on the monstrosity of its prince. This image also illustrates the unity of a social order, demonstrating that the commonwealth's character could be determined simply by looking at any of its constituent orders. In Elyot's example, the entire social order suffered because its elite failed to restrain the ruler's tendencies towards excessive consumption. The bodies and appetites of Roman subjects made them complicit in maintaining the prince's tyranny, serving as platforms onto which his vices were projected, and revealing his corruption through their condition.

The prince's vices infected the whole body politic but Elyot also warns that the people themselves could present signs that indicated a kingdom's depravity. Vice and corruption arose from within the social order Heliogabalus governed, culminating in the insurrection that led to his own death on Alexander Severus's invasion. Elyot recounts the last moments of Heliogabalus's life: 'this monstrous emperour, desyrynge the destruction of Alexander, procured his owne deth, agreable with his abhominable lyving. [F]or his owne servauntes and souldiours, whiche were repared for the garde of his person, dreadynge leste the people makynge insurrection, that they shuld be parteners of his mischevous ende, being also tedious of abhominations, conspired to delyver the common weale of hym'.<sup>89</sup> Heliogabalus's personal guard killed his counsellors and familiars, and finally tracked down and slew him. They dragged his corpse, which 'all the people defyled with ordure, and other matter foule and stynkyng', through the streets on hooks before casting it into the Tiber, a 'worthy and convenient ende of this most beastly and unclene monster'.<sup>90</sup> In the example of Heliogabalus's violent death, Elyot presents a confused social order, with guards killing the one they should protect, and subjects willing to defile themselves even in the act of defiling their tyrannical ruler. He

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<sup>88</sup> Elyot, *Image*, Sig. B1<sup>v</sup>.

<sup>89</sup> Elyot, *Image*, Sig. B2<sup>r</sup>.

<sup>90</sup> Elyot, *Image*, Sig. B2<sup>r</sup>.



suggests that the rampant vice and corruption had made it impossible for the commonwealth to flourish, and ultimately made the subjection riotous and ungovernable. Elyot's examination of the circumstances surrounding Heliogabalus's death may be a plea to those who surrounded the king, asking them to find a solution for the tyranny he perceived before it escalated to a similar state.

*The Image* shows Elyot seeking a different primary audience for political themes. With the king refusing to heed his warnings about tyranny and the corruption rampant amongst his selected counsellors for years, Elyot was forced to look instead to the body politic for a remedy to the realm's unfortunate condition. David Weil Baker has called Elyot a 'popularizer'. In this capacity, and especially in reference to matters of politics, Elyot was forced 'to engage these questions as he decided what parts of humanism to divulge to an English readership and what to leave encoded in Latin'.<sup>91</sup> Baker centres his analysis of Elyot's attempts at popularization on *The Governour* but this sentiment can perhaps be better applied to *The Image of Governance* as the text which actively sought to engage a wider audience. *The Image* is full of medical and bodily imagery for two reasons. First, Elyot deploys this terminology in order to bridge the gap between the political treatises or works of counsel he had submitted to the king and the more popular medical advice he had written. Second, and more importantly, Elyot uses the metaphor of the body politic and references to medicine to examine closely what has gone wrong in the commonwealth, positing reasons to explain why the kingdom had been led to the brink of war by 1541. For Elyot, then, the metaphor of the body politic was one which he used in order to explain political problems across a wide section of society.

Elyot, who first published his *Castel of Helth* around 1536, had a keen and well-known interest in medicine.<sup>92</sup> The British Medical Society claimed him in their commemoration of the quartercentenary of his death.<sup>93</sup> *The Castel of Helth*, which ran through at least five editions in his lifetime, was both a medical autobiography that detailed his own illnesses and a household guidebook of remedies, offering recipes and treatments for common ailments. The treatise was a fully humanist text,

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<sup>91</sup> Baker, *Divulging Utopia*, 76.

<sup>92</sup> Lehmborg, *Thomas Elyot*, 132; Major, *Elyot and Humanism*, 77 .

<sup>93</sup> W. R. B., 'Sir Thomas Elyot (?1490-1546)', *British Medical Journal*, 16 March 1946, 401.

drawing from Galen and Hippocrates, and written in the vernacular, a point he underscored when belittling the physicians who refused to share their knowledge with the English-literate masses by publishing only in Greek or Latin.<sup>94</sup> Though evidence explaining much of Elyot's life is lost or unclear, particularly regarding his education, Elyot probably studied medicine with the court physician Thomas Linacre, the most influential figure in sixteenth-century English medicine, a proponent of Galen and of the rigorous enforcement of medical standards.<sup>95</sup> For Elyot, Linacre was probably also important for his example of putting his education into the wider service of the state, though Elyot would have begrudged his propensity to publish materials in ancient languages.

State service became an ideal to emulate in *The Image of Governance*, particularly during the reign of the good and virtuous Alexander Severus. Lascalles associates Alexander Severus with Henry VIII, arguing that '[Elyot] for his part was impelled rather by the desire to congratulate his sovereign on those qualities which his subjects wished him to possess and draw attention to the occasion for their happy employment, than to transmit information about the past'.<sup>96</sup> This understanding of Elyot's purpose in *The Image of Governance* runs counter to the majority of the work Elyot had written for the edification of his monarch. And it overlooks the nuances at work in Alexander's story: despite Alexander's goodness, afflictions still arose from within the body politic. Furthermore, Alexander himself was guilty of committing a number of acts that could be regarded as tyrannical, including executing his counsellors. These flaws in the polity suggest that a ruler who exhibits tyrannical traits – whether Alexander Severus or perhaps Henry VIII – could still be regarded as a virtuous prince because he was largely amenable to counsel.

Elyot warned that pride was the greatest danger that could assault a commonwealth. Pride was the primary theme of a chapter on 'reprevyng an ambitious and vaynglorious counsaylour'.<sup>97</sup> In this chapter, Elyot recounts the

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<sup>94</sup> Major, *Elyot and Humanism*, 14, 225.

<sup>95</sup> Lehmborg, *Thomas Elyot*, 3-7, 20-1; Major, *Elyot and Humanism*, 77, 175; Vivian Nutton, "'A Diet for Barbarians": Introducing Renaissance Medicine to Tudor England', in *Natural Particulars: Nature and the Disciplines in Renaissance Europe*, ed. Anthony Grafton and Nancy Siraisi (Cambridge, MA, and London: The MIT Press, 1999), 277-8.

<sup>96</sup> Lascalles, 'Elyot and Severus', 317.

<sup>97</sup> Elyot, *Image*, Sig. F4<sup>r</sup>.

famous story of Turinus, a wise counsellor with whom the emperor became perhaps too familiar. Intoxicated by the power he found through his advancement and the favours bestowed on him, Turinus began to abuse his office. Consumed by vainglorious pride, ‘he put his hole study and delectation to augment the opynion of men, that thought that the emperor wolde nothyng do, without his advyse, wherby he shulde be magnyfyed and honoured above all other of the emperours counsaylours’.<sup>98</sup> Under the false impression that he ruled his prince, Turinus began to sell offices to unworthy men, thereby placing ‘the publyke weale in no lyttel hasarde’.<sup>99</sup> Alexander identified Turinus as a serious threat to his commonwealth, and had him executed for treason before the Senate despite their familiarity. Elyot uses this example to remind his audience that even high-ranking officials were susceptible to corruption and vice. He also implies that the baser men who sought to advance to offices for which they were unprepared contributed to problems in the commonwealth as well; Turinus had committed treason by accepting their bribes but these men should never have sought to advance above their stations.

Elyot compares Turinus’s fall to another example from the classical world, a scene in the story of Ulysses and his companions. Elyot likens pride to ‘the herbe called Lotos’, because, in the case of Ulysses, ‘the taste therof was so pleasant and mervaylous, that all that eate therof, forgettynge their owne propre countrey, coveted to remayne styl in that region, where that herbe grewe, and but only by violence they coulde not be broughte to their shyppes, to retourne to their propre houses’.<sup>100</sup> Elyot here links together pride and consumption, and the problem of forgetting one’s place in the social order, causing even the virtuous to fall. Only a violent intervention can prevent the damage caused by pride from spreading through the rest of the social order. The problem with pride was that it caused the individual to value himself and his place over the rest of the commonwealth. This was one of the highest forms of corruption. Elyot therefore considers Alexander a just and virtuous prince because he exacted the only punishment appropriate for a counsellor who had become blinded by pride: death.

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<sup>98</sup> Elyot, *Image*, Sig. F4<sup>v</sup>.

<sup>99</sup> Elyot, *Image*, Sig. G2<sup>r</sup>.

<sup>100</sup> Elyot, *Image*, Sigs. F4<sup>r-v</sup>.

Elyot warns his readers that it was not enough for the prince to be virtuous. His counsellors also needed to be virtuous, or their vices would spread through the rest of the social order. But it was not the king's immediate counsellors alone who needed to live virtuously. Everyone involved in the governance of a kingdom needed to purge themselves of vice. Alexander Severus's mother warns him at the beginning of his reign that 'he coulde never wel stablyshe his astate Imperyall, but onely by reducyng of the senate and people into their prystinate order, whyche coulde never be brought to passe, except that fyrste his own palace were cleane purged of personages corrupted with vices'. She reminds Alexander that the 'princis palais is lyke a common fountayne or sprynge to his citie or countrey, wherby the people by the cleannes therof be longe preserved in honestie, or by the impurenes therof are with sundry vyces corrupted'.<sup>101</sup> With these examples, Elyot offers his most clear metaphor describing how ruler and ruled cooperated to create a commonwealth. Elyot uses consumption in his affiliation of drinking water with the character of a commonwealth. Water can cleanse, or it can pollute; the metaphor reminds Elyot's readers that even one corrupt individual in the wrong location near the fountain can spoil it for everyone who comes after in the hierarchy. Elyot may also be considering water's reflective properties, forging another link between the ruler and the ruled. By keeping this metaphor connected to illness and health, Elyot suggests once more to a popular audience that they should once again look to their social betters for examples of health or corruption regarding their country's present state of affairs.

The clean palace metaphor alludes to the need for rulers to bring their 'parliament' and people into their best order. Since its members had such an important role in the governance of the kingdom, it was imperative, in Elyot's opinion, that they also were free of vice. Lascalles observes that Alexander Severus was widely associated with reform in the Roman Senate. Early modern writers who used his example therefore did so either to suggest that the ruler to whom they alluded was the one 'who reformed the legislative assembly' or 'the ruler in whose day this assembly asserted itself'.<sup>102</sup> Elyot seems to be using it for a different purpose, suggesting that, if all else failed, parliament could be used as the last bastion of *consilium*, helping to protect the commonwealth from the monarch's

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<sup>101</sup> Elyot, *Image*, Sig. D4<sup>v</sup>.

<sup>102</sup> Lascalles, 'Elyot and Severus', 306.

tyrannical impulses through the structure of law. John Major sees close parallels between Elyot's *Governour* and Plato's *Republic*, and between Elyot's *Image of Governance* and Plato's *Laws*. He argues that the first of these texts offers ideal patterns for the way the commonwealth should function. However, in *The Image* and *Laws*, both authors are forced to confront the reality that their ideals never existed, and can never exist, and that the social order 'must be regulated by the imposition and strict enforcement of laws, extending even to the private activities of citizens'.<sup>103</sup> Major ultimately views Elyot's version of Alexander's empire as a police state but one in which the prince voluntarily subjected himself to the same laws and regulations as the rest of the social order.<sup>104</sup> He finds it difficult to determine Elyot's opinion on the question of whether the monarch or the laws have the higher authority within a state. The laws maintained the social order in the state but the monarch choosing to submit to these suggests tension between the laws and the monarch. Major declines to push the example of Severus further, saying that Elyot's 'reasons for not being more explicit are his own'.<sup>105</sup>

The reasons behind Elyot's ambiguity about the king's relationship to the law rest in his opinions about *consilium*. *Consilium* was viewed as the correlative of *imperium*, and was regarded as a part of the prince's duty as well as the only way to curtail tyranny.<sup>106</sup> Attitudes towards and practices of *consilium* were transformed in combination with the king's assertion of the royal supremacy and increasing acceptance of the humanist ideal of the commonweal.<sup>107</sup> As a result, the king's formal council and Parliament came to be understood by some contemporaries as near-equals because they both extended counsel to the prince.<sup>108</sup> The idea of the king-in-parliament as the kingdom's ultimate authority was a culmination of the understanding of Parliament as a site of 'ascending power', in which a representative

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<sup>103</sup> Major, *Elyot and Humanism*, 191.

<sup>104</sup> Major, *Elyot and Humanism*, 138.

<sup>105</sup> Major, *Elyot and Humanism*, 191-3; quote at 192.

<sup>106</sup> John Guy, 'The Rhetoric of Counsel in Early Modern England' in *Tudor Political Culture*, edited by Dale Hoak (Cambridge: Cambridge University Press, 1995), 294.

<sup>107</sup> John Guy, 'The King's Council and Political Participation', in *Reassessing the Henrician Age: Humanism, Politics and Reform, 1500-1550*, edited by Alistair Fox and John Guy (Oxford: Basil Blackwell, 1986), 129-31.

<sup>108</sup> Guy, 'King's Council', 124-6, 129.

meeting of the realm's estates authorised its business.<sup>109</sup> This idea elevated the role of Parliament, situating the king as the highest authority in the realm during Parliament because the king received the counsel of all the realm's estates and chose to submit himself to its legislation. The theory that the king-in-parliament was the highest law in the kingdom helped to justify the break with Rome, supported the argument that canon law was subservient to the kingdom's civil laws, and validated the royal supremacy, which placed the king at the head of the social order in both the temporal and spiritual realms. A formalised or executive council, whose councillors were drawn from the best educated scholars and experts regardless of their backgrounds within the social hierarchy, was a means to ensure that the king fulfilled his obligation to receive counsel outside parliamentary sessions. This model, however, aligned counsel very closely with the king, nearly situating it within the king's purview rather than as an independent virtue.

These ideas about counsel as a formalised activity stemmed from a humanist understanding of the state, and ran counter to Elyot's own opinions. F. W. Conrad points to an ideal of *consilium amicorum* that runs through several of Elyot's works, including *The Image of Governance*. This version of counsel, handed down from imperial Rome, was informal, and featured men who were friends of the emperor advising him on personal conduct, public behaviour, and the great affairs of state. These counsellors had dedicated their lives to the service of the state as governors and soldiers, offering counsel to their prince outside the structural confines and meetings of an institutionalised body. Furthermore, this kind of counsel enjoyed a more prominent role in Rome's political life than the Senate.<sup>110</sup> For Elyot, as John Guy has argued, the *consilium amicorum* ideal was most effective when the friends who advised the prince came from the nobility and country gentry. Elyot's works therefore contributed to a broader humanist-classical vocabulary.<sup>111</sup> This sentiment is best expressed in *The Image* in the way he consistently denounces the counsellors who surrounded the wicked Heliogabalus: their expertise rested in consumption and

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<sup>109</sup> Guy, 'King's Council', 124.

<sup>110</sup> F. W. Conrad, 'The Problem of Counsel Reconsidered: The Case of Sir Thomas Elyot', in *Political Thought and the Tudor Commonwealth: Deep Structure, Discourse and Disguise*, ed. Paul A. Fideler and T. F. Mayer (London and New York: Routledge, 1992), 77-9.

<sup>111</sup> Guy, 'Rhetoric of Counsel', 294, 295-6.

personal gain rather than in matters of state. Elyot is ultimately ambivalent about the role of law and Parliament in *The Image of Governance* because he advocated *consilium* as a virtue that could only work outside the confines of institutionalism. Formalizing counsel in either an executive council or parliament left its members susceptible to the same pitfalls of tyranny as their prince, exemplified in the excessive consumption of Heliogabalus's 'counsellors' and Alexander Severus's greedy minister Turinus.

A virtuous prince needed equally virtuous and noble counsellors to help him make the appropriate decisions that would protect the commonwealth from tyranny. But even if such individuals filled these offices, the prince still had no certainty that a stable commonwealth could be achieved. Pride and idleness could lurk beneath the surface of stability, threatening to topple everything. One major argument that Elyot presented in *The Image* was the idea that the commons were not immune from the problem of pride. Although this vice was often associated with those who had already achieved positions of authority in the commonwealth, Elyot here connects it with those who wished to overreach their stations. Elyot recounts a story in which Alexander witnessed some of the vulgar sort of his subjects challenging their betters to an impromptu wrestling match. The vulgar sort became somewhat aggressive with the nobles in this competition, prompting the nobles to remind them of their place in the hierarchy. The emperor was stunned by the over-familiarity between the disparate social groups. He regarded the incident as a sign of serious trouble brewing in the social order. In response, he summoned the commons to gather in an arena so that he could personally 'declare to them thynges concernynge the mooste dangerouse state of the weale publyke'.<sup>112</sup> The problem was attributed to pride amongst the commons, revealing how important this characteristic to the commonwealth's successful function in Elyot's estimation.

Pride, vainglory, and excess consumption were all vices that afflicted any commonwealth. In *The Image*, Elyot attempted to explain the complex relationship between governor and governed through the metaphor of the body politic. Politic bodies, whether the prince's own or the metaphorical body composed of prince and people together, indicated the health of a commonwealth. In earlier tracts, Elyot had examined the theme of *consilium* as a means for determining whether the prince had

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<sup>112</sup> Elyot, *Image*, Sigs. P3<sup>v</sup>-P4<sup>r</sup>.

lapsed into tyranny, suggesting that it was the responsibility of the kingdom's nobles to ensure their ruler maintained a commonwealth with his subjects. In *The Image*, Elyot expands the responsibility for the well-being of the commonwealth beyond the purview of the political elite, placing the blame for tyranny on all the ranks of the social order. Commonwealth was ultimately the aim of every government but its possibility could be hindered by the appearance of disease at any point in the social order. True health could only be achieved if the body was free from the excessive vices to which it was susceptible.

*The Image of Governance* represented a major shift for its author. No longer willing to offer unrequested and unheeded counsel to his prince, Thomas Elyot retired to his country estates, waiting for a summons to court which never arrived. He saw increasing evidence for Henry VIII's tyranny, probably made even more obvious with the execution of Cromwell and in the tension of an increasing likelihood of invasion experienced in 1538-9. Elyot's audience and literary themes were also transformed with the publication of this text, extending somewhat beyond the king and aristocracy to pursue more prominent members of the social order. With this wider audience in mind, Elyot writes about bodies and the metaphor of the body politic in order to illustrate more clearly the reciprocal relationship between ruled and ruler, and urging the audience to live virtuously in the hopes that their good behaviour will flow upwards to court. Standing outside the social hierarchy, examining the politic body as an independent member of the aristocracy, Elyot finds his own commonwealth in a similar condition to the one he describes in *The Image*: it shows the symptoms of tyranny but has not yet succumbed to this affliction. Hoping that a virtuous social order can finally save the kingdom and cure the wickedness rampant at court, Elyot submits his findings to a wide audience and prepares for a foreign invasion. Elyot's fears arose from an unstable political climate, perhaps increased by the execution of his friend and patron Cromwell. The vernacular texts he published in the service of the commonwealth explained how his readers could counteract the symptoms of tyranny he saw.

#### Ascham's *Toxophilus* and the Warrior Kingdom

Richard Morison began his career as a polemicist by drawing attention to the evils of domestic strife but he went on to discuss the international political context as tensions increased between the king and his Roman Catholic counterparts. Morison's



later polemic attacked the Pole family and justified the crown's actions against them. Reginald Pole unsuccessfully attempted to draw Charles V into a war against England through his written work and during his papal legation to the Low Countries in 1538-9.<sup>113</sup> Eventually, Charles became Henry's tenuous ally against a committed Franco-Scots alliance. Even after James V died following defeat at Flodden, the Duke of Norfolk continued to lead raids just over Scotland's border through the early 1540s. These attacks became increasingly risky as France threatened to support their Scottish allies, thereby creating a war on two fronts.<sup>114</sup> In July 1544, Henry personally led an army into battle in France, leaving his final queen, Katherine Parr, to serve as regent as the king and his forces besieged Boulogne.<sup>115</sup> As war continued, the king needed financial and personal support from their subjects, nobles and commons alike.<sup>116</sup> Morison's translation of Frontinus Junius Sextus targeted an audience heading into foreign combat, arming them with models of courage and fortitude to emulate during a military campaign. However, not everyone was destined for the battlefield. One writer who recognised this was Roger Ascham. In *Toxophilus* (1545), Ascham presents a vision of the commonwealth during a time of war.<sup>117</sup> His audience included those who wished to serve their country in a useful capacity away from the battlefield. For Ascham, archery was a way for men of all social degrees to participate in the protection of their country and to prepare them for the very real possibility of foreign invasion. He adapted the strategy of examining the two models of exemplary bodies – the specific bodies of priests, scholars, and other degrees of men, and the metaphorical body politic that stood for the entire commonwealth – in order to show how archery was an activity through which men across the social spectrum could participate in the protection of the country, even if they were unable to serve abroad in the king's armed forces.

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<sup>113</sup> Mayer, *Reginald Pole*, 28-9, 91-3.

<sup>114</sup> Phillips, *Anglo-Scots Wars*, 154-74; Potter, *Henry VIII and Francis I*, 86-119.

<sup>115</sup> Potter, *Henry VIII and Francis I*, 185-9.

<sup>116</sup> Steven Gunn, David Grummitt, and Hans Cools, *War, State, and Society in England and the Netherlands 1477-1559* (Oxford: Oxford University Press, 2007), 234, 323, 325.

<sup>117</sup> Roger Ascham, *Toxophilus the Schole of Shootinge* (London: Edward Whytchurch, 1545) STC 837.

Roger Ascham is best remembered as the educational theorist who authored *The Scholemaster* and tutored Princess Elizabeth.<sup>118</sup> However, his political experiences were much more far-ranging than this characterisation implies. In addition to these tutorial responsibilities, Ascham taught Prince Edward penmanship for a time, served as the Latin secretary for both Elizabeth and Mary, and was the principal secretary to Richard Morison during his embassy to Charles V during Edward VI's reign. He wrote a political history of contemporary Germany covering the years 1550-53 based on his experiences in and around Augsburg. He may have been the person who introduced Machiavelli's works to Morison, who was in turn one of the first to import the Florentine's ideas to England. Ascham was master of St John's College, Cambridge, where he was friends with John Cheke, Walter Haddon, and Sir Thomas Smith, and with influential churchmen who gained prominence during Elizabeth's reign.<sup>119</sup> Ascham nearly succeeded Cheke as Regius Professor of Greek at Cambridge when Cheke left that position to tutor Prince Edward but ultimately lost that role to Nicholas Carr.<sup>120</sup> He corresponded with influential scholars based on the Continent, including Johannes Sturm and Philip Melancthon. His Latin correspondences were lauded for their style and used as a guide into the eighteenth century. He received patronage from William Paget and Archbishop Edward Lee early in his career; and from Stephen Gardiner and Reginald Pole during Mary's reign. Ascham was himself unable to participate in active military service due to frequent bouts of ill health. He sought other ways to serve the commonwealth.<sup>121</sup> Although he failed to compose tracts and dialogues at the same pace as some of his contemporaries, Ascham should be regarded as one of the important humanists of the 1540s and 1550s. L. V. Ryan notes the significance of his

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<sup>118</sup> For Ascham's contribution's to Elizabeth's Protestant thought, see Winthrop S. Hudson, *The Cambridge Connection and the Elizabethan Settlement of 1559* (Durham: Duke University Press, 1980), 13, 70, 134; Anne Overell, *Italian Reform and English Reformations, c. 1535-c.1585* (Aldershot and Burlington, VT: Ashgate, 2008), 87.

<sup>119</sup> For Ascham's later diminished role in this influential group, see Hudson, *Cambridge Connection*, 58.

<sup>120</sup> Lawrence V. Ryan, *Roger Ascham* (Stanford: Stanford University Press and London: Oxford University Press, 1963), 41.

<sup>121</sup> Ryan, *Ascham*, 4, 47, 82-3.

work, hailing him as ‘the indispensable link between the earlier Tudor and the great Elizabethan and Jacobean writers of English prose’.<sup>122</sup>

According to Ryan, Ascham’s achievement was his English prose style, and his assessment of *Toxophilus* is focused less on its content than on its success in emulating its Platonic and Ciceronian precursors.<sup>123</sup> The scant attention literary critics have given *Toxophilus* has followed this lead, with rhetorical style favoured over an examination of the tract’s content. Another strand dismisses *Toxophilus* as a rough draft of his Elizabethan-era masterpiece *The Scholemaster*.<sup>124</sup> An exception to these tendencies is Matthew Woodcock, who has argued for the significance of *Toxophilus* as a turning point in English humanism and as a major early contribution to Tudor mythmaking.<sup>125</sup> Ascham’s earlier associations with Elizabeth and with men who became prominent during her reign has posed another challenge for his critics, leaving them uncertain about whether his work, most of it published posthumously, fits better with the intellectual climate of the age in which it was printed or the era in which it was initially composed. Ascham’s demonstration of rhetorical skill and wide use of classical allusions certainly set *Toxophilus* into a humanist tradition and its content also firmly places it into this category. On the surface, the tract looks like an attempt to secure royal patronage by offering a literary piece rearticulating pleas for the protection of archery. Furthermore, Ascham sent *Toxophilus* to a number of potential patrons on Archbishop Lee’s death, including Lord Chancellor Thomas Wriothesley, Bishop George Day, Prince Edward, and the prince’s companion, Barnaby Fitzpatrick, among others.<sup>126</sup> However, securing patronage is only part of the dialogue’s purpose; within the defence of shooting is a description of an ideal commonwealth, and the suggested way that different groups can contribute to the common good. *Toxophilus* was written in order to provide Ascham a way to support

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<sup>122</sup> Ryan, *Ascham*, 292.

<sup>123</sup> Ryan, *Ascham*, 63; 69-70.

<sup>124</sup> Thomas M. Greene, ‘Roger Ascham: The Perfect End of Shooting’, *ELH* 36, no. 4 (1969), 619; McConica, *English Humanists*, 207-9; Ryan, *Ascham*, 52; Ryan J. Stark, ‘Protestant Theology and Apocalyptic Rhetoric in Roger Ascham’s *The Scholemaster*’, *Journal of the History of Ideas* 69, no. 4 (2008), 517; K. J. Wilson, ‘*Toxophilus* and the Rules of Art’, *Renaissance Quarterly* 29, no. (1976): 31, 33.

<sup>125</sup> Matthew Woodcock, ‘Shooting for England: Configuring the Book and the Bow in Roger Ascham’s *Toxophilus*’, *Sixteenth Century Journal* 61, no. 4 (2010): 1018.

<sup>126</sup> Ryan, *Ascham*, 49.

the country during a time of war but away from the battlefield. Ironically, however, its message to an aspirational audience is that education or a higher rank within the social order does not excuse able-bodied men from active military service.

*Toxophilus* reminds the educated orders of both sorts of their responsibility to prepare to defend the commonwealth if their king needs them to act. At the same time, he suggests a common way for men to participate in acting out the kingdom's shared identity as a warlike body politic regardless of social degree.

Ascham failed to finish the text to his satisfaction before Henry VIII went abroad, delaying the publication of *Toxophilus* until 1545. The text consists of a dialogue between two Cambridge scholars, Toxophilus, who is known for his love of archery, and Philologus, a sceptical physician.<sup>127</sup> The first of its two books, Book A, is a defence of the practice of archery that draws on classical and Biblical history to show why it is an honourable pursuit and an effective way to defend the kingdom from foreign enemies. Book B details archery's technical aspects, including finding the right wood for the longbow, the proper stance for shooting, and how to sight a target. Embedded within both books is Ascham's vision of the commonwealth's order, one in which men of every degree, and regardless of affiliation with temporal or spiritual concerns, demonstrate their fidelity to the monarch through the practice of shooting. Ascham argues that maintaining archery skills is the most basic way for men to participate in the defence of realm, particularly in the case of invasion. He lauds the medicinal benefits it extends to the entire body politic, both as a means for physically inactive scholars to obtain exercise and as a way to undo the damage caused by gambling. It is a pursuit to be practiced by princes and the lowliest labourers alike. By the end of his treatise, Ascham establishes archery as the patriotic secular counterpart to religious conformity and obedience.

One of Ascham's primary tasks in *Toxophilus* is to reclaim archery as a gentlemanly pursuit rather than merely an activity suited to the vulgar orders during times of war. He uses a number of different rhetorical tactics to achieve this aim, including a dedication to 'all gentlemen and yomen of Englande' directly following his preface addressed to Henry VIII and numerous examples drawn from classical and Biblical history to show how princes and victorious military captains

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<sup>127</sup> Ryan traces the composition and publication history of *Toxophilus* in *Ascham*, 41, 42, 48-9.

successfully used archery to their advantage.<sup>128</sup> The men Ascham addresses have a special role in the commonwealth: the things ‘great men do, be it good or yll, meane men comunelye love to followe’.<sup>129</sup> Ascham’s hope was to restore archery’s popularity with the noble orders so that the lower orders would emulate their zeal for the sport. One difficulty in achieving this aim is the relative lack of records about the importance of archery throughout history. Ascham claims that archery was always an important element of military campaigns but was taken for granted and left unwritten. This difficulty is further compounded because those who ‘used shootyng moste and knewe it best, were not learned: men that were lerned, used litle shooting, and were ignorant in the nature of the thyng, and so fewe menne hath bene that hitherto were able to wryte upon it’.<sup>130</sup>

In addition to showing that archery should be practised by elite and lowly alike, Ascham argues that it is a pursuit that should be taken up by scholars, of both ecclesiastical and secular sorts, on the basis of its medicinal benefits. Philologus suggests that archery is not an activity that is well-suited to scholars, since the aspects of the commonwealth that are ‘quiete and peaceable’, rather than warlike, are ‘put to their cure and charge’.<sup>131</sup> Toxophilus acknowledges that scholars contribute to the commonwealth through their studies. But he also notes that constant studying has detrimental physical effects on their bodies, since ‘every parte of the body is ydle, which thing causeth grosse and colde humours, to gather together & vexes scholars verye moche’. The cure for these ailments is an exercise that ensures ‘every parte of the bodye must be laboured to separate and lessen suche humours withal: the mind must be unbent, to gather & fetche againe his quicknesse withall’.<sup>132</sup> After discounting the merits of music and leaping as the most beneficial ways for scholars and gentlemen to pass time, Toxophilus puts forward archery as a reasonable exercise for scholars because it promotes ‘health of body quiknes of witte, habilitie

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<sup>128</sup> Ascham, *Toxophilus*, Sig. A4<sup>f</sup>.

<sup>129</sup> Ascham, *Toxophilus*, Sig. F2<sup>f</sup>.

<sup>130</sup> Ascham, *Toxophilus*, Sigs. A4<sup>f-v</sup>.

<sup>131</sup> Ascham, *Toxophilus*, Sig. B4<sup>f</sup>.

<sup>132</sup> Ascham, *Toxophilus*, Sig. D1<sup>v</sup>.

to defende oure countrie, as our enemies can beare recorde'.<sup>133</sup> Archery alone can therefore provide both the intellectual stimulation and physical exercise scholars need to be healthy, with the added bonus of patriotic military training.

Ascham does not excuse members of the religious orders from participating in this important sport but rather maintains that it is their customary duty to practice it. *Toxophilus* relates to Philologus a story he once heard: 'when the kynge of Englande hath ben in Fraunce, the preestes at home bicause they were archers, have ben able to overthrowe all Scotlande'.<sup>134</sup> This ambiguous example allegedly drawn from the old chronicles not only illustrates the diversity of the sport's practitioners but re-asserts the historical loyalty English clergy had for their king. It furthermore patriotically imparts confidence that England will once again defeat the old Scottish and French enemies. He concludes by assuredly proclaiming 'the best learned and sagest men in this Realme, whiche be nowe alyve, both love shoting and use shoting, as the best learned bisshoppes that be', a clear endorsement for the physical benefits of archery to the realm's scholars.<sup>135</sup>

Ascham's concern that not enough men were practising archery in the 1540s may have had some root in what was happening on the ground. Throughout Henry's reign, the requirement that men practise archery was reinforced in numerous statutes.<sup>136</sup> However, Steven Gunn points to an increasing number of accidents involving longbows. He believes that the reason for these accidents was likely related to a lack of skill in shooting longbows. Although a survey of churchwardens' accounts shows that archery was a constant pursuit during the early sixteenth century, the longbow was gradually falling out of favour as a weapon of choice.<sup>137</sup> Gunn has offered a number of reasons for the decline in archery during the period in which Ascham wrote *Toxophilus*, including the increasing popularity of the crossbow and handgun in the 1540s, the rising expense of purchasing good quality

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<sup>133</sup> Ascham, *Toxophilus*, Sig. E1<sup>r</sup>.

<sup>134</sup> Ascham, *Toxophilus*, Sig. B4<sup>v</sup>.

<sup>135</sup> Ascham, *Toxophilus*, Sig. D1<sup>r</sup>.

<sup>136</sup> 3 Hen. 8, c. 3 (*Statutes* iii. 25-6); 6 Hen. 8, c. 13 (*Statutes* iii. 132-33); 33 Henry VIII, c. 6 (*Statutes* iii. 832-35); 33 Hen. 8, c. 9 (*Statutes* iii. 838-41). Perhaps revealing the intensity of the international political climate of the early 1540s, 33 Hen. 8, c. 9 forbade foreigners from exporting longbows and arrows out of the country without the crown's approval.

<sup>137</sup> Steven Gunn, 'Archery Practice in Early Tudor England', *PP* 209 (2010), 55-7.

longbows, and other economic factors. Falling wages meant that men had to work longer hours to earn a viable income, leaving less free time to devote to archery.<sup>138</sup> If Gunn is correct about the impact of falling wages, and if this was a noticeable development in the way archery was practised, perhaps Ascham was attempting to recruit archers from the groups who could afford to take up the pursuit.

Archery is good for the physical well-being of its practitioners of all degrees; it transcends these mortal physical bodies, however, and extends benefits to the entire body politic where it is practised. Ascham offers shooting as ‘a moost reddy medicine, to purge the [w]hole realme of suche pestilent gaming’.<sup>139</sup> Gambling, particularly betting on cards and dice, is detrimental to the common good because it is often done in ‘solitariousenes’ at night and in corners, with the aid of ‘an ungratiouse cover of noughtynesse’.<sup>140</sup> Ascham’s characterisations of gambling as taking place in corners under the cover of darkness connect it with the shady practices of the papists during the period. Toxophilus declares, ‘let youthe in steade of suche unlefull games, whiche stande by ydlenesse, by solitarinesse, and corners, by night and darkenesse, by fortune & chaunce, by crafte and subtiltie, use suche pastimes as stand by labour: upon the daye light, in open syght of men, havynge suche an ende as is come by co[n]ning, rather then by crafte: and so shulde vertue encrease, and vice decaye’.<sup>141</sup> In contrast to gambling’s tendency to hide under the cover of night, archery is practised in the daylight and in open fields, thereby precluding dangerous behaviour and plotting. For these reasons, Toxophilus describes archery as ‘a quicke medicine, which shoulde within a whyle purge and pukke oute all the unthriftie games in the Realme, through which the commune wealth oftentimes is sycke’.<sup>142</sup> But, unlike some characterisations of vice in the realm, gambling is identified not as a contagious infection but as an isolated illness that comes and goes, and is easily cured with the proper medicine. Ultimately, Ascham promotes archery as ‘an exercyse of healthe, pastyme of honest pleasure,

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<sup>138</sup> Gunn, ‘Archery Practice’, 69-74, 76.

<sup>139</sup> Ascham, *Toxophilus*, Sig. F2<sup>v</sup>.

<sup>140</sup> Ascham, *Toxophilus*, Sig. E1<sup>v</sup>.

<sup>141</sup> Ascham, *Toxophilus*, Sig. F2<sup>v</sup>.

<sup>142</sup> Ascham, *Toxophilus*, Sig. F3<sup>f</sup>.

and suche one also that stoppeth or avoydeth all noysome games gathered and encreased by ill rule' because it has the power to gather together the '[w]hole bodye of the realme' into one collective activity.<sup>143</sup>

Archery's power to cure the illness of vice caused by gambling is significant. The vocabulary Ascham uses to describe gambling in *Toxophilus* echoes the language deployed by the propagandists who wrote against the papal supremacy during the earliest stages of the Reformation. The title of Thomas Swinnerton's 1534 tract *A litel treatise ageynste the mutteryng of some papistis in corners*, for example, implies that the realm's popish enemies lurk and plan with the aid of shadows, away from the rest of the community. Swinnerton's tract describes the kingdom's situation before the break from Rome as one in which they had been 'seducid and ledde out of the right wey, and have alowed many of [the pope's] vices for high vertues'.<sup>144</sup> A similar parallel is made by Christopher St German, who calls for the prohibition of hunting, hawking, cards, dice, and 'other games unsyttynge for a preeste' under threat of suspension. For St German, the problem arose equally from 'temporal men' who were too familiar with priests, and from corrupt clergymen who preferred to be known as 'good companyns' rather than devout men.<sup>145</sup> Ascham uses this imagery to put forward archery as a way to demonstrate loyalty to king and commonwealth. By deploying the language typically associated with religious themes, Ascham equates the practice of archery with loyalty to the king and the royal supremacy. Furthermore, Ascham suggests that those who refused to participate in the sport not only defied the king's proclamation regarding archery but should be regarded as morally suspect. To be a loyal subject, one must perform specific duties in the spiritual and the temporal spheres alike, including following the teachings of the Church of England, and preparing to defend the realm from hostile invasions. *Toxophilus* uses the contemporary example of the English wars in Scotland to suggest that God's special providence can be found. For Ascham, archery is an

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<sup>143</sup> Ascham, *Toxophilus*, Sig. F4<sup>r</sup>.

<sup>144</sup> Swinnerton, *A Litel Ireatise ageynste the Mutteryng of some Papistis in Corners*, (London: Thomas Berthelet, 1534 STC 23551.5), Sig. A5<sup>r</sup>.

<sup>145</sup> Christopher St German, *A Treatise Concernynge the Division betwene the Spirytualtie and Temporalitie*, (London: Thomas Berthelet, 1532, STC 21586), Sig. B8<sup>r</sup>; B6<sup>v</sup>-B7<sup>r</sup>.



antidote to the ills induced by religious misconduct, helping to shield the body from succumbing to the temptations of vice and heresy.

Religion is an important factor in *Toxophilus*. Knowledge and theology are inextricably enmeshed throughout the dialogue, with multiple ambiguous references to the book. These references could suggest knowledge more generally, as those moments when Toxophilus references classical military history to demonstrate the use of the bow in ancient times, or these could be references to Scripture, from which Toxophilus likewise draws for illustrative purposes.<sup>146</sup> Matthew Woodcock downplays the presence of Protestant thought in *Toxophilus*, observing that Ascham's sensibilities were less overtly antipapal than those Richard Morison displayed in his printed work. He furthermore dismisses Ascham's symbolic use of the book, pointing out that 'at no point in *Toxophilus* does the book actually function as a symbol of Scripture'.<sup>147</sup> Ascham uses the book in a far more complex way than such a narrow and literal definition allows. The book represents the entirely different mode of learning that thrived during Henry's reign. This scholarly atmosphere includes Protestant theology and all of the admirable strands of knowledge associated with it, particularly the revitalisation of ancient languages, one of Ascham's own areas of expertise. While *Toxophilus* declines to endorse a specific school of theological thought or scriptural interpretation as synonymous with the true faith, it is clear that Ascham's position is in opposition to the old faith of the papacy and in favour of the royal supremacy. The king's interest in learning created an environment in which true knowledge and productive learning – not the idle thought of earlier scholars – could take place. Ascham deploys the symbolism of the book to mark the reorientation of learning away from the outmoded scholasticism maintained by the papacy towards the king. He presents the acquisition of knowledge as one of the king's responsibilities as Defender of the Faith: scholars and theologians could not establish the true faith without the advancements in learning Henry had fostered with his recruitment of scholars into royal service or his patronage of men like Erasmus. That the universities were viewed by the king as places where the royal supremacy was actively supported was of paramount

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<sup>146</sup> *Toxophilus* cites Cicero on artillery at Sig. G3<sup>r</sup> and provides the Scriptural example of David as an archer at Sig. H2<sup>f</sup>.

<sup>147</sup> Woodcock, 'Shooting for England', 1038; 1019.

importance to Ascham. The endowments and lands owned by the colleges were another potential source of income for the Crown, a possibility that began to look more likely following the monastic dissolution and the passage of the first Chancies Act in 1545.<sup>148</sup> It was therefore necessary for Ascham to show that the universities were actively involved in supporting the king's antipapal religious position.

The topic of the health of the body politic is revisited again near the end of Book B. In this Book, the individual's place within the social order, rather than activities that could harm or aid the commonwealth, is given priority. Ascham lauds archery for its wide applications: the sport teaches men to acknowledge their personal limitations and to accept their positions in the social order. Ascham argues that 'amonge al degrees of men, there is no man which doth any thing eyther more discretely for his commendation, or yet more profitable for his advauntage, than he which wyll knowe perfityly for what matter and for what tyme he is moost apte and fit'.<sup>149</sup> In other words, archery should be lauded because it is one of the activities that teaches men to determine which tasks they are best suited for, and this knowledge can only benefit the commonwealth. Ascham even argues that the opposite has taken place since archery has fallen out of favour: men 'know not for what tyme, and to what thyng they be fit' and as a result of 'thys perverse judgement of [the] worlde, when men mesure them selfe a misse, bringeth mucche mysorder and greate unsemelynesse to the hole body of the common wealth, as yf a manne should we[a]re his hoose upon his heade, or a woman go wyth a sworde and a buckeler every man would take it as a greate uncumlynesse although it be but a tryfle in respecte of the other'.<sup>150</sup>

Here, Ascham argues that the commonwealth needs its people to understand where they fit within its order, and it needs a common means for measuring skill. When individuals are left to their own devices and judgement to determine a social order, an ugly body politic emerges, even if it is not quite monstrous or deformed. Ascham's estimation of the social order is rather favourable in comparison to the monstrous polities described by Elyot and Morison. But, where the earlier polities

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<sup>148</sup> 33 Hen. 8, c. 9 (*Statutes* iii. 838-41). For Ascham's role in Cambridge University politics, see Ryan, *Ascham*, 82-102.

<sup>149</sup> Ascham, *Toxophilus*, Sigs. U4<sup>v</sup>-X1<sup>f</sup>.

<sup>150</sup> Ascham, *Toxophilus*, Sig. X1<sup>f</sup>.

are discussed with regard to treason or deliberately malicious behaviour, the ‘uncomely’ body politic in *Toxophilus* is caused by simple ignorance. Ignorance was dangerous to the commonwealth, and Ascham even suggests that ignorance was the reason the country was blighted with such a high number of ineffective preachers, but the danger it presented was resolved more easily than the treasonous problems presented by the monstrous body politic.<sup>151</sup> The social order was easily repaired when individuals were given the tools to measure their places within it, and Ascham recommended that archery was used as one of these tools.

Archery was important to Ascham personally as a pastime, and important to him as one of Henry VIII’s loyal subjects.<sup>152</sup> In his treatise, archery complements the intellectual activities undertaken in the service of the realm by spiritual and secular scholars alike. The dedicatory poem on the frontispiece of *Toxophilus* equates book and bow as the surest means to overcome such fierce enemies as ‘the Scot, the Frenchman, the Pope, and heresie’.<sup>153</sup> Although Ascham’s explanation for writing the dialogue implies that the book this poem refers to is a classical text that a humanist scholar would study, other clues within the text itself suggest that the book is instead the Bible. His multiple references to the clergy within the text, and his argument that they should also practice archery, imply that the book represents the true religion rather than a broader appreciation of learning. The poem announces that England will defeat all enemies ‘[t]hrough Christ, King Henry, the Boke and the Bowe’.<sup>154</sup> Here, Ascham draws parallels between Christ and the Book, and Henry and the Bow, implying that these two tools are the surest means of defeating enemies.

*Toxophilus* concludes with an invitation to Philologus to engage in a conversation about the soul and how it connects to the body, perhaps providing another curious clue about the contents of the mysterious book. Ascham supports the royal supremacy in his dialogue through his clear identification of the papacy, French, Scots, and Turks as the kingdom’s primary enemies. Written during the 1540s, a decade in which tangible threats to the realm’s stability were tied to its

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<sup>151</sup> Ascham, *Toxophilus*, Sig. X1<sup>v</sup>.

<sup>152</sup> Ryan, *Ascham*, 47.

<sup>153</sup> Ascham, *Toxophilus*, Sig. A1<sup>f</sup>.

<sup>154</sup> Ascham, *Toxophilus*, Sig. A1<sup>f</sup>.

spiritual beliefs, *Toxophilus* is a reminder that the royal supremacy had serious consequences for the king and his subjects in their daily lives.

### Conclusion

The final decade of Henry VIII's reign feature internal divisions brought about by religious uncertainties, financial difficulty, and the nearly-continuous threat of war. These three challenges were part of the on-going response to the royal supremacy. It had taken nearly a decade for the regime to secure this principle within statutory law; it took nearly as long for the regime to respond to the practical consequences of its implementation across the commonwealth. Domestic reactions to the royal supremacy were mixed. At the extreme ends were papal loyalists, who refused to acknowledge any spiritual authority other than the pope, and committed Protestants, who were eager to bring about advanced theological changes. Both groups faced the consequences of misinterpreting their places in a reconfigured social order. The commonwealth at large suffered the consequences of the royal supremacy as well. Cardinal Pole cast Henry VIII as a more dangerous threat to the stability of Christendom than the Turk, and encouraged the Catholic princes to invade England. Afraid of further isolating himself from the Empire and from France, Henry eagerly led his soldiers into battle on the Continent, and sought to annex Scotland. Henry and his ministers used warfare to demonstrate that the kingdom maintained a prominent position within Europe despite the king's excommunication and suspicions that he grew increasingly tyrannical.

Parliament met frequently during this decade. Most of its business dealt with the problem of financing the wars. Another important problem was integrating the royal supremacy into the realm's spiritual sphere. At the same time, the decade's writers continued to address the challenges of the royal supremacy in the temporal sphere. Audience was a crucial factor for these writers; they deployed the vernacular to address multiple audiences at once. They saw evidence in the ways foreign kingdoms directed their policies at their country and in the executions of high-ranking members of the regime that their king was leading them into tyranny. Seeking a cure for these ills, writers like Thomas Elyot looked to the body politic, reminding a diverse audience that their behaviour and vices affected the common good. Morison was particularly sensitive to the international political climate. The

propaganda he produced in 1539 utilised the body politic in order to justify the regime's actions against the traitorous Cardinal Pole and his family.

Ascham, Morison, and Elyot alike described the relationship between individual subjects and the commonwealth by deploying the metaphors of the body politic. Linking exemplary bodies to the language of health and disease helped them explain to their readers how an individual's actions could transform the dynamic of the entire social order. Common across the texts produced by these writers is their adherence to the royal supremacy: none of them questions the king's role as the head of the body politic. Instead, these writers tried to determine how this metaphor for the king's power affected different groups within the social order, and how the constituent parts worked together for the commonweal. In the final decade of Henry's reign, writing remained a way for the educated elite to put their skills into the commonwealth's service, even as they tried to explain their own place in the complex social order.

## Chapter 5

### Articulating Authority: Edward VI and the Expression of Power

Part One of this thesis showed that the occasion of parliament prompted a sizeable rhetorical output by writers who sought to influence its elected members, officials, and the monarch who summoned it. Parliament provided a ready-made audience for those who wished to express their ideas about the state of the commonwealth or suggest improvements to it. As this thesis has demonstrated, during Henry's reign, many of the texts produced alongside parliament were theoretical in nature, exploring the dynamic between law and monarch, the monarch's reception and application of counsel, the relationship between virtue amongst the king's advisors and the quality of the counsel he received, and the general health of the body politic. The legislation arising from the Reformation Parliament of 1529-36 reinforced the contention that parliament should be regarded as the zenith of the monarch's *imperium* in its gathering of the realm's political nation for the purpose of providing counsel and its confirmation of statutory law. Parliament came to be regarded as the kingdom's premier political institution by the regime and subjects alike. Although it was the preeminent site for the exercise of authority, parliament was one site amongst many, particularly within the context of Edward's minority.

This chapter examines the multiple ways authority was acknowledged and articulated during Edward's reign through an analysis of texts that addressed these disparate sites of power. Royal authority became visibly fractured during Edward's minority, as different individuals and groups within the regime carried out specific functions in the king's name. Parliament met during the whole of Edward's reign, the Privy Council took on a new role as a minority council, and access to the privy chamber had a different significance in the minority regime. Social upheaval fostered by renewed wars, rapid religious change, and an ongoing economic crisis inherited from Henry's Franco-Scottish wars disclosed the locations of alternative sites of political engagement. The commonwealth ideal was invoked by a wide variety of suitors, each with a specific agenda concerning the kingdom's state. This chapter will therefore explore how the political idiom was articulated following Henry's death, revealing that, just as the king's work was divided among many participants

during Edward's minority, its expression and reception away from the centre adapted to fit new situations and experiences.

The educated elite who continued to occupy prominent places in the regime on Edward's accession had never experienced rule by a minor king. They were therefore obliged to adjust to this reality by aligning their service with the institutions that carried out royal functions until the king could rule for himself. Away from court, engagement with political matters also adjusted to the temporary conditions of a minority. Idealists and others who put their skills at the service of the crown responded to the division of the king's power and alternative sites of authority, and one question that arose in light of the minority was whether the realm was better protected by the aristocracy serving through the household or the regency councillors who were initially named by Henry's will. This question led to tensions between those who supported a customary commonwealth, in which the traditional ruling elite maintained their prominent role, and those who favoured the newer civic humanist ideal. The first part of this chapter examines documents concurrent with events that took place during Somerset's protectorate, or the earliest stages of Edward's reign. Somerset had inadvertently established his household as a rival site of power in competition with the Crown, Privy Council, and Parliament. Unable to refute the accusation that he had appropriated too much of the king's authority for himself and unable to allay widespread frustration with his ineffective government, Somerset lost his protectorate in a coup in autumn 1549. His successor, John Dudley, earl of Warwick and later duke of Northumberland, took a different approach to the exercise of authority when he took the role of Lord President of the Council. This chapter secondly examines materials written during this later period of Edward's reign. It will focus on the political essays that the clerk of the Privy Council, William Thomas, sent to the king in 1551. These texts reveal that the Privy Chamber, the mechanism which allowed the correspondence to take place, was another important site of political engagement during Edward's reign. Languages invoking commonwealth and bodily imagery remained important means of political expression during Edward's minority, helping commentators and polemicists to explain the nature of the king's authority during this temporary stage in his reign.

### Minority Rule and the Commonwealth

Edward VI's reign presented a number of complex challenges to the exercise of royal authority. His was the first minority government to rule since the ultimately chaotic reign of Henry VI, and a number of precautions were established within the clauses of Henry VIII's will in order to prevent the afflictions and dangers associated with underage monarchs. Edward's authority was outlined in Henry's will and bolstered by the series of statutory laws, including the three Succession Acts, which legitimated the document itself.<sup>1</sup> Henry's will listed sixteen executors who would form the core of Edward's Privy Council; they were to be assisted in these duties by a further dozen named counsellors.<sup>2</sup> Significantly, no one member of the group was to have primacy over the others, creating a 'hermetically sealed political system' composed of specific individuals rather than interchangeable offices.<sup>3</sup> The will additionally included a model for the succession in the event that Edward should die without issue. These legal safeguards helped Henry's heir avoid a fate similar to that of Edward V, who did not survive long enough to celebrate his coronation. Henry's will provided a practical legal and procedural framework for the minority government but it did not provide a blueprint for the practicable exercise of Edward's authority. The executors were left to themselves to determine how this could be accomplished. The king's maternal uncle, Edward Seymour, then earl of Hertford, took the role of Lord Protector in February, establishing himself as the custodian of the king's person and leader of the Privy Council. Legally, his authority was feebly assured within the provisions of the dead king's will and through his own Letters Patent.<sup>4</sup> Traditionally, this role would have been assumed by the deceased king's brothers, relatives the king did not have. This assumption of power was

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<sup>1</sup> 26 Hen. 8, c. 2 (*Statutes* iii. 492-93); 28 Hen. 8, c. 7 (*Statutes* iii. 655-62); 35 Hen. 8, c. 1 (*Statutes* iii. 955-58).

<sup>2</sup> M. L. Bush, *The Government Policy of Protector Somerset* (London: Edward Arnold, 1975), 127-8; Dale Hoak, *The King's Council in the Reign of Edward VI* (Cambridge: Cambridge University Press, 1976), 34-5; E. W. Ives, 'Henry VIII's Will – A Forensic Conundrum', *Historical Journal* 35, no. 4 (1992): 788.

<sup>3</sup> Ives, 'Henry VIII's Will', 800-2.

<sup>4</sup> Hoak, *King's Council*, 34-5; Alan Bryson, "'The Speciall Men in Every Shere': The Edwardian Regime, 1547-1553" (Unpublished PhD thesis, University of St Andrews, 2001), 41-2; Bush, *Government Policy*, 130-1, 140-1, 146-59.



backed by the executors, and helped the group to organise their official business. A provision allowing the Privy Council to issue royal proclamations also made their work more efficient, particularly in issuing religious guidelines.<sup>5</sup> During Edward's minority, the formal Privy Council became one of the political sites in competition for royal authority with Parliament.

In practice, and away from institutionalised sites of power like court and parliament, Edward's authority was asserted in both the temporal and ecclesiastical spheres. Within the temporal sphere, Seymour reignited the wars against Scotland. These campaigns were ostensibly an attempt to force the Scots to submit to the terms of the 1543 Treaty of Greenwich, chiefly the marriage between Edward and Mary, the even younger queen of Scotland. The renewed war was furthermore an attempt to fulfil the mythology of a united Britain ruled by the English monarch.<sup>6</sup> These goals were outlined in the continuation of a vast propaganda campaign begun in the 1540s that encouraged the Scots to surrender and lauded the Protector's military prowess. The king's *imperium* was invoked to legitimate the renewed Scots war.<sup>7</sup> In spiritual matters, religious obedience and capitulation to the royal supremacy were intertwined. The active continuation of protestant religious reforms, taking the shape of support for reform rather than a willingness to forgo further changes until Edward reached majority, was therefore a means for reformist clerics to show support for the king. These opinions were often expressed in the sermons preached during the reign.<sup>8</sup> For the elites near the centre, support for the war in Scotland and religious reform became two sites in which they could openly demonstrate their allegiance to the king.

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<sup>5</sup> Jennifer Loach, 'Conservatism and Consent in Parliament, 1547-59', in *The Mid-Tudor Polity c. 1540-1560*, ed. Jennifer Loach and Robert Tittler (London and Basingstoke: Macmillan, 1980), 11; Ethan Shagan, 'Protector Somerset and the 1549 Rebellions: New Sources and New Perspectives', *English Historical Review* 114, no. 455 (1999): 34-7.

<sup>6</sup> Bush, *Government Policy*, 7, 9, 19; Dale Hoak, 'Sir William Cecil, Sir Thomas Smith, and the Monarchical Republic of Tudor England', in *The Monarchical Republic of Early Modern England: Essays in Response to Patrick Collinson*, ed. John F. McDiarmid (Aldershot: Ashgate, 2008), 43, 44-6, 51-2.

<sup>7</sup> John N. King, *English Reformation Literature: The Tudor Origins of the Protestant Tradition* (Princeton: Princeton University Press, 1982), 465-8.

<sup>8</sup> Barrett L. Beer, *Rebellion and Riot: Popular Disorder in England during the Reign of Edward VI*, rev. ed. (Kent, OH: Kent State University Press, 2005), 24-7; Susan Brigden, *London and the Reformation* (Oxford: Clarendon Press, 1989), 458-87; MacCulloch, *Tudor Church Militant: Edward VI and the Protestant Reformation* (London: Penguin, 1999), 8-11, 23-5, 115-6.

Despite the king's age, Parliament remained a practical site for the expression of power and the conduct of the realm's business during Edward's reign. Some of his authority was transferred to Parliament as a way to legitimate the Protectorate's business. The Parliament that had been in session at the time of Henry's death was dissolved when news of the king's demise was made public in late January. Edward's first Parliament was summoned in August 1547, finally opening that November, and met over four sessions until it was finally dissolved in April 1552. His second Parliament was much shorter, with just one session that was both assembled and dissolved in March 1553.<sup>9</sup> The parliamentary legislation from Edward's reign largely focused on continuing the socio-economic improvements that had been initiated in the previous reign. It addressed the economic turmoil that left the crown impoverished and subjected the realm to rampant inflation and the burdens of taxation.<sup>10</sup> It prompted a public conversation about the source of the recurrent dearth and the use of coinage debasement as a method for fighting it and to fund the wars in Scotland. Ultimately, the 'great debasement' of 1544-1551 was an unsuccessful strategy, raising little more than taxation did during the same period.<sup>11</sup> 'Commonwealth' became the one of the most frequently-used terms during this period, written into draft bills, successful legislation, and deployed by writers who sought to influence high politics. The commonwealth had been articulated as an ideal in earlier reigns but, as Paul Slack has suggested, its shortcomings gained a new urgency during Edward VI's reign, and were translated into tangible afflictions, like poverty and the decay of towns.<sup>12</sup> Remedies for these tangible afflictions were sought through parliamentary legislation.<sup>13</sup> The concept permeated the works of the so-called 'commonwealthmen', most notably the complaint literature written by

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<sup>9</sup> Jennifer Loach, *Parliament under the Tudors* (Oxford: Clarendon Press, 1991), x, 78-96.

<sup>10</sup> R. W. Hoyle, 'Taxation and the Mid-Tudor Crisis', *Economic History Review* 51, no. 4 (1998): 649-50, 669, 670; Paul Slack, 'Social Policy and the Constraints of Government, 1547-58', in *The Mid-Tudor Polity c. 1540-1560*, ed. Jennifer Loach and Robert Tittler (London and Basingstoke: Macmillan, 1980), 94-5.

<sup>11</sup> Stephen Deng, *Coinage and State Formation in Early Modern English Literature* (Basingstoke: Palgrave Macmillan, 2011), 91.

<sup>12</sup> Paul Slack, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford: Clarendon Press, 1999), 8-11.

<sup>13</sup> Marjorie Keniston McIntosh, *Poor Relief in England, 1350-1600* (Cambridge: Cambridge University Press, 2011), 115-6, 123-4, 127-30.

Henry Brinkelow and Robert Crowley.<sup>14</sup> Barrett L. Beer has shown that the primary aim of these writers was ‘to impress upon the Council and Parliament the seriousness and extent of suffering among the commons’, thereby demonstrating the importance of these two sites of institutionalised power.<sup>15</sup> In his literary analysis of the period, Christopher Kendrick accurately describes this group of texts as an ideological genre, all attempting to persuade a shared audience ‘to legislate on the behalf of the popular sense of justice, the so-called moral economy of the common people, in the face of dramatic and ongoing socio-economic change’ but acknowledges that commonwealth was also ‘an official ideology, typically involving a call to ruling-class discipline and what were in effect centralizing reforms’.<sup>16</sup> Commonwealth ideas were a regular feature of Edwardian discourse, and this group of writers wrote with a politically-influential audience in mind. They had learned the value of the political idiom, and they invoked commonwealth ideals in order to draw attention to their personal political grievances. In so doing, they signalled their political engagement as others had done in previous decades.

A major strand of analysis regarding Edwardian commonwealth literature has been dedicated to religious materials. Preaching – in public or before the king – has provided insight into the reign’s political ideology. Materials published by religious figures have been explored with attention given to the way these texts can help make sense of the rapidly-paced Protestant progression that was a feature of Edward’s reign.<sup>17</sup> Catherine Davies has capably brought together these two strands in

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<sup>14</sup> Beer, *Rebellion and Riot*, 23-31; Tom Betteridge, *Literature and Politics in the English Reformation* (Manchester: Manchester University Press, 2004), 89-90; Bush, *Government Policy*, 61-3; G. R. Elton, ‘Reform and the “Commonwealthsmen” of Edward VI’s Reign’, in *The English Commonwealth 1547-1640: Essays in Politics and Society Presented to Joel Hurstfield*, ed. Peter Clark, Alan G. R. Smith, and Nicholas Tyacke (Leicester: Leicester University Press, 1979), 23-38; Fideler, *Social Welfare in Pre-Industrial England: The Old Poor Law Tradition* (Basingstoke: Palgrave Macmillan, 2006), 75-7; W. R. D. Jones, *The Tudor Commonwealth*, 24-42; W. R. D. Jones, *The Tree of Commonwealth, 1450-1793* (London: Associated University Presses, 2000), 54-63; McIntosh, *Poor Relief in England*, 19, 20-1; Ethan H. Shagan, *Popular Politics and the English Reformation* (Cambridge: Cambridge University Press, 2003), 276-6; Slack, *From Reformation to Improvement*, 22-3.

<sup>15</sup> Beer, *Rebellion and Riot*, 30.

<sup>16</sup> Christopher Kendrick, *Utopia, Carnival and Commonwealth in Renaissance England* (Toronto and Buffalo: University of Toronto Press, 2004), 113, 115.

<sup>17</sup> Stephen Alford, *Kingship and Politics in the Reign of Edward VI* (Cambridge: Cambridge University Press, 2002), 33-8, 115-35; Betteridge, *Literature and Politics*, 91-7; Susan Brigden, *London and the Reformation*, 423-57; MacCulloch, *Tudor Church Militant*, 124-6; Shagan, *Popular*

examining texts written by the commonwealthmen, arguing that the fundamental unifying force running through their surviving texts was not economic policy but advanced Protestantism. She calls into question the emphasis placed on economic policy in earlier investigations by drawing attention to the religious agenda found in these texts.<sup>18</sup> Tom Betteridge likewise advances the prominence of religion in the reign's literary culture, arguing that 'a basic legitimation crisis within the Edwardian Reformation' was the underlying cause of social unrest and the major motivating factor for the turmoil of 1548 and 1549.<sup>19</sup> But religion was important because it provided another medium for political engagement during this reign, as it had been in preceding reigns. An emphasis on preaching meant clergy could invite trouble for themselves through their public sermons, but they were also a means for demonstrating support for the reforms, or for the royal supremacy that encouraged these religious changes.

The fractured categorization of the literature and documents produced during Edward's reign has created an equally divided view of the period. One of the central problems of the reign was how best to govern the kingdom, particularly who should wield the king's authority during his minority. This topic permeates the literature written during the reign and is reflected in the language writers used to express their opinion on the matter. Answers to this fundamental question were sought through the period's religious discourse, as Stephen Alford has demonstrated, but also through a continuation of the two strands of commonwealth traditions John Guy observed at work during Henry VIII's reign.<sup>20</sup> Counsel had been directed at Henry, whether it originated with the aristocracy acting in their roles as the king's natural advisors, or with the group of men the king selected to serve as his formal council.<sup>21</sup> The tension between these two traditions – the feudal understanding of the commonwealth as the

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*Politics*, 277-80; Neal Wood, *Foundations of Political Economy: Some Early Tudor Views on State and Society* (Berkeley: University of California Press, 1994), 155-90.

<sup>18</sup> Catherine Davies, *A Religion of the Word: The Defence of the Reformation in the Reign of Edward VI* (Manchester and New York: Manchester University Press, 2002), 6-8, 168.

<sup>19</sup> Betteridge, *Literature and Politics*, 104.

<sup>20</sup> Alford, *Kingship and Politics*, 32-44, 100-36; John Guy, 'The Henrician Age', in *The Varieties of British Political Thought, 1500-1800*, ed. J. G. A. Pocock (Cambridge: Cambridge University Press, 1993), 35-6; John Guy, 'The Rhetoric of Counsel in Early Modern England', in *Tudor Political Culture*, ed. Dale Hoak (Cambridge: Cambridge University Press, 1995), 293-4, 297-8.

<sup>21</sup> Guy, 'The Henrician Age', 14-22.

responsibility of the traditional noble elite versus the humanist ideal of the commonwealth based on personal displays of virtue – were sharpened by Edward’s minority, and mediated through Henry’s executors. Counsel was directed at disparate audiences, with Somerset’s household emerging in competition with the Privy Council and Parliament as a significant site of political power, ultimately leading to a crisis in authority during the protectorate.

During Edward VI’s reign, parliament was one site of political engagement amongst many, as other sites re-emerged in tension with royal authority. One significant consequence from Edward’s minority was a decline in the monarch’s power to legislate as his ministers relied on parliament as a site of political legitimacy.<sup>22</sup> This diminishment in royal authority allowed imaginative space for alternative sites of political agency – including commissions, lower courts, and prominent individuals, including radical preachers – to gain greater notoriety. Somerset’s household also became another site of political power in competition with the Privy Council and Parliament.<sup>23</sup> The power dynamics resulting from Edward’s minority combined with harvest failure, accentuating the sense that the kingdom was perpetually in a mode of crisis. Clerics addressed this problem because the care of the poor was within their purview. But interaction with political matters including poverty can be found in a variety of accounts and across governmental policy. The problem of dearth was addressed by the enclosure commissions that travelled across the kingdom in 1548 and 1549. A symbol of the crown’s authority brought into the country, these commissions presented an opportunity for disgruntled subjects to openly confront ineffective policies and to seek action against social betters who seemed to take advantage of their desperate situation.<sup>24</sup> Like Parliament, the occasion of the enclosure commissions afforded an opportunity to rhetorically engage with the realm’s political elite. But they also became an excuse for some of the more radical-leaning commons to take political affairs into their own hands. Andy Wood has shown how the commonwealth writers of the period, along with the

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<sup>22</sup> M. A. R. Graves, *The Tudor Parliaments: Crown, Lords and Commons, 1485-1603* (Harlow: Longman, 1985), 82-3.

<sup>23</sup> John Murphy, ‘The Illusion of Decline: The Privy Chamber, 1547-1558’, in *The English Court: From the Wars of the Roses to the Civil War*, ed. David Starkey (London and New York: Longman, 1987), 121, 124-7; Shagan, ‘Protector Somerset and the 1549 Rebellions’, 34-6.

<sup>24</sup> Andy Wood, *The 1549 Rebellions and the Making of Early Modern England* (Cambridge: Cambridge University Press, 2007), 38-40.

leaders of rebellions, appropriated and transformed the idea of the civic commonwealth, using its terminology to call into question governance and governmental policy.<sup>25</sup> Beginning with minor unrest and disturbances in 1548, the Commissions became associated with widespread riot and rebellion throughout the summer of 1549.

The commissions feature prominently in documents written by two writers who served as intermediaries between local and high politics. For Sir Thomas Smith, the Commissions provided the device that set his fictive *Discourse of the Commonweal of This Realm of England* into action.<sup>26</sup> The *Discourse* utilises the existence of the enclosure commissions to explain how ordinary subjects viewed their work, examine why the commissions failed to achieve the end of the dearth that blighted the kingdom, and to propose a solution to the economic crisis. It was Smith's way of explaining the social crisis that the kingdom confronted, particularly in the rebellious summer of 1549. The commissions caused serious political difficulties for one of their leading commissioners and most vocal supporters, John Hales. He had suggested to Somerset that the commissions, copying a model that had been used in 1518, could be established to address the problem again in 1548.<sup>27</sup> The Privy Council accused Hales of using the commissions to incite violence and to encourage rebellion, charges which he vociferously denied in a series of explanatory letters sent to Protector Somerset during a period of banishment from court in 1548 and again in a *Defence* written in autumn 1549.<sup>28</sup> These letters assert Hales's loyalty to the commonwealth and reveal his commitment to remedying socio-economic problems through an active participation in politics. The crisis linked to the commissions was the impetus behind John Cheke's *Hurt of Sedition*.<sup>29</sup> This tract lambasted rebellious subjects and reinforced the king's authority. Both authors

<sup>25</sup> Wood, *The 1549 Rebellions*, 143-51.

<sup>26</sup> Thomas Smith, *A Discourse of the Commonweal of This Realm of England*, ed. Mary Dewar (Charlottesville: University Press of Virginia, 1969), 15, 49-50.

<sup>27</sup> Slack, *From Reformation to Improvement*, 11, 22-3.

<sup>28</sup> Contemporary copies of the letters can be found in BL Lansdowne MS 238; Hales's *Defence* is in BL Lansdowne MS 238, fo. 292<sup>r</sup>-fo. 304<sup>v</sup>, and transcribed by Elizabeth Lamond in her edition of *A Discourse of the Commonweal*, lii-lxvii. Subsequent references to the *Defence* are drawn from the Lansdowne MS.

<sup>29</sup> Cheke, *The Hurt of Sedition Howe Greveous it is to a Commune Welth* (London: John Day, 1549; STC 5109.5).

appealed to the commonwealth in their texts, using a familiar idiom and applying it to a severe crisis in an attempt to find an effective resolution. The occasion of the enclosure commissions therefore became one of the most significant non-parliamentary sites of political engagement between the crown and the traditional commonwealth during the earliest stages of Edward's reign. The following section compares Smith's *Discourse* with Hales's *Defence*. This comparison shows how the commonwealth idiom was theorised and applied by members of the regime during Edward's minority. Smith used a replication of the social hierarchy within the structure of his *Discourse* to reinforce the need for political authority to originate from the crown. For Hales, civic commonwealth ideals could be extended to the commonwealth at large in the countryside. His *Defence* suggests that the practical exercise of power at the local level, following these civic commonwealth ideals, would maintain good order and strengthen the realm, indicating a bottom-up trajectory for the exercise of political authority in contrast to Smith's traditional top-down structure.

#### Nobility or Commons: Sir Thomas Smith and John Hales

John Hales's attempts to address the realm's economic turmoil reveal an understanding of service for the commonwealth that was different from Sir Thomas Smith's tactic of exploring the problem within the fictive space of the dialogue. Smith's *Discourse* and Hales's draft bills and *Defence* have been used as economic sources but they reveal variations in their approaches to political participation, both for the commons and for the educated elite who sought to serve the commonwealth with their learning. Another difference between the two writers was their understanding of the definition of the commonwealth. Hales largely locates the commonwealth with the countryside, emphasising the need for local political participation. In contrast, Smith sees two different types of commonwealth at work within the realm, and uses his *Discourse* as an attempt to resolve them. Focusing on Hales's *Defence* and an explanatory letter written to the earl of Warwick in 1549, this section will examine how his perceptions of political authority differed from those found in Smith's *Discourse*. This comparison reveals how the political idiom the two writers shared could be deployed to describe vastly different political ideals.

In June 1549, Thomas Smith was suspended from his duties as principal secretary and sent to tend to business in his role as Provost of Eton College,

returning to court late that September. He had been unwell in the preceding months, and had become increasingly frustrated that Somerset repeatedly ignored his advice about the reformation of the coinage.<sup>30</sup> He had attempted to convince the Protector for months that the currency debasement was the major factor causing the recurrent dearth and that continuing to rely on this strategy to raise money to finance the wars in Scotland would lead to further economic hardship. During this banishment from court, Smith wrote one of the two treatises for which he is now remembered, *A Discourse of the Commonweal of This Realm of England*. The text was published posthumously by Smith's nephew in 1581 but circulated widely in manuscript in the interim.<sup>31</sup> Like Sir Thomas Elyot, Smith exploited his literary talents to participate in high politics from afar. The approach he took with this text, however, represents something different from his predecessor and was appropriate to the political circumstances of Edward's reign. Rather than attempting to warn his targeted audience about impending peril and tyranny, Smith offers a practical solution to the problem of dearth and attempts to explain the source of the political tensions prevalent amongst the populace. In the process, he shows how two very different political systems worked with and against each other.

*A Discourse* is often read as an economic text; scholars praise it as one of the century's most astute analyses of inflation, often with the consequence of reducing it to an economic position paper.<sup>32</sup> This section will add a political component to such appraisals of the text, arguing that *A Discourse of the Commonweal* should be read as a companion piece to Smith's *De Republica Anglorum*, the Elizabethan text that sealed its author's reputation as a political theorist.<sup>33</sup> Anne McLaren in particular

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<sup>30</sup> Dewar, *Sir Thomas Smith*, 50, 51.

<sup>31</sup> Cathy Shrank, *Writing the Nation in Reformation England, 1530-1580* (Oxford and New York: Oxford University Press, 2004), 159-60; Smith offers this reason for writing the text in the Preface, *A Discourse*, 11; Dewar has identified four extant copies of the manuscript and maps their relationship, believing that the 1581 edition published by Smith's heir and nephew, William Smith, was based on a fifth manuscript, in Smith, *A Discourse*, xxv-xxvi and appendix, 147-62.

<sup>32</sup> Deng, *Coinage and State Formation*, 92, 93; Dewar, 'The Authorship of the "Discourse of the Commonweal"', 288; Fideler, *Social Welfare*, 85-7; Guy, 'Rhetoric of Counsel', 303-5; Kendrick, *Utopia, Carnival and Commonwealth*, 112-3; Paul Warde, 'The Idea of Improvement, c. 1520-1700', in *Custom, Improvement and the Landscape in Early Modern Britain*, ed. Richard W. Hoyle (Farnham and Burlington, VT: Ashgate, 2011), 130-1; Wood, *Foundations of Political Economy*, 193-4, 203-5, 211-7.

<sup>33</sup> *De Republica Anglorum* was written in 1565 and circulated in manuscript until it was printed in 1581; *De Republica Anglorum* has been examined most thoroughly by Patrick Collinson and in the numerous responses to his essay: Collinson, 'The Monarchical Republic of Queen Elizabeth I',



reads *De Republica Anglorum* as a piece of Protestant apologetic, blending together evangelical reform, classical republicanism, and the customary ideal of mixed monarchy.<sup>34</sup> Whereas *De Republica Anglorum* focuses on the realm's political institutions and identity as a mixed monarchy in light of Protestant queenship, *A Discourse of the Commonweal* engages with customary politics and the process of political participation amongst the populace during a period that was presumed to be a temporary minority. *A Discourse* rearticulates the kingdom's power dynamics in light of the new reign, making a major contribution to the realm's political imagination. Smith's text openly addresses the problem of whether power should rest with the nobility or the commonalty, and raises questions about the political differences between the temporal and ecclesiastical spheres. Smith confronts the dominant political languages in use throughout the realm in an attempt to dispel the rampant social strife afflicting the counties. At the same time, he seeks to resolve tensions between the traditional aristocracy and the educated elite by claiming a specific function and space in the social order for the latter group. *A Discourse* is both prescriptive and descriptive, offering a practical solution to social unrest while explaining to an elite audience how the populace experience policy away from the formal central structures of the courts or parliament. Smith's text illustrates the political nation of the commonwealth at work, exploring the political duties of members of the commonwealth within that context and revealing the tensions between the commonwealth based on custom and the conciliar commonwealth rooted in humanist learning.

One of the most celebrated academics of his generation of English humanists during his lifetime, Thomas Smith was initially a scholar in John Cheke's circle at Cambridge. They were allies in the campaign for a new pronunciation of Greek against Bishop Gardiner during the 1540s but had a disagreement sometime in the midst of the controversy. He became the University's first Regius Professor of civil law in 1540 and had an intense interest in classical history. This fascination is reflected in his treatises on Roman coinage and the payment of Roman soldiers, and

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reprinted in his *Elizabethan Essays* (London: Hambledon Press, 1994), 31-58; A. N. McLaren, *Political Culture in the Reign of Elizabeth I: Queen and Commonwealth, 1558-1585* (Cambridge: Cambridge University Press, 1999), 206, 220-1.

<sup>34</sup> McLaren, *Political Culture*, 198-202.

informed his discussion of the coinage in the second dialogue of *A Discourse*.<sup>35</sup> Smith was ambiguous in matters of religion but supported the royal supremacy and the widespread use of vernacular Scriptures. He entered royal service in February 1547, and became clerk of the Privy Council that March. Smith was involved in the literary campaign against the Scots, even accompanying the Protector on part of a journey to Scotland before falling ill along the route.<sup>36</sup>

As an ostracised Thomas Smith languished over the state of the commonwealth from Eton College, John Hales was sent to Coventry, putting into action his plan for the restoration of the countryside. However, by autumn 1549, he would be compelled to write a *Defence* answering the charge of using the enclosures commission to incite rebellion, an accusation made against him by members of the Privy Council. Hales entered royal service through Cromwell's household in the 1530s, eventually becoming clerk of the hanaper alongside Ralph Sadler in 1545 and retaining that role on Edward's accession. He was dedicated to evangelical reforms and to finding a solution to rampant poverty and the recurrent problem of dearth.<sup>37</sup> He was the author of three unsuccessful draft bills introduced to Edward's first parliament. These bills sought to redress agricultural and economic problems, which he attributed to the practice of enclosing arable land for the more profitable purpose of grazing sheep. Hales took his hostility against this practice outside the setting of parliament: he was the probable author of an anonymously-published tract on the evils of sheep printed in 1552. This pamphlet blames the great landowners of the shires for contributing to financial ruin, arguing that sheep had taken over land that should have been used for crops, leading to a surplus of wool, and a huge decline in the value of woollen goods, apart from those places where a false scarcity had been cultivated and added to economic distress.<sup>38</sup> Because of thematic similarities, the authorship of Smith's *Discourse* was initially attributed to Hales,

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<sup>35</sup> Smith, *A Discourse*, 69-70; Shrank, *Writing the Nation*, 180-1.

<sup>36</sup> Dewar, *Sir Thomas Smith*, 48; Hoak, 'Sir William Cecil, Sir Thomas Smith', 43.

<sup>37</sup> SP 10/2, fo. 21; Jones, *Tree of Commonwealth*, 56-7; Lamond, *A Discourse*, xxv-xxvi.

<sup>38</sup> *Certayne Causes Gathered Together, Wherin is Shewed the Decaye of Engla[n]d, onely by the Great Multitude of Sheep* (London: Hugh Singleton, 1552; STC 9980); Elizabeth Lamond identifies Hales as the most plausible author of this tract in her edition of *A Discourse of the Common Weal of this Realm of England* (Cambridge: Cambridge University Press, 1954), xxxix.

though the two fundamentally disagreed about the origins of dearth and Hales was much more fervent in expressing his reformed religious beliefs.<sup>39</sup>

The influence Hales exerted over Somerset has been observed by a number of historians, and this sway was most tangible with regard to the enclosures commissions.<sup>40</sup> In his quest to stabilise the realm's economic condition, Hales persuaded the Protector to establish a series of commissions that would tour the countryside and address grievances pertaining to grazing sheep on common arable lands.<sup>41</sup> These commissions paralleled the visitation commissions sent to investigate the monasteries in 1535-6, as did the response to the presence of these officials and the rumours surrounding the purpose of their visits. Somerset appointed Hales to lead a commission investigating enclosures in the Midlands in June 1548. This commission led to a spate of local unrest. The summer of 1549 was particularly fraught with violence and riots throughout large sections of the kingdom in two separate phases. The risings started in Somerset in May before spreading to a further sixteen counties by the end of July. Rebellions occurred in over half of the realm's counties in 1548-9, and the regime was obligated to send in the army to stifle many of them.<sup>42</sup> Amanda Jones has shown that rebellions were active or rumoured in most of England's counties in the spring and summer of 1549, though most of these had been quelled by the end of May.<sup>43</sup> Michael Bush has suggested that the extent and severity of these rebellions was 'probably rivalled only by [the risings] of 1381', though the regime was never on the verge of collapse because of these activities.<sup>44</sup> The risings were localised in their nature, and the disparate groups failed to establish the effective communications or organisational apparatus necessary to pose a cohesive threat to the crown's stability.<sup>45</sup> The commissions provided another site of

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<sup>39</sup> Dewar, *Sir Thomas Smith*, 4-5.

<sup>40</sup> Beer, *Rebellion and Riot*, 33, 35; Bryson, 'Speciall Men', 25, 43-4, 108-9; Bush, *Government Policy*, 41-53, 64.

<sup>41</sup> Bush, *Government Policy*, 64.

<sup>42</sup> Beer, *Rebellion and Riot*, 4, 140-63; Bush, *Government Policy*, 84-99; MacCulloch, 'Kett's Rebellion in Context', 40-1.

<sup>43</sup> Amanda Claire Jones, "'Commotion Time': The English Risings of 1549' (Unpublished PhD thesis, University of Warwick, 2003), 1-5.

<sup>44</sup> Bush, *Government Policy*, 84, 85.

<sup>45</sup> MacCulloch, 'Kett's Rebellion in Context', 46-7.

interaction between the crown and those it relied on for support but members of the Privy Council, especially the earl of Warwick, blamed Hales for using them to incite rebellion in the areas they visited.

The rebellions have a complex relationship to social interaction in the commonwealth, and the enclosure commissions exacerbated an already difficult situation. They provided a forum for individuals to express frustrations about the realm's condition and governmental policies, thereby revealing the existing tensions between landowners and tenants. In his analysis of the East Anglian rebellions, Diarmaid MacCulloch observed the widespread distrust between 'men just outside the orbit of the governing classes' and those representing both the crown and local authority.<sup>46</sup> Social unrest furthermore revealed tensions between provincial elites and the crown.<sup>47</sup> The commissions brought the problems experienced in the shires into sharp relief. 'Decay' was often cited as one of the primary economic problems the towns faced: landowners had raised rents, tenants could not afford these because of income losses due to poor harvests, and, in turn, the merchants and artisans in the towns suffered from poor sales.<sup>48</sup> The towns suffered depopulation as would-be apprentices sought employment in London, and as crop failures and disease took their toll on the population.<sup>49</sup> Landowners were cast as greedy while aristocratic magnates were generally perceived as ineffective. The enclosure commissions were established because the aristocracy had failed to preserve social order within their localities, and the regime was forced to intervene against the riots for the same reason.<sup>50</sup> Although Hales and Smith offer different solutions and approach these difficulties through different rhetorical forms, the same problems made their way into the texts written by both men.

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<sup>46</sup> MacCulloch, 'Kett's Rebellion in Context', 49, 50, 53, 60-1.

<sup>47</sup> Bryson, 'Speciall Men', 106; Jane Whittle, 'Lords and Tenants in Kett's Rebellion 1549', *Past and Present* 207 (2010): 38-40.

<sup>48</sup> Paul Slack, *Poverty and Social Policy in Tudor and Stuart England* (London and New York: Longman, 1988), 48-9, 54.

<sup>49</sup> Fideler, *Social Welfare*, 69-72; Kendrick, *Utopia, Carnival and Commonwealth*, 121; Slack, 'Social Policy', 95, 96-7.

<sup>50</sup> BL Lansdowne MS 238; Beer, *Rebellion and Riot*, 20-1, 37; Bush, *Government Policy*, 86-7; Wood, *Riot, Rebellion and Popular Politics*, 70-1.

Smith constructed *A Discourse* as a typical Renaissance dialogue, in which multiple perspectives are offered by a range of different figures, allowing the reader to choose the most suitable answer to the problem at hand.<sup>51</sup> For Tom Betteridge, this points to a ‘valorization of debate’ that comes across through Smith’s text.<sup>52</sup> But the debate is largely limited to the two elite members of the group. In the Preface, Smith argues that the dialogue is the best way to address his themes. He identifies these as the most common troubles of the realm, their causes, and ‘devising remedies for all the same’.<sup>53</sup> *A Discourse* is a series of three conversations shared by the same group of people on the same day. The first dialogue focuses on the more general problems of social relations and economic turmoil afflicting the kingdom. The second concentrates on the problem of dearth, which each figure offering perspectives on its source. In the third dialogue, the doctor finally offers a resolution to these ills. Although the dialogue includes participants from a cross-section of society – a knight, merchant, doctor, husbandman, and craftsman – Smith’s intended audience is relatively small and focused. The preface stipulates that the work should be ‘between us two to be weighed only and considered and not to be published abroad’.<sup>54</sup> In other words, he wanted to limit the initial audience the text received to a specific group, a tactic for literary dissemination that Smith used throughout his career.<sup>55</sup> This direction provides one reason the document remained unprinted until after Smith’s death. The fictive pretensions of the dialogue lend *A Discourse* the sense that the text was a replication of hundreds of similar conversations that had taken place throughout the realm. Because the participants and their location remain anonymous for the duration of their conversation, it could take place anywhere in the realm and involve any similar combination of people. In this case, the participants are the Knight’s ‘fellows, the Justices of the Peace of this county’ on their way to share a meal with Dr Pandotheus after closing an inquest related to the enclosures

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<sup>51</sup> Virginia Cox, *The Renaissance Dialogue: Literary Dialogue in its Social and Political Contexts, Castiglione to Galileo* (Cambridge: Cambridge University Press, 1992), 9-33; Roger Deakins, ‘The Tudor Prose Dialogue: Genre and Anti-Genre’, *Studies in English Literature, 1500-1900* 20, no. 1 (1980): 5-6, 18-9, 20.

<sup>52</sup> Betteridge, *Literature and Politics*, 91.

<sup>53</sup> Smith, *A Discourse*, 13.

<sup>54</sup> Smith, *A Discourse*, 12-3.

<sup>55</sup> Shrank, *Writing the Nation*, 175-81.

commission.<sup>56</sup> Smith injects the discussion with a greater sense of plausibility by anonymizing the location rather than setting it in a fictitious place. The social and economic ills the group discusses are furthermore imparted with the sense that these problems are spread throughout the realm rather than confined to one area or region.

One way Smith applies 'commonweal' in *A Discourse* is to refer to an extensive political community built on the realm's customs. Some of these customs are built into the structural fabric of the dialogue while others are revealed in the conversations between the figures. One structural component is the important role the Knight plays in the dialogue. It is the Knight who gathers the majority of the other speakers together, and who relates the conversations to Smith in the prefatory conceit. He is established as one of the leaders of the fictional commission. He comes to the defence of Dr Pandotheus when the Capper belittles scholars, arguing that the commonwealth benefited from their learning, particularly in matters of diplomacy, religion, and in providing counsel to the king.<sup>57</sup> Of the four local character types in the dialogue, the Knight addresses the Doctor most frequently and directly, interrogating him when necessary, and he is the figure who grasps most of the Doctor's message. The Knight plays this prominent role in the dialogue because he is the authoritative representative of the commonwealth stemming from the realm's customs and traditions. The frequency with which each character speaks in the *Dialogue*, complemented by the quality of their conversational points, is another structural element that reinforces the social order within the dialogue's context. These structural elements reinforce the social hierarchy that Smith wanted to find in the countryside during his exile from court.

The interaction between the regime and the populace has been examined by Ethan Shagan, who has argued that popular participation in high politics became widespread during Somerset's protectorate. Shagan has argued that, in the absence of an authoritative adult monarch, Somerset was obliged to rely on popular political support to bolster his security in a tenuous and unprecedented political position. His role was largely sustained by his dispensation of patronage and by culling a

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<sup>56</sup> Smith, *A Discourse*, 15.

<sup>57</sup> Smith, *A Discourse*, 23.

reputation for being an evangelical supporter of the commons and their plight.<sup>58</sup> In contrast, Alan Bryson has investigated the complexities of the dynamic between crown and localities during Edward's reign, finding that both Somerset and Northumberland established networks led by local magnates to act as intermediaries who implemented royal policy in the counties. The strategy helped to prevent the establishment of factions within this political community.<sup>59</sup> Although factions within Somerset's affinity were prevented through this strategy, it had the effect of dividing Somerset's group from other powerful figures in the regime. The cultivation of this affinity combined with Somerset's reputation as a supporter of the poor commons to foster the sense that the Protector's household was its own source of political power, a suspicion confirmed in Smith's message to Somerset at the beginning of his *Discourse*.

Although the Doctor and the Knight carry the conversation, the exchanges between the two figures reveal the overlapping tensions between two different visions of commonwealth prevalent within the realm. The Doctor represents the commonwealth ideology stemming from civic humanism while the Knight reflects the traditional or customary form of counsel. It had become the responsibility of the scholarly elite to form the corps of the king's advisors and counsellors, displacing the traditional aristocracy from this role. Such royal service diffused the scholarly elites' knowledge, skill, and virtue to the rest of the realm. Furthermore, this was a practical strategy for defending the realm against foreign invasion. Smith implies that these elites were affiliated with an international community of scholars; the knowledge and virtue they acquired maintained the kingdom's reputation within a foreign context. Smith demonstrates that this group was not immune to financial hardship and that they, too, had been affected by the problems of dearth and unrest within the realm. Pandotheus argues that 'we labor with our minds, more to the weakening of [our bodies] than by any other bodily exercise we should do. As you may well perceive by our complexions, how wan our color is, how faint and sickly be our bodies, and all for lack of bodily exercise'.<sup>60</sup> The Doctor speculates that

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<sup>58</sup> Ethan Shagan, 'Protector Somerset and the 1549 Rebellions: New Sources and New Perspectives', *English Historical Review*, 144 (1999): 36-7.

<sup>59</sup> Alan Bryson, 'Edward VI's "speciall men": Crown and Locality in mid Tudor England'. *Historical Research* 82 (2009): 231-2.

<sup>60</sup> Smith, *A Discourse*, 23.

aspirational men sent their sons to university only long enough to receive the education necessary to gain a clerkship or comparable position, and ‘so to come to a living wherby the universities be in a manner emptied’. For the Doctor, the consequence of this practice was that ‘the realm within a short space will be made as empty of wise and politic men and consequently barbarous, and, at the last, thrall and subject to other nations whereof we were lords before’.<sup>61</sup> The dearth represented an impending crisis in educated expertise. Those who laboured with their minds sacrificed their bodies in the service of king and commonwealth but, for Smith, this sacrifice prevented the spoilage of the body politic.

The Doctor prizes his intellectual prowess as the means to prevent political crisis. The Knight’s perspective on the matter, however, is in accordance with the militaristic traditions associated with the aristocracy. In response to the Doctor’s suggestion that the kingdom was in danger of foreign subjugation, the Knight argues that he and other nobles and gentlemen ‘will with our policy in war provide that we come not in subjection of any other nation, and the stoutness of English hearts will never suffer that though there were no learned men in the realm at all’.<sup>62</sup> Using examples that reach back into English history through to the Roman invasion, the Doctor responds by saying that ‘an empire or kingdom is not so much won or kept by the manhood and force of men as it is by wisdom and policy which is got by learning’.<sup>63</sup> Smith implies that these representatives of two different kinds of commonwealth thinking are both necessary to maintain the stable health of the realm. The scholars representing the civic humanist ideal of counsel were needed in order to advise the king, to create good policy, and to display their virtues as a model for the social order to imitate. The commonwealth upheld by the nobility and gentry was also necessary for the kind of expertise it conveyed, an expertise largely based on tradition and custom. Smith presents this expertise as related to warfare, but his text also shows the Knight’s deep knowledge of his local community and upholding justice within it. This knowledge would aid the Knight as he served in his various capacities as the king’s local representative.

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<sup>61</sup> Smith, *A Discourse*, 24.

<sup>62</sup> Smith, *A Discourse*, 24.

<sup>63</sup> Smith, *A Discourse*, 24-5.



Dearth was a serious problem when it appeared, often leading to a crisis in social relations that pitted rich and poor against each other as both sides sought a solution to the problem. Economic hardship led in turn to increased crime rates and social unrest at the local level. Risings were common during periods of economic hardship but they rarely became as widespread as they did during the summer of 1549.<sup>64</sup> Such unrest threatened the stability of the entire social order. Jane Whittle has shown this was the case in Norfolk, as rebellion attracted tenants, landless men, and city-dwellers alike.<sup>65</sup> Smith's dialogue therefore shows an unrealistic perspective of local social interaction. It offers an idealised model for political interaction within local communities but fails to demonstrate how economic interventions created in London could be implemented in the countryside. Instead, these are almost completely separate entities, with the Doctor acting as an emissary as he oscillates between the customary commonwealth of the country and the larger civic commonwealth valued at court.

The aristocracy and gentry are affiliated with martial aspirations in the exchanges between the Knight and the Doctor but Smith offers a more complex role for this group than relegating them to military captains who happened to have knowledge of their local communities. Instead, Smith suggests that members of this group could serve the crown by acting in a dual capacity. They could retain their military expertise but could also serve as intermediaries, sharing the kind of knowledge the educated elite enjoyed with the rest of the secular sphere by receiving instruction from the elite and modelling it for their communities. The Knight craves the kind of learning the Doctor has, asking of the classical authors Pandotheus cites 'might we not have them in our English tongue and read them over, though we never went to school?'<sup>66</sup> Here, Smith suggests that the realm needs both kinds of expertise: the Knight has a unique kind of knowledge useful to others in the counties while the Doctor's learning is only useful if it can be imparted and put into practice. Later in this exchange, the Knight expresses appreciation for the Doctor, saying, 'I am glad it was my chance to have you in my company at this time. For of a wise man a man

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<sup>64</sup> John Walter and Keith Wrightson, 'Dearth and the Social Order in Early Modern England', *Past & Present* 71 (1976): 26-30; Whittle, 'Landlords and Tenants', 41-3, 48-9.

<sup>65</sup> Whittle, 'Landlords and Tenants', 21-2.

<sup>66</sup> Smith, *A Discourse*, 28.

may always learn'.<sup>67</sup> This appreciation is again expressed in the explanatory epistle at the beginning of the second dialogue. The Knight discloses to his reader that the Doctor 'seemed to me a very wise man, not after the common sort of these clerks which can talking nothing but the faculty that they profess'.<sup>68</sup> This observation confirms the Doctor's expertise and posits the Knight as another mediator between the two commonwealth traditions. The Knight balances the Doctor's role, primarily applying humanist knowledge to local concerns while the Doctor focuses on the international community and court politics.

Smith presents the two kinds of commonwealth as symbiotic. The king needed the knowledge and expertise represented by the Doctor in order to govern well and 'with politic'. But the king also needed the military capabilities familiar to the Knight to come to his aid in the case of foreign war, and to prevent rebellion or still domestic trouble. The imagery of the sickly bodies of scholars in contrast to the strong bodies of the nobles and gentry further illustrates the mutually dependent relationship shared between the two groups. This interdependence between the two types of commonwealths refines the imagery of a physical body politic reasserted alongside the royal supremacy. The king remained firmly in place as the head of the body politic, but the learned counsellors now displaced the nobility in their role as the king's conscience in this rendering of the imagined polity. In the politic body Smith sketches, the nobility's greatest use was in their capacity as the king's arms, ready to support him in battle, an image made even more poignant because the king was too young to lead his captains into battle.

These exchanges also show Smith attempting to make sense of his own place within a complex social order. Though he had given his talents to the service of the king as principal secretary of the Privy Council, *A Discourse* indicates that Smith also sought to serve the commonwealth outside the court. His Knight asserts that '[e]very man is a member of the Commonweal'.<sup>69</sup> This echoes the sentiment that Smith expressed in the Preface, in which he claims to be familiar with the troubles afflicting the commonwealth and, 'knowing myself to be a member of the same

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<sup>67</sup> Smith, *A Discourse*, 32.

<sup>68</sup> Smith, *A Discourse*, 38.

<sup>69</sup> Smith, *A Discourse*, 51.

Commonweal', has decided to find the source of these problems.<sup>70</sup> An exchange over the merits of learning in the first dialogue suggests the decay that blights all degrees within the social order. The Capper finds that learning is only useful insofar as it aids international affairs and benefits the literate, so 'that we might read the Holy Scriptures in our mother tongue'.<sup>71</sup> The Capper's opinion links together loyalty to the commonwealth and Protestant religious convictions. The position reinforces the dangerous opposite: Roman Catholicism was practised by those who were inclined to treason. This sentiment suggests that, while the educated elite could change the direction of foreign politics, they were bolstered by the support of people like the Capper who showed their loyalty through their personal religious activities.

*A Discourse* strives to find places within an organic body politic for both the traditional political elite, and for the secular scholars who put their knowledge into practical use for the common good. But Smith is ultimately ambiguous about the role of the clergy in his *Discourse*. Dr Pandotheus is a polymath, but he is a doctor of theology rather than medicine or, as Smith was, civil law. This could suggest that Smith thought the clergy who held advanced degrees were best suited to serve the king in advisory capacities. Smith's ambiguity about the clergy in a conciliar context could be an affirmation that he believed, like Sir Thomas Elyot and John Skip, that the two realms should be kept distinct. His interventions into religious policy in *A Discourse* show favour for vernacular religion, demonstrating his support for the English Prayer Book introduced at Whitsunday, 1549, without detailing his sentiments on religious reforms. He instead leaves these opinions to the clerics to determine.<sup>72</sup> The examples the Doctor lists in a series of three long monologues about learning show the benefits of scholarly knowledge when applied within the secular sphere, including navigation, veterinary medicine, horticulture, and architecture. All of his examples are firmly situated in the temporal realm.<sup>73</sup> Pandotheus keeps questions of religious order and governance out of his analysis of the commonwealth. This strategy suggests that Smith, too, saw the secular and

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<sup>70</sup> Smith, *A Discourse*, 11.

<sup>71</sup> Smith, *A Discourse*, 24.

<sup>72</sup> Smith, *A Discourse*, 128-36.

<sup>73</sup> Smith, *A Discourse*, 25-8; 28-30; 30-2.

ecclesiastical as distinct spheres, both governed by the king through the terms of the royal supremacy, but two realms that should rely on the expertise they cultivated singularly.

The distinctions between the secular and the ecclesiastical are further delineated in the Doctor's proposed resolution to religious problems in the third dialogue. Pandotheus identifies three sources of religious controversy; his solution is to keep the realms separate. He proposes that 'ecclesiastical persons' alone should make judgement on those matters concerning religious matters, but thinks that both religious and secular figures should offer opinions for concerns that affected both realms.<sup>74</sup> In Smith's body politic, the leaders of the temporal and spiritual realms out in the commonwealth – the nobles and bishops – would represent completely separate spheres, imagined as hands, the majority of the population filled in the rest of the body, while the educated elite served as the conscience to the king at the head of this body.

In the second dialogue, which resumes after the group has moved from the pub into the cool shade of the garden, Smith warns that the problems regarding enclosures contributed to a diminution in royal authority. The Doctor identifies the enclosures as a factor leading to recurrent dearth and a cause of 'these wild and unhappy uproars amongst us', which he understands as arising from hunger and despair, in turn resulting from a lack of arable land available for the rebels to work. Such disorder and impoverishment occurs 'to the great desolation and weakening of the King's strength of this realm which is more to be feared than dearth'.<sup>75</sup> For Smith, the solution to poverty and hunger was not a redistribution of wealth but gainful employment. The Knight observes that, '[a]s a great mass of treasure consists of many pence and one penny added to another and so to the third and fourth and so further makes up the great sum so does each man added to another make up the whole body of a Commonweal'.<sup>76</sup> Here, Smith found a way to re-phrase the problem of financial worth within a commonwealth framework without implying that the kingdom's wealth should be shared equally by all its members.

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<sup>74</sup> Smith, *A Discourse*, 136-7.

<sup>75</sup> Smith, *A Discourse*, 49-50.

<sup>76</sup> Smith, *A Discourse*, 51.

Like others writing under the pretence of the king's service, including Elyot and Richard Morison, Smith invoked bodily imagery to underscore his points more fully. He draws on this language to identify problems and to suggest feasible solutions for these troubles. In *A Discourse*, Smith acknowledges two competing kinds of commonwealth within the realm, one tied to the civic commonwealth ideals espoused primarily at court, and the other arising largely from the customary commonwealth exercised throughout the realm. Ultimately, Smith uses his text to suggest a means for the two kinds of commonwealth systems to work together for their mutual benefit, and to find solutions to the predominant socio-economic problems within the kingdom. Just as secular and religious spheres were to be kept distinct, the customary commonwealth and civic commonwealth would have their own separate responsibilities. This would allow interaction between the two groups but grant the civic humanists greater responsibility within the context of international affairs. Smith proposes an informal method, based on discussions involving individuals who espoused a wide range of expertise within the realm. This would maintain the traditional social order by keeping the secular aristocracy at the top of the local hierarchy and also reserved a place for the scholarly elite at the top of the social order in the role of advising the king. Smith's model argued for maintaining the king's position at the top of the social order, and a model of authority that flowed down from the crown to the rest of both commonwealths.

Smith used a fictive rhetorical structure to examine the question of power during this early phase of Edward's reign. John Hales used a different rhetorical style to address the same problems. Hales wanted to be a champion for the populace during this time of economic crisis. He pursued this aim in a practical fashion through the school he founded in Coventry and in his work with the enclosures commission.<sup>77</sup> He used writing as another means to achieve this aim, applying commonwealth language to the failed bills he introduced in parliament and in his anti-enclosures pamphlet. These activities indicate that he regarded both parliament and the Protector as sites for effecting political change. In the autumn of 1549, he was accused of using the commission to incite rebellion amongst the populace. The

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<sup>77</sup> Not everyone was impressed with the way he funded this school, however, particularly when his investments in the school were compared to the money he spent on transforming the former White Friars' abbey in Coventry into his home; grant of the house: E 324/69; Slack, *From Reformation to Improvement*, 22-3.

letter he sent to Somerset from Coventry imparts the sense that he knew it would also be read by his accusers. Hales's legislative programme and the tract against sheep were deliberate attempts to influence the country's political direction. These documents show Hales attempting to redress the economic hardship in the realm by establishing the greed of the landowners as the reason for the dearth that afflicted the country. The tract is an attempt to persuade others to act on the matter while the draft bills show Hales putting his expertise into service for the country while he had the opportunity to do so; these are practical actions on the part of the commonwealth rather than hypothetical or fictive solutions. A second source of political power Hales acknowledged was Somerset's household. Hales's association with Somerset made possible the enclosures commission that he supported and worked to develop. But Hales's close affiliation with Somerset led to the resurgence of a third site of political authority: the Privy Council. Hales's activities forced the Privy Council to reassert itself as a viable site of political authority in the midst of the rebellions and in the context of growing discontent with Somerset's ineffectiveness. Two surviving letters written by Hales – one addressed to the earl of Warwick and the other, a widely-known letter to Somerset often known as Hales's *Defence* – reveal the multivalent ways individuals like Hales understood and contributed to the political culture of the Protectorate. These letters show how evangelical thought could transform the commonwealth idiom by blending a religious component and a secular ideal.

Hales's *Defence* deploys the language of civic humanism as Hales responds to the accusations levelled by the Privy Council. He maintains his loyalty to the king throughout the letter, and he uses the document as his opportunity to explain why he believes the realm has fallen into a state of crisis and rebellion. He argues that it will be some time before the realm has peace again: the pope will direct his energy against them as long as he is able, Boulogne was an easy target for the pope's loyal princes to attack, and the war in Scotland was draining resources.<sup>78</sup> The letter uses bodily imagery and the metaphor of a diseased body politic to illustrate the ill effects of the divisions amongst different groups in society and in religious opinion. Hales uses this imagery most forcefully to argue for his profound loyalty to the crown and to illustrate the wrongs that the realm faced. Hales uses bodily imagery and

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<sup>78</sup> Hales, *Defence*, fos. 294<sup>v</sup>-295<sup>f</sup>.

commonwealth references throughout the letter to specify the sources of the troubles he identifies, and to articulate precise solutions to these.

Hales uses the metaphor of the physician who accurately diagnoses the ills within the body politic, as Morison had done in his responses to the Pilgrimage of Grace and Cardinal Pole's activities in the late 1530s. But, while Morison had reserved the adept role of the diagnostic physician for the king, Hales appropriates it for himself. In explaining his reasons for drafting the bills he introduced to parliament, he writes that 'my thought that as every wise man when he fealithe hymself sycke procurithe hymself to be lett bloude or takithe a purgacion in tyme: so wer it meete to helpe in tyme to temper thinges of the co[mm]on welthe, and not to suffer them to runne to an extremyte'.<sup>79</sup> He is acting as more than an ill patient in this instance; instead, he is behaving as patient and physician, as a patient with a physician's knowledge of the cure for his specific ailments. The patient-doctor dichotomy allows him to distinguish between the two kinds of commonwealth that Smith also identified, with Hales using 'syckeman' to identify the commonwealth as it was experienced by the majority of the population, and extending the role of 'physycian' beyond either the king or himself to the political community who were responsible for effecting change for the common good.<sup>80</sup> The two kinds of commonwealth language intersect in Hales's letter, with a feudal-baronial tradition connected to a physiological body politic and the civic humanist ideal affiliated with the role of the physician.

For Hales, the enclosures commissions had an opportunity to effect positive change for the commonweal by taking opportunities for political engagement away from Parliament and to the countryside. The commissions were used as an instrument that would help Hales and the others better diagnose the ailments that hurt the body politic. Hales emphasises this diagnostic function as he describes the commissions' activities in his letter, writing that they were 'chieflye sent forthe to thyntent my lorde protectours grace and the Councell myght knowe by parte, the [w]hole state of the Realme, and so procede to redresse of all'.<sup>81</sup> Again, the split between the Council or polity and the commonwealth experienced by the populace

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<sup>79</sup> Hales, *Defence*, fo. 300<sup>v</sup>.

<sup>80</sup> Hales, *Defence*, fos. 303<sup>v</sup>-304<sup>r</sup>.

<sup>81</sup> Hales, *Defence*, fo. 300<sup>r</sup>.

suggests that Hales saw a space where political participation could be extended beyond the institutional structures of parliament and the courts; the enclosures commissions were a site that filled this space by acting as an intermediary between the two commonwealths.

Bodily imagery illustrates the illness rampant within Hales's commonwealth. He uses this language as a means for identifying the symptoms of an unhealthy social order. Smith had seen the aristocracy and educated elite as symbiotic members of the body politic: he postulated that the realm could not flourish if these two groups were in contention with one another. But Hales places the problematic hostility between two different groups, the poor and the wealthy. 'The co[mm]ens and poore people be membres of that bodie, that the nobles and rytchmen be', he writes.<sup>82</sup> He further develops bodily imagery to illustrate the necessity of ensuring that one group within the social order does not impoverish or extinguish the others. Using the idea that a monster 'hathe armes, and lackethe feete', he observes that 'it is no parfet bodie that lackythe any member', so demonstrating the necessity of all the degrees within the order.<sup>83</sup> But Hales does not want to suggest that everyone should share the kingdom's wealth equally. In his metaphor, Hales equates monetary wealth with blood, writing, 'nature hathe not ordeyned that the foote shulde have so moche bloude as the arme, so all men maye not be lyke, nor of lyke substaunce in a co[mm]en welthe'.<sup>84</sup> In this example, Hales reinforces the necessity of each part sharing the resources necessary to its greatness and function within the body politic. He suggestively argues that the arms require more resources than the feet, reinforcing the correlation of the nobility and wealth and the image of the commons as the toiling feet physiologically located a great distance from the head.

The rebellious commons were not the source of the commonwealth's trouble in Hales's opinion. Instead, he blamed the wealthy, particularly the wealthy landowners, for their insatiable greed at the expense of the poor. Hales depicts this group as submissive to the king's laws but he sees some of the wealthy landowners as greedy to the point of beastliness. As soon as the commissions had left their locations, this group 'retourned to ther olde vomyte, they beggane immedyatlie to

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<sup>82</sup> Hales, *Defence*, fo. 299<sup>r</sup>.

<sup>83</sup> Hales, *Defence*, fo. 299<sup>r</sup>.

<sup>84</sup> Hales, *Defence*, fos. 299<sup>r-v</sup>.



enclose, to take away the poore mens Co[m]mens, and wer more gredie, then ever they wer before'.<sup>85</sup> This characterisation of the 'Ritchemen' as particularly foul demonstrates how far out of synch with the rest of the commonwealth Hales believes they had become with their greed. It also evokes an Old Testament proverb that Hales would have known: 'As a dog returns to his vomit, so a fool repeats his folly'.<sup>86</sup> The association with the greedy landowners and vomit indicates illness and the need for purgation. It also suggests that they had run so far afoul of the commonwealth that they had become animalistic. Hales is careful to claim that only those who refused to obey the enclosure commissions' findings were greedy. By using this beastly imagery, Hales illustrates just how far out of order this group had become: the rest of the realm was simply unable to share a commonwealth with them because they no longer held the same values in common.

Hales used this bodily imagery in many of his literary exchanges, including the opening moments of the enclosure commissions hearings. In an earlier letter to Dudley, Hales explains that, in these orations, he 'toke an occasyon to shew how muche ayenst nature it is for men to heape and gather together things w[ith] the hurte and losse of ther neighbours, openinge the same by symilitude of the membres of a mans bodye'. He explains that those he accused were behaving contrary to the common good, or 'as if one membre coulde w[ith] his pollicey scratche and gett from tother membres of the bloude that norisshethe them, thinkinge therby to make hymselfe more lustye' but that such attempts at self-improvement at the cost of others were ultimately self-defeating.<sup>87</sup> Hales warned that a commonwealth whose parts acted in a similar way was likewise bound to starve itself of resources and collapse.

Religion is used in a way different from that expressed by other writers affiliated with the commonwealth movement. Hales uses religious affiliation to demonstrate political loyalty to the king. Noting that his enemies had accused him of being a papist and, even worse in his mind, an anabaptist, Hales re-joins that he is nothing of the sort but obedient only to the king's religion. In response to their allegation of his duplicity, Hales says 'I tell you playne I cannot carry two faces in

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<sup>85</sup> Hales, *Defence*, fos. 300<sup>r-v</sup>.

<sup>86</sup> Proverbs 26:11.

<sup>87</sup> BL Lansdowne MS 238, fo. 323<sup>r</sup>.

one hode'.<sup>88</sup> He forges a direct correlation between religious disobedience and the state of the commonwealth. He says that 'warre, sedition, scarcytie, famyn, syknes, be plages of god', sent 'where the people do contempne his worde' or where 'they resceyve it and will not followe it'.<sup>89</sup> For Hales, the troubles he sees in the kingdom are further evidence that additional religious reforms are necessary. Throughout the *Defence*, Hales deliberately connects together the ideas of religious affiliation and loyalty to the crown. This connection suggests that Hales believed that religious affiliation, particularly following the religion proscribed by the king, was another site of interaction with political matters and a means for demonstrating obedience.

Hales's religious aims were more openly pronounced in the apology he sent to John Dudley in the summer of 1548. In this letter, Hales draws together more clearly the connection between the commonwealth and the spirit of protestant reform he idealised. Hales lost favour with Dudley in the summer of 1548, when an early commission was sent to the Midlands. In the wake of that visit, Dudley's own park lands and rabbit warrens were damaged by disgruntled commons. Thousands of his deer and rabbits were allegedly slaughtered in the assault on his property. Hales had learned that Dudley believed he was responsible for using the commissions to advance himself and to 'kyndle and stirre the co[m]mens ayenst the nobilite and gentelmen'.<sup>90</sup> In this letter, which precedes the *Defence* by a year, Hales blends together commonwealth and body politic imagery with religion in order to demonstrate his loyalty to both the king and the improvement of the commonwealth. The letter reveals that Hales had the habit of opening his commissions hearings with a lengthy exhortation, and he suspected these orations were the cause of the complaints against him. He explains that his speeches 'teachethe the ritche that he shall not oppresse the poore, but to be mercifull to hym, that one of us shall love a nother, and remembre that we be membres of one bodye, that is of Christ'.<sup>91</sup> This reference exemplifies a Pauline perspective of the Gospel, with each individual having a different spiritual gift in the Christian commonwealth in contrast to the

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<sup>88</sup> Hales, *Defence*, fo. 296<sup>v</sup>.

<sup>89</sup> Hales, *Defence*, fo. 304<sup>r</sup>.

<sup>90</sup> Letter from John Hales to Somerset, 12 August 1548, BL Lansdowne MS 238, fo. 322<sup>r</sup>.

<sup>91</sup> BL Lansdowne MS 238, fo. 324<sup>v</sup>.

contributions each made to the embodied temporal commonwealth.<sup>92</sup> The reference also suggests the indivisibility of the commonwealth: as Christ was indivisible so was the commonwealth. But Hales takes the image even further, explaining that his exhortations should also be read as a threat or reminder to ‘magistrates and rewlars if they doo not ther dewtie, and likewise those that passe not uppon mans lawes w[ith] everlastinge ponishement’.<sup>93</sup> For Hales, temporal law cut both ways; those in authority had to maintain it but they also had a duty to maintain it in favour of the poor and oppressed when called upon to do so. Hales’s threat also implied that those other rulers who failed in their duties could no longer buy their way out of punishment, as they may have been able to before the kingdom cast aside papist superstitions in favour of the true religion that Hales himself favoured.

The early years of Edward’s minority reveal tensions amongst the political elite. Smith operated as he might have done during Henry VIII’s reign, preserving the significance of counsel by writing theoretical tracts that explained the political turmoil the kingdom experienced and offered solutions to these problems. Thomas Smith and John Hales both put their knowledge into the service of the commonwealth, and both experienced political setbacks as a result of their affiliations. When Somerset’s regime fell in the autumn of 1549, Smith was sent to the Tower before largely retiring to Eton College until a later political resurgence.<sup>94</sup> Hales’s response to Warwick’s coup was to flee to the Continent, where he dwelled amongst radical protestants in Frankfurt but retained his income from the hanaper until he was finally forced to capitulate during Mary’s reign.<sup>95</sup> Smith’s *Discourse* relies on fictive invention to explore fully a political problem but fails to incorporate a clear strategy for implementing the resolution, leaving such practical decisions to political agents like parliament, the privy council, or the Protector himself. His approach was similar to earlier attitudes regarding tyranny and counsel, acknowledging that it was the king’s decision to select counsel but the aristocracy’s responsibility to extend it. Smith’s *Discourse* fulfils that function of extension. But

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<sup>92</sup> Paul explicates this concept most fully in 1 Corinthians 12:12-27.

<sup>93</sup> BL Lansdowne MS 238, fo. 325<sup>r</sup>.

<sup>94</sup> Dewar, *Thomas Smith*, 65, 67-71, 79-87.

<sup>95</sup> Lamond, *A Discourse*, xxvi; Ben Lowe, ‘John Hales (1516?-1572)’, *ODNB* (Oxford University Press, 2004; online edition, January 2008), accessed 15 April 2015.

Smith's aims were perhaps unachievable because the king was too young to properly discern which counsel was right, and the Protector was too tenuous in his role. For whatever reason his advice was not followed, Smith took a passive approach to political engagement with his *Discourse*, preferring to keep political activities within a small group located near the crown and political institutions.

In contrast to Smith's limited extension of counsel, Hales actively sought to alleviate the kingdom's socio-economic troubles through a variety of strategies. He used print to engage with a wide audience in the anonymously-published sheep tract. His failed bills made use of Parliament to bring about change from within established political structures. The enclosures commissions were his attempt to bring high political authority to the localities. These were unsuccessful because they seemed to incite rebellion wherever they went, but they nonetheless allowed Hales to attempt to redress the problem that he believed was behind the realm's socio-economic turmoil. Hales and Smith both addressed the question of authority. Smith's *Discourse* argued for a top-down approach to political authority: its structure and message demonstrate that all authority should flow from the king downward to the rest of the social body, with each member having a specific role to play within the commonwealth. For Smith, decisions needed to take place at the centre and be carried out in the rest of the realm, with each group responsible for its own affairs. Hales's own legislative attempts, work with the enclosure commissions, and writings reveal an alternative to Smith's structural presentation of politics. Hales wanted to achieve the same objective as Smith but sought to create a prosperous commonwealth by encouraging greater political engagement in the localities. His texts argue that political actions should originate in the countryside rather than only with the king and his counsellors. The texts written by both Hales and Smith reveal their dissatisfaction with the conventional nobility. Smith sought to create a new space for the educated elite within a traditional view of the commonwealth, giving them a greater share of the responsibilities that were once largely monopolised by the feudal nobility in their capacity as the monarch's natural counsellors. Hales was less prescriptive in his diagnosis of the body politic but argued that the landowning degrees were no longer able to share in a commonwealth with the rest of the body politic. For both of these writers, the conditions of Edward's minority meant that the way the crown interacted with its subjects would have to change before matters grew even more violent. Their texts are preventative measures, designed to encourage the

prevention of further social tensions and unrest. Ultimately, the regime was unable to put their advice into motion or to share their opinions with a larger audience, as the rebellions continued throughout the kingdom. Neither Hales nor Smith was called upon to address the body politic in an official capacity. Instead, the task of explaining the regime's perspective and arguing for the restoration of order fell to John Cheke. His *Hurt of Sedition* was written in the middle of the rebellions, and called for an end to the unrest. Cheke deploys commonwealth and bodily imagery in order to describe the commonwealth he would like to see restored. But it is also an opportunity for him to identify the source of the unrest. He suggests that the king's authority had been split amongst too many different agents. Whereas Smith and Hales used their texts to defend themselves, Cheke uses his tract to defend the king to a number of different audiences. Cheke's tract uses the commonwealth and bodily imagery to argue for the king's authority.

#### Cheke's True Subject: Authority in *The Hurt of Sedition*

John Hales and Thomas Smith wrote their tracts under somewhat strained conditions. Smith's *Discourse* was written at a time when he had lost Somerset's favour, and was attempting to regain it while simultaneously trying to explain the troubles that were heavily felt in the shires. Hales's *Defence* responded to the charge that he had instigated the rebellions that ravaged the countryside, defending his role as an enclosure commissioner and claiming his loyalty to commonwealth and crown alike. John Cheke's tract *The Hurt of Sedition* was directed at a different audience and was presented from a different position. Cheke wrote from a relatively safe position within the regime. While Hales and Smith described the dynamic between the customary commonwealth and the humanist commonwealth to two central sites of power – the Privy Council and the Protector and his circle – Cheke's audience was the rest of the realm, and he ostensibly presented the regime's perspective to this audience. The text uses the commonwealth language appropriated by the rebels as a counter-argument against their rationale for rebellion. But, as we shall see, the paratextual image of Absalom that accompanies the title page indicates that Cheke also intended to implicate the nobles and local elites, the individuals who had more political agency within the social order than the rebels who seized it. *The Hurt of Sedition* addresses the problem of governing within the context of a minority kingship through the necessity of responding to the rebels, particularly those based in

Norfolk. Cheke uses a complex blend of literary form, paratextual imagery, and political language to consider the exercise of authority within this temporary political setting.

Cheke was a highly respected scholar, revered for the editions of foundational Greek texts he produced. In 1540, he became Cambridge's first Regius Professor of Greek. He and Thomas Smith were intellectual partners in the 1542 Greek pronunciation controversy, a series of tracts written in Latin arguing for a pronunciation contrary to that favoured by Stephen Gardiner. John McDiarmid has shown that this controversy encompassed much more than linguistics, arguing that such confrontations had significant political implications for the participants, because speaking in ancient languages contributed to the political life of the state.<sup>96</sup> This section will further McDiarmid's argument, and will in turn argue that the agenda advocated by Cheke and his circle was fulfilled in *The Hurt of Sedition*. Cheke deliberately used the vernacular rather than Latin to address the political nation at large.<sup>97</sup> By using English in this tract, Cheke acknowledged that the political community existed beyond the educated elite based at court, and included those 'other governors' who had little expertise with classical political thought. The tract's paratextual materials, such as the headings on each page and the Absalom woodcut, acknowledge tension between the classical humanist ideal and the customary commonwealth. These materials also express pessimism directed against both the general population and the noble elite. *The Hurt of Sedition* takes the opportunity of social turmoil to translate classical commonwealth ideals into the political climate of Edward's reign.

In addition to his role at Cambridge, Cheke held a crucial position at court: he was Edward's tutor from 1544 until Cheke fell dangerously ill from sweating sickness in May 1552. He initially joined Edward's household in July 1544 as an assistant to Richard Cox but eventually took the more prominent role in Edward's education as the king matured.<sup>98</sup> Cheke was one of the most important figures in Edward's Privy Chamber: he saw the king nearly daily and he was an individual

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<sup>96</sup> John F. McDiarmid, 'Recovering Republican Eloquence: John Cheke versus Stephen Gardiner on the Pronunciation of Greek', *History of European Ideas* 38, no. 3 (2012): 342-3, 348, 349.

<sup>97</sup> Shagan, 'Protector Somerset and the 1549 Rebellions', 35-7, 42.

<sup>98</sup> Alford, *Kingship and Politics*, 85, 126-8, 143.

through whom access to the king could be granted or denied. He was the key figure who taught Edward to understand his temporal and spiritual authority as king. Cheke's Calvinism, rather than the religious opinions of Cranmer or Hooper, formed the basis of the advanced protestant religious beliefs that Edward himself accepted.<sup>99</sup> The curriculum Cheke developed for Edward and a small number of courtiers' children was adapted from the classical curriculum he taught at St John's College, Cambridge. Cheke also took a special interest in developing Edward's political expertise, teaching him classical Greek from 1549, introducing him to Aristotle and Cicero, and encouraging Edward to keep that Chronicle that recounted the events of his life and reign. He was a consistent influence in Edward's life, surviving the king's succession and Somerset's fall. In many ways, Cheke was the natural choice for writing a published tract that would defend the king's authority in the wake of widespread social disorder.

The rhetorical form of *The Hurt of Sedition* plays a crucial role in deciphering its message, and in determining the scepticism Cheke directed against an audience who was not part of the powerful coterie at court. Cheke's text follows the form of a dialogue rather than a treatise. Dialogues, like Smith's *Discourse of the Commonweal of This Realm of England*, presented multiple viewpoints on a particular problem, allowing the reader to select the soundest opinion, even if readers were sometimes led in a specific direction.<sup>100</sup> But Cheke's text is not a true dialogue. The title page and top margin of every page reminds the reader that two figures are present in this literary exchange: the True Subject and the Rebel. The Rebel's voice has been completely silenced in this imagined conversation. Rebels' perspectives are offered over the course of the tract, but these are immediately disproven by the True Subject.<sup>101</sup> The literary form reinforces the theme of obedience and provides a model of responses for good subjects to articulate should they confront disobedient counterparts. But it also reveals a cynicism directed against the populace. The combination of the vernacular and the silencing of the rebel voice suggests that the educated elite, members of the regime including Cheke, did not trust the audience to

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<sup>99</sup> Bryson, 'Speciall Men', 15, 18-19; Fideler, *Social Welfare*, 77-9.

<sup>100</sup> K. J. Wilson, *Incomplete Fictions: The Formation of the English Renaissance Dialogue* (Washington, DC: The Catholic University of America Press, 1985), 9-10, 20.

<sup>101</sup> Cheke, *Hurt of Sedition*, Sigs. B3<sup>v</sup>, C1<sup>v</sup>, C2<sup>r-v</sup>, D5<sup>v</sup>, D7<sup>r</sup>, E3<sup>r-v</sup>, F2<sup>v</sup>-F3<sup>r</sup>.

select the correct perspective on the matter. Another implied message is that the demands and words uttered by those who would be seditious were too dangerous to be replicated precisely. Finally, Cheke's text signals that the regime would no longer engage in these kinds of exchanges with rebellious parties.

In 1536, the regime had published *Answers* addressing the rebels of Lincolnshire and Yorkshire. In these tracts, the voice of the king publicly responded to the complaints the rebels had submitted as formal articles.<sup>102</sup> But Edward's power was too fractured for the production of a viable comparable publication. As a minor king, he could not autonomously 'speak' the law as Henry had a decade earlier. Moreover, Somerset's regime relied heavily on popular support. As a result, the king became increasingly removed from the wider political community, a distancing reflected in the content of *The Hurt of Sediton*. As the True Subject rails against rebellious subjects, the speaker says that the rebels 'have first fauted agaynst God, next offe[n]ded unnaturally our Sovereigne Lorde, thirdly troubled miserable the [w]hole commune wealth'.<sup>103</sup>

Virginia Cox has examined the genre of the Renaissance dialogue in Italy, showing that the unique characteristic of the dialogue is that it replicates the process of conversational exchange as it imparts information to a readership. Dialogues were rooted in persuasion, inviting the reader to select the best argument from amongst the opinions presented. In some cases, dialogues were heavily didactic, becoming more monologic than dialogic in nature. But the defining feature of the dialogue as a genre, in Cox's opinion, is that all dialogues provide commentary on the act of communication within the society in which they take place.<sup>104</sup> In the case of Cheke's *Hurt of Sediton*, communication has become the problem. Though the tract seems to take the form of a didactic monologue, with the True Subject alone speaking, the text can also be read as a dialogue between the figures of the True Subject and the Rebel. But the Rebel is silently present for the duration of the text. The speaker of Cheke's text blames his addressee for rebellion, saying, 'we see suche miseries, hange over

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<sup>102</sup> *Answer to the Petition of the Traytours and Rebelles in Lyncolneshyre* (London: Thomas Berthelet, 1536; STC 13077.5); *Answer made by the Kynge's Hyghnes to the Petitions of the Rebelles in Yorkeshire* (London: Thomas Berthelet, 1536; STC 13077).

<sup>103</sup> Cheke, *Hurt of Sediton*, Sig. A3<sup>v</sup>.

<sup>104</sup> Cox, *The Renaissance Dialogue*, 4-5, 6, 7.



thole state of commune welth, thorough the great disorder of youre sedition, that maketh us muche to rejoyce, that we have bene, nother partners of youre doynges, nor conspirers of your councelles'.<sup>105</sup> This shows Cheke praising the subjects who carried out their duties as they should have done, even as he lambasts the rebels.

The primary targets of Cheke's text are rebels, those who had already participated in active rebellion and those inclined towards a rebellion not yet committed. It is primarily members of this group who have negatively transformed the balance of communication within the realm. One of Cheke's aims in the tract is to argue for the re-establishment of a traditional social order, in which the king is the most powerful figure in the realm. A message that comes through the text is that Somerset had relied too heavily on the wider populace for support, and that they had become unpredictable and unruly. Andy Wood has examined how the rebels, particularly those from East Anglia, Kent, Surrey, and Sussex, appropriated the name of 'commonwealth' to represent 'the collective interests of the commons', a meaning of the concept that was counter to the social order that the regime often signified when its members used the term.<sup>106</sup> He has also explored the significance of the Oak of Reformation in Norfolk as a site of conflict between the regime and the rebels, the rebels and the gentry, and between differing groups within the rebels themselves. If the Oak of Reformation became a site of political exchange between the rebels and the regime, it was also a site for the confrontation between the differing commonwealth ideals espoused by these two groups. Cheke addresses this confrontation in *The Hurt of Sedition*.

Robert Kett became one of the rebel leaders in Norfolk. He was initially one of the enclosers that the commons wanted to attack but he joined their cause, promising to support them until their complaints were satisfactorily resolved. Kett helped to create order and stability amongst the East Anglian rebels as they drew attention to the need for reform in an ineffectual government.<sup>107</sup> Kett established a camp at Mousehold Heath, using the Oak of Reformation as a gathering place for those who wished to seek help against the enclosers who were held responsible for

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<sup>105</sup> Cheke, *Hurte of Sedition*, Sig. A2<sup>r</sup>.

<sup>106</sup> Wood, *The 1549 Rebellions*, 143-6.

<sup>107</sup> Fletcher and MacCulloch, *Tudor Rebellions*, 69-70; MacCulloch, 'Kett's Rebellion in Context', 48-9, 53; Wood, *The 1549 Rebellions*, 159-62.

causing widespread impoverishment. For Wood, the Oak symbolically represented Kett's merely tenuous hold over power, and was a site of both order and disorder.<sup>108</sup> The rebels saw the Oak as the place where Kett would dispense justice. The rebels also gathered there to draft and exchange correspondence with the regime and receive the heralds Somerset sent. Not only did the rebels appropriate the language of governance, they also co-opted the practice of establishing physical sites for the purpose of political exchange. Cheke implies that the rebels were over-indulged in their communication with the regime, a problem which in turn led to the rebellions which took place throughout the kingdom.

Within *The Hurt of Sedition*, Kett's Oak provides a practical metaphor that underscores the implausibility of relying on the populace for political support. One of the True Subject's complaints about the rebels is that they were unable to establish a true commonwealth because they were unwilling and unable to rule the gentry and nobility. He argues that, 'It is an other matter to understande a mans owne gryfe, and to knowe the co[m]mune welthes sore, & therefore, not they that knowe theyr owne case, as every man doeth, but they that under stande the commune welthes state, ought to have in countreyes, the prefermente of rulyng'.<sup>109</sup> Here, Cheke argues that rulers need to be able to transcend social degree in order to govern effectively. Instead of creating a true commonwealth, the 'rable of Norfolke rebelles' have established a 'pretende' commonwealth. Their rebellions have destroyed the common good rather than developing something better than the system against which they rebelled. Cheke argues that their attempt to achieve 'equalitie' across the social degrees would simply lower the orders to the common denominator, rather than elevate the lower levels to the status of the landed elite.<sup>110</sup> The True Subject asks how the rebels would 'mende' the commonwealth, if they will use tactics like 'kyllynge of Gentilmen, by spoylynge of Gentilmenne, by enprisonynge of Gentylnen?'<sup>111</sup> Here, the True Subject highlights the rebels' failure to govern the entire social order. Cheke argues that a commonwealth cannot simply encompass the

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<sup>108</sup> Wood, *The 1549 Rebellions*, 152-6; Wood, *Riot, Rebellion and Popular Politics*, 63-5.

<sup>109</sup> Cheke, *Hurt of Sedition*, Sig. A7<sup>v</sup>.

<sup>110</sup> Baker, *Divulging Utopia*, 115-6; Fideler, *Social Welfare*, 76-7.

<sup>111</sup> Cheke, *Hurt of Sedition*, Sig. A6<sup>v</sup>.

preferment of one social group over another; instead, the rebels have proven that the commons should not rule because their knowledge did not match the expertise required to govern the realm. Cheke uses a shared commonwealth idiom against the rebels in order to reclaim the regime's definition of the term, thereby reappropriating it from those who meant to use it to justify rebellion. He attempts to recover a civic humanist meaning of the term and restore the social order that existed alongside it.

The True Subject presses this point about expertise, explaining more fully what the rebels' act of following men like Kett achieved within the context of the commonwealth. For the True Subject, the rebels had chosen 'to chaunge your obedience from a kynge to a ket, to submyt your selves to traitours, and breake youre fayth to your true king and lordes'.<sup>112</sup> Their actions, which included bypassing the order provided by the legal process, transgress the order maintained by 'the law, the Counsayle, the king'.<sup>113</sup> Here Cheke rearticulates the proper order for seeking political engagement or attaining legal change. He acknowledges three sites of political engagement alone. But the law and the Council ultimately belong to the king and rely on his authority. Cheke argues that the rebels' act of following Kett inverts the political hierarchy: political authority flows downward from the crown. The rebels are mistaken in their attempt to access justice from the lowest orders and work up because legal authority derives only from the crown.

Cheke explains the dangers associated with this treacherous act of inversion by linking their actions to the king's authority. The rebels have 'broke[n] his lawes, disobeyed his counsel', acts which weaken the king's position in the esteem of foreign princes and leave the realm susceptible to foreign invasion.<sup>114</sup> He makes clear that all laws originate with the king, 'for in the king only is [the] right hereof, & the authoritie of him derived by his appointment to his ministers'.<sup>115</sup> Cheke is here re-asserting the king's authority, a point forgotten by the rebels and Somerset's affinity. By rearticulating the proper order for seeking justice, Cheke closes down the possibility of using other sites as a means for access to authority. In so doing, he

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<sup>112</sup> Cheke, *Hurt of Sediton*, Sig. A7<sup>r</sup>.

<sup>113</sup> Cheke, *Hurt of Sediton*, Sig. A7<sup>r</sup>.

<sup>114</sup> Cheke, *Hurt of Sediton*, Sig. B4<sup>v</sup>, B5<sup>r</sup>.

<sup>115</sup> Cheke, *Hurt of Sediton*, Sig. B5<sup>v</sup>.

directly challenges the Oak of Reformation and Somerset's household as means for access to political authority. This strategy imparts the sense that those who have operated on the Protector's authority alone have functioned outside the customary political order and have therefore transgressed against these three constitutional sites. These actions are themselves akin to rebellion, even if they are less overt or as destructive as other means pursued by various groups of protestors during that summer. Cheke uses these political sites to remind his readers that the commonwealth, and all the institutions within it, belong to the king alone.

The commonwealth idiom was not the only political imagery that Cheke pursued in his text. Another of *The Hurt of Sedition's* major themes is signalled by the woodcut of Absalom on the page facing the beginning of the text. This woodcut is heavily suggestive, relying on the audience's familiarity with the biblical story in order to understand its meaning. The woodcut depicts 'the rewarde of Absalon the Rebel', the rebellious prince pulled off his still-charging mule into a tree branch by his hair. In close pursuit, their lances drawn and just reaching Absalom's body to strike and kill him, are a group of horsemen.<sup>116</sup> Depictions of Edward VI as the Old Testament king Josiah abound in contemporary religious polemic. The Josiah iconography provided an example that reformers could use to offer commentary on the king's authority and to teach him how to rule from the perspective of the ecclesiastical sphere.<sup>117</sup> When used by polemicists like John Bale or Hugh Latimer, the correlations between Edward and Josiah were meant to encourage the king to pursue further protestant reforms without delay. For these reformers, the eschatological stakes were too great for the kingdom to wait for more progressive reforms until Edward reached the age of majority. But Cheke's use of the Absalom woodcut suggests a different interpretation of the biblical narrative. Rather than referring to a religious agenda or directly to Edward, Cheke invokes the story of David and Absalom to point to trouble within the temporal sphere. He uses the narrative to argue for the necessity of good counsel and to illustrate the effects of evil counsellors. Cheke references the history of Absalom's rebellion to explain what

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<sup>116</sup> Cheke, *Hurt of Sedition*, Sig. A1<sup>v</sup>.

<sup>117</sup> Alford, *Kingship and Politics*, 52-3, 100, 179; Christopher Bradshaw, 'David or Josiah? Old Testament Kings as Exemplars in Edwardian Religious Polemic', in *Protestant History and Identity in Sixteenth Century Europe*, vol. 2, ed. Bruce Gordon (Aldershot: Ashgate, 1996), 77-90; MacCulloch, *Tudor Church Militant*, 35, 61-3.

he thought had gone wrong within the Edwardian regime, and to identify the cause of the rebellions in 1548 and 1549. His use of the Absalom story implies a crisis in counsel. Cheke suggests that the aristocracy are implicated in the social unrest because they surrendered some of their authority to their social lessers. In Cheke's rendering of social ills, the traditional aristocracy have caused trouble in the body politic because they've been unable to carry out their duties as the king's natural advisors.

## The rewarde of Absalon the Rebel.



Image 1

STC 5109.5, Sig. A1<sup>v</sup>.

Kevin Killeen has drawn attention to the significance of biblical knowledge during the early modern period, showing that the use of biblical argument was as prevalent as classical allusion in the era's political debate. The Bible, like Cicero or ancient Roman history, provided exemplars that helped an early modern readership familiar with Scripture to interpret contemporary political affairs.<sup>118</sup> Cheke uses the reference to the rebellious Absalom in such a manner, relying on his audience to understand the reference and therefore his meaning when read alongside the text of

<sup>118</sup> Kevin Killeen, 'Chastising with Scorpions: Reading the Old Testament in Early Modern England', *Huntington Library Quarterly* 73, no. 3 (2010): 492-3, 498.

*The Hurt of Sedition*. Cheke uses Absalom as more than an effective illustration of the dangers of rebellion; Absalom is a short-hand tool that also signals a specific political failure. It becomes the exemplary story through which contemporary politics is considered. Readers can therefore better understand the regime's faults, and the way to repair these, by reflecting on the account of Absalom's fall into rebellion.

The narrative of Absalom's rebellion against his father King David is found in 2 Samuel 14-18. In the biblical account, Absalom, a younger son of David, had used his charm, royal pretensions, and personal beauty (including his thick flowing hair) to capture the support of the people in Jerusalem. In time, people from most of the tribes of Israel came to him to seek justice rather than seeking it from David, their true king. When Absalom finally chose to wage war with the king, David's trusted counsellor Achitophel was amongst those who supported Absalom. Achitophel instructed Absalom to perform a number of wicked acts, including sleeping with his father's concubines and finally raising a large army.<sup>119</sup> As Absalom rode out on a mule to meet David's soldiers in battle, his thick hair was caught in the branches of an oak tree, leaving him suspended in the air. On learning this, one of David's captains rode to the tree and shot Absalom through the heart with three arrows, killing him. Absalom's well-known end was precipitated by his banishment from his father's court after he had slaughtered his brother Amnon, an act committed in vengeance for Amnon's rape of their sister Tamar. Absalom had taken matters into his own hands instead of allowing the king to dispense justice for Tamar in his

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<sup>119</sup> Aspects of Absalom's story resonated with a later political context: the events surrounding the Popish Plot (1678-81) and the Exclusion Crisis (1679-81). John Dryden famously allegorised the relationship between Charles II and Henry, Duke of Monmouth, in his long satirical poem *Absalom and Achitophel* (printed 1681). Dryden's poem especially focused on counsel and the role of Shaftesbury in Monmouth's rebellion of 1681. Like Cheke's work, *Absalom and Achitophel* addresses more than one audience as it appropriates the biblical narrative to comment on the political context. Dryden's poem is examined in a substantial body of literary criticism that largely explores the allegory's political tenor but that often pays less attention to analogies with the biblical context. See J. Douglas Canfield, *Word as Bond in English Literature from the Middle Ages to the Restoration* (Philadelphia: University of Pennsylvania Press, 1989), 199-211); Anne K. Krook, 'Satire and the Constitution of Theocracy in *Absalom and Achitophel*', *Studies in Philology* 91, no. 3 (1994): 339-58; Thomas E. Maresca, 'The Context of Dryden's *Absalom and Achitophel*', *ELH* 41, no. 3 (1974): 340-58; Michael McKeon, 'Historicizing *Absalom and Achitophel*' in *The New Eighteenth Century: Theory, Politics, English Literature*, eds. Felicity Nussbaum and Laura Brown (New York: Methuen, 1987): 23-40; Alan Roper, 'Absalom's Issue: Parallel Poems in the Restoration', *Studies in Philology* 99, no. 3 (2002): 268-94; Howard D. Weinbrot, "'Nature's Holy Bands" in *Absalom and Achitophel: Fathers and Sons, Satire and Change*', *Modern Philology* 85, no. 4 (1988): 373-92; Steven Zwicker and Derek Hirst, 'Political Language and Political Argument in *Absalom and Achitophel*', *JBS* 21, no. 1 (1981): 39-55.

own time and in his own way. During his banishment, Absalom cultivated the support of the people, and through this support he was finally able to rebel against David.

The image of the rebellious Absalom serves a double purpose within the context of Cheke's tract. It threatens overt rebels with a reminder of their fate and points to causes for the rebellions. It signals criticism of the traditional political elite. The woodcut suggests that Cheke believed the summer rebellions resulted directly from Somerset's cultivation of popular support in exchange for his regime's legitimacy. This reading of the Absalom woodcut is reinforced in passages within the text. The rebellions were the result of an illness in the body politic, 'their [the rebels'] minde chaungeth from obedience to unrulines, and turneth it self from honesty to wildnes, and their bodies go from labour to idelnes'. This malady 'acraseth the bodie', a term which indicated diminished capacity and illness in the mind.<sup>120</sup> The result of this illness was weakness and disorder in the commonwealth.<sup>121</sup> The Absalom story serves as a reminder that sedition takes many forms. The biblical prince was already in rebellion before he raised an army against David. He rebelled from the instant he decided to kill Amnon: this action stole from the king the authority to dispense justice in his own time and manner. Somerset's regime had allowed the conditions that made impatient rebels like Kett possible, and they, too, stole their king's authority. Cheke implies that these intemperances within the body politic were a result of powerful men like Somerset relying too much on popular support, and the remedy for this was a restoration of the social order under the king.

Bodily imagery abounds in *The Hurt of Sedition*, with Absalom's body hanging by his hair suggesting the relationship between the head and the rest of the body throughout the tract. Cheke deploys this imagery to restore the king to his proper place as the sole head of the body politic. He stresses the importance of following the head of the body politic in all things, the True Subject asking, 'If the members of our naturall bodie all folowe the head, shall not the members of the politicall bodie all obey the kynge?'<sup>122</sup> Cheke uses severe punishment to threaten the

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<sup>120</sup> Cheke, *Hurt of Sedition*, Sig. E1<sup>v</sup>.

<sup>121</sup> Cheke, *Hurt of Sedition*, Sig. D7<sup>r</sup>.

<sup>122</sup> Cheke, *Hurt of Sedition*, Sig. B4<sup>r</sup>.

rebels. He writes that the body is ‘the true vessel of the mynde, to be measurable of every ma[n], for al exercises and services of the minde’ but also observes that decay can be found in the body. He plainly states that the body can be tormented and shackled in chains, experiences that are unnatural to the body but are an appropriate response to the equally unnatural act of political disobedience.<sup>123</sup> Such decay in the individual body could suggest a more widespread decay in the rest of the realm, and, for Cheke, the Norfolk rebels’ camping indicated such decay – it was a descent into beastliness.<sup>124</sup>

Somerset relied on borrowed popular support in order to gain a legitimacy that he did not have inherently. In turn, the populace upon whom he relied so heavily appropriated the commonwealth language he and his agents used, and they used it as a means for rebelling against the order Somerset desperately sought to maintain. Cheke once again used the same language to re-define the commonwealth appropriate to Edward’s authority, and ultimately to rearticulate the increasingly godly order that derived from the king’s authority. Cheke reasserted the king’s authority by deploying a commonwealth idiom in conjunction with imagery of an ill body politic and describing it as the king’s possession, thereby rescuing the commonwealth from the characterisations given to it by the populace, and transferring sole authority over it to the king. He used the image of a natural body politic to reclaim the king’s position as the sole head of the commonwealth, denying the multiple sites of more independent political authority that had sprung up outside the normal social order during Somerset’s protectorate. The form of an implied dialogue allowed Cheke to further reinforce support for the king’s commonwealth, refusing to even allow the rebels to express their distorted perspective. Cheke used the civic commonwealth idiom to re-articulate the regime’s understanding of political authority, and to describe the social hierarchy as it flowed from the king to the rest of the realm. This combination of rhetorical and paratextual elements helped to reclaim the king’s position as the most powerful figure in his realm. This strategy was adopted by other members of the regime, including William Thomas. Smith and Hales examined the exercise of political authority, arguing for new roles for the educated elite. Cheke sought to restore the traditional body politic, and to re-situate

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<sup>123</sup> Cheke, *Hurt of Sedition*, Sigs. C3<sup>r</sup>-C4<sup>r</sup>.

<sup>124</sup> Cheke, *Hurt of Sedition*, Sigs. C5<sup>r</sup>, D1<sup>r</sup>-D2<sup>r</sup>, D7<sup>r</sup>.



the king at the top of it. The essays Thomas sent to the king show how the same language could help the king understand his own authority, and his unique place within the social order.

### William Thomas and the Resurgence of *Imperium*

John Hales and Thomas Smith were both eager to serve the commonwealth in different ways. Hales saw the protectorate as an opportunity to attempt a new kind of political engagement, in which the grievances of the poor commons could be addressed in the countryside by intermediary commissioners like himself. For Hales, these brought the recourse normally sought through institutions like parliament to the people in the shires. Smith's approach was more conservative, using the precedent of sending the king treatises that both advised and illustrated the knowledge of their writers to Somerset. The tactics used by both Hales and Smith demonstrate that they both saw Somerset as the major source of political activity during the early phases of Edward's reign. Though the king remained the source of authority, Somerset, and by extension Hales and other members of his household, was the conduit through which practical endeavours were activated. Warwick destroyed this dynamic when he seized power in October 1549, preferring to use the Privy Council and the king's privy chamber as the predominant sites of authority for his regime, a strategy pre-saged in John Cheke's tract.<sup>125</sup>

The texts so far examined in this chapter have largely focused on subjects' duties towards their king and in defining their places within the social order. William Thomas, however, addressed the king's duties to his subjects in addition to his relationships with other princes. Thomas understood that the offices held by men such as Somerset were temporary and could be transformed or dissolved as soon as the king came of age. Rather than attaching himself too steadfastly to Somerset or Warwick, Thomas sought to cultivate lasting favour and patronage from the king himself. To achieve this objective, Thomas drew on his own educational experiences as well as Edward's curiosity about his role as king by sending to Edward a short series of five essays, or disquisitions.<sup>126</sup> These were likely sent in autumn 1551, as

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<sup>125</sup> Hoak, 'Rehabilitating the Duke of Northumberland', 42.

<sup>126</sup> These are typically described as six separate essays, including in the British Library catalogue. There are five. The extremely short essay referred to as 'For the realme here w[ith]in itselfe' is clearly

the king turned fourteen. Edward read the essays closely, incorporating their themes into his personal chronicle.<sup>127</sup> Thomas's works have been the subject of a recent resurgence of attention. Brett Foster has argued for the importance of Thomas's longest work, *Perigrin*, as an apology for the royal supremacy.<sup>128</sup> Maria Grazia Dongu and Joseph Khoury have examined his disquisitions as translations of Machiavelli.<sup>129</sup> This section will examine Thomas's purposes in sending the disquisitions to Edward. As with translations presented to Henry VIII, Thomas's essays are not merely documents that showcase the translator's talent with a foreign tongue but instead offer a deliberate commentary on Edward's political situation. They also provided the chance to model strong kingship within the context of preparing Edward to grow out of his minority and to take on full political authority. The political language Thomas deploys throughout these essays reveals a concern for the king's *imperium* and to appropriate the conciliar strategies he encountered in Italy in order to strengthen Edward's authority. Cheke, Hales, and Smith all shared commonwealth themes, investigating aspects of the *dominium politicum*. Thomas sought to restore *dominium regale* to this essential formulation in his own themes and by writing directly to the king.

Thomas's essays isolate the king from the rest of his body politic. They eschew the metaphor of the natural body politic and instead utilise conciliar and civic commonwealth themes. This strategy allows Thomas to disentangle the king's estate from the rest of the social order and to impart vital information about the characters of the aristocracy and the commons as distinctive estates. When discussing the importance of counsel, Thomas implies the solitary nature of the king's office by encouraging Edward to receive counsel secretly, and to suppress

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a continuation of the preceding essay on the king's political position within the context of foreign affairs; BL Cotton MS Vespasian D XVIII, fos. 44<sup>r</sup>-45<sup>v</sup>.

<sup>127</sup> David Loades, *John Dudley, Duke of Northumberland 1504-1553* (Oxford: Clarendon Press, 1996), 201-2.

<sup>128</sup> Brett Foster, 'Harry's Peregrinations: An Italianate Defence of Henry VIII' in *Henry VIII and History*, eds. Thomas Betteridge and Thomas S. Freeman (Farnham: Ashgate, 2012), 21-50.

<sup>129</sup> Maria Grazia Dongu, 'Stolen Words to Train a Boy King: William Thomas Translates Machiavelli' in *Machiavellian Encounters in Tudor and Stuart England: Literary Influences from the Reformation to the Restoration*, eds. Alessandro Arienzo and Alessandra Petrina (Aldershot: Ashgate, 2013), 29-44; Joseph Khoury, 'Writing and Lying: William Thomas and the Politics of Translation', in *Travel and Translation in the Early Modern Period*, ed. Carmine G. Di Biase (Amsterdam and New York: Rodopi, 2006), 91-102.

details of his knowledge from his own Council. He furthermore teaches Edward to situate himself within the company of foreign princes alongside his domestic concerns. Thomas's essays depict the king's responsibilities external to the commonwealth rather than his duties as enmeshed within it. They are grounded in Thomas's humanistic education and are heavily influenced by the additional political knowledge he acquired in Italy. The disquisitions reveal how Edward was taught to regard his authority as a king, and show how humanism could adapt to the context of a king in his minority.

By the time the disquisitions were written for Edward, William Thomas was clerk of the Privy Council, and was solely responsible for maintaining its register.<sup>130</sup> The experience and education he attained in Italy originated in somewhat unusual circumstances. Thomas's background is obscure; he was Welsh and he obtained a degree in canon law from Oxford in 1529.<sup>131</sup> Thomas was associated with Protestantism in his youth but gained employment in the household of the staunchly conservative Catholic, Sir Anthony Browne, Henry VIII's Master of the Horse. Thomas acquired a serious gambling habit and massive debts, compelling him to abscond from Browne's household in 1545, taking with him a large sum of his employer's money. When he surfaced in Venice, Edmund Harvel imprisoned him and wrote to the Privy Council, seeking advice on the recourse to direct at Thomas in light of his 'continuall and pitifull lamentacions at his trespasses'.<sup>132</sup> He travelled around Italy after an unclear length of time in Harvel's custody, gaining a comprehensive knowledge of its geography, language, customs, and political life.<sup>133</sup> He became fluent in the language, producing one of the first English-Italian dictionaries and a grammar in 1550.<sup>134</sup> He also wrote a *Historie of Italie*, a lengthy book that recounted the history of the Italian people from Rome's foundation to the empire's collapse, then examining the successive kingdoms and principal cities in

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<sup>130</sup> PC 2/3 fo. 147; PC 2/4 fo. 2.

<sup>131</sup> Adair, 'William Thomas: A Forgotten Clerk of the Privy Council', in *Tudor Studies Presented...to Albert Frederick Pollard*, edited by R. W. Seton-Watson (London: Longmans Green & Co., 1924), 134.

<sup>132</sup> Letter from Harvel to Paget, 3 May 1545, SP 1/200, fo. 115.

<sup>133</sup> Adair, 'William Thomas', 136-7.

<sup>134</sup> Thomas, *Principal Rules of the Italian Grammar, with a Dictionarie for the better understandyng of Boccace* (London: Thomas Berthelet, 1550; STC 24020).

turn. This text explains how an empire as great as Rome lost its political power through a number of factors, but identifies the divisions within the populace hastened by the rise of overwhelming papal authority as the primary cause of Rome's failure. When the *Historie* was printed in England in autumn 1549, Thomas tellingly dedicated the piece to the earl of Warwick.<sup>135</sup>

The knowledge stemming from the humanist tradition that Thomas acquired in Italy is manifest in other texts. He wrote a dialogue in defence of the recently-deceased Henry VIII entitled *Il Pellegrino* (*Perigrin* or *The Pilgrim* in English) in Italian in 1548. In the preface to this work, Thomas explains that he was 'constrayned by misfortune to abandon the place of my nativitie', eventually arriving in Bologna and setting the dialogue amongst scholars there.<sup>136</sup> The dialogue examines the major events of Henry's reign, denying that the king was a tyrant in his actions against the Church and specifically in his treatment of Thomas More and John Fisher, and articulating a difference between outward appearances and inner thought or behaviour.<sup>137</sup> These are themes that Thomas visits again in the essays he sent to Edward VI. His earliest work printed in England was a tract dedicated to Anne Herbert, entitled *The Vanitee of this World*. This work is partially devotional, with chapters dedicated to religious topics like 'The life of Christ in this worlde' or 'The love of God towards us'. It also addresses civic commonwealth themes including 'What a lawful lorde is', 'The fondenesse of Alexander', and 'What a tyranne is'.<sup>138</sup> Thomas was commissioned by Henry Grey, Duke of Suffolk, to translate into English Johannes de Sacro-Bosco's textbook on the nature of spheres, illustrating the presentation copy given to Edward VI himself.<sup>139</sup> Cathy Shrank has placed Thomas's works into the context of European letters, arguing that his body of works did much to advance the English vernacular across the spectrum of humanist learning.<sup>140</sup> His greater contribution may have been the way he encouraged the king

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<sup>135</sup> Thomas, *The Historie of Italie* (London: Thomas Berthelet, 1549; STC 24018).

<sup>136</sup> BL Cotton MS Vespasian D XVIII, fo. 47<sup>r</sup>.

<sup>137</sup> BL Cotton MS Vespasian D XVIII, fos. 56<sup>v</sup>-58<sup>v</sup>.

<sup>138</sup> Thomas, *The Vanitee of this World* (London: Thomas Berthelet, 1549; STC 24023), A3<sup>v</sup>, A4<sup>r</sup>.

<sup>139</sup> BL Egerton MS 837.

<sup>140</sup> Shrank, *Writing the Nation*, 104-42.

to consider his own authority. More than mathematical or linguistic knowledge, the greatest awareness that Thomas acquired during his time in Italy was in the area of civic politics, particularly the works and methods of Machiavelli. Machiavellian thought appears in *Perigrin*, principally in Thomas's treatment of Henry as a ruler who was not a tyrant. Machiavelli's name is mentioned favourably in some of the disquisitions sent to Edward, and the letter proposing the essay series lists topic suggestions that are drawn heavily from the contents pages of Machiavelli's *Discourses on Livy* and *The Prince*.<sup>141</sup>

In his initial proposal containing eighty-five essay topics, Thomas writes that since 'hitherto yo[ur] Ma[jes]tie hath more applied the studie of the tonges than any matter either of historie or of policie ... me thought of my bounden dutie I coulde lesse do than present unto yo[ur] Ma[jes]tie the notes of those discourses which are nowe my principall studie'.<sup>142</sup> The essays Thomas sent to Edward argue for the benefits of a powerful monarchy, with a strong king at the top of the hierarchy, and power flowing downward from the king to the rest of the polity. The essays attempt to persuade their audience that the realm would be the strongest, and the commonwealth surest, if the king was the most powerful entity in the realm, supported by a strong aristocracy, governing a submissive common estate. The essays teach Edward how to receive counsel judiciously, even if it is overly structured in this case. They also allow Edward to perform the task of receiving informal counsel as an adult monarch might. Thomas praises the king for keeping his involvement in these disquisitions secret from the Council, and the topics of the essays encourage him to develop his own political imagination rather than focusing on specific policy matters.<sup>143</sup> The first topics that were chosen were likely the ones that Thomas thought contained the lessons Edward most needed to learn as he prepared to rule in his own right.

According to the first essay Thomas sent, the disquisitions were intended to arrive about once a week, with Sir Nicholas Throckmorton, a gentleman of Edward's privy chamber and one of Dudley's favourites, serving as the usual intermediary

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<sup>141</sup> Peter S. Donaldson, *Machiavelli and Mystery of State* (Cambridge: Cambridge University Press, 1992), 41; BL Cotton MS Titus B II, fos. 84<sup>r</sup>-90<sup>r</sup>.

<sup>142</sup> BL Cotton MS Titus B II, fo. 84<sup>r</sup>.

<sup>143</sup> 'The reformation of the coyne', BL Cotton MS Vespasian D XVIII, fo. 28<sup>v</sup>.

between Thomas and the king.<sup>144</sup> Apart from the first essay, the exact order in which they were written is unclear, but internal references suggest that the disquisition offering Thomas's 'private opinion toocheng yo[ur] ma[jesties] outwarde affaires at this present' was written after the essays on time and on princes' amity.<sup>145</sup> None of the documents offer an explanation for the suspension of their composition. At the king's request, the first essay was on the reformation of the coinage, still a topic of concern in the autumn of 1551.<sup>146</sup> This essay was the nearest to a policy position paper that Thomas sent to the king; the subsequent essays are less specific in their application and tend towards the theoretical rather than the concrete.

The essay on the reformation of the coinage ends with Thomas writing, 'that of extreame necessite this coyne must be reformed, and that without delaye'.<sup>147</sup> This sort of urgent appeal is not repeated: this essay was intercepted at some point, and Thomas sent a brief note begging the king not to take his suggestions too seriously since, 'in dede I was somewhat earnest for the reformac[i]on of the coyne' and that 'my zeale to my cuntrey did so pricke me that I coulde not forbear to exclayme against the faulte'.<sup>148</sup> These sentiments show Thomas's concern for the commonwealth and may also reveal why his later essays were more theoretical in nature. Another difference between this first essay and the others is that this is the only one that dealt directly with a specific domestic policy issue. Two essays consider the exercise of authority. One takes up the topic of whether a prince's policy could vary with time and circumstances.<sup>149</sup> Another addresses a central question of Edward's minority: 'Wheather it be better for a co[m]mon wealthe, that the power be in the nobilitie or in the co[m]monaltie'.<sup>150</sup> The remaining essays direct

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<sup>144</sup> Throckmorton's absence from court meant the first essay was delivered by Sir William Fitzwilliams, BL Cotton MS Vespasian D XVIII, fos. 28<sup>r</sup>, 28<sup>v</sup>; Fitzwilliams had been a gentleman of the Privy Chamber by 1547 while Throckmorton joined the Privy Chamber as a replacement following Somerset's fall, Hoak, 'The King's Privy Chamber, 1547-1553', in *Tudor Rule and Revolution*, eds. D. J. Guth and J. W. McKenna (Cambridge: Cambridge University Press, 1982), 96-7, 98, 101.

<sup>145</sup> BL Cotton MS Vespasian D XVIII, fos. 34<sup>r</sup>, 34<sup>v</sup>.

<sup>146</sup> BL Cotton MS Vespasian D XVIII, fo. 28<sup>r</sup>; Deng, *Coinage and State Formation*, 87, 91.

<sup>147</sup> BL Cotton MS Vespasian D XVIII, fo. 31<sup>v</sup>.

<sup>148</sup> BL Cotton MS Vespasian D XVIII, fo. 32<sup>v</sup>.

<sup>149</sup> BL Cotton MS Vespasian D XVIII, fos. 2<sup>v</sup>-11<sup>v</sup>.

<sup>150</sup> BL Cotton MS Vespasian D XVIII, fos. 20<sup>r</sup>-27<sup>v</sup>.

the king's attention towards foreign policy matters, guiding him to consider 'what princes amitie is best' or offering his opinion on the king's 'outward affaires', referring to foreign relations.<sup>151</sup> The conditions of the essay's production and transmission show that there were two primary sites of political power in Warwick's regime, the Privy Council and the king's privy chamber. Dale Hoak has argued that the king's household was the mechanism through which Warwick secured access to the king and gained control over the Council following his coup. Thomas Wriothesley, too, attempted to use his influence over members of the privy chamber to seize control in Warwick's place.<sup>152</sup> While Somerset relied on his own household to attain greater power and legitimacy, the regime that took his place acknowledged only the Council and the king as source of authority, an acknowledgement that contributed to the restoration of Edward's *imperium* within the temporal sphere.

The Machiavellian overtones found in Thomas's essays have been noted and analysed by a number of literary critics and linguistic scholars. Peter Donaldson has suggested that Thomas used Machiavelli as a platform to introduce Edward to the idea of counsel. Donaldson has shown that Thomas was heavily indebted to Machiavelli in all of his essays, apart from the one dedicated to the coinage, but that he tempered Machiavelli's message to make it more palatable for the English court.<sup>153</sup> Joseph Khoury observes that Thomas translated Machiavelli's political thought into a specifically English context. He argues that Thomas posited the stipulation that some were divinely-ordained to rule across his body of work. Divine ordination was the prerequisite condition of governing for Thomas, rather than the need for charisma that Machiavelli identified.<sup>154</sup> Maria Grazia Dongu has closely examined the rhetorical structures used by both, finding that Thomas imitated Machiavelli's *Prince* so closely that their syntactical structures resembled one another.<sup>155</sup> Dongu believes that Thomas was an ardent monarchist who was 'besotted by the idea that Edward VI was the King who would promote political and religious

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<sup>151</sup> BL Cotton MS Vespasian D XVIII, fos. 12<sup>r</sup>-19<sup>v</sup>; fos. 34<sup>r</sup>-45<sup>v</sup>.

<sup>152</sup> Hoak, 'Rehabilitating the Duke of Northumberland', 36, 27-8, 43-4.

<sup>153</sup> Donaldson, *Machiavelli and State*, 41, 43-4, 46.

<sup>154</sup> Khoury, 'Writing and Lying', 94-6.

<sup>155</sup> Dongu, 'Stolen Words', 30, 31, 39-40.

reform'.<sup>156</sup> In this reading, Thomas's Machiavellian translations combined opportunities for personal advancement with genuine zeal for a godly commonwealth. For Donaldson, the origins of these essays are more cynical: Thomas was merely an ambitious courtier seeking patronage.<sup>157</sup> David Loades believes that Warwick simply asked Thomas to write the essays, and devised the pretence of sending them to the king surreptitiously himself.<sup>158</sup> This interpretation suggests that the disquisitions were merely a calculated advancement in the king's formal political education.

That ideas gleaned from these documents appear in Edward's chronicle has helped to support the suggestion that Warwick relied on men like Thomas to manipulate the king into wrongly believing that he dictated policy.<sup>159</sup> Ultimately, the essays contributed to Edward's political education but they also provided a means for Thomas to place his learning into the service of the commonwealth. The conditions of their composition and delivery, in addition to their themes, reveal Thomas's beliefs about the relationship between the king and his subjects. Thomas advocates a strong monarch through the Machiavellian approach to counsel and the language that he deploys in the disquisitions. Thomas uses the essay series to prepare Edward to assume full monarchical powers before the king governs on his own. In presenting these documents, Thomas provides an opportunity for Edward to practise being a well-counselled king before he is actually able to assume his full authority.

One question arising from the conditions of Edward's temporary minority was who should govern the kingdom in his stead. While John Hales attempted to bring greater political participation to the masses during his tenure as enclosures commissioner, Thomas did not share his optimism about the 'moltitude', as he called them. He found them to be fickle and utterly inconsistent. Thomas cites the example of the citizens of Capua, whose populace was given the opportunity to rid themselves of a completely ineffectual Senate, to demonstrate how misguided and inconstant the commons could become when given the chance. Around the time of Hannibal's

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<sup>156</sup> Dongu, 'Stolen Words', 35, 36.

<sup>157</sup> Donaldson, *Machiavelli and State*, 41.

<sup>158</sup> Loades, *John Dudley*, 192-3, 201-2.

<sup>159</sup> Hoak, 'Rehabilitating the Duke of Northumberland', 43-4.



invasion, the populace was charged with determining the fate of each Senator, electing a new man in his place. But when the Senators' names were drawn from a pot one by one, the commons decided that each man should live rather than face execution. Despite the opportunity to choose completely new leaders, who would serve the commonwealth well, the populace simply retained the same ineffective and greedy men.<sup>160</sup> The example is taken from Machiavelli's *Discourses* but, like other translations from the period, offers some commentary on the king's own political circumstances. Here, Thomas illustrates the commons' poor judgement and teaches Edward to be empathetic but to regard them with suspicion.

Thomas's essays encouraged Edward to think beyond his own kingdom by showing how he was the important link between his subjects and the wider world. His essays on 'What princes amitie be best' and 'outward appearances' reinforce Edward's role in his own kingdom and place him into the wider community of European princes. These essays suggest that the concerns raised within the context of the godly commonwealth promoted in numerous writings during the period were not enough to safeguard the realm from more powerful foreign rivals. The political atmosphere was particularly fraught in the summer and autumn of 1551, as war between France and the Holy Roman Empire again seemed imminent.<sup>161</sup> Edward was in a potentially hazardous position. Charles V still represented a threat, as a nephew of Edward's older half-sister, Mary. Edward and Mary clashed over her insistence that she be able to celebrate the traditional mass in her own household, and she refused to accept changes in religious observance and creed, viewing these as unlawful until Edward reached eighteen. Henri II of France represented another threat to the realm's stability. The alliance shared between France and Scotland remained in effect, and the French still harboured the Scottish queen, preventing her marriage to Edward. In 1551, the kingdom still suffered from the effects of Henry's wars in Scotland a decade earlier. Thomas offered Edward advice on approaching these two princes. Telling the king that his kingdom was not as strong as it had once been, he urged Edward to exercise restraint in dealing with these two kings. Here, Thomas acknowledges Edward's powerful role in his own kingdom but reminds him that he is a lesser monarch when compared to the truly powerful kings in Europe.

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<sup>160</sup> Thomas, 'Whether it be better for a common wealthe', fos. 22<sup>v</sup>-23<sup>v</sup>.

<sup>161</sup> Hoak, *King's Council*, 68.

Thomas wrote for the specific audience of the king. He made use of the same commonwealth and bodily imagery as other writers, revealing a consistent use of the political idiom across genres and audiences. He uses this idiom in order to argue for the king's unique role as head of the body politic. Thomas acts as a traditional counsellor, offering the king advice and teaching him how to put his authority into practice. This was a way to prepare Edward for his role as king in the future but was also an argument for the king's *imperium*. Thomas's essays suggested that political authority originated with the king and moved downward throughout the rest of the body politic; the social hierarchy he imagined also followed this pattern. While other writers developed the responsibilities of the social order to the king, Thomas focused on the king's role within the commonwealth, and within the commonwealth of princes. All of these strategies contributed to the sense that the king was a unique figure within the commonwealth and argued for the necessity of the king's authority.

### Conclusion

As a minor, Edward VI's authority was mediated through institutionalized political sites in order to prevent any one figure from seizing dominance and thereby destabilizing the crown. During Henry VIII's reign, Parliament had become one of the central sites of political authority, as the idea that this legislative court represented the entire political nation – king, commons, and both temporal and ecclesiastical aristocracy – aligned with the metaphorical description of the polity as a natural body politic following Henry's assertion of the royal supremacy. Parliament retained a similar status as a site of access to authority role in Edward's reign but the crown itself became divided early in the early stages of the Protectorate. Although the terms of Henry's will had established the Privy Council as an alternative site of power until Edward was old enough to dispense patronage and wield authority himself, Somerset's style of governing during his tenancy as Protector gradually turned his own household into a site that rivalled both the Privy Council and Parliament. Somerset relied on affinities both at court and in the counties, at time relying on popular support to legitimate the Protectorate's power. The problem of Edward's minority raised the question of whether it was best for the nobility or the people to govern the kingdom, and the affinities Somerset fostered meant that there was no clear answer in the early stages of the new reign.

Somerset's reliance on popular support had the unintended consequence of forcing the regime to confront the reality that multiple structures of power existed within the commonwealth. These structures became identifiable during the Protectorate's crisis moments, as the representatives of the county structures attempted to use Somerset's household to gain further political authority. During the rebellions that took place during the summer of 1549, Sir Thomas Smith described the power dynamic at work between the commonwealth that operated in the shires and the commonwealth focused around the power centres in London. His *Discourse of the Commonwealth* sought to explain why the kingdom had fallen into a chaotic state. At the same time, the way the dialogue functioned re-inscribed a social order based on a civic humanist tradition. Smith sought to determine a place within the social hierarchy for knowledgeable scholars like himself, and he placed them as mediators between the crown and the counties, as learned individuals who could teach the aristocracy and other elites the benefits of his knowledge while bringing the expertise of the countryside back to the crown. The composition of Smith's *Discourse* also reveals how Somerset's protectorate operated; Smith was not a member of the Privy Council, but one of the new men Somerset had welcomed into his household as a separate group of experts would could advise him on matters of importance to the state. The *Discourse* was to circulate amongst a select group who shared similar opinions.

The clash between the two different kinds of commonwealth was also made apparent in the letters and *Defence* written by John Hales late in the summer of 1549. He, too, represented the kind of intellectual who operated somewhere between the court and the counties. His work especially shows the emergence of Somerset's household as a unique site of power apart from either the Privy Council or Parliament, and his position as an enclosures commissioner established Hales himself as an extension of Somerset's authority. His use of bodily imagery and commonwealth language shows that Hales was adaptable, writing as easily for an audience of commons as for an audience of political elites.

A third voice compounded the question of authority, specifically in response to the 1549 rebellions, in the form of John Cheke's *Hurt of Sedition*. This text was most similar to the kinds of dialogues that supported the traditional social order written in times of turmoil or threat during Henry's reign, but Cheke added clearer religious component and typology to his plea for order. This was a clear argument

that the king should rule his country, and that both the commons and the ruling elite had contributed to the problem of social chaos and rebellion. Cheke deploys a language of civic humanism and the imagery of an organic body politic throughout his tract. He uses the bodily imagery to describe the customary or feudal commonwealth as experienced by the majority of the populace in the shires. This deployment has the effect of reserving the commonwealth language, which had been appropriated by the rebels as they negotiated with Somerset's regime, for the civic humanist commonwealth denotation favoured by the regime. In re-articulating this language, Cheke reiterated the king's *imperium*, calling for a stronger monarch supported by aristocrats. *The Hurt of Sedition* calls for an end to Somerset's reliance on the populace for political support by re-articulating the king's authority within a conciliar idiom.

After the fall of the Protector, the crown was more unified, but there were still multiple sites of power centred around the king as the most important figure at court. While the Privy Council resumed its function as the site for completing daily business on Edward's behalf, the king's privy chambers also served as a means for gaining access to the king and power. The example of William Thomas's secret essays shows that influence could reach the king by using members of the privy chamber as intermediaries, as Thomas did with Sir Nicholas Throckmorton. Thomas's essays on rulership and authority, heavily drawn from Machiavelli, also reveal the ideas that were important for the king to consider as he began a slow transition from young minor into a king who could fully rule in his own right and without mediation. In these essays, the civic commonwealth is given preference to the commonwealth experienced by the commons, and Edward is encouraged to consider his place not in his own social order but amongst the international community of princes. Here, the king is a mediator of international authority, linking his kingdom with the wider world. While earlier works had encouraged the ruling elite, perhaps including the king, to examine how the body politic functioned by using the language of physical bodies and health, Thomas appropriates Machiavelli and a purely commonwealth idiom in order to develop the way Edward thought and considered his role as a king. There was no natural body on the international stage because princes shared few things in common apart from their authority to rule. By encouraging Edward to consider his position as king as somewhat external from the body politic, Thomas ultimately suggests that princes should have the wisdom to rule

based on the accumulated expertise he received through counsel but also through a kind of detachment from the populace. This sentiment reveals a profound distrust of – even hostility toward – the general populace. Thomas believed that the king ruled over his subjects but also wanted Edward to understand that his authority did not rely on the populace for legitimation. Thomas's essays were therefore a major advancement in the king's education, and prepared Edward to rule on his own.

Power was articulated from a variety of perspectives during Edward's reign because his authority was fractured out of necessity in multiple ways during the early stages of Somerset's protectorate. In the wake of Somerset's fall, Northumberland was able to limit the number of different sites of power available to the polity. The king's authority became increasingly consolidated as he matured. The conditions of his minority led to a fractured division of his power; this division is reflected in the numerous sites where political authority was conducted. The king's power was at its weakest during the crisis years of the Protectorate; this was also the period when there were the most numerous potential sites of political access and engagement. Northumberland was able to seize power because the Privy Council re-inscribed its authority, leaving only itself, Parliament, and the king's privy chamber as the most important spaces for political advancement after 1549. Articulations of the king's authority were dynamic throughout Edward's reign, showing that the political idiom was adaptable to the conditions of rule and the available rhetorical and physical sites of political engagement.

## Conclusion

This thesis has placed sixteenth-century English languages of power into a number of their most striking theoretical contexts. It has examined how royal power was imagined, articulated, and expressed during the early stages of the English Reformation. It has shown how languages of power were manipulated by different social groups in order to express a wide range of political positions. Engagements with political power were informed by a constellation of ideas, including the law, counsel, and commonwealth. Expressions of political ideas were further developed through the addition of the metaphor of the organic body politic, the selective translation of classical texts, and appeals to ancient and biblical history. The legislation stemming from the Reformation Parliament – most significantly, the Act in Restraint of Appeals – re-articulated the king's power and contributed to the transformation of the social order by threatening to alter the authority wielded by the kingdom's 'other governors'. This legislation had identified the monarch as the head of an organic body politic, responsible for the spiritual well-being of this body in addition to its temporal policies and activities. The boundaries between temporal and spiritual forms and practices of authority began to blur as the Church came under the monarch's administrative authority.

The preceding chapters have shown that the usage of these languages of power was not limited to the ruling elite or the new counsellors who surrounded the king during the era of the Reformation. Instead, these political idioms were appropriated by numerous participants across the spectrum of the social hierarchy who wanted to engage with matters of policy and governance. These ideas were not opaque or inaccessible; rather, languages of power were dynamic, adaptable to the diverse array of people who deployed them and the equally varied audiences they sought to influence through their use. They could be used to argue for continuity as much as to create change. Languages of power were influenced by the writer, the rhetorical strategy employed by the writer, and the audience the writer sought to reach. All of these components combined to create a complex and dynamic political culture in which all orders of the social hierarchy participated and helped to shape, within the context and measured according to the conventions of their place in the social order, the contours of policy in the early stages of the Reformation.

Eric Ives has argued that the proliferation of common lawyers throughout pre-Reformation English society was a result of a vast need to administer legal cases following the civil wars of the fifteenth century. The prevalence of lawyers in turn helped to establish a 'law-minded' society that was held together through the common law.<sup>1</sup> More recently, Christopher Brooks has shown that a general legal discourse was an integral part of a common intellectual currency prevalent during the early Reformation.<sup>2</sup> Members of the legal community were enthusiastic participants in the vibrant political culture that surrounded the Reformation Parliament. Lawyers and lower-ranking members of the legal community, including law clerks, have been viewed as a dynamic group during this period. The legal professions were regarded as a means to socio-economic advancement. The importance of lawyers changed over the course of the sixteenth century, as litigation became an increasingly common means to settle disputes, and their numbers grew at a rapid rate. The despised 'new men' who were perceived to exercise undue influence over the king during this period were typically members of the legal community. Chapter One drew together different strands of research into this group, combining the findings of prosopographical surveys with knowledge of the lawyers' activities during this period and a literary approach to their texts. As a result, the chapter demonstrated that lawyers contributed the appeal to the commonwealth and a textual framework to the wider debate about the nature of political power that included the role of law in the exercise of power and sought to fix legal practitioners as an entity within the social order.

In the era of the Reformation, law and notions of counsel were linked together. These connections were manifest at court and in parliament, in ideology and in practice. Law and counsel were brought together through the idea of the omnicompetence of statutory law, an ideal that viewed statutory law as the most virtuous species of law because it had been subjected to the counsel and consent of the entire social order in parliamentary discussion. This same idea helped to establish parliament as a site for the formal exchange of counsel. Law and counsel were joined again in the ideal of a formal council that advised the king at court when parliament

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<sup>1</sup> E. W. Ives, *The Common Lawyers of Pre-Reformation England – Thomas Kebell: A Case Study* (Cambridge: Cambridge University Press, 1983), 7-22.

<sup>2</sup> Christopher W. Brooks, *Law, Politics and Society in Early Modern England* (Cambridge: Cambridge University Press, 2008), 28-9; 30-50.

was not in session. Although lawyers were called upon to draft bills and investigate the legality of Henry's divorce, members of this community participated in a wider political culture through the vernacular texts they wrote and circulated during the era of the Reformation Parliament. As they considered the relationship between law and commonwealth in their texts, they also shaped an idealised version of the best possible kingdom, and brought this ideal and the language they used to describe it to a wider audience beyond the Inns of Court and parliamentary committees. The political idiom legal writers used during this phase of the Reformation was drawn from the commonwealth ideals taken from classical texts in conjunction with the language of common law as it was applied in the legal treatises written by Sir John Fortescue. The legal writers emphasised to their readers that they had a special knowledge of English law, an assertion that both pointed to reforms to the legal system that could be undertaken and stressed the importance of common lawyers as the skilful interpreters of the law. These claims were an argument for the prominence of lawyers within the political nation: although they fell outside any specific place within the social hierarchy they were nonetheless crucially important to the proper functioning of the political system. For this reason, Thomas Starkey argued that the legal profession should be restricted to members of the nobility. In his estimation, the only way to preserve the virtue of the law and the commonwealth they upheld was to limit its practitioners to the most inherently virtuous members of the social order.

'Commonwealth' was one of the most prevalent political ideals of the sixteenth century. It has been long understood by scholars as an important concept but specific uses of the idea have not been scrutinised closely. The term was a relative neologism at the turn of the sixteenth century, first appearing in English around 1450, but it had a broad appeal and wide application, making its definition difficult to identify. Whitney Jones has mapped the evolution of this term as it was used by contemporaries over the course of the early modern period, finding that one recurrent use was to suggest a set of values that 'normally encompassed all aspects of political and social relationships', including the roles of the Church and the secular government.<sup>3</sup> More recently, an article co-authored by Glenn Burgess and

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<sup>3</sup> Whitney R. D. Jones, *The Tree of Commonwealth, 1450 – 1793* (Madison, NJ, and London: Fairleigh Dickinson University Press, 2000), 14.



Mark Knights on behalf of the Early Modern Research Group has considered commonwealth as ‘a keyword of unusual importance in the early modern period’.<sup>4</sup> They have preferred to view ‘commonwealth’ not as a singular term but as its own conceptual field that is best understood within the context of its cognate terms. The Group’s multidisciplinary approaches to the concept have suggested that understanding the ways commonwealth was used during the period requires greater attention to specific applications of the term alongside related words and ideas, including the metaphor of the natural body politic, narratives of disease and health, and a greater understanding of the composition of the polity. This thesis has attempted to enrich understandings of the commonwealth ideal by examining how a variety of writers used the idea amidst others within the rhetorical contexts they deployed and the political contexts in which they wrote. It has shown that commonwealth was one idea that writers from across the social spectrum could use in order to signal their engagement with political matters. Commonwealth was used in accordance with writers’ positions in the social hierarchy and in dialogue with the political concerns they wished to address.

The rhetorical responses to the Reformation made by those ‘most virtuous’ members of the social order, the aristocracy, and the upper clergy were examined together in Chapter Two. Like the legal writers, these elites used a political idiom that was consistent with their positions in the social hierarchy. When the king’s powers increased with the royal supremacy, the elite could have expected their own power to rise in tandem with the monarch’s; instead, they complained that the king’s new councillors rose rapidly and assumed some of the functions that the nobility and gentry had typically performed. These elites were particularly concerned with their customary task of extending counsel to the monarch, and they used rhetorical forms appropriate to their social roles in order to continue fulfilling this conciliar responsibility. Although temporal aristocracy and the upper clergy approached the problem of political power from different vantage points and through different rhetorical strategies, they shared in common political languages, an audience, and a prospective outcome. They furthermore shared the fear that their roles in the social order were undergoing a perceptible transformation in the wake of the royal

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<sup>4</sup> Early Modern Research Group, ‘Commonwealth: The Social, Cultural, and Conceptual Contexts of an Early Modern Keyword’, *Historical Journal* 54, no. 3 (2011): 660.

supremacy. These fears were nurtured in the upper clergy when canon law was removed from the university curricula and with the dissolution of the monasteries. They attempted to negotiate these changes through their texts by demonstrating that they could adapt to new political currencies while retaining their unique and essential roles within the social order.

Temporal and ecclesiastical elites alike feared that their importance was undermined by rapidly-advancing members of the lower social orders who were born without the inherent virtue that the traditional aristocracy had. They worried that their once-distinctive political spheres were collapsing into one entity as a result of the royal supremacy. The gentry and nobility argued that they should maintain their positions as the king's natural counsellors by invoking a conciliar idiom within the rhetorical forms that were suited to their positions.<sup>5</sup> John Skip, the royal almoner, used the pulpit to directly advise the king about the dangers of ignoring the traditional counsellors' opinions, providing biblical examples of the disastrous consequences awaiting kings and their commonwealths under such circumstances. Thomas Elyot adapted a different rhetorical strategy, using translated texts, and particularly translated dialogues, as gifts dedicated to the king to argue for the benefits of keeping secular and religious counsellors distinctive for the good of the commonwealth.

The identity of the individual author of a text helped to shape the rhetorical strategies and meanings suggested by the work they produced. This chapter showed how the audiences the author addressed contributed to the construction of meaning and added to the diversity of the political culture. Authors like Elyot sought to influence more than one audience at the same time. His works were dedicated to the king with the objective of suggesting how current political decisions and events harmed the commonwealth, often through the protection offered through the distance of translation. But translation also allowed Elyot to address the secondary audience of the kingdom's aristocracy. Elyot deliberately attempted to enrich the knowledge of classical learning that was available to the temporal nobility by translating into the vernacular valuable texts that would help this group to make sense of the political context in which they found themselves. As Elyot attempted to persuade the king to reform his political agenda, he concurrently sought to remind the secular gentry and

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<sup>5</sup> G. W. Bernard, *The Power of the Early Tudor Nobility: A Study of the Fourth and Fifth Earls of Shrewsbury* (Sussex: Harvester Press, 1985), 184-6.

nobility of their unique role in the social order as the king's natural advisors. Elyot had a third objective with his translations: he provided an exemplary model that other temporal elites could emulate. He fervently believed in the necessity of the temporal elites' task of offering counsel, and the strongest way to advocate the continuation of this practice was to utilise it himself. Elyot's selection of texts and his own offering counsel provided a model for other members of this audience to emulate on their own.

John Skip's Passion Sunday sermon has been examined as an emblem of the rapidly-changing religious policies of 1536 and in the context of Anne Boleyn's swift fall from favour. Greg Walker has considered the sermon as a work of counsel offered to the king.<sup>6</sup> This chapter understood the sermon as a conciliar work, and explored how the political engagement Skip had signalled with his sermon interacted with the members of the audience the sermon had attacked. The case study offered by the set of texts surrounding the sermon – a series of questions or *Interrogatoryes* to be asked of Skip, two sets of sermon notes, and the sermon itself – revealed the tensions between ecclesiastical and temporal spheres of influence as the laws produced during the Reformation Parliament were put into action. The chapter added nuance by focusing on the political language used in these texts. Both sides maintained the importance of maintaining the commonwealth even if they disagreed about who was best suited to counsel the king.

Audiences were important as they engaged with languages of power. An audience was sometimes provoked into action against the author, as was the case with the investigation into Skip following his deliberately confrontational sermon. However, the impact an author or text had on any particular audience is difficult to measure. J. P. D. Cooper has shown that Tudor monarchs used official documents to engage in a dialogue with their subjects, particularly in moments of crisis or contention.<sup>7</sup> This thesis pays close attention to the languages used in these texts, showing how the idiom was used by both sides to express political positions and to construct order. That languages of power could be shared between differing political groups in order to find means for shaping policy was demonstrated in Chapter Three.

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<sup>6</sup> Greg Walker, *Writing under Tyranny: English Literature and the Henrician Reformation* (Oxford: Oxford University Press, 2005), 256-8.

<sup>7</sup> J. P. D. Cooper, *Propaganda and the Tudor State: Political Culture in the Westcountry* (Oxford: Oxford University Press, 2003), 210-47.

This chapter examined how the commons could appropriate the political idiom and adapt it to make known their concerns about the changes brought about by the royal supremacy. The 1536 rebellions in Lincolnshire and the Pilgrimage of Grace generated opportunities for the crown and the commons to engage in a variety of political languages and images through the production of literary texts. The same idioms used to create the royal supremacy were adapted by the rebels who opposed the political and social changes that were concurrent with the supremacy.

The language of commonwealth was predominantly invoked by the rebels in order to highlight the destruction to the social order that they were certain would result from the dissolution of the monasteries. This idiom found its way into the rebels' oaths, articles, and the letters they sent to the king. Although the commonwealth idiom was associated with the king's 'new councillors' that the rebels held responsible for prompting these changes, the rebellious commons nonetheless found it adaptable to their own cause, and engaged with the same terminology in order to argue for a conservative social hierarchy that reversed many of the unpopular changes introduced during the Reformation Parliament. Law was important to the rebels, too: some of their leaders, most notably Robert Aske, were trained in the common law, and they sought to undo the unfavourable statutory legislation through a new parliament that they requested would be held at York.

The rebels, especially those who took part in the Pilgrimage of Grace, directly addressed the king in their documents. The king's response to these texts was purportedly offered in a series of documents published by the king's printer. The two *Answers*, one each addressed to rebels in Lincolnshire and in Yorkshire, were presented as though they were written in the king's voice and offered his perspective on the complaints issued by each set of rebels. These short texts engaged with specific articles or grievances presented by the rebellious commons, and the figure of the king offered reasons why these were wrong and misguided. The rebels had petitioned the king using the current political idiom, and the crown responded to their appeal with similar language. But the crown invoked a different idiom in the tracts written in response to these rebellions by Richard Morison. *A Lamentation* and *A Remedy for Sediton* had a similar persuasive objective as that of the king's two *Answers*: these texts all sought to bring an end to the rebellions that were in progress and to prevent any new risings from starting. However, the *Answers* addressed rhetorical texts in like form, and were narrow in their scope. Representing

the voice of the king, the *Answers* once again articulated the policies arising from the statutory legislation enacted during the Reformation Parliament. These two documents provided the opportunity for the regime to explain the legislation to a popular audience while at the same time serving to establish a general policy position that could be adopted by the crown's administrators. Morison's works responded to the political action of rebellion, addressing the specific details of the risings that were already in progress as the texts were printed but at the same time broadened out to denounce rebellion in general. These texts engaged the specific complaints of the rebels as well as a general audience in defence of the king's powers. Morison used a variety of political languages, including the commonwealth idiom that the rebels had used against the new councillors and the metaphorical language of a physical body politics, in order to address these multiple audiences and to demonstrate the dangers associated with rebellion.

Morison's tracts and the king's *Answers* engaged with a variety of political languages to address the diverse audience they sought to discourage from rebelling against the crown. Thomas Starkey sought to participate in this campaign in support of the king but his tract against the Pilgrimage of Grace remained unprinted. This chapter demonstrated that audiences and languages converged through the use of political language, though those who used the same political idiom often did so with different meanings and objectives in mind. The political idiom was therefore adaptable to the rhetorical genres in which it was deployed and to the individuals who used it. The same languages could be used to call for great political change as well as to demand a restoration of conservative ideals. Languages invoking a spectrum of political power were not limited to the ruling elite or the aspirational but were utilised by the entire spectrum of the social order.

The first part of this thesis showed how languages of power were adapted by writers to suit the rhetorical contexts appropriate to diverse social groups within the body politic. These chapters showed that language was malleable and helped to shape a wide political culture that encompassed and was driven by elite and commons alike. Writers representing the perspectives of legal scholars, the traditional political elite from both the spiritual and temporal realms, and the commons all participated in a wide political culture by using similar language despite the varied social composition of the groups who used this terminology. They engaged with ideas including the commonwealth ideal and the metaphor of the polity

as a natural body in order to describe the type of political state they hoped to construct or to re-unite a social order that had become fractured through civil discord and rebellion. Writers were able to use these languages to argue for their political positions within a rhetorical framework that was consistently applied throughout the body politic. The one constant across the works analysed in this part of the thesis was the context of the Reformation Parliament, and the sweeping social changes that it prompted. The language that these writers used provided some consistency despite all the changes that they experienced. These helped to re-define the king's powers within his realm while showing both the conformities and positive reformations that the royal supremacy heralded. In engaging with these political languages, these social groups were able to show their knowledge of the prevalent idealised idiom while simultaneously articulating the ideal that best suited their social perspective.

The second part of this thesis investigated how languages of power were transformed through the experience of complex political situations of the political culture of the maturing Reformation during the final decade of Henry's life and throughout Edward VI's reign. These final two chapters sought to determine how power was understood in contexts that were not directly related to an attempt to influence or explain parliamentary legislation. The often-overlooked topic of foreign war in the aftermath of the break with Rome, and the very real threat of invasion, provided the context for Chapter Four. The texts investigated in earlier chapters often suggested that virtue or corruption flowed downward from the top of the social order to the lowest levels, supporting the idea that only the most virtuous men advised the king. These texts also suggested that, because the king was virtuous, the rest of the social order needed to behave accordingly, particularly in the texts addressing the 1536 rebellions. In turn, many texts explored in Chapter Four argued that the lower orders of the social hierarchy could have an enriching or detrimental impact on the entire social order. As the writers who engaged with political matters in the 1540s contemplated the possibility of a foreign invasion, they offered ways to help prepare the body politic for battle and sought explanations for the foreign aggression the kingdom faced. Elyot's *Image of Governance* took advantage of the complex symbiotic relationship between the king's physical body and the trope of the polity as a natural physical body. By turning his attention to an audience comprising the aristocracy rather than the king, Elyot deployed the image of the physical body politic to suggest what was wrong within the kingdom's political

climate, offering the illnesses that infested it as a reason for the persistent threat of war. The distance created by translation helped Elyot to suggest the problem lie near the crown without the responsibility of openly accusing the king of tyranny.

This thesis has shown that the language of the body politic metaphor became increasingly important throughout the era of the early Reformation. The image of the body politic was particularly important as a means of illustrating the polity during moments of political turmoil. It could furthermore provide writers with a shorthand means of indicating commonwealth ideals. The bodily metaphor helped writers stress the need for unity within the social order as a way to safeguard the realm from harm. Richard Morison had invoked the image of the political order as a physical body in his denunciations of the Pilgrimage of Grace. He utilised it once again in the anti-Pole polemic he produced in response to the Cardinal's involvement in promoting a Roman Catholic invasion of England by either (or both) of Henry's two great rivals, Charles V or Francis I. But, where the body politic imagery had been used in the earlier tracts to promote social cohesion and to indicate common values shared across the social hierarchy, the later tracts deployed bodily imagery to send a specific message about the kingdom's dangerous enemies, particularly the Pole affinity. Morison wanted to show that the threat posed by Pole and other Catholic loyalists was real and would have serious consequences for the entire kingdom. He developed the bodily theme to highlight the impossibility that Pole could ever regain his English identity: his treasonous actions placed him outside the English body politic, reducing him, and those who shared similar sentiments, to beastly figures outside the social order. Roger Ascham also used the bodily image as a rallying point in his *Toxophilus*, suggesting that a well-ordered and prepared polity, inoculated against vice with the aid of true religion and the virtues embodied in the practice of archery, could deflect the assaults that they faced in the form of threats from hostile Catholic kingdoms. The texts by Elyot, Morison, and Ascham show a continued concern with the best state of a commonwealth into the 1540s but reveal that this idea was too complex and unwieldy to discuss in theoretical terms alone. These writers turned to physical bodies and questions of health in order to provide specific details about the political dangers they faced, their solutions, and in order to provide coherent examples of the ideal commonwealth to which they each ascribed.

Chapter Five turned to another context that contributed to a change in the way that languages of power were used during the early stages of the English

Reformation. This chapter examined how power was imagined on the accession of the boy king Edward VI. Because of Edward's young age, it was necessary to divide power amongst members of his Council in order to prevent corruption and to legitimate the decisions and laws that were enacted on his behalf. The texts written during Edward's minority reveal tensions between the central authorities and the customary commonwealth that dominated the localities. Thomas Smith sought to show that a traditional body politic still existed out in the localities. By anonymising the setting and the speakers, Smith was able to elide the political tensions between those who pushed for religious reforms and those who wanted a restoration of a previous ideal. These tensions were even more pronounced in the defensive letter John Hales sent to Protector Somerset in the autumn of 1549. His letter indicated a difference between two different kinds of governmental styles at work within the realm, and they also showed that the perceived audiences of a text remained an important component in framing the interpretation of the political message embedded within it. The letter, addressed to Somerset but intended to be read by a wider audience of Privy Councillors, blends together the commonwealth ideal and body politic metaphor with the language of religious reform in order to provide a clear perspective on the problem of enclosures. John Cheke's *Hurt of Sedition* reclaimed the language of commonwealth for the aristocratic elite, denying the appropriation of such language that had been achieved by politically contentious figures like Hales. His one-sided dialogue sought to restore the traditional role of the aristocracy as the king's counsellors by preventing rebels who abused such political language from speaking in the context of his printed text, thereby reinforcing his message. William Thomas's essays, directed primarily at the king alone, took these ideas even further, placing the king himself in a position of authority separate from the majority of the body politic. Thomas, writing at a point in Edward's reign when the king began to push for greater participation in ruling the kingdom, used his texts as a means to teach the king how to rule. His works provided counsel to the king and an opportunity for Edward to practice being amenable to good counsel.

This chapter showed that counsel remained a vitally important political tool during Edward's reign, despite his compromised legal status as a minority king. Although William Thomas directed his essays at Edward himself, much of the counsel presented during this period was multi-directional in focus, perhaps dedicated to the king but written with Protector Somerset, the Duke of



Northumberland, or the Privy Council as the intended audience. The audience of the Privy Council, rather than Parliament or the king, was the chief target of the political language that most writers chose to engage. The form of the literary dialogue, used best by Thomas Smith and in an adapted form by John Cheke, was a continuation of the form used by authors writing during the Reformation Parliament.

The concluding chapters together argued that, despite the deaths of the majority of the writers affiliated with a language of power that has been viewed as particularly associated with governmental change and renewal, the usages of the political idiom established in the 1530s were still prevalent despite the developments of the 1540s and 1550s. Writers who engaged with this political idiom still appropriated the terminology in order to express ideas of power that were suited to their audiences and within the political contexts in which they wrote. The idiom matured towards the end of Henry's life and throughout Edward's reign, adapting to the political circumstances of these contexts. The continued use of these languages shows that there was a much wider range of participation in political discourse than has been previously acknowledged. Rather than being limited to the elite who officially transformed policy, as has been previously suggested, the political idiom encompassed the entire social order. This idiom can be found in a wide variety of sometimes unexpected textual forms, thereby showing both the reach of power and the contestability of the language used to express it.

### Abbreviations

<i>ELH</i>	<i>English Literary History</i>
<i>HJ</i>	<i>The Historical Journal</i>
<i>JBS</i>	<i>Journal of British Studies</i>
<i>JEH</i>	<i>Journal of Ecclesiastical History</i>
<i>LP</i>	<i>Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII</i> , edited by J. S. Brewer, J. Gairdner, and R. H. Brodie. London: Longman, 1862-1932.
<i>ODNB</i>	<i>Oxford Dictionary of National Biography</i>
<i>PP</i>	<i>Past and Present</i>
<i>RenQ</i>	<i>Renaissance Quarterly</i>
<i>SP</i>	<i>State Papers Published under the Authority of His Majesty's Commission, King Henry VIII and King Edward VI</i> . 11 vols. London: Murray, 1830-52.
<i>Statutes</i>	<i>The Statutes of the Realm</i> , edited by Alexander Luders et al. 11 vols. London: Eyre and Strahan, 1810-28.
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>TRP</i>	<i>Tudor Royal Proclamations</i> , edited by Paul L. Hughes and James F. Larkin. 3 vols. New Haven and London: Yale University Press, 1964-9.

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BL Cotton MS Titus B II

BL Cotton MS Vespasian D XVIII

BL Egerton MS 837

BL Lansdowne MS 238

PC 2: Privy Council: Registers

SP 1: Henry VIII

SP 6: Henry VIII: Theological Tracts

SP 10: Edward VI

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