

THE TUDOR STATE

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Summary: An account of Tudor government, its structure and institutions, and how it functioned, followed by an examination of whether the Tudor State could be viewed a medieval or ‘modern’ State.

Historians of Tudor England have recently become increasingly concerned with questions of the State and of State formation. Key issues of debate include: what the State was doing; how, and how well; who it was affecting and how they responded; how the State developed and changed, and to what extent sixteenth-century England was a ‘modern’ State. Historians also study the State in new ways. Traditional approaches to the State focused on institutions: the Privy Council, Parliament, the Exchequer, and so forth. More recent historians see the State in a broader context, emphasising the fact that Tudor government depended on implementation on the ground, and that the individuals who carried this out, often unpaid amateurs, were also servants of the State.

The Central Institutions

This said, the central institutions remain a convenient place to start. The lynchpin of Tudor government was the Council, which itself went through a considerable amount of development during the sixteenth century. During the late 1530s, the old-style Royal Council, containing dozens of noblemen, clerics, and lawyers, as well as royal advisers and important office-holders, was increasingly found to be too large and inefficient. In its place arose a new ‘Privy’ Council, composed of just twenty senior office-holders and ministers of the Crown, with its own institutional identity and records.¹ This was an intensely political institution, and its precise size, significance and role varied according to the political style of the monarch and his or her senior advisers. Mary, seeking perhaps to broaden her political support, had a larger council, whilst Elizabeth’s tended to shrink, to as small as eleven at times. The overall importance of the Council also varied. It came into its own when Thomas Cromwell’s fall left Henry VIII without a single leading minister, and it remained significant under a child-king, Edward VI, though it could be dominated by powerful individuals such as the Dukes of Somerset and Northumberland. Elizabeth, however, preferred to discuss policy more informally with small groups of particularly trusted advisers. She very seldom attended Council meetings, and her Council acted as much as an administrative body as a policy-making one.

The functions of the Council were very broad: it was an all-purpose clearing-house for the despatch of royal business, and as such its records contain an astonishing variety of matters. To give an example of just one day’s work: on 5 July 1574 the Council wrote a letter to the Regent of Scotland, ordered the readying of troops from London to go to Ireland, and acted or intervened in matters as diverse as slander against the Earl of Arundel, the losses of a Portuguese merchant, the insurance of an English merchant, musters in Worcester, two cases of murder, a non-conforming ecclesiastic, a refugee from Scotland, food supply for the navy, and a payment of £16 to the Master of Works at Portsmouth.

The Council was supported by the Secretary; another key office whose role became less personal and more bureaucratic over the century. Originally the King's personal secretary, the office was generally known as the 'Principal Secretary' in the middle years of the century, and as the 'Secretary of State' by the end. Indeed, after 1540 the pressure of business often demanded two Secretaries working in tandem. The Secretary was the centre of all government correspondence, and was thus a position of great influence. Some of the most powerful ministers of the century were Secretaries: Thomas Cromwell, William Cecil, Francis Walsingham and Robert Cecil. The State Papers are essentially the Secretary's archive, and thus include documents such as agendas for the Council, memoranda, position papers, proposals and drafts of letters. We also find ministers' private notes and correspondence between ministers which provide important information on how the government worked, and often give us striking insights into daily life at Court.

One of the Council's most important functions was to supervise the implementation of policy in the country at large. It provided a bridge between the centre and the localities, in an age when a vast amount of government, whether financial, religious, military or social, was carried out on the ground by local officials. A large proportion of the State Papers are letters, reports, complaints and queries from local governors in the English and Welsh counties. They cover every conceivable subject: the maintenance of order, grain supply, plague, national defence and musters, religious dissent, popular unrest, taxation. They form the largest single source for studying the relations of Crown and county – the management of government in action.

Local Administration

In most cases, the main unit of government on the ground was the county. Although the county administration was in theory headed by the sheriff, the key official in local government throughout the sixteenth century was the Justice of the Peace, or JP, responsible both for low-level criminal justice, and for a multiplicity of administrative tasks. Although the JPs were appointed by the Crown, they were invariably drawn from the more senior gentry, plus a few nobles and churchmen. The number of JPs in each county greatly expanded over the century, from an average of around ten to around forty to fifty.² This was partly because the gentry themselves wanted to hold the office: particularly in the second half of the century, it was virtually taken for granted that the heads of the leading gentry families would be JPs. It also reflects a great expansion in the JPs' work. In addition to the JPs, the Crown issued many other commissions, which tended to be staffed by very similar people: commissions for ecclesiastical causes, for grain supply, for recusants, for Jesuits, for musters and so on.

Therefore government on the ground was in many ways government by the gentry. There were both advantages and disadvantages to this approach. It strengthened the regime by recruiting the gentry into the work of government, and it was also remarkably cheap, since JPs were unpaid. On the downside, since the JPs were not dependent on the Crown for their income, they felt only limited compunction to do as they were told, particularly if the gentry in a particular county stuck together. More importantly, the gentry, as a class, did not necessarily share the same interests as the Crown. They certainly agreed on the need for social order to preserve their economic status, but, as we shall see, the ever-weightier demands of the centre did not always accord with what the gentry were prepared to implement.

This meant that the JPs needed careful supervision. We can see from the State Papers how closely ministers like William Cecil monitored the personnel of local government: his papers contain many lists of JPs and county gentry or reports on their reliability. There are even volumes full of such information. One well-informed observer of the role of the Secretary recommended that a new book of JPs be obtained annually, and that the Secretary should ‘make himself acquainted w[i]th some honest Gentlemen in all the shires, Citties and principall Townes.’³ This was essential political information.

One important innovation in Tudor local government was the lieutenancy. Under this system, a single individual, usually a nobleman, was created lord lieutenant of the county by royal commission. In the 1550s, this was used primarily to keep order in the counties during a period of rebellion, instability, frequent changes of rule and religious tension. It was revived for the crisis of the Northern Rebellion of 1569-70, and made permanent during the Elizabethan wars of 1585-1604, when it became an important way for the State to mobilise resources for the war from the counties.

The Capability of the Tudor State

Thus the machinery of the Tudor State tends to seem weak and poorly developed: in many ways, it appears that the Tudors simply took the structures of power that already existed (the wealthy local nobility and gentry) and tried, with various levels of success, to bend them to their will. In order to assess the capability of the State we need to look at some of the things it was actually doing and how successfully it did them.

Law and Order

First and foremost comes keeping order, and here we can credit the Tudors with a good deal of success. The royal courts and the commissions of the peace worked well, and over the course of the century the Tudors even had some success in reducing lawlessness in peripheral areas such as Wales and the North. More importantly, despite a number of serious rebellions and the impediments of children and women as monarchs, the State remained intact, and indeed was successfully handed over to a foreign king in 1603. The Tudors held a strong hand here, since the landed classes almost always opposed any kind of rebellion or social disorder. When it came to taxation, it was a very different matter.

Finance

This was a period in which the State’s need for money grew enormously, most notably because of the increasing costs of warfare. The old sources of royal income, from crown lands and customs dues, became increasingly unequal to the task. Henry VIII filled this gap by funding his wars from the plundered wealth of the monasteries, and he ran through the proceeds with great speed. Elizabeth had no such option. Her first response was to avoid war, and there was a remarkably long period of peace during the first thirty years of her reign, but the Spanish war of 1585-1604, along with the ruinously expensive Nine Years War to subdue rebellion in Ireland, brought the regime close to crisis. The English were unused to the constant level of taxation demanded by this war, and since it was the gentry who assessed tax liabilities (including their own), they simply under-declared their own taxable wealth. Income from the main form of taxation, the subsidy, steadily declined. This was a key structural problem and it was never confronted. The regime

relied instead on a combination of half-measures: borrowing, forced loans, economising and selling Crown lands. It can be argued that this was a sensible way of avoiding confrontation with the taxpaying classes, but Henry VIII's government managed to extract much higher amounts of tax in the 1540s.⁴ True, Elizabeth avoided bankruptcy, unlike Spain, for example, but this failure of the Crown's financial strength left a dangerous legacy to her successors. In this case, the landed classes had no real incentive to meet the centre's wishes, and adopted a form of passive resistance to evade their burdens.

Defence

The Tudor State was rather more successful in the military sphere. As late as Mary's French war of 1557-9, the monarch had relied upon the nobility to supply soldiers from their tenants, clients and servants. But, as warfare became more professionalised and more expensive, in the wake of the military revolution, this became unsustainable. By the time of the Elizabethan wars, troops were raised by the lieutenantcy under royal commission. The defence forces were also transformed by the creation in the 1570s and 1580s of the 'trained bands', which imposed a much greater degree of organisation and training on the county militias. Over the sixteenth century the Crown's military strength ceased to be based on an armed nobility, and became instead a national militia system, organised by the lieutenantcy and effectively carried out by the gentry.⁵

One effect of all this was that the Crown was left with much more control over the legitimate use of violence. It also gained a great deal of new information on its subjects. Military surveys or national programmes of musters such as those of 1522, 1539, 1542 and much more regularly under Elizabeth provided valuable information on military strength, population and wealth in the counties; as did records of troops assembled for military campaigns, such as that of 1536 against the Pilgrimage of Grace.

Was the Tudor State a Modern State?

This is only a selection of some of the key activities of the Tudor State, but it allows us to consider some important questions relating to the success of the State. How do they contribute to our picture of the Tudor State? Was sixteenth-century England a modern State? On first appearances, it is easy to say no: government was too weak, too poor, too ramshackle to be compared to a modern State. Yet significant developments took place in the sixteenth century. By 1600, government was clearly more *royal* than at the start, to the exclusion of other sources of authority. The power of Rome was renounced and that of the nobility was so diminished as no longer to challenge the power of the State. Structures of government were also regularised, bringing Wales, for example, into the standard English model of county government. The fact that the State could survive sixty-six years of rule by a child or a woman without disaster also suggests an underlying strength and durability. In addition, by the end of the sixteenth century, the government was more able to project its demands into the life of ordinary people in the towns and villages of England under its own steam; through statute, royal commission and royal officials, rather than through the mediation of the nobility. Justice was administered by royal judges and JPs; the armed forces were county militias, not noble retinues. The State Papers are also testament to the increasing level of information held by the State on its citizens – though again it was in a very unsystematic way.

So central government was doing more, expanding into social regulation and welfare, with developments such as the poor laws. But this does not mean that it was necessarily doing it in a very different way. We cannot say that government came anywhere close to the standards we would now expect. Most of the State's servants were not paid; nor were they trained, selected on merit or specialised. On the whole they were unpaid amateurs, drawn from the pre-existing landed elite and there was only a limited extent to which they could be held to account. This did not necessarily mean that they were ineffective or corrupt – many were, many were not. But none were, in this sense, employees of a bureaucratic modern state. Politics was scarcely separated from administration. Government at all levels was highly personalised: the fall of an important minister could leave a huge gap in the functioning of government, which might be filled in a very different way. The fall of Cromwell opened the way for a less monopolistic style of governing, centred on the Council. A change of government, from Protestant Edward to Catholic Mary and back to Protestantism under Elizabeth, demanded almost complete changes of personnel.

So this is a mixed picture. Perhaps the most that can be said is that England acquired some of the attributes of a modern State whilst preserving many of the forms of the medieval kingdom. Many important changes occurred, but many underlying problems remained. It was a remarkably inefficient State in many ways, but it was also flexible, and surprisingly effective when the occasion demanded.

Citation:

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Further Reading:

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Notes:

(Endnotes)

1 J. Guy, *Tudor England* (Oxford, 1988), pp. 159-164.

2 G. R. Elton, *Tudor Constitution. Documents and Commentary* (Cambridge, 1965), p. 453.

3 Robert Beale, 'A Treatise on the Office of ... Principall Secretarie', printed in C. Read, *Mr Secretary Walsingham and the Policy of Queen Elizabeth* (Oxford, 1925), vol. I, pp. 423-443, p. 428.

4 See I. Archer, 'The Burden of Taxation on Sixteenth-Century London', *Historical Journal*, 44, 3 (2001), pp. 599-627.

5 For a good overview, see P. Williams, *The Tudor Regime* (Oxford, 1979), chapter 4.