

lence were forgotten. Following the Battle of Bosworth, Henry pardoned virtually all those who had fought against him. An Italian wrote to the Pope in December, 1485: “The king shows himself very prudent and clement: all things appear disposed towards peace.”⁵ Thus, an uprising in the north collapsed after Henry offered pardon to all who laid down their arms.

The Spanish ambassador reported that Henry VII showed a desire to “govern England after the French fashion”⁶—i.e., the fashion of Louis XI. He rapidly consolidated power in himself, while surrounding himself with a council of men, drawn largely from the middle classes, who shared his commitment to establishing a nation-state dedicated to the General Welfare of the entire population, rather than rule of the nobility. At no

The Magna Carta Versus the Nation-State

Although the Magna Carta is claimed to be one of the first documents that established the traditions leading to the founding of republican government in the United States, the opposite is the case. The Magna Carta, imposed on the English king in 1215 by feudal barons, was a charter establishing the rights of the nobility, against the efforts of the monarch to rule a unified nation.

The document contained guarantees that the king will not force the nobles to carry out internal improvements such as constructing bridges. It demanded that the king practice free trade, by prohibiting the government from imposing tariffs and controlling trade. Finally, the Magna Carta gave the lords the right to set up their members as a court that could over rule decisions of the king. If the king did not accede to the decisions of this court, the lords could carrying out acts of revolt, violence and pillage, short of murdering the king and his family: “those . . . barons shall, together with the community of the whole land, distrain and distress us (the King) in all possible ways, namely, by seizing our castles, lands, possessions, and in any other way they can, until redress had been obtained as they deem fit, saving harmless our own person, and the persons of our queen and children;” Unstated in the Magna Carta, is that the vast majority of the population had no rights, as these feudal lords set themselves as a law unto themselves. —RT

period of English history were the nobles more conspicuous at court, yet at no period did they have less real power, than during Henry VII’s reign.

John Morton, who played a key role in organizing the conspiracy to bring Henry Tudor to power, was Henry VII’s most senior advisor throughout his life. Morton had been born in 1420 and had studied at Oxford. He had risen to high positions in both the church and government under Kings Henry VI and Edward IV, although he was jailed by Richard III. Being a man of great integrity, intelligence, and vision, Morton would openly disagree with Henry VII, which won the king’s respect, rather than resentment. Indicative of his outlook, was Morton’s undertaking, when he was Bishop of Ely, to drain the fens between Wisbech and Peterborough; he also constructed a dike and waterway to the sea for barges and small craft.

Morton helped educate the young Thomas More, who lived in Morton’s household. More later said of Morton, “In his face did shine such an amiable reverence as was pleasant to behold, gentle in communication, yet earnest and sage. He had great delight many times with rough speech to his suitors to prove, but without harm, what prompt wit and what bold spirit were in every man. In his speech he was fine, eloquent, and pithy. . . . In the law he had profound knowledge, in wit he was incomparable, and in memory wonderful excellent.”⁷

Henry was also joined in France by Richard Fox, who became another key advisor. Born in approximately 1448, Fox studied first at Cambridge, and then in Paris, where he joined Henry. He came the closest to being the king’s Foreign Minister, negotiating many key treaties, and was involved in promoting the Renaissance “New Learning” in England, as we shall see below.

Henry VII rapidly and firmly took up the duties of the monarchy, restoring order and checking waste. He raised the crown far above the nobles, and formed an alliance with the middle class, acting through their representatives in the House of Commons, who feared the return of the days of civil war, and realized that their survival and livelihood was dependent on the king’s protection. Thus, Henry drew his strength from the loyalty of the common classes, not from the feudal nobility.

Henry VII introduced a fundamental change in the conception of law in England. He consciously acted to replace the arbitrary rule of the nobility, typified by the Magna Carta, for example, with reforms that made everyone legally accountable, regardless of his station. Only months after being crowned, Henry moved against the lawlessness of the feudal nobility, ordering an oath to be taken in Parliament, by the Lords and members of the House of Commons, on Nov. 19,