

Parliamentary Activity during the English Reformation (1529-1571)

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Sent to publication : 21/03/2018

Accepted 03/06/2018

Abstract:

This article is an attempt to explore the work of the English Parliament during the English Reformation (1529-1571). It highlights the contribution of this institution in the Reformation process at the legislative level.

In this regard, the parliamentary entity promulgated a flood of laws that carried out the Reformation process forward. The role assumed by this institution in breaking with Rome and establishing thereafter the Anglican Church, was eminent from the beginning. Under Henry VIII (1509-1547), the parliamentary body passed a sequence of laws between 1531 and 1539 for the sake of severing the links with papal authority. The reign of both Edward VI (1547-1553) and Elizabeth I (1558-1603) saw the parliamentary apparatus speeding up the English Reformation through the passage of a fundamental legislation that established the doctrine and principles of Anglicanism. Therefore, a thorough examination of the parliamentary activity under the three Kings will reveal parliament's great commitment to the Reformation question.

Key words: English Parliament, legislation, English Reformation, the Submission of the Clergy Act, Church, the Act of Supremacy.

الملخص :

هذا المقال هو محاولة لدراسة نشاط البرلمان خلال فترة الإصلاح الإنجليزي (1529-1571). تؤكد هذه الدراسة، مساهمة البرلمان في عملية الإصلاح على المستوى التشريعي. ففي هذا الصدد، أصدر البرلمان سبل من القوانين التي دفعت عملية الإصلاح إلى الأمام.

الدور الذي لعبته هذه الهيئة في الانفصال عن روما، ثم تأسيس الكنيسة الأنجليكانية كان بارزاً منذ البداية في عهد هنري الثامن (1509-1547)، سن البرلمان سلسلة من القوانين بين 1531 و 1539 من أجل قطع الروابط مع السلطة البابوية. وشهد عهد كل من إدوارد السادس (1509-1547)، وإليزابيث الأولى تسريع البرلمان لعملية الإصلاح الإنجليزي بإصدار تشريعات أساسية تم من خلالها إنشاء العقيدة والمبادئ الأنجليكانية. ولذلك، فإن إجراء فحص شامل للنشاط البرلماني تحت ظل الملوك الثلاثة، من شأنه أن يكشف التزام البرلمان بقضية الإصلاح.

الكلمات المفتاحية: البرلمان الإنجليزي، التشريع، الإصلاح الإنجليزي، قانون السمو، الكنيسة، قانون إخضاع رجال الدين.

Introduction

Prior to 1529, the Parliament of England was not totally involved in the affairs of the realm. In other words, it was not very active at the legislative level. In the subsequent years, this attitude changed. Therefore, the field of activity of Parliament increased enormously. The element that sets in motion this mechanism seems to be the annulment of Henry's marriage. On one hand, the Pope refused to annul Henry VIII's marriage with Catherine of Aragon who had brought a female heir Mary I. On the other hand, he disapproved Henry's union with Anne Boelyn who was supposed to carry male offspring to the royal line. This fact seems to draw the attention of the parliamentary members to the matrimonial dilemma which Henry had to face. Furthermore, this situation and the new deal that it generated, led the parliamentarians to become fully involved in the king's cause. Realizing the importance of such body in terms of legislative power, the King resorted to it for help. In this manner, the parliamentary institution played a preponderant role for Henry's cause. Thus, the Reformation process that characterized Tudor England was launched.

For this purpose, the parliamentary institution adopted coercive measures. It passed a massive legislation restraining papal control over the English Church. In retrospect, these measures which paved the way to the establishment of the Anglican Church were followed by the passage of several acts that accelerated the pace of change. Before developing this point any further, it is important for a general appreciation of the different parliamentary actions to open a parenthesis to clarify the term English Reformation within its English context. The latter, was characterized by a series of events in Tudor England through which the Church was broken away from papal control and the Roman Catholic Church. This religious movement of political dimension, which rejected principally England's dependence on Rome, was initially based on Henry VIII's desire for an annulment of his marriage (first requested to Pope Clement VII in 1527). This situation allowed theological disputes to come to the fore which the parliamentary entity handled vigorously.

1. Parliament's Active Role under Henry VIII (1509-1547)

In 1529, the "Reformation Parliament" first used in the nineteenth century for the 1529-36 legislation breaking with Rome, passed a series of Acts that embodied anti clerical feeling. In 1531, it ratified the "Submission of the Clergy."¹ This Act placed the clergy completely under Henry's control. Under this Act too, the members of the English Church who had been formerly accused of being loyal to the papal authority were no longer able to legislate in ecclesiastical matters, nor call Convocation without the monarch's permission. In parallel, the Act asserted Henry's authority over that of the Pope, forbidding the latter to exercise his legal and financial jurisdiction upon England without the king's agreement.

In this vein, the parliamentary entity and in particular the Commons believed as Edward Hall wrote in Hall's Chronicle that the king was controlled by the clergy in the past, but now God had "opened the king's eyes" and that the Commons could work towards Reformation.² Such declaration reveals parliament's willingness to undertake the Reformation process. To exercise pressure on the papal authority, the parliamentary body passed a legislation threatening to deprive the pope of England's revenues. Such was the Conditional Annates Statute (1532)³ which reduced the fees to Rome to a mere five percent. In fact, this Act was made conditional and was to be further considered by the parliamentary members unless the pope yielded to the king's demands.

¹James Gairdner, *Letters and Papers, Foreign and Domestic, Henry VIII, Volume 5, 1531-1532*, Her Majesty's Stationery Office, London, 1880, pp.106-111.

²Edward. Hall, *Hall's Chronicle, the History of England Volume II*, Longman, London, 1809, p.120.

³*Ibid.*, p. 302.

Further measures were taken by the Reformation Parliament to control the church affairs and prohibited all appeals to Rome in the Act of Restraint of Appeals (1533) that decreed:

“ This realm of England is an empire governed by one supreme head and king ...unto whom a body politic, compact of all sorts and degrees of people, divided in terms and ought to bear, next to God, a natural and humble obedience’, and the wearer of its imperial crown ‘institute and furnished, by the goodness and sufferance of Almighty God, with plenary whole and entire power pre pre-eminence authority prerogative and jurisdiction to render and yield justice and final determination to all manner of folk.. in all causes without restraint or provocation to any foreign princes or potentates.’”⁴

This Act not only forbade all appeals to Rome and legalized all sentences passed within the realm in the king's temporal and spiritual courts, but also stated that the pope had no right to interfere in England's business.⁵ This, was a deliberate move to prevent anyone from appealing to the papal authority to reverse Henry's rulership. This Act was particularly important because it was the first Act defining the monarch's powers in Tudor England.

However, the parliamentary intention to change the course of things grew due to the Pope's obstinacy not to accede to the king's demand pertaining his marital question. In this respect, draconian measures were taken by the Reformation Parliament. The aforementioned Conditional Act was supplemented in 1534 by the Act in Restraint of Annates⁶ which abolished the payment of annates to Rome following Henry's excommunication by the papal authority. This Act, which was virtually a refutation of the Roman allegiance, awarded church taxes to the King instead. Moreover, it prohibited any papal action in the appointment of bishops.

Indeed, it is the parliamentary body that ended all English payments to Rome and gave King Henry VIII sole jurisdiction over religious appointments. Nevertheless, anti-papal legislation reached its climax at the end of 1534 and the beginning of 1535. In the first date, the Reformation Parliament passed two fundamental Acts. On March 30 of the same year, it asserted the king's authority, nullified Henry's marriage with Katherine of Aragon and acknowledged his union with Ann Boleyn through the Act of Succession. Significantly, it declared her children as the heirs of the English throne as expressed by the parliamentarians themselves:

“This present Parliament, your most humble and obedient subjects, believe ourselves bound to provide for the perfect security of both you, and your heirs, upon which depends all the joy and wealth of this realm. This Parliament abhors and detests the Roman Church's involvement in the lives and rule of emperors, kings and princes out of their own self-interest when doing so is against the powers given to those rulers by God. In consideration of this, Parliament declares your highness' marriage to the Lady Katherine to be void because it goes against the laws of Almighty God. Now the marriage between you and your beloved wife Queen Anne, shall be established, and taken for true, sincere, and perfect ever hereafter. And by law now all children between your highness and your beloved wife Queen Anne, be inheritable, and inherit, the imperial crown.”⁷

⁴WilliamCobbett ,*Cobbett's Parliamentary History of England, From the Norman Conquest, in 1066, to the Year 1803. Vol. I 1066-1625*, Longman, London, 1806, p. 205.

⁵A.G. Dickens, *The English Reformation*, Collins-the Fontana Library, London, 1967, p. 102.

⁶WilliamCobbett , op. cit., p. 309.

⁷G. R. Elton, *The Tudor Constitution: Documents and Commentary*, Cambridge University Press, London, 1960, pp. 344-9.

The aforementioned parliament went further in its anti-papal legislation in several ways. It enacted a series of acts that heralded the Reformation process. The “Act Respecting the Oath to the Succession” that was enacted in November 1534, required all subjects to take an oath to uphold the Succession, denying the power of any foreign authority and renouncing any oath previously made to such an authority as stated below:

“Any person who does anything to hurt your royalty, or your marriage with Queen Anne shall be judged high traitors and shall suffer pains of death. To ensure the success of this Act, people shall swear an oath to truly, firmly, and constantly observe, fulfill, maintain, and defend this Act. And any person who refuses to take the Oath shall be considered guilty of high treason; and shall suffer such pains and imprisonment, losses and forfeitures, and also lose privileges of sanctuaries, in like manner and form as is above mentioned for the misprisions of treasons afore limited by this Act.”⁸

This twin legislation which broadly expressed parliament’s disregard to the Pope, paved the way to the passage of the Supremacy Act on 3 November 1534. It confirmed Henry’s supremacy over the English Church, and under English law as indicated in the extract below.

“Albeit the king's majesty justly and rightfully is and ought to be supreme head of the Church of England and so is recognised by the clergy of the realm in their convocations; yet nevertheless for corroboration and confirmation thereof and for increase in virtue in Christ's religion within the realm of England, and to repress and uproot all errors heresies and other enormities and abuses heretofore used in the same, be it enacted by authority of this present Parliament that the king our sovereign lord, his heirs and successors kings of the realm shall be taken, accepted and reputed the only supreme head on earth of the Church of England.”⁹

In fact, this Act embodied a religious notion of political connotation. This meant that England had broken away from papal control and was therefore not part of the Catholic Church and Rome. The Act illustrates Parliament’s rejection to the Roman headship. Unlike most declaratory Acts, the Supremacy Act was not just a constitutional formula, but a statement of the alliance between the Parliamentarians and their King against the Church, giving him full jurisdiction and strengthening his royal powers.

This legislation, was a crucial step in the Reformation process. It had been reinforced by a more severe legislation that expressed a great parliamentary determination to curb the papal authority. On June 9, 1535, the legislature issued the Treason Act whereby, in a proclamation under Parliament’s name, the king’s position as a supreme head was solidified and secured. The Act made it treason for anyone who disavowed the king’s supremacy; specifying all those were guilty of high treason who:

“...do maliciously wish, will or desire by words or writing, or by craft imagine, invent, practice, or attempt any bodily harm to be done or committed to the king's most royal person, the queen's or the heirs apparent, or to deprive them of any of their dignity, title or name of their royal estates, or slanderously and maliciously publish and pronounce, by express writing or words, that the king should be heretic, schismatic, tyrant, infidel or usurper of the crown.”¹⁰

⁸Ibid.,401.

⁹Henry GEE and W. J. Hardy, *Documents Illustrative of English Church History: Statutes of the Realm, Volume 3*, Macmillan, London, 1896, pp.243-4.

¹⁰Stanford E. Lehmberg, *The Reformation Parliament:1529-1536*, CambridgeUniversity Press, Cambridge, 1970,p.83.

Nevertheless, such achievements would not be completed, if they were not followed by drastic parliamentary actions.

In this regard, convinced that something more orthodox was needed, the parliamentary members introduced other laws without which the Reformation would have never been permitted to flourish. Since Henry's English Reformation intended to cut all ties with Rome and weakening the power of the tenants of monastic estates, the parliamentarians passed two Acts to disband Catholic monasteries for the profit of the crown. In 1536, they passed the first Act of suppression¹¹ which allowed the dissolution of small monasteries, whereas, in 1539, and via the second Act,¹² they provided for the dissolution of the larger monasteries remaining after the dissolution of the lesser ones. Such legislation which reveals parliament's repudiation of the religious order of the time, permitted the eradication of the main cornerstone of papal control in England.

In doing so, the Reformation Parliament not only detached the English church from Rome but established the outline of an Anglican Church according to the wishes of King Henry VIII. Accordingly, it was in the Parliament of England that papal supremacy had been rejected in principle then destroyed in fact. Definitely, the Tudor Parliament under Henry VIII dealt with four things. It massed the laity solidly behind the monarch, overawed the clergy into acquiescence to Henry's demands, frightened the Pope into complying to the king's wishes and freed England from the Roman tutelage. The following quotation best shows how the Reformation Parliament was successful: "*It was a political achievement without precedent, because this was a parliament without precedent.*"¹³ It is perhaps for this sustained activity that the historian Pickthorn labeled the parliament in question as 'the most important Parliament in English history'.¹⁴

So, parliamentary cooperation as well as commitment to the great cause of that time was evident. These parliamentary achievements, led Henry VIII in 1543 to acknowledge the role of parliamentarians in the making of England's greatness as follows:

*"We be informed by our Judges that we at no time stand so high in our estate royal as in the time of Parliament, when we as head and you as members are conjoined and knit together in one body politic."*¹⁵

In fact, parliamentary involvement was also palpable under both Edward VI (1547-1553) and Elizabeth I (1558-1603).

2. Parliamentary Enactments under Edward VI (1547-1553) and Elizabeth I (1558-1603)

¹¹Burnet Gilbert. *The History of the of The Reformation of The Church of England*. Vol. I, Oxford Clarendon Press, Oxford, 1865, p.1052.

¹²Ibid., p.1058.

¹³S. T. Bindoff, *Tudor England*, England, Penguin Books, London, 1991, p.184.

¹⁴Kenneth Pickthorn. *Early Tudor Government: Henry VIII*, Cambridge University Press, Cambridge, 2015, p.133.

¹⁵Paul L. Hughes, and James F Larkin, *Tudor Royal Proclamations*, New Haven., London, 1964, p. 214.

With the same dynamism, the Edwardian parliament passed significant Church reforms that marked the rapid Protestant advance in a period of religious fervour. Intending to complete the process of Reformation, parliament ratified a series of statutes which were broadly in favour of the Protestants. The first one was the Act against Revilers and for Receiving in Both Kinds¹⁶ of November 1547. Through this Act, it was ordered that the sacrament be celebrated in both kinds, that is in bread and wine, pointing out that this theological practice was to be the law of the land as stated below:

"... The said blessed sacrament should be ministered to all Christian people under both kinds of bread and wine, then under the form of bread only and.... That the people being present should receive the same with the priest, than that the priest should receive it alone, therefore be it enacted by our said sovereign lord the king, with the consent of the Lords spiritual and temporal, and the Commons, in the present Parliament, and by the authority of the same, that the said blessed sacrament be hereafter commonly delivered and ministered unto the people.....under both kinds, that is to say, of bread and....wine....".¹⁷

Such legislation of doctrinal character, did reinforce parliament deep implication in the religious affairs of the realm. Once again, in December 1547, and in an attempt to accomplish the religious reforms proceeded by their predecessors in the previous reign, the members of parliament passed an Act whereby Catholic institutions such as Colleges and Chapels that symbolized the Catholic faith were removed.

Besides, the first step of the Edwardian parliament which re-assembled in November 1549, was to ratify an Act for the removal of images.¹⁸ Such step was followed by another giant one which glorified the Tudor Parliament. The Act of Uniformity of 1549 stated that all churches had to use the Protestant Book of Common Prayer as the only legal form of worship and hold services in English, not Latin. This is corroborated as follows:

"Memorandum: at this session of Parliament one uniform book was set forth of one sort of service with the administration of the holy communion and other sacraments to be used in this realm of England, and other the King's dominions whatsoever. To be observed after the feast of Pentecost next coming, as by an Act of Parliament against the transgression of the same doth appear. Howbeit Paul's quire, with divers parishes in London and other places in England, began the use of the said book in the beginning of Lent, and put down the private masses as by the Act is ordained."¹⁹

In this respect, the two versions of Common Prayer Book (1549-1552)²⁰ not only had to be approved by the parliamentary body, but also enforced by Uniformity Acts. The two Uniformity Acts of 1549 and 1552 penalized holding or attending other forms of worship than the one authorized.²¹ This legislation which was a further move towards a Protestant state, reflected the aspirations of parliament and represented a momentous phase in the Reformation

¹⁶Jordon Wilbur Kitchener, *The Chronicle and Political Papers of King Edward VI*, Cornell University Press, New York, 1966, p.145.

¹⁷C. S. Knighton, *Calendar of state papers, domestic series, of the reign of Edward VI, 1547-1553*, H.M.S.O., London, 1992, p. 113.

¹⁸S.T. Bindoff, op. cit., p. 98.

¹⁹Robert Lemon, *Calendar of State Papers Domestic: Edward VI, Mary and Elizabeth, 1547-80*, Volume 6, Her Majesty's Stationery Office, London, 1856, pp.14-15.

²⁰C. H. Williams and David C. Douglas, *English Historical Documents, 1485- 1558, Vol. V*, Eyre and Spottiswoode, London, 1967, p. 222.

²¹Ibid., p.301.

process. Once again, the religious reforms were translated into acts thanks to the competence of the members of the two parliamentary houses. In this context, M. A. R. Graves, a British historian asserts that: “*The Edwardian reformation was statutory, not royal.*”²² He even adds that the laws under Edward VI were promulgated “*by the authority of Parliament.*”²³

Equally interesting was the legislation promulgated under Elizabeth I (r.1558-1603). This, occurred despite a relatively short interruption to the flow of the Reformation process during the reign of the Catholic Queen Mary I (r.1553-58). The Elizabethan Parliament was generally cautious in orchestrating the pace of change. In the process of establishing a moderate form of Protestantism that became known as Anglicanism, Parliament passed in 1559, a new Act of Uniformity²⁴ that introduced a slightly revised version of the second Edwardian Book as the official worship order. This new version was in line with protestant beliefs and contained some catholic principles. This law tended to standardize the religious practices as indicated below:

«*And further be it enacted by the Queen's Highness, with the assent of the Lords and the Commons in this present parliament assembled and by the authority of the same, that all singular ministers in any cathedral or parish church [...] be bound to say and use the matins, evensong, celebration of the Lord's Supper and administration of each of the sacraments, and all their common prayer, in such order and form as is mentioned in the said book [Book of Common Prayer] so authorized by Parliament in the said fifth and sixth year of the reign of king Edward the Sixth*»²⁵

Besides, the independence of the Church of England was restored with a new Act of Supremacy declaring that Elizabeth possessed supreme authority in ecclesiastical matters. Thus emphasizing again England's religious as well as political independence as follows: “*The Queen's Highness is the only supreme governor of this realm and of all other her Highness' dominions and countries, as well in all spiritual or ecclesiastical things or causes as temporal.*”²⁶

It is worth noting that not only did the parliamentary institution re-establish the monarch's supremacy, but also promulgated decisive and increasingly draconian laws. For instance, to deter the Catholics who still rejected the Queen's supremacy, the parliamentarians instituted an ecclesiastical court, called ‘the High Commission’ in 1559²⁷ to enforce the Reformation settlement and exercise power over the Church. In the 1580s and early 1590s, the parliamentary members introduced tougher legislation against the Catholics. In this regard, the parliamentary body decreed severe penalties on those who continued to preserve Catholic worship. For example, in 1571, the legislative apparatus approved the 39 Articles²⁸ which were issued in 1563 by the Anglican Church. It also allowed their incorporation into the Book of Common Prayer. The Articles outlined the statements of doctrines and proper practices of the Church of England with respect to the controversies of the English Reformation. They argued against some Anabaptist²⁹ positions such as the holding of goods in common and the necessity of believer's baptism. So, the validation of the parliamentary institution permitted

²² M. A. R. Graves, *The Tudor Parliaments, Crown, Lords and Commons, 1485-1603*, Longman, London, 1985, p. 68.

²³ Ibid.

²⁴ Gee, Henry, and William John Hardy, op. cit., pp. 458-67.

²⁵ G.R. Elton, op. cit., pp. 401-402.

²⁶ Gee, Henry, and William John Hardy, op. cit., pp. 442-58.

²⁷ Roland G., Usher, *The rise and fall of the High Commission*, Clarendon Press, Oxford, London, 1913, p. 66.

²⁸ H. Bettenson & C. Maunder, *Documents of the Christian Church*, Oxford University Press, London, 1999, p. 145.

²⁹ Anabaptists were more extreme Protestants who did not believe in infant baptism because they thought that the church should only include the godly who were to be saved. Thus they opted for what they called believer's baptism which was undertaken when people were old enough to understand Anabaptist ideas. Roger Lockyer, *Tudor And Stuart Britain*, Pearson, Longman, Great Britain, 1964, p. 39.

to fill the vacuum that was left following the split from Rome on matters of faith and doctrine. This intense activity illustrates parliament's active role in the legislative process. In this respect, Sir Thomas Smith, a statesman and a scholar, in his book *De Republica Anglorum* (1565), appraises the Elizabethan parliament as follows:

*"The most high and absolute power of the Realm of England consists in the Parliament. The Parliament abrogates old laws, makes new, gives orders for things past [...] gives forms of succession to the Crown"*³⁰

The succeeding Parliaments intensified the measures against Roman Catholics. For example, in 1581, two anti-Catholic statutes were enacted successively in January and March of the same year: recusancy fines were increased and it was made high treason to convert to Catholicism.³¹ The present laws were stringently reinforced by the 1585 Act against Jesuits and Seminarists.³² This decree aimed at branding all Romanists as 'potential traitors', specifying any person who converted to Catholicism, committed a capital offense. These individuals, including priests of the "Romish Church" were considered to be seditious, rebellious, and a danger to the safety of the Queen.³³

Such devotion to the English Reformation, was also conspicuous in 1593 when two parallel Acts were passed in order to repress the Puritans and the Catholics alike. The Act Against Puritans³⁴ empowered the Elizabethan regime to apprehend all Puritan sympathisers who had been accused of being implicated in the treasonous 'Marprelate Tracts of 1593',³⁵ whereas, the Act Against Recusants³⁶ increased the penalties on priests and on Catholics who practised their religion. It also labelled them as wicked and seditious spies who were "*hiding their most detestable and devilish purposes under a false pretext of religion and conscience.*"³⁷

Ultimately, by means of this crucial legislation, the position of the Church of England in relation to the Catholic Church and dissident Protestants became clearer, and the English Reformation reached its end at least under the Tudors.

³⁰ Thomas Smith, *De Republica Anglorum*, L. Alston ed. Cambridge: Cambridge University Press, London, 1906, p. 48.

³¹ Gee, Henry, and William John Hardy, op. cit., p. 468.

³² H. Bettenson & C. Maunder, op. cit., p. 297.

³³ Christopher Haigh, *Elizabeth I*, Longman Group, London, 1998, p. 95.

³⁴ Gee, Henry, and William John Hardy, op. cit., pp. 485-92.

³⁵ Marprelate tracts are brief but well-known pamphlet war (1588-93) carried on by English Puritans using secret presses. Their principal focus was an attack on the episcopacy of the Anglican Church. Arthur F. Kinney, William A. Long, David W. Swain, *Tudor England: an Encyclopedia*, Garland Publishing, Inc. New York, 2000, p. 213.

³⁶ Gee, Henry, and William John Hardy, op. cit., pp. 495-96.

³⁷ Susan Doran, *Elizabeth I and Religion 1558-1603*, Routledge, London, 1994, p. 78.

Conclusion

From a purely parliamentary perspective, it seems clear that the Reformation process was set in motion and maintained by the determination, action and work of the parliamentarians who challenged the authority of the papacy, deliberated on affairs of state, and above all introduced decisive legislation that marked Tudor England. First, it is the Reformation Parliament (1529-1536) which established the Church of England as an ecclesiastical jurisdiction, independent of Rome but dependent upon the state. Then, it is the Edwardian Parliament that completed this ecclesiastical independence and introduced doctrinal changes. Eventually, it is the Elizabethan Parliament which reconfirmed England's autonomy, rejected various traditional Catholic teachings, and established the English Church on solid basis to ensure the smooth running of the English Reformation. In this respect, the parliamentary entity can be truly considered as the maker of the English Reformation.

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