

its position had risen. The place of representative of a city or borough was now sought for by men who were not actual citizens or burgesses. And, owing to the restrictive statute of Henry VI. and to the change in the constitutions of the boroughs, both knights and burgesses were now chosen by less popular constituencies than those who chose them in earlier times. Yet, low as parliaments had fallen from their ancient standard, they still kept virtue enough for kings to dread them. Every king of this age who deemed himself safe on his throne tried to reign without a parliament. During the first reign of Edward IV., parliament met, formally at least, with one exception, every year. In the latter part of his reign five years passed without a parliament. So it was with Henry VII. Parliaments were frequent while insurrections were frequent. The last eleven years of Henry's reign saw only a single parliament. On the other hand, Richard III., whose throne was not safe during a moment of his short reign, was the least unconstitutional king of this period. He had time only for a single parliament, but that was a parliament rich in legislation, and which passed one great law restraining a special abuse of royal power. Edward IV., in the times when he dispensed with parliaments, brought in a practice of gathering what were called *benevolences*, gifts to the crown which were nominally free-will offerings, but which it was dangerous for the subject to refuse. These benevolences were expressly declared illegal by the statute of Richard. But Richard himself broke his own law; and later kings found it convenient to follow his practice rather than his legislation. And when the statute of Richard was quoted against them, they were not ashamed to plead that the act of the usurper was of itself null.

Comparison of England with continental countries.

This then was the time of trial for England and her liberties. She and they were now full grown, and their strength had to be proved. Her probation went on for more than two hundred years; but now it began. In the end the nation and its liberties proved too strong for the kings. Parliaments were bullied, packed, and corrupted; their sittings were stopped for years together; but they were never abolished. The great laws which secured freedom were often broken, but they were never repealed or set aside. At the beginning of this period the distinction between an absolute and a limited monarchy was as clearly drawn out by a minister of Henry VI. as it could be by any modern political writer. And, if the practice did not always conform to the model traced by Sir John Fortescue, the law always did. The old principles of freedom were never so utterly forgotten, never so utterly trodden under foot, that they could not be called to life again when the favourable moment came. In this, it is plain, the history of England differs from the history of France, of Spain, of most continental countries. And certainly one reason for the difference was that they were continental countries, while England is insular. Constant rivalries, constant warfare with immediate neighbours, gave better pretexts for the maintenance of standing armies than could be found in England. The only immediate neighbour of England was Scotland. And the wars with Scotland, though working constant damage to the border shires, were not so dangerous to the kingdom in general that either prince or people would have dreamed of keeping up a standing army on their account. And, after Henry VII.'s treaty, war with Scotland ceased to be the regular state of things. Our kings therefore, without a standing army, could not utterly root out freedom as their continental brethren did. In the worst times they were driven to summon parliaments from time to time, and those parliaments now and then showed traces of the old spirit. Still from this time onward the administration becomes highly arbitrary. The king and his council

were guilty of constant illegal interference with the liberty of the subject. The court of Star-Chamber, an offshoot from the Privy Council and so from the old *curia regis*, though sometimes useful in punishing offenders who were too strong for the ordinary course of law, became a terrible engine of oppression. It is characteristic of the time that judicial torture, unknown at all times to English law, and unknown to English practice at all times before the fifteenth century and after the seventeenth, now began to be freely used. But it was used in every case by a special and illegal exercise of prerogative. No man was ever tortured to extort confession in any of the regular courts of English law.<sup>1</sup>

The age which brought in the rack could hardly fail to be a merciless age. In fact the civil struggles of each age had, from the twelfth century onwards, been getting more and more bloodthirsty. During the Wars of the Roses each revolution, each battle, was followed by something that might be called a massacre, by a general slaughter of the leading men on both sides. On the other hand, the slaughter was mainly confined to the leading men. But the murders or executions wrought at every stage of these wars undoubtedly had a political effect in lessening the numbers of the old nobility to a degree which mere slaughter in battle could never have done. In this age too began the general practice of attainder by Act of Parliament. That is, a man is placed by a legislative act in the same position as if he had been convicted after a regular trial. This process was now freely used, not only against the living, but sometimes against the dead. The main object in the latter case was of course the confiscation of the estate of the attainted person. It at first sight seems singular that the man who stands out as the foremost actor in the cruelties of this time was the man who was also foremost as a scholar and patron of learning. This was John Tiptoft, earl of Worcester, who in the one character was bewailed by Caxton, while in the other he gained the popular surname of the Butcher. But Tiptoft brought his learning from Italy; he was in fact the first-fruits of the Italian Renaissance in England. And the Italian Renaissance, if it was a school of taste and learning, was hardly a school of either justice or mercy. Arbitrary power cruelly exercised can easily exist alongside of learning and refinement. This truth England began to learn in the present period. It learned it yet more thoroughly in the next.

The Italian studies of the earl of Worcester were certainly not shared by many of the contemporary nobles. Yet before this time, Humfrey duke of Gloucester had appeared as a patron of learning, and the foundation of colleges in both universities went on through the whole of the fifteenth century. But the new learning, as it was called, that wider field of study of which Greek learning was the most easily recognized outward badge, hardly took root in England till quite the end of this period, under Henry VII. Caxton had already begun to print under Edward IV., at a time when the native literature of England had sunk lower than it ever sank before or after. Yet signs were not wanting that the practice of writing, and writing in English, was now widely spread. The Paston Letters, which let us into the inmost life of a knightly family of Norfolk, are worth any amount of courtly Latin. But they are hardly literature. Mediaeval art too now entered on its latest phase immediately before its final overthrow. The architectural style of this time loses the aspiring lines of earlier times, and gives us instead a lavishness and intricacy of ornament, such as we see at St George's at Windsor and in Henry VII.'s chapel

<sup>1</sup> Torture strictly so called, torture to bring the prisoner to confess, was never known to English law. It must not be confounded either with the painful form of death which formed the penalty of treason, or with the *peine*—more accurately *prisonne-forte et dure*, the pressing to death, which was the fate of those who refused to plead.

at Westminster. But the architectural details are still for the most part pure. It is in tombs and woodwork that the Renaissance details first creep in, and that hardly till the reign of Henry VIII. But, just at the end of this period and the beginning of the next, English domestic architecture reached its highest perfection. Houses had now quite outstripped the alternatives of the period immediately before, when the choice lay between the fortress and the simple manor-house. In the latter part of the fifteenth century and the beginning of the sixteenth, we come to palaces, as distinguished from castles. Vast houses arose, where fortification was quite secondary or in truth had come to be a mere survival, and where we see the true English style just before it became corrupted. From Haddon Hall the series goes on, till in days which chronologically belong to our next period, we get such piles as Cowdray, Hampton Court, and the unfinished castle of Thornbury. These are buildings of the reign of Henry VIII.; but the architectural periods cannot be made exactly to fit in with the more obvious divisions of our history. The buildings of Henry VIII.'s reign must be classed with those of the fifteenth century, rather than with those of the latter half of the sixteenth. The Renaissance did not affect architecture, as distinguished from furniture and decorations, till the time of Edward VI.

While two of the three great discoveries were causing a revolution in the worlds of warfare and literature, the third, the compass, was no less doing its work in its own region. Under Edward and Richard the commerce of England advanced swiftly. From the north-western seas it was now spread over the whole Mediterranean. At no time did it make greater advances than under Edward IV., who was a considerable merchant in his own person. In Henry VII.'s days the New World was thrown open to the adventurers of the Old. As far as mere discovery went, England had, before the end of the fifteenth century, her full share in the work through the American discoveries of Sebastian Cabot. But, as far as England was concerned, it was as yet mere discovery. The time for English settlements beyond the ocean, or even for English enterprise in those distant waters, had not yet come. The path towards them was shown, and that was all.

We have seen that the civil wars really end, and that the time of unrestrained Tudor domination begins, in the middle of the reign of Henry VII. His later rule was the rule of a despot, who strove as far as might be to reign without a parliament. His desire to be independent of his people led to that rule of grasping avarice which has caused his rule to be chiefly remembered for the endless shifts by which his greed of money was satisfied. His reign is important chiefly as leading the way to the more brilliant time which followed, a time which can be understood only if we throw ourselves into the point of view from which men looked upon it at the time. The next king, Henry VIII., began his reign in two characters which at once marked it off from any reign since that of Henry V., we might almost say from any reign since that of Edward III. After a long time during which the strength of England had been wasted in deciding in arms between rival pretenders to the crown, England had again a king whose title was undisputed, and who led Englishmen to conquest beyond the sea. That was the first aspect in which Henry VIII. appeared to England and to Europe. The real historical characteristics of his reign are different. The special features of his reign are the working of a despotism of a very peculiar kind, and the application of that despotism to work a great ecclesiastical revolution. But, though this last is the special characteristic of the age and the reign of Henry, yet it did not become a characteristic of his reign till he had

already been many years on the throne. The acts which his name first suggests to the popular mind, the suppression of monasteries and the beheading of wives, do indeed effectually distinguish his reign from any other; but they are features which belong to the latter years of his reign only. They no more make up the whole of Henry's reign than the Scottish wars make up the whole of the reign of Edward I. During the greater part of Henry's reign the characteristic feature of the time seemed to be the unusually high place which England held in the general affairs of Europe.

There was much in the general character of the age which helped to give England this special European importance. It was a transitional age; new ideas had come in, but the old ideas had not been wholly forgotten. The powers of Europe were now beginning to put on some approach to the shape and the relations to one another which they kept down to very modern times. We have come to the beginning of the long rivalry between France and the house of Austria. France had, on different grounds, hereditary enmities both with the empire and with the houses of Burgundy and Aragon. The pretensions of the French kings to the kingdom of Naples and the duchy of Milan were the chief cause of the long struggles in Italy in which all the neighbouring powers had their share. Henry stood apart, and was eagerly sought by all as ally or as arbiter. Here is a wholly new state of things, the beginning of that wider system of European policy which deems that no European state is wholly without interest in the affairs of any other. We are on the road to the days of the doctrine of the balance of power. On the other hand, the old enmity between England and France had not died out, nor had the old grounds for that enmity been forgotten. The memories of the days of Edward III. and Henry V. are at this time strangely mingled up with political ideas which might be a century or two later. Henry is called in as the arbiter of Italy and of Europe. He is the defender of the pope and the enemy of the Turk. He dreams of the empire for himself, and of the papacy for his great minister. Negotiations and changes of side are endless. Wars and alliances of Henry

Of the two successive kings of France, Lewis XII. and Francis I., he is alternately the friend and the enemy. He has wars with both; yet he becomes the brother-in-law of Lewis and the sworn brother of Francis. When the empire and the powers of Castile, Burgundy, and Aragon were all united in the person of Charles V., the old alliance between England and Burgundy, and the far older alliance between England and the empire, united Charles and Henry for several years against Francis. Henry's very failure to obtain the imperial crown seems not so much to have embittered him against the successful candidate as to have turned his thoughts towards the crown which he professed to claim by hereditary right. From 1519 to 1525, Henry and his imperial nephew seemed steady friends. From about this time till quite the end of Henry's reign, foreign affairs are almost sunk in the surpassing interest of events at home. But, as those events depended on the divorce of the emperor's aunt, the friendship of England at this stage leaned to Francis against Charles. But, amidst all these shiftings of friendship and enmity, the only real warfare in which England either did or suffered anything was waged with the two old enemies, France and her firm ally Scotland. The two periods of really active warfare under Henry come at the two ends of his reign. From 1512 to 1514 was a time of war, a time of victory on the part of England. The one year 1513 saw the defeat of the invading Scots at Flodden, and the conquest of Terouanne and Tournay by the king of England in person, with the emperor-elect as his ally, almost as his mercenary. All this within the space of a few weeks seemed to bring back the most triumphant days of Edward

III. Again in 1522 and 1523 Scotland and France were both successfully invaded. Eighteen years later, in 1541, the Scottish wars began again; two years later England and the empire were again allied against France and Scotland. In 1544 England was again successful over both enemies: while the king in person took Boulogne, his brother-in-law burned Edinburgh and laid waste Scotland, as far as came under his power, with a barbarity which can certainly not be laid to the charge of Edward I. It is certain that England in the end gained nothing by either the negotiations or the warfare of the reign of Henry. But they are enough to account for the fact, which to us seems so strange, that Henry was, on the whole, popular during his life, and that his memory was cherished after his death. He was the last native king who in his own person waged war, and that successful war, on the mainland. His victories were useless; but they were victories; and, as such, they fed the national imagination. After the dreary time of the civil wars, England again stood forth as a great power, a conquering power, a power in some sort greater than it had ever been before. To the conqueror much was forgiven in the way of wrong doing at home. More still was forgiven to the king who at last accomplished the work which Henry II. had begun but was not able to finish.

Character of Henry despotism.

The traditions of arbitrary power and unscrupulous shedding of blood had been handed on to Henry by his predecessors, as far back as his Yorkist grandfather. It was the peculiar direction which was given to despotism and slaughter in the latter part of his reign which was wholly his own. The darkest side of Henry's character came more and more into prominence in his later years; but his rule was arbitrary, and on occasion bloody, from the beginning. He could from the beginning put men to death, either to gratify a popular cry or to shield himself from purely imaginary dangers. Empson and Dudley, the ministers of his father, had fully deserved the hatred of the people; but their execution, almost the first act of Henry's reign, could be justified on no possible ground of law. In the midst of Henry's French wars, in 1521, Edward Stafford, duke of Buckingham, was put to death, rather because his royal descent was deemed to make him dangerous than on account of any proved crime. But, in these and in all Henry's acts, we see that attention to formal legality which is the special characteristic of his reign. At no time, unless during the first years of the Conquest, was so much wrong done under legal form, and the Conqueror at least did not send those whom he despoiled to the scaffold. It would be going a great deal too far to say that all Henry's acts could be justified by the letter of the law of England; but it may be fairly said that he could always plead either law or precedent. For his worst acts he was always able to show at least some pretence of legal sanction; his tyranny never became a reign of mere violence. In his days law emphatically became unlaw. Parliaments legislated as he thought good; judges and juries gave such judgments and verdicts as he thought good; and, when their action was too slow, parliament was ready to attain, even without a hearing, any one whom the king wished to destroy. When Henry's mind turned to ecclesiastical change, parliaments and convocations alike were ready to shape the breed of the nation according to the caprice of its ruler. That such a tyranny could in this way be carried out, never by mere force, often under strictly legal forms, makes the character both of the man and of the time a study of special interest. It is a time which specially deserves and needs an historian.<sup>1</sup> Here nothing more can be done than to trace its most general features.

<sup>1</sup> The historian has been found—though the history is not generally accessible, and is not complete—in Mr Brewer, who has traced the story of a large part of Henry's reign in the Prefaces to the Calendars

The ecclesiastical work of Henry's reign was not religious reformation in the sense in which those words would have been understood by Wickliffe or Luther. Henry now and then, in the endless shiftings of his course, looked in the direction of the German Reformers, but it was rather for political than for religious ends. One or two of his theological productions at one stage do indeed show a slight Protestant tendency on one or two points.<sup>2</sup> But this was only for a moment; Henry's later legislation went towards the establishment of the most rigid orthodoxy, according to the Roman type, in all matters of dogma. To the end of his days Henry and his prelates, Cranmer conspicuously among them, took care to send to the flames any who swerved in the least degree from the received doctrine of transubstantiation. Henry's scheme was to carry out in its fulness that after which earlier kings had so often striven, the complete emancipation of England from the power of the Roman see, and the transfer of the highest ecclesiastical jurisdiction to the crown. In this he did little more than put into a more distinct shape the authority which the Conqueror had exercised, and which Henry II. had striven to win back. The ancient kings had allowed the authority of the pope to be exercised only so far as they thought good; Henry threw it off altogether. The acts of 1534, which swept away the Roman supremacy, were the climax of the legislation which had been begun in the Constitutions of Clarendon, and which had been carried on in the statutes of Provisors and of *praemunire*. A few special points of Henry's legislation which were likely to give special offence lasted only during his own reign and that of his son. Such were the title of Head of the Church, and that personal jurisdiction in ecclesiastical matters which Henry claimed to exercise either by himself or through his vicar-general. Such again were the commissions from the crown which were taken out by bishops under Henry and Edward. These things formed no essential part of the royal supremacy. They were abolished under Mary, and they were not re-established under Elizabeth. The essence of the change which Henry wrought was the abolition of all foreign jurisdiction within the island realm. And it must not be forgotten that, though the Roman bishop was chiefly aimed at, the Roman emperor was aimed at also. It was not without reason that the ancient imperial style of England now reappears. Since the Conquest the use of that style had been rare, and the instances of its use always mark some special need of the time. Its increased frequency under Henry marks a special need of his time. When the imperial power was in the hands of Charles V., and when Charles V. was an enemy, it was not without reason that it was declared that the kingdom of England was an empire, and that its crown was an imperial crown. Separation from the see of Rome was not meant to carry with it any change of doctrine, or to imply any breach of communion with the Churches which remained in the Roman obedience. It was strictly a scheme of ecclesiastical independence, and no more. But the acts of Henry put on a peculiar character from the circumstances which led to his ecclesiastical changes, and from the way in which many of them were carried out. And, when ecclesiastical change had once begun, it could not fail to ally itself with other influences, however little such alliance formed any part of the scheme of Henry himself.

In strictness of speech, the English Reformation, if by those words we understand changes in doctrine and ritual, is quite distinct from Henry's assertion of the ecclesiastical of State Papers. The general character of Henry is well sketched by Hallam, who prophesies beforehand against some modern delusions.  
<sup>2</sup> As for instance, in the "Book of Articles," and the "Godly and Pious Institution of a Christian Man," put forth in 1536. Here is a certain amount of wavering as to the number of sacraments. That is about the whole advance in a Protestant direction; the six articles of 1541 enforce the Roman theology on pain of death.

Henry not a religious reformer.

He carries out the scheme of Henry II.

Abolition and denial of all foreign jurisdiction.

The reformation: its nature.

independence of England. In idea the two things stand quite separate. Practically the two form two stages in a great series of cause and effect. The system of Henry has been epigrammatically described as Popery without the Pope. And the experience of a few years showed that Popery without the Pope was a visionary scheme. But the various stages which are often confounded under the one name of "the Reformation" must be carefully distinguished. There was not in England, as there was in some foreign countries, a particular act of a particular year which might fairly be called "the Reformation." In England, if the formula "The Reformation" has any meaning at all, it means the whole period of ecclesiastical change which was spread over a time of about forty years. It was a time of constant change, of change backwards and forwards; its result was that, by the middle of the reign of Elizabeth, there was an established state of things wholly different from the established state of things which there had been in the middle of the reign of Henry VIII. But in the development of the ecclesiastical constitution of England, just as in the development of her political constitution, there was no moment when an old state of things was altogether swept away, and when a wholly new state of things was set up in its place. The ecclesiastical development was far swifter, far more violent, than the political development, but the two were essentially of the same kind. Both were brought about by the gradual working of causes and their effects. As the political development of England was something wholly unlike the violent change of the French Revolution, so the ecclesiastical development of England was wholly unlike the violent change of the Reformation in the Swiss Protestant cantons.

The English Reformation begins from above.

Effects of the new learning.

The English Reformation then, including in that name the merely ecclesiastical changes of Henry as well as the more strictly religious changes of the next reign, was not in its beginning either a popular or a theological movement. In this it differs from the Reformation in many continental countries, and especially from the Reformation in the northern part of Britain. The Scottish Reformation began much later; but, when it began, its course was far swifter and fiercer. That is to say, it was essentially popular and essentially theological. The result was that, of all the nations which threw off the dominion of the Roman see, England, on the whole, made the least change, whilst Scotland undoubtedly made the most.<sup>1</sup> In England change began from above. But there is no reason to doubt that the acts with which the period of change began received the general approbation of the nation. It is plain that there was no general desire among Englishmen for strictly theological change. The old Lollard teaching, which had never quite died out, began to be of increased importance in the early days of Henry. There can be little doubt that this revival of strictly theological dissent was part of the same general movement which gave life to the new learning. But the men of the new learning, the English friends of Erasmus, Colet and More, with their patron Archbishop Warham, were not, strictly speaking, theological reformers. They aimed at general enlightenment and at the reform of practical abuses and superstitions; but they designed no change in dogma or ritual. Their more strictly intellectual movement merged in the wider theological movement; but in the beginning they were so far distinct that the author of *Utopia* showed himself in the strangely incongruous character of a persecutor. The small party of theological reform undoubtedly welcomed the changes of Henry, as being likely

<sup>1</sup> On the whole, because, in some points of sacramental doctrine and ritual, the Lutheran Churches, especially in Sweden, have made less change than the Church of England has. But nowhere did the general ecclesiastical system go on with so little change as it did in England.

in the end to advance their own cause; but the mass of the nation was undoubtedly favourable to Henry's system of Popery without the Pope. For three hundred years the pope had been the standing grievance of Englishmen, and they were now rejoiced to get rid of him altogether. They were glad too to get rid of gross practical abuses, to reform the corruptions and oppressions of the ecclesiastical jurisdiction, to bring the clergy thoroughly under the power of the law. But they were attached to their old religious customs and ceremonies, and they had no love for new dogmas. In all this Henry and the mass of his people went heartily together. There were of course dissentients on both sides, men who wished for no change at all and men who wished for far greater changes. But there can be no doubt that the mass of the nation was satisfied with what their king gave them, ecclesiastical independence without theological change. On these points, the great body of Henry's statesmen and prelates were of one mind. Cranmer and Gardiner accepted and carried out the same system. We can discern then, as at all other times, two of Cranmer and Gardiner; but they are merely opposite tendencies; there is no open breach. We are tempted to think that there was from the beginning an organized Catholic and an organized Protestant party.<sup>2</sup> But this is the idea of a later time. The mass of the nation and the great body of the leading men were substantially of one mind. There was a party favourable to more change and a party favourable to less, but both accepted the degree of change that was given them. A few zealots were embowelled for denying the supremacy; a few zealots were burned for denying transubstantiation. The great body of the nation, the great body of its representatives and its leaders, accepted transubstantiation and the supremacy together. Nor is there any need to charge either Cranmer or Gardiner with hypocrisy. No broad line was yet drawn, such as was drawn afterwards. Men obeyed and administered the ecclesiastical law, though they might wish it to be in some things different, just as men in all ages have obeyed and administered the temporal law, though they may have in some things wished it to be different. In truth Cranmer and Gardiner alike were trying to work a system which could not be permanently worked. They were trying to reconcile two things which could not be permanently reconciled. At last it became clear that Popery without the Pope would not work, and that men must take one side or the other. When it came to this, men in the position of Cranmer and Gardiner had to choose a side, and they chose opposite sides. Still, among all changes, under Henry, under Edward, under Mary, under Elizabeth, the mass of the nation conformed to every change. Again there is no need to charge them with hypocrisy. They obeyed the law, whether wholly approving it or not. A few on each side had consciences so susceptible that they deemed it their duty to defy the law. Among the mass of the nation some might be inclined one way and some another: but they felt no call to court martyrdom on either side.

For it must be borne in mind throughout that as yet the idea of religious toleration, though it had presented itself to the mind of More as a matter of philosophical speculation, was unknown in Europe in any practical shape. Everywhere the dominant party, whichever it might be, forbade, and that in most cases under pain of death, the practice of any religion except that of the dominant party. Those who claved to the old religion forbade the practice of the new; and the professors of the new doctrines, the moment they had the power, forbade the practice of the old. So in England, through the whole period of Reformation,

<sup>2</sup> These names are used, without any attempt at theological accuracy, as those which will most generally be understood, to point out the two opposite tendencies which at this stage were no more than tendencies.

the existing system, whatever it was, was the only system that was allowed. Every other form of worship was forbidden under penalties, heavier or lighter. And there was always some form or degree of theological error which sent its professors to the flames. And, besides burnings for heresy, as heresy was understood at each successive stage, this period of English history is especially distinguished for the cloaking of what was really religious persecution under the guise of punishment for political offences. During the reign of Henry, every man who would now be deemed a conscientious Catholic was liable to die the death of a traitor. Every man who would now be deemed a conscientious Protestant was liable to die the death of a heretic. Under Edward and Elizabeth the standard of belief was changed, so changed that only a few extreme sectaries were now in danger of the flames. But the difference simply was that the line was drawn at a different point. Those who went beyond that point were burned by those who a few years before might have been burned themselves.

Administration of Wolsey.

For twenty years after his accession, Henry was famous, not only for strict orthodoxy of dogma, but for special devotion to the Roman see. He had received a learned education, and he believed himself to be a special master of theology. His writings in that character, as a defender of Roman doctrine against Luther, won him in 1521 the title of Defender of the Faith, which by a singular irony was conferred by Leo X. Through all this first period of his reign, the series of ecclesiastical statesmen still goes on. For fourteen years, from 1515 to 1529, ecclesiastical statesmanship was in truth at its highest pitch in the person of Thomas Wolsey, archbishop, cardinal, and chancellor. During the administration of this famous man, we are instinctively reminded of the joint rule of an earlier Henry and an earlier Thomas; but the fate of the two great chancellors was widely different. No English minister before Wolsey, and few after him, ever attained so great an European position. He dreamed of the popedom, while his master dreamed of the empire. In his home administration Wolsey carried out the policy which had become usual since Edward IV., and summoned parliament as seldom as possible. On the other hand, his administration of justice won the highest general confidence, and his hand was far from heavy on the maintainers of the new religious doctrines. On the whole his position is rather European than English. He is the minister of Henry in his earlier character as warrior, conqueror, and arbiter of Europe. He is more like the great cardinals who ruled in other lands than anything to which we are used in England. The purely English work of Henry's reign was done by the hands of men of another kind. The era of the lay statesmen now begins in the mightiest and most terrible of their number, Thomas Cromwell. From this time the highest offices are still occasionally held by churchmen, even as late as the middle of the seventeenth century. But the holding of office by churchmen now becomes exceptional; lay administration is the rule.

There is no need to go through the endless tale of Henry's marriages, divorces, and beheadings of wives, except so far as they have a political or ecclesiastical bearing. The mere number of Henry's wives is unparalleled in our history, and has not many parallels in any history; and the king was, to say the least, unlucky, who, out of six wives, found himself obliged to divorce two and behead two others. But, even in these matters, the peculiar character of Henry's tyranny stands forth. Everything is done with some show of legal form. When he wishes to get rid of a wife, or to exchange one wife for another, the first is divorced or beheaded by some process which has at least the show of legal authority.

<sup>1</sup> Non nisi legitime vult nubere."

Of all Henry's doings in this way, the long story of the divorce of Katharine of Aragon is the first, and the most remarkable in its historical bearings. We may pass by details and points of controversy; but it is plain that the validity of the marriage of Henry and Katharine was on any showing doubtful, and that doubts had been from time to time raised on the point before the great controversy arose. It is further plain that it was most desirable for the kingdom to have an heir whose legitimacy could not be called in question. It is also plain that it is quite in the character of Henry, if he wished to get rid of Katharine and to marry Anne, to seize upon every shadow either of political expediency or of canonical subtlety which might help him to put a fair show on the course to which his own fancy led him. What he did he would do with some shadow of legal right, even though such shadow of legal right was to be had only by devising a new jurisprudence, by upsetting the relations of Church and State as they were then understood, by jeopardizing the relations of his kingdoms with foreign powers, and by shedding any amount of innocent blood, provided always that it could be shed in legal form. It is enough for our purpose that Henry's wish to put Anne in the place of Katharine led to the endless disputes as to the validity of Katharine's marriage, and, as its first great result in England, to the fall of the great cardinal in 1529, followed by his death in the next year. Events now follow fast on one another. In 1531, by one of the meanest tricks that ever king played, the whole estate of the clergy was held to have fallen into a *premunire* by admitting the legate authority of Wolsey, which he had exercised with the king's full sanction. Their pardon was bought only by an enormous subsidy, and by acknowledging the king as Supreme Head on earth of the Church of England, a form of words now heard for the first time. In 1532, when all hope of a favourable sentence from Rome had passed by, Henry is believed to have privately married Anne. In 1533 the death of Archbishop Warham made room for the promotion of Thomas Cromwell to the see of Canterbury, a promotion which was still made by papal authority. The first act of the new primate was to hold a court which declared the marriage of Katharine null and the marriage of Anne lawful. Then came the great legislation of the year 1534, by which the papal authority was wholly abolished, while the Act of Submission on the part of the clergy subordinated all ecclesiastical legislation within the kingdom to the royal will. The succession to the crown was settled in favour of the issue of Anne, to the exclusion of the issue of Katharine, and the punishment of treason was denounced against all who refused to swear to the succession so ordained. The title of Supreme Head of the Church, already voted by the clergy, was now bestowed by parliament, and full ecclesiastical powers were annexed to it. These powers were allowed to be exercised by deputy, and in 1535 Cromwell was made vicegerent for the king in ecclesiastical matters, with precedence in the ecclesiastical convocation over the metropolitan himself. On the other hand, a strict statute was passed for the suppression of heresy. The scheme of Henry was now fully established; the religion of England was Popery without the Pope.

It was only in an indirect way that such a change as this could give any encouragement to the professors of the reformed doctrines. It was only in a still more indirect way that it could tend to the establishment of religious toleration or the acknowledgment of liberty of conscience. Still, however indirectly, the first steps were now taken towards change in the received doctrines of the Church, and towards the toleration of dissent from those doctrines. So great a change could not fail to lead to further changes, and the next six years of Henry's reign were a time in which all

Effects of Katharine's divorce.

Title of Supreme Head.

Abolition of papal authority.

the influences at work were in the direction of further change. It was the time of the administration of Cromwell, and of the highest influence of Cranmer. The new state of things was ushered in by the beheading of Sir Thomas More and of John Fisher, bishop of Rochester. No greater mockery of all the forms of justice was ever done in any age or in any land. But the execution of these two worthies calls for a special notice on account of the great constitutional point which it involves. They were called on to swear both to the succession to the crown, as settled on the issue of Anne, and also to the preamble of the act which declared the marriage of Katharine invalid. This latter oath involved a theological proposition of which their consciences disapproved; to the succession they were perfectly ready to swear. That is to say, More, the great thinker of his generation, utterly cast aside the whole figment of hereditary right. In his view the children of Henry and Anne would be illegitimate; but, in his view, it was within the power of parliament to settle the crown on the king's illegitimate children or on any persons whatsoever. To the succession therefore, which was all that was of any practical moment, he would swear; to a proposition which he held to be doctrinally false he would not swear. On these grounds Henry sent his wisest and greatest subject to the scaffold.

Death of More and Fisher.

More's doctrine of the royal succession.

Cromwell's Reign of Terror.

Cromwell's reign of terror, as it has been well called, now sets in. It is specially remarkable for the constant use of acts of attainder, acts sometimes passed without giving the accused person the opportunity of making any defence. Not that in Henry's reign a defence went for anything, even when the regular forms of trial by a man's peers were observed. It was deemed for the king's honour that those whom the king accused should be convicted, and the Lords or the jury convicted accordingly. In more than one case, entries were found in Cromwell's papers, directing that such and such a person should be "tried and executed." Meanwhile new treasons and other crimes were invented. Martyrs were made on both sides; the supposed traitor and the supposed heretic were sometimes drawn to death on the same hurdle. Two of the martyrdoms of this period deserve special notice. In one case at least, but seemingly in one only, the penalties of heresy were held to attach to the denial of the king's supremacy. For this crime a friar, Forrest by name, was burned with special circumstances of brutal mockery. On the other side, the case of Lambert in 1538 well illustrates both the new jurisprudence and the peculiar position of some of the actors at the time. The men who were afterwards burned themselves were the foremost in burning others. Lambert was denounced by Taylor and Barnes, and condemned by Cranmer, for the denial of transubstantiation. He appealed to the king in his character of Head of the Church. Henry heard the cause in person, and, when his own arguments and those of Cranmer failed to convince the heretic, he was sentenced to the stake by the voice of Cromwell.<sup>1</sup> About the same time a general persecution took place of all who were guilty of having the blood of kings in their veins. Margaret countess of Salisbury was the daughter of George duke of Clarence, the mother of Reginald Pole. Pole was in theology the very opposite to Henry. As the system of Henry was Popery without the Pope, so Pole might be said to be inclined to the Pope without Popery. With a distinct leaning to the Reformers on some strictly theological points, he was a zealot for the papal supremacy. On this point, and on all the

Burning of Lambert.

<sup>1</sup> A modern writer thus comments on the death of Lambert:—"In a country which was governed by law, not by the special will of a despot, the supreme magistrate was neither able, nor desired, so long as a law remained unrepaled by parliament, to suspend the action of it." This singular argument forgets, among several other things, the royal prerogative of mercy.

practical points which flowed from it, Pole was a vigorous disputant against his royal kinsman. But he was beyond the sea, safe from the grasp of Henry, Cromwell, or Cranmer. The head of his aged mother, sentenced to die by act of attainder, paid the penalty of his crime.

This last deed of blood was specially Henry's own. The attainder of the countess was indeed passed while Cromwell was still in power, but she was not put to death till after his fall. But the deaths of particular persons seem but a small matter beside the great revolution which Cromwell wrought over the whole face of the country by his great work of the suppression of the monasteries. This work indeed incidentally supplied him with not a few personal victims. That the power of the state was supreme, as over everything else, so over ecclesiastical foundations, no man in England could doubt. Monasteries had been suppressed on occasion from the earliest times. Special attention has been already called to the suppression under Henry V.; and during Henry's own reign Wolsey had suppressed a considerable number of small monasteries to supply endowments for his colleges at Ipswich and Oxford. A general suppression of all the monasteries in the kingdom was clearly within the power of parliament, and strong reasons might have been brought for such a course. We must however remember that at this stage Protestant objections to the monastic life do not apply. Henry, while destroying the monasteries, enforced the obligation of the chief monastic vow. But it might well be argued that the number and wealth of these institutions were excessive, that they had ceased to fulfil their original purposes, that on any showing they needed a sweeping reform, and that possibly reform could not be carried out without suppression. For the measure itself then much might be said. The way in which it was carried out was characteristic of Henry VIII. Mere violence was inconsistent with his character; something of the form of law must be had. In 1536 the smaller monasteries were regularly suppressed by act of parliament, a course against which nothing can be said. But the greater monasteries were surrendered one by one into the king's hands by their actual occupants, an act of most doubtful legality. Where a surrender was refused, as at Reading, Colchester, and Glastonbury, the abbots were ordered, according to Cromwell's formula, to be "tried and executed" on such charges as were thought good. In these cases, by a strange construction of law, the monastery was held to fall by the attainder of its abbot. The suppression was justified by the reports of visitors, which in most cases charged the monks with crimes of various kinds. No one will believe that such a report was either wholly true or wholly false; but it is to be noted that monasteries which were reported to be wholly blameless, and for whose preservation the visitors themselves pleaded, were suppressed with the rest. It is to be further noted that, where abbots and priors surrendered easily, of whatever crimes they had been accused, their compliance was rewarded either with considerable pensions or with church preferment.<sup>2</sup> Of no monastery in England was a worse character given than of the priory of Christ Church at Canterbury, that which was attached to the metropolitan church. Yet, when that church was refounded as a secular chapter, Henry and Cranmer chose most of the canons and other officers of the church out of the body of men who had just before been branded with the blackest crimes. In the suppression under Henry V., nearly the whole of the confiscated revenues was applied to works of general

Distinct suppression of greater and lesser monasteries.

Execution of abbots.

<sup>2</sup> Thus the last abbot of Peterborough became the first bishop, and the prior of St Andrews at Northampton, who, in the act of surrender, had drawn a dark picture of the doings of himself and his monks, became the first dean.