

# Charles V and the English

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## A conflict of principle and practice

Had He been aware of it, Charles might well have felt himself to be the particular object of the Chinese curse «may you live in interesting times». Beginning with the conquest of Mexico, and ending with the Peace of Augsburg, there can have been few Imperial reigns more fraught with vital consequences for the future. A deeply traditional and conservative ruler, he found himself faced with new, and almost unprecedented problems, both in the New World and in the religious storms convulsing the Empire. Among the forces shaping these great events, the English occupied only a very minor place. Except for a few brief periods England, and particularly its eccentric king, Henry VIII, rated as little more than an unavoidable nuisance, rather like the gout which troubled Charles increasingly as he got older.

As Archduke of Burgundy from the age of six, Charles of Ghent had grown up with the English as his next door neighbours. English cloth merchants and their factors had been a familiar sight in all the major trading centres of the Low Countries for over a hundred years; and by the time that the great Bourse was built in Antwerp in 1532, English cloth was the most valuable single commodity fuelling the vital commercial prosperity of those cities from which the Emperor's bankers drew their liquid capital<sup>1</sup>. The importance of this trade to both sides meant that it featured to an unusual extent in the high level diplomatic exchanges which took place between the rulers of the two areas, notably the treaties of 1496 and 1506<sup>2</sup>. Charles took merchants seriously; he could hardly afford not to considering the role which the Fuggers played in his election campaign of 1519. This was why he treated the great commercial cities, and particularly Antwerp, with kid gloves, respecting their privileges even when those privileges were

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<sup>1</sup> BISSON, D. R., *The Merchant Adventurers of England*, AUP, 1993, pp. 1-12.

<sup>2</sup> The *magnus intercursus* and the *malus intercursus*. RYMER, T., *Foedera, conventiones, litterae, etc.*, XII, London, 1704-1735, pp. 578-588.

used to protect heretical printing presses<sup>3</sup>. The city of London was more important to the Emperor, as a part of Antwerp's commercial hinterland, than was the king of England, either as ally or opponent. It had been the logic of this commercial link which has re-established the Anglo-Burgundian alliance in the 1460s, after Philip the Fair had broken it off in 1435. The ostensible reason had been a common suspicion of France, but Edward IV was heavily dependent upon the support of London, and such a policy reflected the city's wishes<sup>4</sup>. This was the alliance which Charles inherited as Archduke, and although it is unlikely that he gave it much serious thought before his priorities transferred to Spain in 1516, it represented a kind of normality which was thoroughly familiar to him.

The Low Countries over which Charles ruled did not constitute the whole of fifteenth century Burgundy, but rather that part of the Burgundian lands which the Duchess Mary had conveyed to Maximilian, Charles's grandfather, on their marriage in 1478<sup>5</sup>. The residue had been absorbed by France. Charles VIII of France had also implicitly challenged Maximilian's leadership of Christendom in 1494, not only by invading Italy, part of which was Imperial territory, but also by expressing the intention of leading a crusade against the Turks. The leading opponent of French pretensions in the 1490s has not, in fact, been the aggrieved Maximilian, but Ferdinand of Aragon whose interests in Italy were similarly threatened<sup>6</sup>. Consequently when Charles succeeded Ferdinand (who was his maternal grandfather) in Spain, he was also the heir to a hostile relationship with France, which augmented the hostility which he had already inherited as Archduke. In contrast to this inexorable political logic, there was no substantial reason why Henry VIII of England should have been anti-French when he inherited his kingdom in 1509. His father had treated France indifferently, not allowing either the Burgundian alliance or the marriage of his son Arthur to Catherine of Aragon to saddle him with any consistent animosity. Henry VIII, however, chose to go to war with France, just as he chose to marry his brother's widow, Catherine. Neither of these decisions was forced on him by circumstances, but rather arose from his self image as a warlike and romantic renaissance prince, who was inspired by the heroics of his ancestor Henry V, almost a hundred years before. It was a portent of things to come. Throughout his long reign and moderately long life, Henry's policies continued to be driven more by

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<sup>3</sup> JOHNSON, A. G., and GILMONT, J. F., «Printing and the Reformation in Antwerp», in GILMONT (ed.) (trs. Karin Maag), *The Reformation and the Book*, Aldershot, 1998, pp. 188-213.

<sup>4</sup> There had been an inhibition of trade in October 1464, which had emphasised the need for a renewed agreement. ROSS, C., *Edward IV*, London, 1974, p. 105.

<sup>5</sup> Holland, Zeeland, Flanders, Brabant, Artois, Hainault, Namur, Limburg and Luxemburg. In the course of his reign, Charles was to add Groningen, Friesland, Drenthe, Overijssel, Gelderland, Utrecht, Zutphen and Upper Gelders.

<sup>6</sup> Ferdinand held the Kingdom of Naples, to which the French laid claim.

the imperatives of his personal agenda than by the needs of his kingdom<sup>7</sup>. It was an attitude which Charles, who was similarly driven by a sense of public duty and responsibility, was to find repeatedly and infuriatingly incomprehensible.

Ferdinand's conduct as Henry's ostensible ally in the war of 1512-1514 had done nothing to improve Anglo-Spanish relations, but that situation died with the man who created it, and Catherine, whose influence with Henry was still strong at this time, busied herself on her nephew's behalf as she had on her father's. In 1519 Henry was a mature king; twenty eight years old and ten years into his reign. Charles has been on a steep learning curve as king of Spain for three years, but was still a youth of 19, with little experience of the real exercise of power. Whether either or them had any clear impression of the qualities of the other may be doubted, but all that was about to change. When the Emperor Maximilian died, Charles inherited a number of Imperial principalities as head of the Habsburg family. He did not inherit the Imperial dignity because that was elective, and there were some doubts that the Electors might not wish to choose a prince who was already as strong as the King of Spain. A number of candidates were canvassed, but only three eventually emerged; the kings of Spain, France and England. This immediately worked in Charles's favour, because he was already a prince of the Empire, and the motives of both the other candidates were regarded with justified suspicion. Henry took himself seriously, and his agents were insistent on his behalf, but he had neither a long purse nor powerful backing, and probably would never have stood a chance, except as a compromise candidate if the other two had fought each other to a standstill. That could have happened, because Francis I, was also in earnest, and had large resources. However, when it came to the point no one could match the power of the Habsburg connection, or its capacity to offer generous inducements. Whether Charles needed to mortgage himself to the Fuggers as he did may be doubted, but his victory was unequivocal, and altered the whole power structure of Europe<sup>8</sup>. Wolsey's laboriously worked peace treaty of 1518 was immediately under threat, as the Emperor set out to break down what he perceived as the Anglo-French *entente* which it had contained, and by the end of 1520 he had succeeded.

It would have been impossible for Francis not to have felt threatened with the Emperor's territories virtually surrounding him; in the Low Countries, the Empire, Northern Italy and Spain; and this new situation gave England a strategic importance which it had not hitherto enjoyed. For all his warlike posturing, Henry could not overcome the fact that his kingdom was now a second rate military power: but he was

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<sup>7</sup> The main motivators of Henry's policies were the desire for dynastic security, the desire for unchallenged control over his own realm, and the desire for military glory. The best general discussion of the reign is still SCARISBRICK, J. J., *Henry VIII*, London, 1968.

<sup>8</sup> BONEY, R., *The European Dynastic States, 1494-1660*, Oxford, 1991, pp. 109-114. Citing CARANDE, R., *Carlos V y sus banqueros*, Madrid, 1944-1949.

strong at sea, and regarded the Narrow Seas as his particular preserve<sup>9</sup>. Now that communications between Spain and the Low Countries were a matter of vital concern, and an English alliance offered the French their only hope of escape from complete encirclement, Henry's desirability as an ally was suddenly enhanced. In the resulting competition for English friendship, Charles had several advantages, as we have already seen; and his position was strengthened by the purely personal tension between Francis and Henry, who were too much alike, and whose rivalry had surfaced at the Field of Cloth of Gold in the summer of 1520. By the end of that year the Emperor was hinting that he would like Cardinal Wolsey to be the next pope, and serious negotiations were in hand for a marriage between Charles and Henry's daughter Mary<sup>10</sup>. The betrothal was finally agreed on the 14th september 1521. Although both sides pretended great seriousness about this, its main objective was to shut out the French. Mary was five and Charles was twenty one. Even by the most optimistic calculation they would have had to wait seven years for cohabitation, and the Emperor needed an heir. In writing to his ambassador, Cuthbert Tunstall, Henry made it clear that he understood this clearly enough. Such a treaty «will not prevent the Emperor from marrying any woman of lawful age before our daughter comes to mature years, as he will only be bound to take her if he is then at liberty...»<sup>11</sup>. Following this treaty, Henry joined Charles in his inevitable war against France, but the two were uneasy allies, and the planned joint campaigns failed to materialise. Both were to blame. The Emperor switched priorities from one campaign to another, leaving his ally high and dry (or rather wet, as it was an autumn campaign). Henry could not find the resources to mount a major invasion, and used his ally's uncertainties as an excuse to do very little<sup>12</sup>. When Charles finally inflicted a crushing defeat on Francis at Pavia in 1525, he regarded Henry's attempts to exploit this situation with ill disguised contempt, and the latter's poverty left him able to do little on his own account.

A seismic shift was about to take place in Anglo-Imperial relations. In 1526 Charles abandoned his treaty with England, and married Isabella of Portugal. Henry's expressions of outrage and chagrin were largely theatrical because, as we have seen, he had already anticipated such an outcome. More importantly, he used the consequent negotiation for a French marriage to air his gathering uncertainties about his own union with Catherine of Aragon. Briefly, the king needed an heir, and Catherine after many still births

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<sup>9</sup> SPONT, A. (ed.), *Letters and Papers relating to the War with France, 1512-1514*, Navy Records Society, VII-XLVIII, 1897; RODGER, N. A. M., *The Safeguard of the Sea*, London, 1977, pp. 164-175.

<sup>10</sup> *Letters and Papers... of the Reign of Henry VIII*, GAIRDNER, J. (ed.), et al., III, London, 1862-1932, p. 1162.

<sup>11</sup> *Letters and Papers*, III, p. 1150.

<sup>12</sup> GUNN, S. J., «The Duke of Suffolk's march on Paris in 1523», *English Historical Review*, 1986, núm. 101, pp. 596-634.

and miscarriages, was now passed the childbearing age<sup>13</sup>. Henry and his subjects alike dreaded the unprecedented prospect of a ruling queen, and the king conveniently convinced himself that his marriage had contravened Divine law. When Charles found out that he was intending to seek an annulment, he was outraged. Not only was Catherine his aunt, she was also his loyal and astute ally at the English court. Equally important, however, was his profound conviction that Henry was wrong, and was seeking to exploit ecclesiastical weakness and confusion for an immoral purpose<sup>14</sup>. His implacable and successful opposition to the English campaign at Rome was to have far reaching consequences. The Anglo-Imperial alliance collapsed, to be replaced with a chilly but platonic hostility which lasted for nearly fifteen years. The Emperor's attitude placed him in a dilemma of his own making. With France, the Ottoman Empire and the Lutheran princes of Germany all threatening, he could ill afford to make another enemy. Did the reputation of an aunt whom he had hardly ever met really mean so much to him? I do not think so. I think that Charles's position was determined rather by the immense seriousness with which he took his responsibilities as the secular head of Christendom. He has his disagreements with successive popes, but the papal authority, like his own, was a prop of that supernatural ordering of human affairs which God had established for his own purposes.

No doubt the Emperor rejected Luther's theology but he did so not because he was unconvinced by (or even understood) his arguments, as because it was his duty to uphold the due order of the church. Sometimes he may have felt that he was a better catholic than the pope, but that was not really the point. The point was that God had raised him to the Imperial dignity so that he could ensure that the canon law was enforced by the temporal arm. Henry's eventual solution to his own problem, by claiming that he exercised the *potestas jurisdictionis* himself within his dominions thus offended against one of Charles's most deeply held convictions. This was not a question of sexual morality. Charles had more mistresses than Henry, and regarded them as disposable assets, but he refused to recognise Anne Boleyn as Henry's second queen, and always regarded their daughter Elizabeth as illegitimate. This attitude was faithfully reflected in the language employed by the ambassador who represented him in England throughout the chilly 1530s, the Savoyard nobleman Eustace Chapuys<sup>15</sup>. Chapuys was consistently outraged by the slights (real and imagined) to which Catherine and her daughter Mary were subjected; referring to Anne Boleyn as «the concubine» and Eliz-

<sup>13</sup> When the king first unburdened his conscience to the Aldermen of London, the response was distinctly sceptical. HALL, E., *The Union of the two noble and illustre families or Yorke and Lancastre*, London, 1548, ELLIS, H. (ed.), 1809, p. 754.

<sup>14</sup> On 29th July 1527, on receiving the first news of Henry's intentions from don Íñigo Mendoza, Charles wrote to the ambassador. «... we cannot in any manner be persuaded to believe in so strange a determination on the part of his serenity, and one which is calculated to astonish the whole world, were it to be carried into effect. In fact we do not believe it possible...» *Letters and Papers*, IV, II, p. 3312.

<sup>15</sup> CHAPUYS did two turns of duty in England, from 1529 to 1536 and from 1542 to 1545.

abeth as «the little bastard». On his mater's behalf, Chapuys regularly lectured the king on the errors of his ways, and intrigued indefatigably with those English noblemen and churchmen who opposed Henry's policies.

On several occasions he informed his master that even quite a small amount of financial or military assistance would be sufficient to topple the king from his throne and restore «right order». However, Charles did nothing, even when the Pilgrimage of Grace seemed to offer him a golden opportunity<sup>16</sup>. One reason for this may have been that he did not have the available resources, but another was that his principles and the practicalities of the situation were pulling in opposite directions. He did not really want to see Henry dethroned and his country destabilised. However badly he might be behaving, Henry was a legitimate ruler and there was no obvious alternative. Moreover, if he started putting his displeasure into effect, the result might be a most inconvenient Anglo-French alliance, especially as Henry was already angling for French support in the Curia<sup>17</sup>.

For similar reasons Henry continued to put up with Chapuys's undiplomatic behaviour, and even more undiplomatic speeches, turning a blind eye to his intrigues and to the moral support which he continued to offer Catherine and Mary, both of whom were defying the king to the best of their ability. He lived in mortal fear that the Emperor and the King of France might bury the hatchet and turn against him to enforce the papal sanctions. So he endured the ambassador's speeches, and used his own agents abroad to increase suspicion and hostility between the two major powers of Christendom. Catherine's death in January 1536 made little difference to this situation. On the one hand, Charles was quite glad to be rid of her importunities<sup>18</sup>, but on the other his support for papal attempts to force Henry to return to her were now meaningless, and some fresh strategy had to be thought of. The Emperor was well informed about events in England, but even he was taken by surprise by the sudden fall of Anne Boleyn at the end of April. This represented success, of a sort, for his low-key policy, because one of the reasons for Anne's demise was that she had become an obstruction in the path of the powerful chief minister, Thomas Cromwell, who was seeking to use Catherine's death as a means to restore Anglo-Imperial amity<sup>19</sup>. With Catherine and Anne both dead, there seemed a distinct possibility that Henry would renegotiate his relations with the papacy. Charles has always regarded the royal Supremacy as an *ad hoc* device on Henry's part to solve his succession problem, which was one reason for his low key

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<sup>16</sup> The most recent discussion of this major event, and of the Emperor's failure to respond to it, is BUSH, M. L., *The Pilgrimage of Grace*, Manchester, 1996.

<sup>17</sup> BL Add. MS 48044; *Letters and Papers*, V, p. 791. Henry made his first formal approach to Francis early in 1531; SCARISBRICK, *Henry VIII*, pp. 305-306.

<sup>18</sup> LOADES, D., *Mary Tudor; a life*, Oxford, 1989, pp. 86-87. Catherine wrote persistently to the Emperor, demanding action, but what action is not clear, since she was strongly opposed to a military solution.

<sup>19</sup> *Letters and Papers*, IX, p. 674; IVES, E. W., *Anne Boleyn*, Oxford, 1986, pp. 340-341.

reaction, and now it looked as though normality might be restored - with no effort on his part.

The king, however, had other ideas. After some hesitation he rejected negotiations with the Pope, and forced his recalcitrant but now exposed daughter Mary to accept his supremacy<sup>20</sup>. Chapuys was incandescent with rage and apprehension, because the princess had narrowly escaped being tried for treason, and Anglo-Imperial relations went back into the freezer. Charles, however, was even more reluctant to take action than he had been in 1533. As his council had then pointed out, Henry had taken no action in contravention of the 1529 treaty of Cambrai, which had brought the last cycle of war to an end. The Emperor's connection with the Queen of England and her daughter was purely personal, and should not be allowed to dictate public policy<sup>21</sup>. The Emperor had opposed the imposition of a papal interdict on England, on the grounds that it would ruin many of his Netherlands subjects if they were unable to do business with the islanders<sup>22</sup>. When Henry was personally excommunicated instead, all diplomatic contact with him should have been suspended, but Charles did no such thing. Ostensibly it was business as usual, although without any of the trappings of friendship. However, through the agency of Chapuys the Emperor was steadily building up a relationship with Mary. From time to time he toyed with the idea of using her as a figurehead for a rising against her father, and the princess seemed willing to co-operate. In 1535 she wrote that she regarded him as her true father, and would never marry without his advice and consent. In October of the same year, at Chapuys's urging, she wrote to Cardinal Granvelle that «... the affairs of this kingdom will go to total ruin if his Majesty does not, for the service of God... take brief order and apply a remedy...»<sup>23</sup> this promising development was, however, cut short abruptly by Mary's surrender to her father's pressure in July 1536. Chapuys represented her as suffering agonies of conscience for such a betrayal, but her own letters suggest a more complex state of mind. Later in the year she wrote both to Charles and Mary of Hungary declaring that she had now, been enlightened as to the rightness of her father's actions, and implying that she would no longer be a party to any action against him<sup>24</sup>. The Emperor was baffled, but had to accept what he was told, and their relationship drifted inconclusively.

At no time did the Emperor show any sign of understanding what Henry was doing, or why he was doing it. To him the king was simply breaking the rules. A threat to the independence of a national kingdom posed by the marriage of a ruling queen was simply not within his comprehension. As a result he also failed to understand the support

<sup>20</sup> BL Cotton MS Otho C x, fol. 289; *Letters and Papers*, X, p. 1136; also, Chapuys to the Emperor, 1st July 1536, *Letters and Papers*, XI, 7.

<sup>21</sup> Consulta of 31st May 1533; *Letters and Papers*, VI, p. 568.

<sup>22</sup> Charles to his ambassador in Rome, May 1533; *Letters and Papers*, VI, p. 569.

<sup>23</sup> *Letters and Papers*, IX, p. 596.

<sup>24</sup> *Letters and Papers*, XII, p. 637, 1314. LOADES, *Mary Tudor*, 108.

which Henry was receiving among his own people, a matter in which he was consistently misled by Chapuys<sup>25</sup>. They both understood the mindset of those who attacked Henry, from humble clergy to major nobles, but failed to comprehend that most Englishmen accepted Henry's actions as being in the interest of the realm, even if they personally sympathised with Catherine and Mary. Nor did he understand the nature of English lawmaking, or the peculiar significance of parliament. The estates had no right to interfere with the succession, let alone the church, both of which were beyond their competence. The statutes in which Henry consistently embodied his decisions meant nothing to Charles, and he never seems to have grasped that Henry was rewriting the rulebook in a particularly English way. In consistent pursuit of his own principles, he never recognised any of Henry's subsequent marriages, because they were conducted while the realm was in schism, and was quite surprised to discover that when Henry died in 1547 everyone in England, including Mary accepted Edward as his legitimate heir<sup>26</sup>. During the last decade of Henry's life, the Emperor's attitude towards him was distinctly schizophrenic. On the one hand he was a schismatic tyrant who should be deposed (an attitude which briefly looked threatening in 1538-1539); on the other he was a useful ally against France. From 1542 to 1544 king and Emperor fought side by side as they had in 1523, and then fell out again for similar reasons, but with no hint that Henry was an excommunicate who should have been outlawed from Christian society. Meanwhile English trade with Antwerp grew and flourished, until the Merchant Adventurers annual fleet was worth in excess of £300,000 sterling, and Charles had no intention of killing the goose that laid such golden eggs<sup>27</sup>.

Once he had got over his surprise at Edward's unchallenged succession, the Emperor unenthusiastically recognised the minority government led by the Duke of Somerset. He would, he told the Protector, observe his existing treaties with the English Crown, but not extend them. Should the king of France attack Calais, he would come to Edward's aid, but if the attack was upon Boulogne (a much more likely contingency), then the English were on their own. Somerset, realising that Henry II, who succeeded his father in March 1547, was almost certain to resume Francis's last war when the circumstances were favourable, tried hard to improve his relations with Brussels, but the religious policy which he was simultaneously pursuing made that impossible<sup>28</sup>. Henry's excommunication was not repeated against his son, who was only a child, and Charles had learned from hard political experience that he must do business with heretical prin-

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<sup>25</sup> He had written to his ambassador in France in May 1533 that «... the people of England are scandalised at the king's barbarity...» (*Letters and Papers*, VI, p. 534). For a more balanced appraisal of the amount of support Henry was receiving, see ELTON, G. R., *Policy and Police*, Cambridge, 1973, *passim*.

<sup>26</sup> *Calendar of State Papers, Spanish*, TYLER, R. (ed.), *et al.*, IX, London, 1862-1954, pp. 7, 15 y 38.

<sup>27</sup> Based on the figure of 126,000 cloths calculated by Ralph Davis, *England's Overseas Trade, 1500-1700*, London, 1973, p. 52.

<sup>28</sup> BUSH, M. L., *The Government Policy of Protector Somerset*, London, 1975, pp. 119-120. LOACH, J., *Edward VI*, London, 1999, p. 132.

ces; but he did not pretend to find them congenial. Consequently, when Henry finally did attack in August 1549, the Emperor, whose own endemic wars with France were temporarily in remission, declined to become involved. At the same time, in spite of her failure to answer to his expectations, his relationship with Mary began to recover. The Princess had adamantly refused to accept Somerset's Uniformity Act of 1549, and rejected the English liturgy when it came into use at Whitsun. She did this, not on the ground that it was heretical, but because it contravened her father's settlement<sup>29</sup>. Edward, she maintained, could take no such action until he was of full age. This was hardly a view which commended itself to the Emperor, but it showed promise, and Mary was the heir to the throne. When Somerset was overthrown in October 1549, the princess declined to become involved in the subsequent scramble for power, and the religious conservatives who had looked to her for leadership were defeated. The Earl of Warwick, who led the Council from December 1549, immediately renewed pressure upon Mary to conform. She refused, and appealed to Charles as she had done in 1535. Henry III had once told Chapuys that his master should mind his own business when it came to relations between father and daughter<sup>30</sup>, but Warwick could not afford to take so high a stand. Mary was a dangerous example of disobedience, but he dared not risk an open breach with the Emperor.

In 1550 the situation became so tense that Mary decided to escape to the Low Countries. Charles was appalled, because if she ran away she would forfeit all chance of the succession, but he allowed the plan to develop until, much to his relief, the princess herself changed her mind<sup>31</sup>. For the next three years she kept up her guerrilla war against the minority government. Her servants were harassed and arrested, but Warwick was not strong enough to act against her directly, and Charles was spared the embarrassment of having to decide what to do if she were imprisoned. By this time the Emperor's health was deteriorating. He was afflicted by gout, and sometimes unable to transact business for days, or even weeks at a time. Wars with France, and rebellion within the Empire, were resumed in 1552. His son Philip was now a grown man, and showing political abilities of his own; but he was not popular in either the Empire or the Low Countries, and was most at home in Spain. Charles's half sister, Mary of Hungary and his chief minister, the Bishop of Arras, were consequently his chief aides and supporters in the north. By the end of 1552 it is often difficult to tell whether the Emperor himself was making decisions, or whether Mary and Arras were acting in his name<sup>32</sup>. In the summer of 1553 he was tired and deeply dispirited. The war with France was stalemated,

<sup>29</sup> Mary to the Council, 22nd June 1549. FOXE, J., *Acts and Monuments*, CATTLEY, S. R. (ed.), VI, London, 1837-1841, p. 7. LOADES, *Mary Tudor*, pp. 145-146.

<sup>30</sup> *Letters and Papers*, VII, p. 1209.

<sup>31</sup> LOADES, *Mary Tudor*, pp. 153-157. A full report of the episode, compiled by the ambassador's secretary, Jean Dubois, is transcribed and translated in the *Spain Calendar*, X, pp. 124, 137.

<sup>32</sup> The implications of this partial collapse have been explored by RODRIGUEZ SALGADO, M. J., in *The Changing Face of Empire... 1551-1559*, Cambridge, 1988, pp. 73-77.

and hugely expensive. Finally realising that concessions would have to be made to the Lutheran princes of the Empire, but unable to address his own conscience to the need, he handed over the negotiations to his brother Ferdinand. And then events in England (of all places) gave him a dramatic new lease of life.

By June the young king was seriously ill, and the succession had suddenly become an urgent issue. By law Mary was the heir, but her religious stand had deeply offended her brother and some, at least of the regency council. Charles's ambassador in England, Jehan Scheyfve, who detested the Earl of Warwick for a variety of reasons, had been claiming for some weeks that, if the king died, Warwick would seek to deprive Mary of her right. It is not clear whether this claim was based on information or instinct, but it turned out to be justified<sup>33</sup>. Edward wanted to exclude Mary and Warwick was happy to oblige. Shortly before he died, Edward declared his cousin Jane Grey to be his heir, excluding both his half sisters on grounds of illegitimacy. The Emperor sent a special embassy to watch the situation, but with no instructions to support Mary in the event of a struggle. He certainly believed Mary to be the heir, not by English law (which she was) but as Henry's only legitimate child. However, he did not believe that the English would accept that, and had no opinion of the princess's ability to press her own claim. On the advice which he had received, he believed that Warwick was too strong to be defeated, and consequently instructed his ambassadors to work with whoever emerged as the victor<sup>34</sup>. On this occasion, when it came to a conflict between principle and practicality, the latter won hands down. In this respect, however, Charles did not understand English situation. Not only did he have no opinion of statute law, which the English regarded so highly, he also thought of politics in terms of magnates and peasants. In the event the conflict was decided by the fact that the vast majority of politically significant Englishmen accepted Henry's last succession act, and that the gentry, or *nobiles minor* rallied to her quickly and in large numbers<sup>35</sup>. He also underestimated Mary herself, because he did not see that her failure to act in 1547 had been the result of her belief in her brother's legitimacy.

Little though he had contributed to it, Mary's triumph brought the Emperor great advantages. Within a few weeks it became clear not only that she would restore «right religion» —both the mass and the papal authority— but that she would also honour

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<sup>33</sup> Although referred to here as the Earl of Warwick for the sake of clarity, John Dudley had been created Duke of Northumberland in November 1551. Scheyfve reported in April that Duke was plotting to alter the succession, but he knew no details. He also seems to have been convinced that the king would die weeks before anyone else accepted that. As he could not have had certain knowledge of the latter, it seems likely that he was a natural pessimist. LOADES, D., *John Dudley, Duke of Northumberland*, Oxford, 1996, pp. 239-240.

<sup>34</sup> *Calendar or State Papers, Spanish*, XI, pp. 60-65. HARBISON, E. H., *Rival Ambassadors at the Court of Queen Mary*, Princeton, 1940, pp. 43-44. LOADES, *Mary Tudor*, pp. 174-176. It seems clear that Charles's priority at this point was to exclude French influence rather than to secure Mary's success.

<sup>35</sup> «The *vita Mariae Reginae* of Robert Wingfield of Brantham», MACCULLOCH, D. (ed.), *Camden Miscellany*, XXVIII, 1984.

her eighteen year old pledge to marry only with his advice. Both these decisions offered Charles great, and unexpected, opportunities. Through his new resident ambassador, Simon Renard, he virtually controlled Mary during the first year of her reign, persuading her to marry his widower son, Philip, and to delay the restoration of the papacy until after the latter's arrival. They were both aware of the dangers of such a course, and Charles certainly understood that the English would detest the thought of a foreign king, and particularly a Spanish one<sup>36</sup>. Renard not only confirmed that fear, but added that «the heretics» were politically strong, and that the situation was unstable and volatile; «ce royaume est populaire» he wrote on one occasion<sup>37</sup>. We now know that these fears were exaggerated, and arose largely from a common failure to understand the English respect for statute. They also arose partly from the Emperor's understandable preoccupation with his struggle against France. Henry was infuriated by the Anglo-Habsburg marriage treaty, but since he was already at war with Charles, there was not much that he could do against the Emperor. He could, however, subvert the English, and Renard became convinced that is what he was doing. In fact his efforts were perfunctory, and the English were no fonder of the French than they were of the Spaniards; so his efforts came to nothing, the marriage took place, and the wide Habsburg dominions heralded a miracle as Philip became king of England<sup>38</sup>.

Then, and only then, did Charles allow the Pope's legate, Reginald Pole, to proceed to England, and the schismatic kingdom was restored to the church. Pole had tirelessly pointed out, for over a year, that it was the Emperor's first duty as the head of Christendom, to assist in the recovery of the lost sheep. Charles did not disagree, but his priority was to see his son safely installed; his principle on this occasion being «what is good for the Habsburg dynasty is good for the catholic church». The Emperor was probably the only person who regarded the marriage for which he was largely responsible as a success. When he began the protracted process of abdication in September 1555, he was able to hand over the Low Countries to the King of England, unchallenged by either the French or his own Austrian cousins, who felt with some justice that the provinces should have been a part of their own inheritance<sup>39</sup>. He knew enough about Mary to have little confidence in the dynastic outcome, and was not particularly anxious to involve England in the war which he was trying to bring to an end. But he was very keen indeed to give Philippe a power base in the north from which to secure his position in the Netherlands. By the time that he withdrew to San Yuste in 1556, he

<sup>36</sup> Renard warned him repeatedly of the unpopularity of the Spaniards in England, where they were regarded as «proud and impertinent», e.g., *Calendar of State Papers, Spanish*, XI, p. 333.

<sup>37</sup> Renard to the Emperor, 9th September 1553; *Cal. Span.*, XI, pp. 227-229.

<sup>38</sup> E.g. *Il felicissimo ritorno del regno d'Inghilterra all cattolica unione*, Rome, 1555.

<sup>39</sup> Having been frustrated in an attempt to make Philips his heir to the Imperial title in place of Ferdinand, in 1548 Charles had constituted the Netherlands into the Burgundian Circle by a Pragmatic Sanction. He then detached the Circle from the Empire in all but the most formal sense, and settled it on Philip. RODRIGUEZ SALGADO, *Changing Face of Empire*, p. 37.

knew that he would never see his grandson on the English throne, but he had done his duty, both to his family and to the church.

This is not the place to attempt an assessment of either Charles or his reign, and at first sight it appears that his actions, or lack of them, in respect of England were always determined by his own interests, and his view of the practical situation. However, it should be remembered that political interest would always have dictated friendship with England, as long as relations with France were hostile. There was no practical reason why Charles should have obstructed Henry's attempt to have his first marriage annulled. If he had simply stood aside, Clement would have found a way to oblige the king, and everyone would have been spared a great deal of trouble<sup>40</sup>. He was not enforcing the law, because it was for the pope to say what the law was in such a case. He acted as he did because he believed that Henry was behaving unjustly and immorally. As his own council pointed out, his relationship to the Queen of England was a personal matter. They did not criticise the stand which he had taken (which was generally approved), but they did declare that Henry had taken no action which the Emperor could interpret as hostile. Charles believed that he had acted rightly, and in accordance with his office, and had sacrificed an amicable relationship with a useful ally and trading partner in the process. However, at the end of the day it did not cost him very much, because in spite of his high moral tone, he never put himself out to support the king's enemies. In fact his inaction ensured the success of Henry's eccentric policies, and by 1542 relations between the Holy Roman Emperor and the schismatic king were back where they had been in 1523. Thereafter there was no conflict of principle and practice, merely an adjustment of priorities which gave Philip the credit for ending the English schism, rather than Mary. It was eventually Henry's vision of the future which was to prevail, rather than Charles's, because it was Henry who believed that it was possible to use a sovereign legislature to change the rules as you went along, a position now adopted almost without thought by every autonomous state.

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<sup>40</sup> The debate about the merits of Henry's case in canon law continues, but precedents existed for other annullments of convenience, notably that by which Louis XII of France had been freed to marry his predecessor's widow, Anne of Brittany.