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Bogus Or Bona Fide: The Legitimacy Of The Tudor Dynasty At The Accession Of Henry VIII

Catherine James

From “Bluff King Hal” to “Bloody Mary” to “Good Queen Bess,” the Tudor Dynasty is today recognized as a watershed in English history because of its charismatic monarchs. However, the Tudor Dynasty’s modern popularity and familiarity obscure a lingering question of legitimacy dating to its very founding.¹ Replacing the chaotic Plantagenet Dynasty, Tudor rule commenced in 1485 under Henry VII, yet insinuations of his illegitimacy immediately emerged among the nobility. Allegedly, Henry usurped the throne from King Richard III at the Battle of Bosworth Field, and he also lacked royal blood.² If Tudor rule was perceived as illegitimate, the accession of Henry VII’s seventeen-year-old son should have provoked a return to civil war as had occurred during the Wars of the Roses. Instead, Henry VIII peacefully assumed the throne of England in 1509 and “was greeted with feasting, dancing, and universal rejoicing.”³ In fact, “the advent of the new king made little alteration in the conduct of affairs.”⁴ The Tudor Dynasty at the start of Henry VIII’s reign was legitimate, and that legitimacy was attributable to the endless labor of the Tudor Dynasty’s founder – Henry VII.

Historically, legitimacy rested upon birthright, or possession of royal blood, a standard which Henry VII – and hence the Tudor Dynasty – met. Another traditional criterion for kingly legitimacy was right by conquest, fulfilled by Henry VII in his defeat of King Richard III at the Battle of Bosworth Field. Nevertheless, the Wars of the Roses “had unquestionably undermined confidence in the monarchy as an institution.” This paper contends that, therefore, Henry VII would be forced to both define and adhere to new and more demanding criteria of legitimacy to guarantee his dynasty’s future. First, “the essential demand [of legitimacy] was that someone should restore the English Crown to its former position above mere aristocratic faction. The king should not simply reign, he should also rule.” Sovereignty, or the condition of not being directly subject to internal higher authorities, and political stability were key elements of Henry VII’s legitimacy. Next, Tudor England’s recognition by foreign governments was a vital feature of legitimacy. Internal recognition issuing from sovereignty had to be augmented with international recognition to guarantee legitimacy. Lastly, the consent of the governed formed another crucial part of Henry VII’s definition of legitimacy. Though wanting to avoid the mistake of becoming a tool of faction as had doomed the Plantagenets, Henry desired a semblance of representative government in order to avert the threat of civil war by alienated nobles. Henry VII used these elements – sovereignty, political stability, foreign recognition, and consent of the governed – to consolidate and defend the legitimacy of the Tudor regime.

Sovereignty was the most important aspect of Tudor legitimacy,

6 Ibid., 232.
7 Ibid., 231.
8 Ibid., 232-35.
signaling that Henry VII would not be subject to any person of higher authority within his kingdom – he would not just reign, he would rule.\footnote{Ibid., 231.} In accentuating his royal supremacy, “Henry demonstrated his authority, defined acceptable behavior, and enforced an obligation of loyalty upon the powerful figures of the nation, [freeing] the crown from the direct influence of the aristocracy.”\footnote{Sean Cunningham, “Henry VII and the Shaping of the Tudor State,” \textit{History Review} 51 (March 2005): 29. \textit{General OneFile}, http://ezproxy.una.edu:2053/gtx/infomark/A130052126 (accessed August 28, 2010).} Indeed, Henry VII expressed sovereignty in his choice of government ministers whom he selected on the basis of skill and allegiance. No longer did noble rank guarantee contact with the king, rather “ability, good service, and loyalty to the regime, irrespective of a man’s social origins and background, were to be the primary grounds of appointments, promotions, favors, and rewards.”\footnote{Guy, “The Tudor Age,” 232-33.} Hence, great nobles and humble gentry vied against each other for offices, lands, pensions, and influence in a manner dictated by Henry VII, which permitted the allotment of spoils but only to persons who evinced loyalty and would not threaten the stability of his reign. Henry shrewdly permitted nobles enough power to perform the duties he allotted them and that comprised the extent of their power. For example, the Stanley family received mining rights in Lancashire in 1504, but their royal grant included provisions for tax collection – making the family directly answerable to the king.\footnote{Cunningham, 31.} Yet Henry VII’s sovereignty – and thus legitimacy – permeated numerous other facets of English life.

The practice of sovereignty extended into the social arena so that the power and prestige of the Tudor Dynasty would be awe-inspiring to the maximum number of subjects. Henry VII established Tudor legitimacy
by impressing people with majesty. For example, “he sat down under a golden cloth of estate to receive guests, surrounded by glowing tapestries and rich embroidered wall hangings, and with thick carpets underfoot. Trumpets blared and servants in colorful livery took their places in a scenic display whenever the king entered a room.”

Henry believed the persistent demonstration of his authority fortified his sovereignty. To illustrate, he listened to church services in a box elevated one floor above the rest of the noble congregation, which placed him literally and figuratively closer to heaven and sent the message that he was sovereign.

Henry VII descended from the box at the end of services and attracted the attention of the elite congregation, hence emphasizing the sovereignty of Tudor rule. Even architecture served to highlight Tudor sovereignty, as seen in the Privy Chamber. Royal households were segregated into public and private areas, including a suite of private apartments – the Privy Chamber – staffed by officers who “limited access to the royal person, opportunities for which were much sought after by those with political ambition and who regarded the monarch as the focal point of authority.”

The king’s isolation from power-hungry nobles demoted them from manipulative figures to spectators whose main purpose was to partake of the pomp and majesty of the royal court. Henry VII asserted sovereignty in both government and public life and that allowed him take the next step to consolidate legitimacy – political stability.

When Henry VIII assumed the throne in 1509, he achieved the first

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15  Ibid.
16  Ibid., 46.
17  Cunningham, 30.
peaceful transition of power since the Wars of the Roses commenced in 1455 – a dynastic feat made possible in part by his father’s commitment to political stability. “The secret of [Henry VII’s success] was that his authority was generally regarded as the only guarantee of good order” following the chaos produced by the Wars of the Roses, lasting three decades, most of which involved nobles with large private armies.\(^{18}\) Political stability as defined by Henry VII consisted of two elements – military control and economic penalty. He ordered nobles to disband their private armies, because as the legitimate sovereign only he could have an army at beck and call. If nobles refused to relinquish their manpower, Henry VII imposed monetary or territorial fines upon them.\(^{19}\) Henry restricted the autonomy of the nobility and reinforced his legitimacy as sovereign by these actions, which confirmed that he was England’s only military authority. At the same time, Henry significantly strengthened Tudor finances by implementing such monetary and territorial fines because “the fundamental fact in the restoration of royal power was the restoration of royal wealth; in order to be the most powerful man in the kingdom the king had to be the richest.”\(^{20}\)

For Henry VII, political stability both ensured his dynasty’s legitimacy and discouraged aristocratic factions with localized private armies. Therefore, he concentrated “the command of castles and garrisons, and … the supervision of military functions, in the members of the royal household, and he launched direct attacks on the local, territorial powers of the magnates, if he felt that those powers had been exercised in defiance of perceived royal interests.”\(^{21}\) Nobles who refused to accept political

\(^{18}\) Mackie, 58.
\(^{19}\) Guy, “The Tudor Age,” 234-36.
stability were either prosecuted and made to pay a fine or – in the most severe cases – faced forfeiture and attainder, implying treason, loss of life and title, and loss of property and possessions to the Crown.\textsuperscript{22} King Henry VII appreciated attainders “could be used constructively in favor of the monarchy to wipe out at a stroke territorial powers of ‘overmighty’ or hostile magnates, while [simultaneously] augmenting the Crown’s own power and income.”\textsuperscript{23} For example, Lord Burgavenny was found guilty of illegally keeping a private army of 471 men in 1507 and was fined £1 million in today’s currency.\textsuperscript{24} Primarily due to fines and attainders, in 1509 annual crown revenue totaled £113,000, giving Henry VIII a realm both wealthy and tranquil as nobles behaved or paid out expensive penalties.\textsuperscript{25} Henry VII assured Tudor legitimacy because he tipped the balance of power between crown and nobility back in favor of the king.

Legitimacy was also secured with Parliament owing to political stability. Henry VII abided by the maxim that the king had to live of his own and not seek revenue or more funds from Parliament – as had been required of monarchs during the Wars of the Roses since revenue from Crown lands and customs duties were dramatically lessened in the chaos.\textsuperscript{26} Taxpayers and their parliamentary representatives were unreceptive toward more taxes and Henry perceived the necessity of avoiding a clash over funding. He “built up his legendary fortune on the secure basis of the vast and ever increasing Crown lands – old royal demesne, the family properties of Tudor and Lancaster, the spoils of the Wars of the Roses, gains of repeated forfeitures and attainders.”\textsuperscript{27} Henry

\textsuperscript{22} Bucholz and Key, 407.
\textsuperscript{23} Guy, “The Tudor Age,” 236.
\textsuperscript{24} Ibid., 235-36.
\textsuperscript{26} Bucholz and Key, 51-53.
\textsuperscript{27} Elton, 26.
satisfied Parliament by not demanding funding and that body willingly cooperated with him. Henry VII assured Tudor legitimacy within England, quelling nobility and Parliament by means of political stability. He then turned his attention to another vital feature of legitimacy – that of international recognition.

Henry VII had achieved internal legitimacy through sovereignty and political stability, yet international legitimacy – or recognition within the community of kingly nations – was just as important to the legitimacy of the Tudor Dynasty. International recognition had multiple benefits, namely lessening the threat of foreign invasion, reducing the possibility of foreign partners for any English dissidents, and gaining allies in case of war against England by another foreign nation. “Throughout his reign Henry VII’s foreign policy was defensive,” meaning that he cultivated friends rather than enemies abroad. Henry enhanced the legitimacy of his dynasty by uniting it with more established foreign powers, specifically through marriage alliances. Thus, at his death, England might not have been encircled by allies, but certainly could claim relatives.

First, Henry strove to secure his northern border, forging a Treaty of Perpetual Peace with Scotland in 1502 and concluding the alliance the next year with the marriage of his daughter Margaret to Scotland’s King James. Henry VII also achieved an alliance with Spain, which proved enormously beneficial since by 1501 Spain would be a superpower due to Columbus’ discoveries. Not only was Henry VII’s son Arthur given in marriage to Ferdinand and Isabella’s daughter Catherine of Aragon, but Tudor England also gained a military partner against France in the 1489

28 Bucholz and Key, 53.
29 Ibid., 45-46.
30 Guy, Tudor England, 74.
Treaty of Medina del Campo with Spain. Though Henry VII’s succession of marriage alliances gave Tudor rule prestige – and accordingly legitimacy – on the international stage, he further ensured legitimacy with recognition by the pope.

A recognition by the pope proclaimed to the world that Tudor England was sanctified by God. On March 27, 1486, Pope Innocent VIII “recognized categorically the title of Henry to the English throne and denounced any who should oppose him as rebels against whom the sentence of excommunication would inevitably be pronounced.” In a Europe of solely Catholic faith, Henry VII’s papal recognition was paramount in securing the legitimacy of his rule and that of his heirs. “It may be fairly supposed that Rome would not have spoken in such uncompromising terms, after so long a civil war, unless she had felt sure that the new king … would establish a durable authority.” An abundance of international friends did not mean Henry VII abandoned internal friends; rather, consent of the governed was essential in order to avert the threat of civil war by alienated nobles.

Consent of the governed was Henry VII’s final measure in consolidating the Tudor Dynasty’s legitimacy. Henry VII realized his sovereignty – especially the practices of forfeiture and attainder – must be counterbalanced with some form of noble participation in government or else civil war would again erupt. He was also aware that Tudor legitimacy hinged in part on the incorporation of the defeated Yorkist element into government. Henry VII satisfied consent of the governed by means of the King’s Council and Yorkist inclusion.

32 Bucholz and Key, 46.
33 Mackie, 65-66.
34 Ibid., 66.
36 Bucholz and Key, 44.
The King’s Council was “a judicious combination of carrot and stick,” meant to ensure loyalty to Tudor rule.\textsuperscript{37} A council routinely consisted of the nobility, bishops, and government ministers, and further comprised local representatives when great national crises developed, such as war.\textsuperscript{38} As a rule, however, Henry VII did not consult with more than 20 or 30 councilors, so that he could always dominate. Yet, by “making councilor involvement a new and subtle dimension of magnate status, Henry VII went far towards filtering out the threat of alienated nobility that sprang from lack of communications.”\textsuperscript{39} Thus, Henry VIII inherited a kingdom with neutralized nobility owing to the royal council, as well as a realm whose distinct constituent elements – Yorkist and Lancastrian – had been reconciled.

Yorkist King Richard III’s defeat by Lancastrian Henry VII at Bosworth Field obviously produced feelings of hostility and rebellion in those Yorkists who survived the battle and were forced to submit to the new Tudor rule. Henry VII was aware Tudor legitimacy largely hinged on the inclusion of the defeated Yorkist element into Tudor government. Thus, he imposed attainder on the most powerful Yorkists, but did not bother Yorkists with negligible influence – “that is, he destroyed those who had the potential to challenge him, while offering his protection and favor to those who were not a threat.”\textsuperscript{40} By this political maneuver, Henry VII caused many Yorkists to pledge allegiance to him, and he deprived potential Yorkist insurgents of a widespread popular following.\textsuperscript{41} Yet, Henry’s readiness to incorporate Yorkists culminated in his choice of Elizabeth of York, niece of Yorkist King Richard III, for his queen. This

\textsuperscript{37} Guy, “The Tudor Age,” 234.
\textsuperscript{38} Guy, Tudor England, 59.
\textsuperscript{39} Guy, “The Tudor Age,” 235.
\textsuperscript{40} Bucholz and Key, 44.
\textsuperscript{41} Ibid.
“Union of the Two Noble and Illustrious Families of Lancaster and York” was calculated to secure the Tudor Dynasty’s legitimacy. Once Henry VII and Elizabeth had children, they would be impervious to any claims against dynastic legitimacy. In one sense, Henry achieved a coup d’état of matrimony instead of might, but his marriage was also part of a larger development indicating that “the Tudor state was a national monarchy to a degree new in England.” Henry VII not only secured the legitimacy of the Tudor Dynasty by his marriage and other actions such as sovereignty and attainder, but concurrently transitioned from medieval to modern monarch.

By adhering to new criteria of legitimacy to guarantee his dynasty’s future, Henry VII eradicated numerous flaws in medieval government. Even if he was not “the inventor of new methods of government, [he] mastered the art of streamlining the old.” The foundation of his success was imposing political and financial commitment to the Crown. Henry VII prompted a new mindset among the nobility, who were oriented towards service and allegiance to the king in order to advance and prosper rather than contemplating factional plotting centered upon the king. Henry instituted modern government by placing military forces under his central command, by seeking sources of revenue not originated in an act of Parliamentary legislation, and by investing some power in the hands of lawyers and lay administrators, such as in the royal council. Most significantly, Henry VII transitioned to modern monarch through his elevation of the rank of king above the nobility, letting him determine the course of government rather than

42 Guy, “The Tudor Age,” 231.
43 Elton, 4.
44 Cunningham, 28.
46 Cunningham, 28-29.
merely being a part of its progression.

The stage was set for Henry VIII’s reign as a legitimate Tudor monarch. He benefitted from subdued nobility and a parallel overall national stability unknown prior to his father’s reign. Henry VIII took over a kingdom whose distinct constituent elements – Yorkist and Lancastrian – had been reconciled. The regime enjoyed favorable international recognition from Spain and Scotland. He gained a cooperative Parliament. Lastly, Henry VIII inherited royal supremacy – or sovereignty – and would not be subject to any person of higher authority in his kingdom. Henry VIII assumed the throne of England in 1509 and would achieve renown, yet his accession was a tribute to his father’s perseverance and adherence to new and more demanding criteria of legitimacy, specifically sovereignty and political stability, international recognition, and consent of the governed. In his twenty-four year reign, Henry VII “revived the ancient strength of the English monarchy, turned it into new channels, inspired it with fresh energy, and sent it forth upon a path of future greatness.” Henry VII should be acknowledged as the greatest of Tudors because he oriented England politically and socially toward the king, who could then alone define and maintain legitimacy.

47 Bucholz and Key, 54.
48 Mackie, 230.