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Maurice F. Meyers

Loyola University Chicago

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THE RELIGIOUS POLICY OF CHARLES V IN THE GERMANIES

by

MAURICE F. MEYERS, S. J.

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The author, Maurice F. Meyers, was born on July 11, 1912 in Fort Wayne, Indiana. He attended both St. Patrick's and St. Peter's Grade Schools in that city. From 1926-1930 he made his high school at St. Joseph's College, Collegeville, Indiana. In 1930 he entered the Novitiate of the Society of Jesus at Milford, Ohio. While there, in 1934, he received the degree "Litt.B." from Xavier University, Cincinnati, Ohio. He enrolled in the Graduate School of Loyola University, Chicago, Illinois at West Baden College, West Baden Springs, Indiana. He continued his studies at West Baden Springs until the completion of his philosophy course in the summer of 1937.
Germany in 1520 presented a sad picture. She was suffering two grave evils -- her civil constitution was being condemned by unruly nobles, while there was no supreme power in the Empire to enforce her laws, and secondly, religious unrest, which had been brewing for some time, was coming to violent ferment in the disturbances caused by Luther's attacks on Catholic doctrine and discipline and by the consequent division of opinion concerning him. In this crisis a young and inexperienced ruler was called on to take up the shadowy dignity of the rule of these distracted Germanies. He was Charles of Ghent, son of Philip the Handsome of the House of Hapsburg and Joanna the Mad, heiress of the new Spain of Ferdinand and Isabella.

On the young shoulders of Charles fell burdens fit to stagger even the strongest monarch. By his father he was born to the Netherlands, Burgundy, and the Hapsburg domains in Austria; from his mother, incapacitated from ruling by insanity, he took up the rule of Spain, Naples, and the vast empire forming to the West beyond the seas. His task was therefore enormous -- to complete the unification of Spain, scarcely begun by the union of Ferdinand of Aragon and Isabella of Castile, to further Spanish interests against the Moors in Africa, to provide for the new empire in the Americas, to promote the interests of the Netherlands, protect them and the Aragonese possessions in Italy against the encroachments of the French and the attacks of Italian princes, to spread the glory of the House of Austria and protect the Austrian domains against the possible attacks of the Turks, who were in Hungary and pressing on relentlessly to the boundaries of the Empire. To all these pressing labors therefore was added the further one of trying to keep Germany in some unity under the constitutions of the Holy Roman Empire -- an
all but impossible task in view of the fact that the emperor had lost much of his actual power and was dis obeyed with impunity by the great princes of the Empire.

In 1516 young Charles left his native Netherlands after the death of his grandfather Ferdinand of Aragon to take up the regency of Spain for his mother. On his arrival in Spain he found a veritable chaos of peoples and customs, and but little interest in himself or in his ideas. He had never before seen the proud country he was to rule, knew nothing of its ideals and very little of its language. He came as a foreigner, with a foreign language, foreign tastes, and, worst of all, a full retinue of foreign ministers whom proud Spain feared he would set over her. He received scant courtesy from the Cortes of Castile or the Cortes of Aragon and left Spain in 1520 in the Dutch hands of Adrian of Utrecht on the verge of revolt.

It was in the midst of his first progress through Spain that Charles learned of his election to the Empire, despite the opposition and the ambitious intrigues of the French King, and the steady hostility of the Medicean Pope. Since the affairs of Germany were clamoring for the attention of a ruler, Charles prepared to set out immediately for Aachen to receive the crown of the Germanies. Spanish affairs and political conferences with England so delayed him that only on October 23, 1520 was he crowned at Aachen and took the great oath to uphold the Catholic faith, to defend the Church and her ministers, to administer true justice, to maintain the rights of the Empire and recover its lost possessions, to render due obedience to Jesus Christ, the Roman Pope and the Roman Church.

Charles thus entered Germany for the first time to assume the tremendous burden of its sacred crown. His task was Herculean. His own position was not in fact so exalted as in the ancient theory of the Empire. The prestige of
the Emperor had been dwindling since the disastrous close of the struggle between the Hohenstaufens and the Pope in the thirteenth century and the interregnum of chaos which preceded the elevation of the Hapsburgs in the person of the Emperor-Elect Rudolph. The greater dukes and princes of Germany had grown in power till they were all but independent rulers, giving the Emperor but a deference of courtesy. Simultaneously with this rise of a few great princes, smaller lords sank to a position of poverty and destitution. The low position of their fortunes led many to lives of freebooting or to the careers of petty war, disastrous to the peace of Germany. Social discontent had been growing for generations and had been manifested in revolutions and bloody uprisings. Finally, the fact that the clergy, especially the higher clergy, were objects of suspicion and even of attack by the peasants gave ominous presage of impending disturbances to come with Luther and the great revolt.

The year 1517 saw the beginning of the break for in that year the restless spirit of Luther first showed itself. Before many months more had passed he was openly attacking the old Catholic system and defying her authorities. When Charles came to Germany therefore the revolt was born and growing rapidly to a popular movement. Thus on him from the very beginning rested the duty and the urgent necessity of meeting bravely and boldly this attack on the ancient Catholic system and so indeed proving himself, as he had sworn to be, a defender of the Faith and, no less, an obedient and devoted son of the Catholic Church.

In this paper I profess to portray the answer of Charles to this attack on the faith of his fathers and to show that he did remain true to his oath and never failed in his duty as he saw it to the ancient faith.
CHAPTER I

THE DIET OF WORMS AND THE FIRST EFFORTS AGAINST THE PROTESTANTS

One of the first acts of Charles after his imperial investiture at Aachen was to call an imperial Diet to be opened at Worms in January, 1521. This was the proper and necessary thing to do, since the diets, loose as they were in constitution, were the only recognized general governing body in the Empire. If ever Germany needed new life infused into her government it was at this time when anarchy was rising and the new religious disturbances gave presage of increased confusion.

At the opening of the Diet Charles spoke of the evils prevalent in Germany which would destroy the Empire if immediate correction were not forthcoming. He announced that he would do all he could to strengthen the Empire and exalt the Christian Faith. It was not his own glory he was seeking, said Charles, but the glory of the Holy Roman Empire, which in dignity deservedly far surpassed all other kingdoms, but was now only a shadow of what it had been.

Of course the powerful princes of the Empire were somewhat amused at the ideality of the young monarch and were planning quietly to take the real power in Germany into their own hands. But from the beginning discerning men saw promise in the young emperor. The Legate Aleander, dispatched to the Germanies to press the prosecution of Luther and the suppression of the rising religious disturbances, who had visited Charles in Belgium in 1520, sent to Rome an enthusiastic report in which he expressed the greatest hope that Charles would support the best interests of the Church in Germany. He wrote:
When the letter of Your Holiness had been read by the Chancellor, Charles at once answered independently, prudently and piously that he was ready even to lay down his life for the defense of the interests of the Church and the dignity of Your Holiness and of the Apostolic See. These were not his only words, but he spoke many others so well suited to the occasion that when I compare what I heard myself with what is commonly said of such a great prince, I cannot help but silently condemn such false and unjust speech. Let them say what they wish, but this prince seems to me to have noble sentiments and a prudence far above his years, and I believe that he has much more in store in his mind than he lets appear. As far as religion and piety are concerned, he is held by all who know him to be preeminent, and in this to fall below no one, either private citizen or prince.

The first effort of Charles at Worms was to restore order in the Empire, and this by the establishment or, at least, reorganization of a common central governing body. This "Reichsregiment" was set up only after much discussion and with great difficulty. It was to carry on the government of the Empire particularly in the absence of Charles. The other secular business at Worms was the reorganization of the "Kammergerichte" or Imperial Court and the provision for the financing of the two bodies set up.

The question at Worms of the greatest import in its consequences was that of Luther and the spreading schism. Before Charles had come to Germany Alexander had convinced him of the necessity of vigorous opposition to Luther. But Charles on November 28 yielded the permission that Luther be given a hearing at the Diet, against the remonstrances of Alexander who held very logically that Luther's stand was well known from his works and that since he was already condemned by the Pope it would be dangerous to papal authority
to reopen the trial, finally that it was impossible to do any good by such a hearing since Luther rejected any judgment but one favorable to himself and condemned the Ecumenical Council of Constance. Charles however at his coronation had been obliged by the efforts of Frederic of Saxony, the protector of Luther, to swear that he would not condemn anyone without a hearing. Nevertheless at the remonstrance of the Legate the Emperor withdrew his invitation to Luther, and on December 29, 1520, his Council of State issued a mandate against Luther and his followers to be obeyed under pain of imperial attainder. Moreover, Alexander reports, Charles tore up a letter of Luther demanding impartial judges.

At Worms, however, it was not easy to enforce the edict against Luther, especially since Charles thought it necessary to obtain the sanction of the Estates to any policy of opposition to the Protestants. Alexander was advising personal action but Charles was won to the constitutional way by the representations of his ministers, chief among them Gattinara, the Chancellor. To convince the Estates Alexander gave his celebrated speech to the Diet in which he showed conclusively how dangerous Luther was both to the Church and to the State. Alexander thus worked vigorously against giving Luther a hearing, for, he asked, "how can a man be heard who has openly declared that he refuses to be taught by an angel from heaven and desires nothing better than excommunication." But he found vigorous opposition, for he wrote: "Were not the Emperor so well disposed we must have lost the day. The Chancellor Gattinara considers it quite hopeless to fight heresy without a Council. Charles' confessor, Glapion, dreads a general conflagration; the princes are full of indecision, and the prelates full of fear. Everything is in such a state of confusion that unless God help us the wisdom of men will be of no avail."
The Estates however refused to condemn Luther unheard. As a result the Emperor had to invite him to a hearing and had to offer him a safe conduct. Still on his own initiative on March 26 Charles V ordered the confiscation of all Lutheran writings.

On April 16 Luther entered Worms amid the acclamation of great hosts of people. On the following day he and the Emperor stood face to face in the most dramatic scene of the whole Reformation. Luther was questioned about his books and admitted authorship of them. He was ill at ease, nervous, spoke in a low, quiet voice, and when he was asked whether he would retract he asked time for consideration. On the next day, April 18, he stood again before Charles V, firmly and fearlessly refused to retract, and in vigorous language defended his doctrines. Here then the swords were fairly crossed in the battle that was to be a great factor in the life of Charles. The next day he stated his position in an address that merits quotations in full. He showed himself no less determined than Luther. He spoke: "Descended as I am from the Christian Emperors of Germany, the Catholic Kings of Spain, and from the Archdukes of Austria and the Dukes of Burgundy, all of whom have preserved to the last moment of their lives their fidelity to the Church and have always been the defenders and protectors of the Catholic Faith, its decrees, ceremonies, and usages, I have been, am still, and shall always be devoted to those Christian doctrines, and the constitution of the Church, which they have left me as a sacred inheritance. And as it is evident that a simple monk has advanced opinions contrary to the sentiments of all Christians, past and present, I am firmly determined to wipe away the reproach which a toleration of such errors would cast on Germany, and to employ all my power and resources, my body, my blood, my life and even my soul in checking the progress..."
of this sacrilegious doctrine. I will not therefore permit Luther to enter
into any further explanation, and will instantly dismiss and afterwards
treat him as an heretic; but I will not violate my safe conduct, and will
cause him to be reconducted to Wittenberg in safety." The address is truly
representative of Charles' mind. He had no sympathy with error whether it
affected his domains or not and he was from the depths of his soul true to
the Catholic Church and with conviction always remained so.

Luther was hurried out of Worms on April 26 while Charles V and Aleander
prepared the famous Edict of Worms. It was read to the princes and accepted
on May 25 and signed by the Emperor. It condemned Luther in the severest
terms and placed him under the ban of the Empire with the command that all
his writings be destroyed.

Meantime the political situation in Europe was becoming involved in that
tangle which was to distract Charles V from German affairs for some years.
This circumstance, though foreign to the religious policy as such, has a
relation to it, for it helps to explain why the Edict of Worms was not
vigorously enforced, and why Protestantism spread almost unopposed in the
whole of Germany. Had Charles V been able to concentrate on Germany alone
and had he ample means of enforcing his will, Luther could have been taken,
rebellious princes -- not least of them Frederic of Saxony, who hid Luther
away in the Wartburg to protect him after his withdrawal from Worms -- could
have been forced to proper submission and obedience, and Protestantism would
never have lived and grown to receive its name at Spires in 1529.

However, while Charles V was at Worms Castile was in revolt and the
decisive battle of Villalar won on April 25, 1521. Cortes in far off Mexico
launched his brigantines in the Lake of Texcoco to being his assault on
Mexico City on April 28. At the same time the Turks were pushing on to Hungary. War with France was on the point of breaking out to begin those exhausting contests which were to be Charles' greatest obstacles to effective resistance to the Lutherans and to the Turks.

Charles V himself at the time was occupied with securing alliances for the impending contests. On May 8, 1521, he concluded a treaty with Leo X of which one clause at least deserves to be quoted as indicating the Emperor's Catholic spirit. It runs: "XVI Moreover, whereas the solicitude of our Holy Lord (the Pope) for spiritual interests and for the pastoral office of the Apostolic See dear above all; and whereas many have risen up who do not respect the Catholic Faith and who do not hesitate to attack the said See bitterly with their maledictions; the August Emperor promises that, as becomes a just and Christian Emperor, he will use all his power against those who in word or deed attack the Holy See and seek to disturb the Catholic Faith, and will prosecute them and avenge every injury done to the Holy See as done to himself."

Charles hurried down the Rhine from Worms back to his native and beloved Netherlands. His German settlement had not been enforced. Nine years were to pass before Germany saw him again. In the meantime Lutheranism grew and was strengthened. Luther was in many eyes the hero of Germany. The excesses of some of his colleagues did something to discredit the movement, while the violence of the Peasant War in 1525 helped to alienate a considerable number, but the princes saw that it was to their own advantage to rebel from Roman authority and seize ecclesiastical property and goods. Moreover, ever increasing numbers were caught up in the emotional enthusiasm of the New Gospel and became sincere converts. When Charles did return to Germany in 1530 he
found opposition of proportions not easily to be overcome, and in the face of
Turkish threats on Austria he was led to a conciliation he would have scorned
at Worms in 1521.

Let us see however what indication of the religious policy of Charles
we have for this interval. Before Charles had returned to Spain Adrian of
Utrecht, his old tutor, was elected Pope. The Emperor was overjoyed at the
prospect of having such a close friend as an ally in the papacy. But Adrian
at once showed his independence. He would not delay his departure from Spain
to visit Charles personally and he refused to conclude any alliance with
Charles, protesting that he was the common father of all Christendom.

In Germany meanwhile a Diet was called for Nuremberg to treat of reform
and of the enforcement of the Edict of Worms. It finally met on November 17,
1522. Here Adrian's representative, Chieregati, presented the famous docu-
ment of the Pope admitting the grievous need for reform in Rome and begging
cooperation towards this desired event. The Imperial policy too was for the
enforcement of the Edict of Worms, but the difficulties were recognized which
resulted from the growing strength of the new movement. However in the name
of the Emperor, as an answer to the representations of the nuncio, it was
deemed that the Holy Gospel was to be preached only as interpreted and
approved by the Christian Church and that no innovations were to be printed
and disseminated. This was to be the status of things till a definite settle-
ment should have been reached by a General Council. Moreover it was also
ordained that every Sunday from the pulpit an appeal was to be made for
prayers to God to keep all Christian rulers from the error which was spreading
so generally whether the rulers be temporal or spiritual, and likewise to
preserve all Christian men and to keep them all in the unity of the Holy
Christian Church.
Again towards the end of the same year Charles V made profession of his Catholic spirit regarding the heresies in Germany. In a letter to the new Pope Clement VII he reviewed his achievements at Worms, his efforts to strengthen the waning fortunes of religion, his positive action against Luther, “the most wicked of men,” the burning of Luther’s books, the severe penalties set against adherence to heresy and against all who should aid Luther, in short his efforts to keep the Church from suffering any harm.

Likewise in a letter to his brother written about this time Charles complains bitterly of the efforts of Francis I to promote open war and, even more, to stir up disturbances secretly in Germany itself. Charles on the contrary professes his desire for peace and his true devotion to the interests of Christendom. He writes: “You are well aware and indeed it is known to everybody, that it is my constant aim and desire to have peace and quiet in Christendom. And all that I have done and am still doing has only this one object, to unite together the arms and forces of Christendom not only in order to drive off the Turks and infidels but also to subdue them and to augment and spread abroad the Christian faith and religion.”

Another Diet assembled at Nuremberg on November 13, 1523 whose purpose, as Charles’ instructions to his representatives show, was to find some settlement in the matter of the Imperial taxes, the offensive against the Turks, the monopolies, and the affair of Luther and his partisans. “As to Luther and his adherents the Emperor had no slight misgivings that the edicts which he had issued at Worms with deliberate counsel and with the consent of the Electors, princes and notables had not been carried into effect; he therefore again pressed urgently for their enforcement.” One of the envoys of the Imperial cities confirms the sincerity of Charles’ devotion to the Church, for he writes that nothing lay so much to the Emperor’s heart as the
preservation of the Catholic religion and the unity of the Church.

Catholic interests were not wholly successful at the Diet for, despite the prudent negotiations of the Legate Campeggio and against his absolute veto, the Estates determined, in lieu of the General Council which was not forthcoming, to hold a national assembly at Spires in November of that year to settle the religious question. It was determined to enforce the Edict of Worms, but only as far as possible. In the meantime the gospel was to be preached without tumult and scandal and according to the right and true interpretation and teaching recognized by the Catholic Church.

Charles at the request of the Pope proved his Catholicity by his stern prohibition of the intended assembly. He also expressed displeasure at the presumption of the Estates; he promised to ask the Pope to have the council summoned soon and promised that he himself would attend; meanwhile he desired the Estates to conform strictly to the Edict of Worms and not to tolerate innovations under pain of being convicted of lèse majesty. Thus Charles V made the cause of the faith his very own. He had good reason to consider the Lutheran affair of tremendous importance. Hannart, his envoy at Nuremberg, was warning him of the growth of the heretics and the infamy of their deeds and the threat they were to the Empire. He wrote to Charles V on March 13, 1524: "Already it (Lutheranism) has gone too far, and they (Lutherans) daily commit such scandals in various places that it is a horror to read and hear of them." A month later he writes: "Likewise it is necessary to consider seriously the fact of the said Lutheran sect, for it is already spread far throughout all the Germanies, engendering much evil and disobedience among the people, against both ecclesiastical authorities and civil superiors and justices." Finally he reports: "It is to be feared that if our Holy Father, the Pope, and the Emperor as the two heads of Christendom
do not soon find some remedy, much greater evils will come, and, due to the long delay, these will not be so easily rectified." Hannart however advises Charles' participation in the assembly at Spires and the dispatch of theologians.

Charles V as we have seen was against this dangerous expedient. In his instructions to his ambassador at Rome on July 18, 1524, he condemns the convoking of the Diet of Spires as useless and only apt to drag out the religious question without settling it. He proposes a council as the real solution and begs the Pope to call it before the Diet can meet. He recommends Trent as the place, but gives permission that it be moved to Italy or even to Rome.

During the year of the horrors of the Peasant Revolt Charles V summoned the Estates to a Diet at Augsburg. His instructions prove him determined to labor to restore peace and order, suppress the mischievous religious innovations which had led to so much insurrection and bloodshed, and provide for the defense of the Empire against the threatened danger from the Turks. He also intended to go to Rome as soon as possible to receive the imperial crown and to try to induce the Pope to summon a general council to reestablish religious unity and carry out reform in ecclesiastical matters. Pending the council however he demanded that no further innovations in matters of religion be attempted. The Diet however was of minor importance since very few princes attended. Still its Recess reiterated the exhortation to follow the universal Church in the interpretation of Scripture.

At this time the Emperor's correspondence resounds with such strains as "do all he could to assure the maintenance of the Christian religion and the holy faith and the welfare of the Empire", or "he did not intend to withdraw in the slightest degree from the obedience he owed to the Church", or "to
strengthen and confirm the adherents of the old faith in their opinions and
to bring back the renegades to the right path", or "he would take measures
for the reestablishment of the unity of the faith and of the Empire and for
extirpating those unchristian and dangerous doctrines and heresies of
Luther's whence so much slaughter, blasphemy and disturbance had arisen."

Of much greater importance than the Diet of Augsburg just mentioned
was that of Spires which opened on June 25, 1526. The proposition or opening
instruction of the Emperor ordered the Diet to resolve on measures "whereby
the Christian faith and well-established good Christian practice and order
of the Church in general might be maintained till the meeting of a free coun-
cil. No alterations or innovations were to be effected." Discussions
arose at the Diet as to the opportuneness of the Emperor's instructions. A
certain party at least favored immediate reform and reorganization by
secular authority. The towns on their part on August 4 declared it impossible
to execute the Edict of Worms and asked for a suspension till the future
council. They hoped to make the most of the fact that Charles V was now at
war with the Pope.

The Recess of the Diet was proclaimed on August 27. It is of great
importance, not because it gave legal foundation to the doctrine "suius
regio, illius religio," but rather because it foreshadowed this and was the
first definite statement of the policy of conciliation and suspension that
assured Lutheranism of continued existence and growth. The famous article
reads: "The Diet unanimously agreed and resolved, while awaiting the
sitting of the council or a national assembly, on the matters which the
Edict published by his Imperial Majesty at the Diet of Worms may concern, each
one so to live, govern, and carry himself as he hopes and trusts to answer to
This clause was of course contrary to the instructions of the Emperor and was indeed never confirmed by him afterwards. At Spires the Lutheran territorial Churches were conceived, and in a sense therefore the failure of Charles' resistance to the Protestants may be dated from this time, for he was later on to need the help of the princes of Germany against the Turks, and he was to find himself strong enough to force them only on one occasion. Concession therefore became necessary.

Brief consideration must also be given to the relations of Charles V with Clement VII since they illustrate the Emperor's attitude towards the Church and especially his sincere desire for the general council. In Clement VII Charles had anticipated having a supporter. But after the Emperor's victory at Pavia the Pope turned to France, for he was a patriotic Italian, and not too scrupulous to use even Machiavellian politics to safeguard the liberties of Italy. War ensued, but Charles V protested that he was strongly in favor of peace. On September 18, 1526, he wrote to Clement detailing his great devotion for the Roman Church and his services in the Germanies for the sake of religion. He wrote: "Wherefore since I have given no cause for offence, I earnestly entreat you to leave recourse to arms. I shall do the same. Since we have both been placed by God as great beacons, let us labor to illuminate the earth and let us thing of humiliating the barbarians (The Turks and the Berber pirates) and of repressing the sects and their errors." But Charles V warns the Pope that if he is recalcitrant he himself will call a council.

Again on October 6 Charles V wrote to Clement VII complaining of the Pope's injustice to him who was very devoted to the Church. "In all truth from the very depth of my natural being I love the Roman Church, and I have freely turned a deaf ear to their (The German princes) demands. When later
even greater disturbances arose and threw Germany into violent confusion and the princes summoned a council, I vigorously denounced it and forbade it to convene, because I thought that such a meeting might be detrimental to the interests of the Roman Church and Pontiff. In order to pacify them (the princes) I raised hopes of the future council." Thus in effect Charles V repeated his request for the council and put the blame on the Pope for any evils resulting from the delay of its convocation. Likewise in another letter of this same time to Clement VII the Emperor wrote: "And while the strength of Christendom is in this wise shattered, treacherous enemies will drive the Christian flock step by step into false paths, new errors will spring up day by day, the doctrines of the heretics will take firmer and firmer root, and grievous, irremediable damage will accrue to the Christian religion."

Charles V however did not neglect to take measures for resistance. When Moncada his ambassador failed to win from the Pope the repudiation of the League of Cognac, Charles sent him instructions to use more hostile means, to concert with the Colonnas in raising up insurrection against the Pope in Italy. Thus if Moncada should fail to establish peace, Charles V advised him to take measures to prevent the enemy from gaining any initial advantage, and to this end to negotiate in secret with Cardinal Colonna. When however the Colonna put into effect the anti-papal plan, Charles V was obliged to repudiate part in it, since the Pope had been deceived, attacked and forced to flee to Sant' Angelo while his palace and St. Peter's were plundered and desecrated. Charles V also vigorously denounced the excesses of the siege of Rome in the next year, though the guilty were his own troops. In this affair he was in all probability guiltless, since he was in Spain at the time and
and therefore removed by weeks from the scene of action, while the sack of Rome was perpetrated by an army in mutiny and desperation. For many months after the event Charles V disavowed part and offered reparation.

On the whole, when all is considered, the attitude of Charles V during these years of hostility is easily explicable if not wholly defensible. The language he used at times to the Pope was quite unbecoming a Catholic, not to mention the temporal head of Christendom. Of the whole tenor of the letters of September 17 and October 6 Pastor says: "Since the days of Frederic II and Louis of Bavaria no ruler of Germany had addressed such language to Rome. There was many passages in which Charles used language of which no follower of Luther need have been ashamed."

After the sack of Rome however Clement VII was forced by the inactivity of the League to come to terms with the Emperor. In 1528 their relations were again becoming friendly and peaceful so that the Emperor could again entertain hopes of being able to go to Rome for his coronation and then passing on to Germany to effect a settlement in religious affairs. On November 30, 1528, he summoned an imperial diet to meet at Spires in the following February for the purpose of coming to some decision in regard to resistance against the Turks, the suppression of errors in the Christian faith and the reestablishment of peace and order. As regards the religious affairs he cherished hopes of happy results since he had entered into better relations with the Pope and since the convocation of an ecumenical council seemed near at hand.

Negotiations for peace were concluded by the treaty of Barcelona on June 29, 1529. The terms were more favorable to the Pope than could have been expected. France in turn had to come to terms with the Emperor, and
through the instrumentality of Margaret, Regent of the Netherlands, and Louise of Savoy, mother of Francis I, the treaty of Cambrai, favorable to the Emperor, was concluded on August 5. Charles V was thus at peace with his enemies and at the peak of his power. He speaks of his desires at this time in his Commentaries. "From thence (Spain) he resolved to depart, animated by the desire to establishing the best order possible in regard to the errors of Germany, to which, as has been said, he had not been able to apply more than an incomplete remedy due to the wars which had occupied him. He sought likewise at the same time to offer resistance to the attacks he had been suffering in Italy, also to be invested with the crowns he had not yet received, and finally to come to some agreement on a policy that would be effective against the Turks, who were, according to report, advancing against Christendom."

Accordingly he arrived in Italy in August, 1529, welcomed with shouts of "Long live the Ruler of the World!" On November 5 he entered Bologna to meet Clement VII. Here after some weeks of various business Charles, the last mortal to be so honored, was crowned King of the Lombards and Roman Emperor of the Holy Roman Empire. Meanwhile he had been treating of the general council and of aid against the Turks, who were more than ever active in Hungary and even to the very gates of Vienna. As to the general council Charles wrote in his Commentaries: "The Emperor put before His Holiness the importance and necessity of providing some remedy for the affairs of Germany and the errors which were being propagated throughout Christendom, and he begged him that as the one and principal remedy he should convolve a General Council. To this end His Holiness named a Legate to assist at the Diet of Augsburg and to promote in it such resolutions as seemed proper for the
This in the flush of his glory of success, the Emperor left Italy for Augsburg, able once again to visit distracted Germany where his presence and force were so needed.
Notes to Chapter I


2. Ludwig Pastor, History of the Popes, St. Louis, 1923, VII, 429.

3. Ibid., 430.

4. Ibid., 438.

5. Kidd, Documents, 86.

6. Ibid., 121.


8. Ibid., 81.


10. Ibid., 39-40. Also, Pastor, X, 113.

11. Lanz, Korrespondenz, I, 103.

12. Ibid., 127.


15. Ibid., 56.


18. Ibid., 185.


20. Ibid., 221.


22. Pastor, IX, 354.


24. Kervin de Lettenhove, Comentarios del Emperador Carlos Quinto, Madrid, 1882, 16.

25. Ibid., 16.
CHAPTER II
THE SECOND OFFENSIVE AND ITS FAILURE

During the absence of Charles V the religious conditions of Germany had become steadily worse. Authority was openly condemned, heresy had gained a solid footing. At Spires in 1526 began the development of the territorial churches in the refusal of the princes to execute the Edict of Worms as they saw fit. In the following years the political power of the partisans of the new religion grew to such proportions that in 1528 Philip of Hesse was intriguing to begin a war, ostensibly defensive, against the Catholic powers. He did in fact attack some of the prince bishops. He schemed for support from the King of France and from the Voivode of Hungary, Zapolya, who was contesting the crown of Hungary with Charles' brother, Ferdinand of Austria.

To settle such conditions, the Diet had been called for Spires in 1529. It opened on March with the Imperial Proposition. This states that in consequence of the pernicious doctrines and errors which have sprung up in Germany, not only all praiseworthy Christian laws and usages have come to be treated with contempt, but wars, lamentable insurrection, misery, and bloodshed have been stired up in outrageous defiance of the imperial mandates and the Recesses. Thus a general council was to be convoked soon, in order that useful and decisive measures might be agreed upon for the reestablishment of the Christian religion on a sound basis. Hence all the Estates under severe penalties were not to proceed in any way with violence against any others on account of religion, or compel them to adopt a different creed or endeavor to attach them to the new sects. Moreover by right of imperial plenary power the Emperor struck out, revoked and annulled, now, henceforth and forever
more, the dangerous Recess of Spires of 1526.¹

The Catholic majority at the Diet formulated resolutions essentially milder than the Emperor's proposals. They recommended the summoning of a council within two years in a German city, or at least the convening of an assembly of the Estates which the Emperor would attend in person. In regard to the Edict of Worms those who had hitherto observed it were to continue to do so, but those who had not were to be permitted to hold to their new doctrines till the council, provided only that they did not molest Catholics because of religion, or permit any more innovations particularly such as were opposed to the Mass and the Eucharist. Even these proposals the minority rejected as against their conscience, though Ferdinand implored acquiescence as the only remedy for the woes of Germany. This event gave the minority their name, for their continued protest caused them to be called Protestants. This diet therefore failed to effect the religious settlement and the pacification of Germany. The Protestants now saw that they must be prepared to defend their new position and began uniting for defense. Here was formally effected the split in the German nation.

The Emperor of course could not sanction the Protestant policy, which would have been absolutely fatal to any peaceful settlement in Germany. When therefore the Protestants presented their protest to the Emperor after his arrival in Italy he answered them sharply. "The decree of Spires had no further object than to prevent from henceforth any fresh innovations and the formation of fresh religious sects (of which so many execrable ones had already sprung up), in order that peace and unity might be established in the Empire. For this reason the Elector of Saxony and his friends ought to have consented to the decree. He (The Emperor) and the rest of the Estates felt
no less concern for the salvation of their souls and no less respect for their consciences than did the Protestants; he too wished as much as they did for a general council although it would not be so indispensable if the decision arrived at at Worms with agreement of all the Estates were generally conformed to." Moreover the Emperor threatened to use stringent measures if they did not obey.

This answer of course reflects the security and strength the Emperor felt in Italy. At the height of his power he was not willing to temporize with the heretics. His only obstacle was the constant and growing danger of Turkish inroads into the Empire. Effective defense against these invincible enemies of Christendom demanded the concerted efforts of all Germany. At this very time new panic was seizing the Empire since in May, 1529, Suleiman set out from Constantinople to attack Vienna. By the end of September his hoards were at the very gates of the city and only drew off at the approach of winter. It was imperative therefore that the Emperor go to Germany personally to unite the people in religion and to provide for effective resistance to the enemy.

On January 21 therefore he summoned the Estates to a diet to be opened at Augsburg on April 8. In his summons he speaks with moderation on religious questions, since he was sincerely desirous of allaying all bitterness. He goes on: "and further how in the matter of errors and divisions concerning the holy faith and the Christian religion we may and should deal and resolve, and so bring it about in better and sounder fashion that divisions may be allayed, antipathies set aside, all past errors left to the judgment of our Savior, and every care taken to give a cheritable hearing to every man's opinions, thoughts, and notions, to understand them, to weigh them, to bring
and reconcilemen to a unity in Christian faith, and to dispose of everything that has not been rightly explained or treated on the one side or the other."

The Papal Legate, Campeggio, at the same time was warning Charles V that the only effective means of healing Germany's ills was to threaten censure and ban to all who would not conform. He goes on: "Your Highness also, with your just and awful Imperial Ban, will subject them to such and so horrible an extermination that either they shall be constrained to return to the holy Catholic faith or shall be utterly ruined and despoiled of goods and life."

And of any perverse -- "Your Majesty will then take fire and sword in hand and will radically extirpate these noxious and venomous weeds." As to the council Campeggio was of the opinion that the Protestants were not sincere in asking for it, but only wanted to draw the Emperor on to a policy of conciliation in order that they might have time to implant their heresies even deeper into Germany. Campeggio undoubtedly was right; perhaps the only effective policy against such men as Philip of Hesse would have been force, but Charles V was in no position to employ it.

As the diet opened it became evident that a policy of conciliation would prevail. Charles requested the Protestant princes to silence their preachers in the Imperial City of Augsburg during the diet, but the response of the heretics to this was such a forceful refusal that Charles finally proposed that the preaching on both sides should be suspended and those only allowed to preach whom he should specially license, but that they were not to touch on questions under dispute. The addresses to the princes even of the determined Campeggio were in conciliatory terms. He pleaded rather than demanded that they should not sever themselves from the universal Church to the great detriment of themselves, the Church and the Empire.
At the same time the Protestants too were conciliatory in their actions. They probably did not yet feel sufficiently strong to oppose themselves absolutely to the Emperor and the Catholics and to stand the consequences. They were, as Campeggio remarked, probably playing for time. They all but apologized to the Emperor for all the ill repute that was attached to their name, due, they said, to misrepresentations of their doctrines. They professed themselves true members of the Church and offered to prove their orthodoxy by an exposition of their doctrine.

Following this offer the Protestants presented the celebrated Augsburg Confession to the diet as the official statement of their religious beliefs. It was composed mainly by the moderate Melanchthon who himself regretted the disruption of the Empire and worked earnestly for a peaceful settlement. The document was carefully prepared, revised, offered to Luther for his approval, which was given on May 15, further changed and polished, and finally presented to the diet on June 25. It began with an appeal for a free general council if the diet did not restore unity, and proceeded to define the Protestant tenets in as nearly Catholic terms as at all possible. One section however was directed against the so-called abuses and human institutions such as celibacy and communion under one kind. In essentials therefore the Protestants professed loyalty to Rome. Even the doctrine of justification by faith alone was expressed without the all-changing "alone".

The moderation of this statement of belief inspired hope of a true conciliation, and Campeggio and Charles V wrote in this strain to Rome. However, Charles asked the Protestants if they would accept him as arbiter in the matter. In case of their refusal the council was to be offered, but only on the condition that the Protestants desisted temporarily from the novel religious practices they had introduced, and that they conformed to
the Edict of Worms. Moreover, Charles promised to do his best to correct abuses. He was using the extreme of moderation to win the Protestants.

In July Charles V sent a long letter to the Pope in which he begged earnestly for the council as the only effective means of settling the difficulties; he reminded Clement VII of his promises in this regard and pressed their fulfillment.

Charles had the Confession of Augsburg examined by a committee of Catholic theologians, among whom there were such stalwarts as Eck, Faber, and Coehlaeus. The Confutation they presented was absolutely unacceptable to the Emperor because of its length and its uncompromising spirit. Several revisions were required before the document had been sufficiently toned down. But even then it was absolutely unacceptable to the Protestants, who refused to make any further concessions at the earnest plea of the Emperor. Several months were spent in fruitless negotiations for a peaceful, conciliatory settlement. The Protestants however were obdurate. In the acts of the fifth session we read of the Emperor's rising impatience: "That all these difficulties might be healed (that is, the difficulties in the Confession and Confutation of Augsburg) and that the position of the Church might be righted, the Emperor promised to direct all his efforts and professed his earnest hope that, since there was agreement on many points the Protestants would return to the Church and submit to it. In case this happened, there was nothing they could not hope for from the Emperor, but if such were not the outcome, then he would necessarily have to act as became the protector and defender of the Church." On September he repeats this veiled threat: "neither would he spare himself any labor or hardship to compose the difficulties; but if the Protestants rejected his labors and would not stir from their position, then he would have to act in a manner befitting the Protector of the Church."
Even the Pope was ready to make some concessions as long as they did not prejudice the position of the Church. He would not however yield on the points of celibacy or communion under two kinds.

When it became evident therefore that the Protestants would not make any step to meet the Emperor in his efforts to conciliate the difficulties, he found himself forced to draw up the Recess in full conformity to the Catholic spirit. The Recess provided that since the Protestant Confession had been considered and answered by sound arguments and an orthodox confession had been drawn up, therefore for the weal and benefit of the Empire, for the maintenance of peace and unity, and as a proof of his gentleness and as a special favor, the Emperor gave a respite to the Protestants to April 15 next to weigh and consider whether they would not reenter into harmony with the Christian Church, the Pope, his Imperial Majesty, and the Princes of the Empire, until a final decision should be rendered by the future council. Charles V too promised to consider during the interval the course of action prescribed by his office. But in the meantime the Protestants were not to proselytize, to persecute Catholics, or to work any further changes. In addition Charles spoke of the abuses and promised to work against them. In regard to the council he announced that he would endeavor to have it called within six months of the end of the diet, and begin within one year, "in the firm belief that this would be the only remedy by which public peace and tranquility could be restored and stabilized in regard to ecclesiastical and spiritual matters as well as in political and civil concerns."

The Protestants rejected this and demanded that the purpose of the respite till April 15 be that they might reflect whether or not they would accept the Recess. When the Emperor refused to consider further alterations
of the Recess, any understanding was precluded and the diet came to an inauspicious end.

In a restatement of the Recess on November 19, 1530, the events attending the promulgation of the Recess of September were reviewed and the demand of the Protestants to capitulate before April 15 following was reiterated. The new doctrines were denounced as the cause of Germany's great evils. The document refused to recognize anything like a real break in religious matters and treated heretical doctrines as disturbances within the Church which had to be allayed by removing the errors and grievances. One after the other Catholic doctrines were stated and adherence to them commanded. Only priests licensed by the bishops were to preach, married priests were to be suspended, preachers were to avoid in their sermons anything liable to stir up insurrection; above all they were not to spread about that an attempt was being made to suppress the Gospel and the Holy Word of God, for its defense and promulgation were the Emperor's greatest concern. However the Gospel must be expounded according to the approved exposition of the Christian Church. There must be no wrangling on disputed questions, but they must leave these for the decision of the future council. Confiscated Church property was to be restored to its rightful owners. The only response of the Protestants was to provide defense against any attempt to enforce the Recess, by the formation of a defensive League at Schmalkalden in February, 1531.

The Emperor saw that he had to take strong measures to try to force the Protestants to obey the Recess, now the law of the Empire. He first tried to protect the rights of Catholics to practice their religion in lands held by heretical princes, but was effectively opposed in this. Then he considered what steps he might take to reunite Germany in religion. Force was coming
to seem the only means that would prove effective. Charles probably realized this along with the zealous Catholic princes, Joachim, Elector of Brandenburg and George, Duke of Saxony, who emphasized the same need, but he was appalled at the probable consequences of a civil war in Germany at a time when social and political unrest among the people might easily excite a revolutionary conflagration even in the Catholic districts, while over all impended the menace of the Turks. In addition he could not count on help from the majority of the Catholic states. Bavaria under the Chancellor, Leonhard von Eck, indefatigable enemy of the House of Hapsburg, was working against the election of Ferdinand as King of the Romans and was consequently not slow to embarrass the Emperor.

Few, even from among his opponents, could help admiring the sincerity of Charles V in these efforts to restore peace. Praise of him was lavish, and not merely adulatory, because it came even from such men as Luther, who, for example, wrote, "It is remarkable what love and devotion all harbor for the Emperor." At the same time another Lutheran theologian wrote in the same strain: "The Emperor is certainly the best of men and the most benevolent of princes; this is the testimony of all good people." Armstrong, beginning with yet more glowing tribute of Melanchthon, sums up the work of Charles V and its prospects thus: "Melanchthon wrote to a friend that more marvelous and glorious than all the Emperor's successes was the control of his temper; never a word nor an action could be criticized as in the least overbearing, there was no greed, no sign of pride, no cruelty. 'In this religious question,' he continued, 'in which our adversaries with wonderful art strive to exasperate him against us, he has always heard us in a judicial spirit. His private life is a perfect model of continence, temperance and moderation.
Domestic discipline which of yore was most vigorous among the Germans is now only preserved in Caesar's household. After all Charles' ideal was lofty. He was striving not only for the unity of the Church, of which he was the sword-bearer, but was compassing the union of the nation."

From Augsburg began Charles' policy of conciliation, suspension and above all of earnest effort for the council. This policy, as Armstrong notes, was to be that of Charles for the next fifteen years. A few words on Charles' efforts for the council at this time are in place. We have seen that the summoning of the council was one of the chief topics of discussion at the meeting with the Pope in Bologna. Clement VII promised to summon the council when it should have been shown that it was the necessary and feasible way to settle the religious difficulties. Charles was most earnest in urging the council for he considered it the only solution to the question. In Germany the Legate, Campeggio, worked against it since he considered force the only solution; he believed that the Protestants only spoke so much about the council to gain time, but that they would not submit to it. In the Recess of the diet however, the Council was practically promised to the Protestants; Charles was to work for it earnestly, endeavoring to have it convoked within six months and in session within a year. Though the Protestants rejected the Recess, Charles V still was reluctant to use force, or rather did not have the force at his immediate command. He therefore continued his efforts for the peaceful settlement by means of the council.

In October Clement VII too was recommending the council to the Cardinals. In his letter of July 31 to Charles V however he had posited certain conditions on which the summoning of the council depended. They were that the Protestants should renounce their errors and return immediately to the obedience of the Church and the observance of her customs as long as it was
not determined otherwise by the council; they must moreover submit willingly and unreservedly to the council in all points. Charles strove to draw the
Protestants to accept these conditions, but with so little success that he was ready to promise the council absolutely. He pleaded for the cooperation of Rome in this lest within ten years there be no obedience left in Germany. Charles wrote, "that the meeting of the council must take place for the cure of the present errors, the welfare of Christendom, the settlement of belief, the elevation of the Apostolic See, and the personal honor of His Holiness; failing it, no adequate course is open, and far greater are the evils contingent on the council not taking place than those which it is supposed would accrue from its deliberations, for the present errors are many, various, and daily increasing." The Emperor asked that the council might be held near German territory so that the Lutherans might have no excuse for not attending.

The Pope apparently was reluctant to commit himself definitely on the summoning of the council, and Charles' close friend at Rome, Cardinal Loyasa, kept him informed of this spirit, which the Cardinal thought was definitely against the council. But by the end of 1550 Clement VII seemed to veer to a more definitely favorable policy. The objections to the council however were detailed to Charles V. They were legitimate ones: that it was harmful to allow rediscussion of settled doctrines and would be antagonizing to the Lutherans to refuse this, that the Lutherans gave no promise of submitting to the council, that the old controversy of the supremacy of the pope or the council might arise again to the prejudice of the position of the pope. Moreover, certain conditions were again insisted on: that only the Turkish question, reconciliation of Lutherans, extripation of heresies and the adequate punishment of the contumacious were to be considered. The Emperor was
to attend in person; the Lutherans were to sue formally before the council.

A great delay however came in the negotiations with the attempt to gain the consent of Francis I. The French King dissembled his policy at first, but in a tardy reply to Charles V placed impossible conditions. In the fear then that the council could not be convoked, the other possible means of dealing with the German situation were considered. They were, to suppress the Lutherans by force, towards which the Pope offered help, or to try to bring them back to obedience by means of confessions of faith, stated in terms not detrimental to Catholic belief. Charles V was of course highly displeased that the negotiations for the council were abortive and was inclined to think that Clement VII was secretly attached to Francis and working against the Hapsburgs in Germany. His only refuge was to call another diet; it was to be held at Spires on his return to Germany. On his part the Pope offered to make certain concessions to facilitate negotiations, such as marriage of the clergy and communion "sub utraque."

When the spirit of the Protestants became apparent in the early part of 1531 Charles began to take some means of active resistance to them. Against the threat of the League of Schmalkalden, in process of formation, plans were discussed of a corresponding Catholic league. These plans were presented in a proposition made to the Electors while they were at Aachen for the coronation of Ferdinand as King of the Romans. Charles approved the League of Cologne for the maintenance of Ferdinand in his new office against the Elector of Saxony, his son and other heretics. Thus it behooved the King and the princes to treat of effective means of maintaining themselves and their faith against this opposition, "not only considering their own advantage, but having in view at all times the maintenance of the holy faith and of the authority of the Holy Empire, the preservation of Germany, and the
avoidance of the irreparable damage that would inevitably follow its destruc-
tion. These duties the said King and princes were to hold as binding in
reason, honor, and conscience." With these truths before him Charles V there-
fore advised the convocation of the Council. "In case of its meeting, if the
Protestants should show obedience to it, they were to be treated in all
charity, mildness and clemency." But if the council did not assemble or if
the Protestants refused to submit, as was not unlikely, then it was evident
"that they intended to continue in their course and appeal to arms." In
such a case it would be necessary to "form an alliance between their said
Majesties and electors, not only to meet the attack, but even to gain initial
advantages and thus be able to render aid to the other Catholic princes,
lands, counties, and cities of the said Germany. To this end His Majesty was
prepared to open negotiations and to do all possible in a manner becoming a
good Catholic Emperor with the honor and interest of the German nation at
19
heart."

Charles passed on from Aachen to the Netherlands. From there he kept in
close touch with Ferdinand and the progress of German affairs. On April 3 he
wrote to his brother that, since there seemed to be little hope of the council
and since something had to be done against the Turks, he was to make over-
tures to the Protestants and offer some concessions "without prejudice to the
essential points of our faith." Thus after April 15, 1531, the termination
of the Protestants' time of grace, nothing was done against them.

Again on May 2 Charles V wrote to Ferdinand: "It seems to me always more
necessary to consider carefully with regard to good and practical means
whether it will be possible with the aid and assistance of the electors,
princes, and good Catholic personages to find some proper expedient to bring
about a peaceful settlement or a suspension of error and heresy." Again on
May 21 he wrote: "It is more than necessary to come to some agreement and
with all prudence and diligence possible to find some means to treat with the
Lutherans and other heretics, and this as soon as possible, since the sum-
moning of the council is delayed."

To effect this temporary settlement the better, the electors of Mains
and of the Palatinate were commissioned to enter into negotiations with the
Protestants. To these electors Charles sent Cornelius Scepperius, who, while
remarking the growth of the Protestants, reported in June that there was hope
of some settlement based on mutual concessions. The Protestants would hold
fast to these points -- "the eating of meat (in Lent), the marriage of priests
and of communion under two species." Again he reported that the Bishop of
Augsburg recommended concessions for the greater good and that these would
have to be on the Mass, the marriage of priests, fasts and abstinences, the
Eucharist, monks, and dues to ecclesiastics.

Charles himself wrote to the Elector Palatine saying that the suspension
of suits against Protestants in the imperial courts because of religion, a
suspension earnestly desired by the Protestants, would be granted, to last up
to the next diet. In this letter he spoke of his purpose in these negotia-
tions: "to settle affairs in a manner favorable to the holy Catholic faith,
the Christian commonwealth, the peace and union of the holy empire, and the
honor of the German nation," and further on he added: "to order all things
to a good end and in a manner consonant with the honor of God, of our holy
faith, the tranquillity and repose of Germany, the preservation of our
authority and that of the holy empire." In this same connection Charles
also sent the Dukes of Nassau and Neumar to the Protestants. They were to
get instructions first from Mains and Pfalz and then go on to the Protestants.
If the Protestants should insist on knowing what concessions Charles would
make to them they were to be told that in substantial points touching the essence of the faith, such as in matters pertaining to the Holy Sacrament, no concessions were possible. In other points, not essential but introduced by positive Church law, they should be exhorted and besought by their duty to their consciences to have thought of their honor and follow the path of their predecessors and thus avoid the difficulties and evils which would follow any course but that of submission to the ancient Church and conformity to her ancient observance. By all means possible they were to be diverted from seizing ecclesiastical property, for such usurpation would be neither permissible nor excusable by any right, reason, or equity. Even though they should not yield in all points they must not induce, persuade, or solicit others either within their own territories or without to leave the Church and follow their errors, but should allow all who desired, to follow the obedience of the ancient observance of the Church. 27

In September these envoys submitted the report of their visit to the Elector of Saxony. He, they said, was firm in the Augsburg Confession, but was willing to send deputies to the coming diet on his own terms, not those of the Emperor; he was willing to help against the Turks, but would not recognize Ferdinand as King of the Romans.

Charles V announced the mission of these dukes to Ferdinand in a letter of June 13. In it he also promised that the diet would be of short duration since the longer one dealt with the Protestants the more arrogant and obdurate they became. However their duty was to use all means to appease the Protestants and win them. Lest however the Protestants should prove totally irretractable, the Catholic powers were to be drawn together into a defensive league "to prevent the infection of these errors and heresies from increasing
and causing the suffering of individuals and the confiscation of property."\(^28\)

Then in July he repeated these plans to Ferdinand, advising him to take pains in forming this league: "You will do well to endeavor with the secrecy, the skill and the prudence which the matter requires, to employ all the possible means you know so that if no conciliation results, the other point (the alliance) may be carried vigorously."\(^29\) In October the Emperor repeated his instructions for the forming of the league. As its purpose he added: "to defend self from the said heretics and their practices, and to prevent the condition of the holy faith and the Catholic people from becoming more intolerable."\(^30\)

As this same time the Legate, Campeggio, suggested a plan of winning the Protestants by first winning Melanchthon by some benefice and through him winning the Protestants. The Imperialists however saw this as futile, since negotiations with the Protestants had usually turned out in their favor and had seemed to make them only more stubborn.

The Diet of Spires, promised for September 8, had to be adjourned to a later date, since Charles V stayed in the Netherlands to meet Francis I. Other delays kept him even longer from Germany.

Another great question filling the correspondence of the Emperor at this time was the progress of the religious war in Switzerland. The Catholic Cantons had been so irritated by the Zwinglians that in self-defense they finally had recourse to arms. The situation offered advantages to the Hapsburgs, for the Swiss Catholics were in need of help and saw prospects nowhere but in their old traditional foe, the House of Austria. Had Charles V been able to utilize this new offer of help he might have begun the formation of a strong Catholic league in the South Germanies that could have overawed the Schmalkald League from the very beginning. Charles however was bent on pacifying Germany at the time and feared that if he gave help to the Swiss
he would thereby antagonize the Protestants in Germany and lose their indis-
pensable support against the Turks. In his reply to the envoys of the Swiss
on July 18 he professed his wholehearted sympathy with the Catholic Cantons,
but he begged especially for peace. The envoys were to address the heretical
cantons, "and to make evident to them our desire that such contentions cease,
since they are prejudicial and contrary to the common peace of Germany, to our
faith and to all Catholic charity." Charles however weighed the matter well
in a document giving opinions whether help should be given to the Catholic
Swiss Cantons and how this should be done. The Emperor, moreover, was ready
to help with money and encouraged the Pope to give aid.

Ferdinand was burning to give active support to the Catholics in Switzer-
land and wrote again and again to Charles urging him to come forward with help.
He besought the Emperor by his position as head of the Christian commonwealth
not to neglect the opportunity of dealing a decisive blow at the enemies of
the Christian faith. On October 13 the Catholics won the astounding
victory of Cappel at which the powerful and dangerous reformer Ulrich Zwingli
lost his life. Immediately after this it seemed to Ferdinand that the time
was ripe to begin general religious war and crush the Protestants, but
Charles was still absent from Germany and was unable to take advantage of the
situation.

The Diet of Ratisbon which was to witness another attempt to settle the
religious difficulties of Germany was summoned to meet on January 6, 1532,
In the beginning of the year the Emperor says in his Commentaries: "The
Emperor took the Rhine route back to Germany, returning with the purpose of
seeking new means to combat in some manner heresy, which was spreading
farther abroad every day, and also to oppose the Turks, who, according to
notices received, were preparing a great invasion of Germany." When
Charles V arrived at Ratisbon in February none of the members had arrived but King Ferdinand. On April 17 the diet finally opened with a meagre sitting.

The pressing question at this diet was to unify Germany so that means of resistance to the Turks might be found. Religious questions were therefore subordinated to this immediate and pressing need, for report had it that the Turks were in preparation for an advance on Vienna. Religious policy then was to effect a compromise. On January 10, 1532, Charles V had approved the efforts of Mainz and Pfalz to pacify the Germanies and effect some settlement. He agreed that the Protestants might follow the Confession of Augsburg, "without introducing any more innovations before the future council." Together with the Catholics they were to work against all the non-Lutheran sects, no new religious works were to be published to the detriment of either the Catholic or the Lutheran parties, mutual peace was to be maintained, all were to work for the council, communion under two species was to be remitted to it, and, finally, Ferdinand was to be recognized as King of the Romans.

At the diet Protestants as well as Catholics saw the need of concerted action. On June 11 the news was spread that great hordes of Turks had reached Belgrade. The only practical solution in the press of circumstances was to sanction the preservation of the religious situation in the "status quo" till the future council. Even the Pope recommended negotiations. The enemies of peace were the King of France, who was ever stirring up trouble in the Empire, and the Bavarian princes under the evil guidance of Eck. Luther on his side worked for peace and urged concessions. When some Protestants were demanding toleration for themselves in Catholic lands but opposing toleration for the Catholics in Protestant lands, Luther wrote, "that we ought not do to others what we should not like others to do to us."

On June 23 therefore the celebrated Religious Peace or Truce of
Nuremberg was agreed on. It was drawn up in the name of Mainz and Pfalz. "We have obtained from His Imperial Majesty, the supreme head of the Empire, in consideration of his great desire for peace and tranquillity, that he consent to a common and public peace, to last up to the General Christian council," or if the council should not meet, until the next conference or diet. In the interval no one was to wage religious war or attack another, but all were to live together in Christian love and charity. The Emperor agreed, and promised a council to be summoned within six months and to meet within a year. Moreover the Emperor suspended all judicial action on religious cases against the Elector of Saxony and his associates.

When, however, the Emperor laid the truce before the Estates they refused to accept it, but demanded that the Augsburg Recess, much less conciliatory, be adhered to. Charles V was in a difficult situation, since it was physically impossible to enforce the Augsburg Recess, and at the same time peace had to be kept in Germany if any resistance was to be offered to the Turks. Bavaria was causing much trouble under the influence of Eck, "that false serpent who was secretly conspiring with the Protestants and with France and with the Turkish Voyvode of Hungary, while he was whispering in the ears of the Catholics that the Emperor was betraying the faith and that they ought not make any concessions to the heretics even though such uncompromising a policy should cost them their life and property." Another characterization of Eck, given by Lorenz Trucheses8, a contemporary, declares that wicked deeds have their principal seat in the conscience of Chancellor Eck, the author of treachery too vile for words. He has accepted bribes whenever he had a chance, and has set all the world by the ears, now advising a bloody war against the Protestants, and then on the sly forming alliances with them and whispering in their ears that the Emperor was preparing to use
force against them and that he would not keep any of the promises he had made them.

After much wrangling, in which the Emperor was accused by the Catholic Estates of causing the protraction and delay in the matter of the council, the diet finally drew up its Recess on July 27. It was not all that either side would have wished it, since it was a compromise, but above all it showed the tremendous obstacles in the way of the Emperor's policy of pacification. The very ones who should have been instant to help him were, under the guidance of Eck, his bitter critics and antagonists. To add to the Emperor's mental distress were his physical disabilities, for at this time he was nursing a leg broken in a fall from his horse, and also suffering from his perennial malady, the gout.

Thanks to the efforts at pacification, however, a large army was gathered before Vienna in the summer. It had no great task, since the Turks were effectively stopped for the time by the celebrated defense of Güns, while the Emperor refused to penetrate into Hungary to drive out the Turks.

With the affairs of Germany so ordered, and peace hanging by a thin thread of an unpopular treaty, Charles again thought that duty called him from the Empire. Proud Spain, so jealous of the presence of her monarch, had not seen him for several years. Moreover he wished, "in passing through Italy to have a second interview with Pope Clement, to treat of the convocation of the council, of the remedy of the religious difficulties, of the resistance he was obliged to offer to the Turks, as well as to provide for the peace and tranquillity of Italy." But above all, he wrote in his Commentaries, he longed to make the journey to Spain to see his wife, the Empress, from whom he had been separated for four long years.
Notes to Chapter II

2. Ibid., 201-202.
3. Ibid., 239-240.
5. Ibid., 257.
6. Janssen, V, 250
7. Ibid., 256.
10. Ibid., 297.
11. Ibid., 298-300. Also, Janssen, V, 294-296.
13. Ibid., 280.
16. Ibid., 147.
17. Ibid., 153.
18. Ibid., 159
21. Ibid., 450.
22. Ibid., 456.
23. Ibid., 460.
24. Ibid., 469.
25. Ibid., 472.
26. Ibid., 496-497.
27. Ibid., 512.
28. Ibid., 479.
29. Ibid., 492.
30. Ibid., 550.
31. Ibid., 503.
32. Ibid., 565.
34. Lanz, Staatspapiers, 81.
38. Ibid., 396.
CHAPTER III
THE ATTEMPTS AT CONCILIATION 1532-1546

The departure of Charles V from Germany and the continued non-recognition on the part of the Protestants of Ferdinand as King of the Romans at this very critical time, said Alexander, were more detrimental to the Catholic cause than even heresy was. The Emperor with calm mind and strong hand, or at least some one with recognized authority was absolutely necessary to keep peace in Germany, to protect ecclesiastical rights and to begin the reunification of the Germans in the faith. But Charles hurried away in the fall of 1532. In December he met Clement VII for the second time at Bologna. Laconically he recorded this meeting in his Commentaries: "He saw His Holiness for the second time, but the visit did not produce all the results he had hoped for." The Pope was not, in fact, too trusting of Charles. Clement had personal interests in the Italian situation and therefore disliked the predominance of the Imperialists in Italy, a dislike which was only sharpened by Charles' favorable treatment of Alfonso of Ferrara. The most important matter treated in the conferences of the Pope and the Emperor was the summoning of the council. Clement again promised this if he received the support of the great princes. Subsequent attempts to interest the different princes failed. The Protestants generally refused any promise of submission to the decrees of the council, while Francis I and Henry VIII only temporized.

The following eight years have little that is new to offer of the religious policy of Charles V in Germany. There were years of intense activity for the Emperor, but in fields foreign to Germany. The religious situation in these years may be summed up as the half-hearted attempt to follow the Peace of Nuremberg, the slow, steady consolidation of the Protestants, and
the corresponding weakening of the Hapsburg influence in the Empire.

After leaving Italy, Charles returned to Spain to order the interior affairs of the kingdom. In 1435 he prepared an expedition against the piratical African chieftain, Barbarossa, who was a threat to the freedom of the Mediterranean, especially since he was intriguing with Francis I. In this campaign Charles saw fire for the first time, and proved himself a capable general. On the conclusion of this expedition news reached him of the operations of Francis I in Savoy which threatened a fresh outbreak of war. Moreover, the Duke of Milan had died without heirs, and France was beginning to scheme to regain control of this Imperial Duchy. Charles therefore hastened northward in Italy to be on the scene of action if the threatened hostilities should break out.

In April 1536, he was in Rome to confer with the new Pope, Paul III, on the preservation of peace and the promotion of the council. The conference itself seems not to have been very fruitful except in regard to the council, whose convocation a commission of cardinals voted. In this regard in fact the pontificate of Paul III gave promise. As Cardinal he had been one of the most active in favor of the council, and in his very first consistory he spoke of the necessity of summoning a general council. Paul III showed ignorance of the real condition of Germany, but at the same time an open mind to learn and a great interest in correcting the evils. He sent the Nuncio, Vergerio, to Germany to approach the princes, prepare the way for the general council, and work against any suggestion of a national council. Vergerio make two pointed journeys to the German princes, feeling out their sentiments on the council. One great obstacle seemed to be the indecision as to the place of convocation. Charles V made no definite choice though requested again and again to do so. Trent however was the most generally
accepted place. Leonhard von Eck in following his insincere pro-Catholic but anti-Hapsburg policy insisted on decision and straightforward action: that is, that the council be called without consulting the German princes, that it meet in an Italian city, and that its decrees be imposed by force. Such a plan, he clearly saw, would still further divide Germany, destroy any remnant of peace, and result in the disadvantage of the House of Austria as well as that of the Church.

In April, 1536, therefore the decision to summon the council was taken. On May 29 the Bull of Convocation was passed and was promulgated in early June. By it the Christian prelates were summoned to meet at Mantua on May 23, 1537. The nuncio sent to Germany to publish the bull met at best only vague promises. The Elector of Saxony and the Schmalkald League absolutely repudiated the council in insulting terms. At the convocation of the League the Articles of Schmalkald, a statement of Protestant belief not basically different from the Augsburg Confession, but, unlike it, expressed in language designed to bring out the differences and to show the futility of any attempt at compromise or settlement, were drawn up.

Another great hindrance to the council was the outbreak of hostilities between the Emperor and France. After meeting with the Pope in 1536, Charles hastened to northern Italy in the flush of his victory over the Corsairs and led a disastrous expedition into France. All these events together with difficulties raised by the Duke of Mantua about the convocation in his capital necessitated the prorogation of the council from May, 1537, to November of that year. It was finally set to meet on May 1, 1538, in Vicenza, into which city in May, 1538, the papal legates entered. Even then only five bishops were present in Vicenza. Great indifference prevailed in regard to the long desired remedy. Francis I was especially hostile and even Charles V, though
still convinced of the ultimate necessity of the council, thought no immediate good could come from it in such circumstances. Consequently it was once more necessary to prorogue it, this time to Easter, 1539.

This therefore was the progress of counciliar negotiations during the first part of the pontificate of Paul III and up to the change of attitude of Charles and Ferdinand on the possibility of its immediate convocation. A review of the progress of events in Germany during this period is now in place. Immediately after the departure of Charles from Germany in 1532 the anti-Hapsburg plans of Bavaria began to bear fruit. Eck attempted to draw Philip of Hesse to hostility to the Hapsburgs by insinuating that victory over the Turks would give Charles and Ferdinand a free hand to proceed against the heretics. Eck intrigued with France to support the Voyvode Zapolya in the contest against Ferdinand for the Kingdom of Hungary, in which Zapolya was being subsidised and actively assisted by the Turks.

Then the Suabian League that had been the one Catholic force in southern Germany began to trouble Ferdinand for the complete payment for the Duchy of Wurttenberg, which he had received. When the League itself was dissolved in 1534, the enemies of the Hapsburgs began intriguing for the restoration of Duke Ulrich, who had been most righteously expelled some years before. With financial help from France and heartiest encouragement from Bavaria, the troops of Philip of Hesse, ostensibly gathered for use against the Anabaptists, had no great task in wresting the state from the distraught Ferdinand, who had not even the presence of his brother to rely on. Such an act on the part of the Landgrave of Hesse was a grave violation of the Peace, which the Emperor declared he would punish; but in his absence he could effect nothing of moment in Germany. By the restoration of Ulrich the Catholic religion was
practically suppressed and Protestantism forcibly established. Something of a settlement was effected by the Peace of Caden of June 29, 1534. By this the Religious Peace of Nuremberg was renewed; the affected estates were to have free exercise of religion, but were not to tolerate any innovations; the sacramentarians and Anabaptists were not to be given toleration; Ferdinand was to be recognized as King of the Romans, Ulrich was to hold Wurtemberg as an arrière fief of Austria; the Landgrave and Ulrich were to beg pardon of the King and the Emperor; finally, the rights of Catholics were to be protected.

The second factor in the Emperor's relations with Germany was the French war mentioned above, which occupied practically the whole period from 1535 to the Truce of Nice, arranged by the Pope for ten years in 1538. Throughout this period Charles was vigorous in his denunciation of the perfidy of Francis, who, he claimed, broke the Peace of Cambrai and was unreasonable in his demands on Milan, and finally was hostile to the Hapsburgs just to ruin them and Germany, even though the Church should fall together with them. Charles sincerely sought peace on honorable terms and even in a burst of indignation challenged the French King to personal combat with Burgundy and Milan as stakes.

Charles during these years had some direct connections with Germany and her religious disturbances. Indications of his policy we see, for instance, in a letter of November 10, 1534, to the Bishop of Geneva he recommends, "that it would conduce more to facilitate the reduction (of the city of Geneva) to use mildness, mercy, and pardon towards the delinquents, -- that above all, all the affairs concerning our Holy Faith be remedied and redressed." Then on April 17, 1536, in his address at Rome against Francis I he
spoke of his desire that they should work together for the good of Christendom and to restore her to the wished-for state of tranquillity. Charles insisted that he wanted peace not because of mistrust in his resources, but with a view to the general welfare of Christendom. In October in the secret instructions for his envoy to the King of the Romans, Charles spoke of the absolute necessity of healing the religious differences of Germany. The instruction insisted on the necessity of convoking the council immediately and was harsh in its condemnation of the King of France and, quite unjustly, of the Pope, who in reality was working vigorously for the council at the very time. Charles went on to say that even though he was filled with anxiety at the terms of the Pope, and moreover realized the obstinacy of the King of France, still he would not wish to do anything against the authority and apostolic dignity of the Church, either directly or indirectly by attacking her in substantial points or in her holy institutions. However he clearly perceived, so he said, that if the Pope continued his coldness to the project of the council or persisted in his dissimulation it would be necessary in the circumstances to take measures, "not to increase the confusion of the said Germany from which would follow together the ruin of the faith and of the imperial authority." Charles thought that if he failed in this situation he would be unable later to do anything in the matter of the Turks or in any other matter whatsoever. If the council therefore should not be possible then other means had to be considered, such as forcing the heretics to conform and to observe the peace, or again reviving the Treaty of Nuremberg or some like Peace, or even calling a national council and then trying to compose difficulties by making concessions in matters not essential, or, finally, seeking some means to safeguard imperial authority without touching on ecclesiastical affairs but leaving their solution to God. 5 Held, the
envoy whose instructions these were, criticized the policy of Charles to Ferdinand, writing that nobody became any better through His Imperial Majesty's lenient and kindly treatment, but that on the contrary his forbearance led to still more criminal violence and audacity.

During the decade of 1530 to 1540 the Protestant League of Schmalkald grew so steadily that the Catholic princes saw the necessity of some defensive league of their own. This was formed at the Congress of Nuremberg in June, 1538. Its constitution reads in part: "Now as before it was the Emperor's earnest wish and command that the Peace of Nuremberg should be strictly observed and conformed to by all his subjects. Whereas, however, in violation of this treaty several of the Protestant Estates had established leagues and were carrying on all sorts of intrigues, from which in the future fresh heresies, turbulence, and insurrection might result, to the ruin of the German nation, the Emperor had reminded the princes of the promises they had made at several former diets and he now called upon them to conclude with him the present alliance, not with a view to aggression of any sort, but solely for defensive purposes. -- And in order that the towns and other Estates in which the Lutheran doctrines have already taken root may be persuaded to join the league, we will allow them to abide by the religion which they at present profess, until the General Council shall take place, or a reform be instituted; but on condition that meanwhile they introduce no further innovations in religion, and that they agree to submit to what shall be decided at the General Council with regard to reform."

In the same year Charles, writing to Ferdinand on the means of establishing peace and gaining concerted effort against the Turks, insisted that everything had to be done in agreement with the Pope and the Legate, but
advised that certain concessions be made as long as they were not detrimental to the substance of faith and religion.

The year 1539 was another attempt to pacify the Empire by means of an agreement or armistice. The Congress of Frankfort was summoned for the early part of the year by the Protestant Schmalkald League mainly to form plans of action against the Catholics. The demands they made of the Catholics were so impossible that it seemed there was nothing to avert war. Luther himself was urging Philip of Hesse to attack the Catholics. Only the timely recurrence of Philip's malady (syphilis) prevented civil war, since Philip was the chief and indispensible commander of the Protestants. After these complications a truce was arranged between both parties on April 19; it was known as the Frankfort Agreement. By this treaty peace was promised for fifteen months, the Peace of Nuremberg was to continue in force until the next diet, legal proceedings against the Protestants in matters touching the faith were suspended, neither side was to persecute the other, and neither was to seek new adherents for its league. Disputes arose immediately, each side complaining of unjust discrimination against itself. Final decision therefore was postponed till the Emperor, then in Spain, should decide the disputed points.

The matter of greatest importance included in this agreement was the recommendation of a new method of settling the religious differences. It was stated that lasting peace could only be attained by an understanding on religious matters. The Agreement therefore recommended religious conferences between secular estates and the theologians. A first attempt was to be made at Nuremberg in August. Since the Pope was to have no part in these conferences, they were thus wholly under the domination of the secular princes. The Imperial Ambassador, John von Weeze, exiled Archbishop of Lund and close sympathizer with the Protestants, who represented Charles V at Frankfort,
concurred in the agreement without the proper authorization of his master and made promises quite inconsistent with Charles' whole attitude and policy.

At this period the new policy of conciliation by means of the conferences became more favorable in the eyes of Charles V and his brother. They saw that the Protestants were rejecting any council worthy of the name and that a definite unfavorable statement of doctrine would never be accepted by them. There were therefore only the alternatives either to proceed to the council in defiance of the Protestants and impose its decisions by force as Eck was insincerely urging, or to resort to a means of compromise which necessarily did not admit the Pope to his rightful place. Force, Charles and Ferdinand saw, in face of the Turkish threats and against the strong Schmalkald League, subsidised by France, was very impractical. The conciliatory conference therefore seemed to them the lesser of the two evils and they began to encourage these rather than the ecumenical council. Already in 1538 this attitude was apparent so that the council had been prorogued for a year. In 1539 after the Agreement of Frankfort, Paul III still worked energetically for the council and did not fail to send his legates to Vicenza, though there seemed little hope of results. It became quite evident however that the council could not be held, so that Paul III, yielding to the inevitable, suspended the council indefinitely. The blame of the failure of the council therefore does not attach itself to Paul, who used every means to bring about its convocation, nor even primarily to the Hapsburg brothers, who in rejecting the council were only yielding to necessity, but really to Francis I whose intrigues made the rejection necessary, and to the Protestants whose irretractibility made any possible results of the council but an idle hope.

However, in the face of the threatening conferences, so dangerous to the true Catholic idea of religion, since they excluded the Pope from a settle-
ment, Paul III almost immediately began again to work for the council. He sent two cardinals to François I and to the Emperor to promote peace and to win them to a counciliar policy by pointing out how hopeless conferences were since never in the past had attempts at conciliation brought results. Charles V on his part consistently refused to ratify the Agreement of Frankfort which the Protestants were pushing, but under the influence of his ministers, Granvelle, Lund and Naves who had Protestant sympathies and were paid by Philip of Hesse, he let himself be led to consent to the attempt at conciliation. The attitude of the Protestants precluded any favorable result, since they openly professed that their only idea of conciliation was to win the Catholics to their "true" word of God, and denied the Pope any place in a final scheme of settlement. Notwithstanding this attitude, broadcast in January, 1540, Charles V ordered the German Estates to a diet at Spires to open on May 23, in order to terminate the religious dissentions.

The Pope after some discussion appointed the eminent Cardinal Contarini as his representative at the Diet, which convened not at Spires at the appointed time due to the plague, but at Hagenau in June, Contarini however had not arrived by the time Ferdinand thought it best to prorogue the conference due to the lack of interest shown and due to the divisions of the parties, for the Protestants had some fully determined to hold fast to the Augsburg Confession and to the Recess of Frankfort.

With the Emperor's approval therefore a conference for a provisional settlement of religious affairs was to be opened at Worms on October 28, and afterwards an Imperial Diet was to be convoked to ratify its decisions. Granvelle was to attend as the Emperor's special representative. At the conference each party was to be represented by eleven members and the Augsburg Confession was to form the basis of discussion.
The Roman Curia was anything but satisfied with the promise of these conferences, since from all signs they only presaged further divisions. The Nuncio to Ferdinand wrote to Rome on July 27, "unless the Pope intervenes decisively, the whole of Germany will fall a prey to Protestantism." Luther too saw little promise of good result, for in June he wrote of the "swarm of devils now raging at Hagenau against God and His anointed."

As the deputies to the conference began to arrive at Worms in October and November the same irreconcilable spirit began to manifest itself. The Papal Legate, Tomaso Campeggio, was treated with scant respect, and when he finally addressed the assembly in December on love and unity he was answered coldly that attempts would be made in that direction. When he left the hall he was followed by the insulting laughter of the Protestants. Granvelle, the Imperial Representative and President of the Colloquy, was at least in part sympathetic to the Protestants.

Disputes on procedure filled the time up to January, and only on January 14 could the official business of the conference, the discussion of doctrine, begin. By that time Granvelle saw the futility of the conference and had applied for permission to prorogue the assembly to a future diet at which the emperor himself should be present. On January 18, after only two articles had been treated, the Trinity on which all agreed, and original sin on which there were great differences of opinion, and adjournment was proclaimed by Granvelle. The way of conciliation seemed futile, but one more great opportunity was to be given it. On its success or failure hung the determination of the Hapsburg religious policy and in fact the future religious history of Germany.

Charles V was soon in Germany to try this last great peaceful means to settle Germany's religious disturbances. He arrived at Antwerp on February
23, but the princes and delegates were so slow in gathering that only on
April 5 could the diet open. From Rome came Cardinal Contarini as Legate, an
earnest and zealous advocate of reform, whose appointment gave great hopes of
good results. His instructions gave him a limited power to conclude an
agreement with the Protestants. He was also to work for the conclusion of a
peace with France, which was indispensible for any pacification of Germany or
for any effective resistance to the Turks. The Legate had to guard the
essentials of the Catholic faith and keep the Emperor from any dangerous con-
cessions even if public protest were necessary. The Cardinal solemnly enter-
ed Ratisbon on March 12 and immediately began influencing favorably those who
met him and felt the power of his gentle personality. His consideration for
the Lutherans was, if anything, excessive, for his optimism minimized the
differences between the Catholics and the heretics. He was confident that
a peaceful settlement could be reached. His ambition was to promote a
genuine and satisfying "via media", rejecting on the one hand any harmful
concessions in dogma and on the other any suggestion of force as wholly
impractical.

Charles V meanwhile was making every effort to win the Protestant
leaders, especially the preeminent John Frederic, Elector of Saxony. The
Elector however refused to attend in person. The city was in pandemonium
during the diet. Catholics were openly insulted, especially Albert, Cardinal
of Mainz, who sang the High Mass. Even the Emperor was ridiculed to his face
when he performed the ceremony of washing of the feet on Holy Thursday. But
Charles, never a man of quick or flightly temper, kept his composure, to the
wonder of earnest men. Melanchthon, for instance, praised his demeanor and
professed that he had no doubt of the Emperor's sincere desire of bringing
The diet opened on April 5 with the Imperial Proposition which, after a survey of the Emperor's endeavors to allay the religious troubles of Germany, proposed as the practical means of effecting this that the Emperor should choose moderate men of each party to examine the disputed points of religion and endeavor to come to some agreement on them. To this commission when formed, the Book of Ratisbon, which had been drawn up some months before, probably by Gropper, and had been corrected by the Legate, was to be presented. This work emphasized the points on which the two parties were in agreement, and either tried to explain away all disagreement even in equivocal terms, or to neglect these points altogether. It was at best a means of sidestepping, not of solving the difficulty. The Catholic champion, John Eck, bloodhound of unorthodoxy, spoke vehemently against the compromises and had to be quieted by the Legate.

The spirit of Contarini promoted the attempts at conciliation so that some agreement was reached even on such difficult and controverted points as free will, original sin, and justification. In fact the conference went on smoothly till the discussion of the Holy Eucharist. Here the Cardinal finally saw clearly how opposed the two systems were, and he stood forth firmly in defense of what he thought the truth. The Emperor and his ministers were for compromise even here and could not understand why the mere word transubstantiation should cause such difficulties. This incident illustrates the type of theologian Charles was. His ministers were no better and they continued to press conciliation at all cost. The theologian Eck, however, saw well the true status of the religious question and expressed himself forcefully: "There is no middle course and words are of no avail; those who wish to become one in faith must submit to the Pope and the councils, and believe
what the Roman Church teaches; all else is wind and vapor though one should 12 go on disputing for a hundred years."

Rather than profit, the Church lost by the apparent weakness of this ineffective attempt to discuss, in the presence of secular judges, points of 13 faith which had long ago been firmly established by the Church.

Lorenz von Truchsess sums up the Emperor's attitude thus: "Nobody indeed among the Catholics doubted the honorable intentions of the Emperor, but Charles was entrapped, and somewhat inexperienced in German affairs and in the German temper and character, he had not grasped the essential nature of the schism in the Church and of the whole politico-clerical revolution. Granvelle, Neves, and Lund, those three evil spirits, were actively engaged at Ratisbon endeavoring to keep the Emperor at the work notwithstanding the manifest impossibility of effecting a reconciliation, and egging him on to 14 interference in matters of religion which do not belong to his office."

Another solution of this impasse was sought in the attempt to have the articles agreed upon preached by both sides and the articles still in dispute left undecided, so that each side could follow its own interpretation up to the next council. As Pastor remarks, "The monstrosity of this so-called project of toleration lay in this that the articles upon which agree- 15 ment was suspended dealt with the fundamental doctrines of the faith."

This attempt failed on the absolute refusal of Luther to consider it. To him, though he was still under the ban of the Empire, an embassy had been sent seeking his approval. The Saxon Elector too and most of the Protestant theologians were decisive in their repudiation.

The futility of continuing negotiations was apparent since no settlement could be reached on some of the most fundamental points. Contarini worked vigorously against any mere equivocation. He moreover kept postponing the
discussion of the Primacy of the Pope which more than any other point was sure to wreck the negotiations, so that the failure of this attempt would not seem to rest with Rome.

In July the Cardinal was instructed to urge the immediate summoning of a General Council as the only remedy. Charles and Ferdinand were not enthusiastic about this means since they professed to doubt the sincerity of Rome in promising the council. They were of course anxious lest the negotiations be broken off and no aid be given by the Protestants against the Turks, for the Protestants made this dependent on a favorable settlement. Charles moreover urged that the council be held in Germany while the Pope had again chosen Vicenza.

In this same July the Protestants rejected the settlement as it stood and Charles saw clearly the failure of his attempt. In the Recess discussion was postponed to a future council or diet; in the meanwhile the Protestants were to live according to the Peace of Nuremberg and were to follow the articles agreed on. Legal cases on religious matters were suspended. On their part the Protestants were not to try to convert by force, and they were further required to respect the rights of existing ecclesiastical foundations. Such a settlement was unacceptable to the Legate, who complained that the Pope, the only true judge of doctrine, had not even been mentioned. To such an excess was Charles led by the mistaken belief that conciliation was possible and by his desperation in the face of a divided Germany and the advancing Turk.

The Protestants, all except the moderate Elector of Brandenburg, rejected even these too liberal terms of Charles. All the attempts of the Elector to induce his coreligionists to consent to the Recess were in vain. Since Charles needed help against the Turks, he was forced to seek some
accommodation with the Protestants. Consequently he secretly and hastily ratified a secret declaration of the Recess in favor of the Protestants on July 29. By this declaration the articles agreed on at the conference were to be binding on the Protestants only according to the interpretation of their own theologians, while the other articles were to have no force at all. The decree on the preservation of religious foundations was amended so that, "the civil authorities under whose jurisdiction they lay had the right to hold them in the Christian Reform." Confiscated Church property was in effect guaranteed to the present holders. Forceful proselytizing was only to mean that the Protestants could not entice away or take under their protection the subjects of any Catholic state. Moreover in the appointment of persons to Imperial offices there was to be no distinction made because of religion. This was the Recess of Ratisbon, in its first shape more than disadvantageous to the Catholics, twisted to be a decided surrender to the Protestants. And all was done secretly without the knowledge of the Catholic Estates.

After some hesitation the majority of the Protestant Estates accepted this instrument, while the Catholics on their side, in ignorance of this deceit, agreed to the Recess only on condition that the rights of the ecclesiastical foundations were vigorously maintained. Thus the compromise brought greater confusion and the last state was worse than the first. Charles himself was entering on some of the least defensible project of his career. He surely did not appear very loyal to the Church, and at the same time he was not gaining even the questionable recompense of temporal advantage.

The contemporary Lorenz von Truchsess, commenting on the transaction of Ratisbon, wrote: "The Catholics took fright at the strange intrigues going on at the Imperial Court, and became distrustful of what influential people
at court said, because they did not know what might lurk behind. Thus this ill-fated diet did the Emperor more harm than can be expressed. For while he had made the Catholics mistrustful, he had not won the loyalty of the Protestants for they did not yet think they had got enough, and they would not rest till they had obtained everything they wanted, and could lord it over the Holy Empire as if there were no other right or justice but what they chose to call by these names."

No sooner were these fruitless negotiations completed than Charles was hurrying from Germany to put into execution his plans for another attack on the African Moslem. In September he was in Lucca to confer with the Pope. Conferences lasted several days, during which time such points as aid against the Turks, news of whose capture of Ofen in Hungary had just arrived, the religious state of Germany, the council, and Italian politics were discussed, but no definite results were forthcoming. Charles wrote succinctly in his Commentaries, "that this conference and these negotiations produced no re-
results." If anything resulted, it was that ill feeling between Charles and the Pope was only nourished.

Charles V immediately left Lucca to attack the power of the Crescent in its flank. Though the expedition was a complete failure in Africa due to the havoc wrought by storms that reached tornado fury, he succeeded in drawing the Turks back from an immediate attack on Austria. From Africa Charles retreated to Spain where he remained about a year, caring for the Spanish problems, while Germany grew in discontent and France again took up arms against the Hapsburgs. Charles' intention, however, as he writes, had been, "to return to Germany as quickly as possible to treat of the remedy which the religious questions daily more and more demanded."

The year of Charles' absence was one of great disturbance in Germany due
to the constant threats of the Turks. We have seen how in the fall of 1541 they refrained from an attempt against Vienna, but the new year brought new dangers, all the greater because of the refusal of the Protestants to contribute aid. A diet therefore was summoned for January 14, 1542, which finally convened on February 9. However not one of the Schmalkald princes came in person. At Ferdinand's passionate plea for help the Catholics declared their readiness to give aid, but the Protestants, desiring to use the emergency to further their religious aims, showed no acquiescence. They demanded first a solid peace by which they should be allowed to preach throughout the Empire, while at the same time Catholics were not to be tolerated in Protestant domains. Moreover all revenues from estates in Catholic lands which belonged to ecclesiastical foundations which had been confiscated by the Protestants were to belong to these Protestants. Finally the personnel of the Imperial Court was to be reconstituted without regard to religion.

As Ferdinand could not in right and justice concede these demands, the diet seemed in bitter deadlock. Feeling grew so intense that civil war seemed imminent. To avert this Ferdinand yielded little by little. In the Recess of April 11 the validity of the Imperial Declaration of Ratisbon was guaranteed and the armistice and the suspension of lawsuits in religious matters were extended for five years from the end of the present campaign against the Turks. Aid against the Turks was therefore at least promised, but proved very ineffective in the summer campaign which was poorly directed by Joachim of Brandenburg. Another diet, held in July at Nuremberg to gain further help, was even less productive of results.

It was not only the Turks who were making the pacification of Germany impossible, for in 1542 Francis I, taking advantage of the Emperor's mis-
fortunes in Algiers, again began hostilities in the Netherlands, Luxemburg, and the Spanish frontier.

To add to these complications at this very time the Pope, Paul III, was once again vigorously pressing the council to the great displeasure of Francis I and to the embarrassment of Charles V and King Ferdinand. In May the Bull was promulgated calling the prelates to meet in council at Trent on November 1. Once he had taken this step he immediately began working earnestly to restore peace between Charles and Francis, as this was indispensible to the life of the council. Such an attitude however was insupportable to Charles who considered himself as being wronged by Francis. Charles therefore urged the Pope to abandon his neutral policy and to support the Imperial arms against Francis who was the real enemy of Christendom, in consort with the Protestants and the Turks. The persistance of the Pope in his neutrality embittered Charles the more and drew from him a sharp letter in August 1542. Charles protested that he himself had always been an obedient son of the Church; at great cost and at the peril of his life itself he had fought the Turks; he had used every resource to suppress heresy in Germany, while the boundless ambition of Francis had turned the sword of the infidel against the Christians, stiffened the obstinacy of the Protestants, put difficulties in the way of the council and even then had broken the armistice concluded thru papal mediation. He urged vigorously that the Pope make cause with him against Francis without delay, since in this way alone could the council be held and a possible remedy for the scandals of Christendom be found.

In fact peace was not concluded for many months so that the council was an impossibility, though the Pope spared nothing to have it open. He sent as Legates to Trent the eminent Cardinals Pole, Parisio, and Morone. They made their solemn entry and labored to draw prelates to Trent, but so few had
arrived by the summer of 1543 that it was again necessary to suspend the council.

Charles V, when war again threatened the Empire, quickly left Spain for the fields of greatest action. In May he arrived in Italy and was immediately invited to a conference with the Pope. Reluctantly he consented, for he was anxious to get to Germany. The meeting took place at Busseto in June. Its purpose, Charles wrote, was "to come to some agreement regarding the affairs of Germany and also to see if there were not some means of restoring peace." Charles V, however, was not highly in favor of peace because he thought it impossible to get just and favorable terms.

In Germany at Nuremberg on January 31, 1543 a new diet had been opened, mainly to obtain subsidies for the war against the Turks, or as Charles put it: "to treat of the defense against the Turks and of the questions of religion." He had hoped to be present personally, but various business delayed him. The Protestants at the diet vigorously refused any help unless all unfavorable proceedings in the Imperial Court, especially concerning Henry of Brunswick, whom they had expelled from his territory because he had been too firm in defending the Catholic religion, were suspended till the Emperor arrived. As Ferdinand was desperate for assistance, he had to promulgate a recess demanding help and promising the suspension to the Protestants. Still they refused to contribute help either secretly or openly, however much it might be begged for, until the demand for the settlement of a lasting peace had been acceded to.

In the summer of 1543 Charles V himself took command of his forces and advanced against the rebel Duke of Cleves. Victory was not difficult since the Duke was deserted by his allies in his hour of need. The happy outcome of this petty campaign, part of a larger one against France, was important in
that it upset the brazen sureness of the Protestants, who until that time had met no effective opposition or retaliation in their bold enterprizes of rebellion. The apostacy of the Archbishop of Cologne was thereby delayed. Charles in his settlement with the Duke showed himself merciful, but since he had the upper hand and was in a position to dictate, he demanded that William, restored to Cleves, "maintain the Catholic religion intact in his territory and do away with all ecclesiastical innovations that had already been commenced."

Charles V so proved his Catholic spirit in these months of good fortune that he won the ridicule and bitter enmity of the Protestant divines. Bucer, for instance, because of his expulsion from Cologne mocked the fervor and Catholic devotion of the Emperor. As a result of all this, various feelings animated the different parties of the Empire. The Protestants on their part were fearful of forceful coercion, though Granvelle and Naves tried to reassure them and to convince the Emperor to continue in the way of conciliation. That these men were responsible for much of the uncertainty concerning the religious settlement leaves no room for doubt. They also influenced the Emperor to follow dubious ways. During the Diet of Nuremberg just considered, for instance, they had sought for allies in the name of the Emperor from among the Protestant princes, offering insupportable concessions such as the alienation of several bishoprics to Maurice of Saxony with "carte blanche" to Lutheranize them; or the promise to Schartlin von Burtenbach that he would not be troubled for driving out the Catholic clergy from the lordships which were to be his reward. The Catholics on the other hand conceived new hope in view of the Emperor's successes that a favorable settlement would finally be reached and peace restored. A shrewd observer however wrote in December, 1543, "If only the Emperor knows how to profit by this state of things and acts with
decision there will be no real need for him to draw the sword to restore justice and order. The opponents are only strong because no resistance is offered to them, but are yielded to at every turn. — They are disunited and torn by factions and without any mutual trust in one another. But nevertheless I entertain slight hopes of improvement in matters; the bishops to say the least are destitute of manly feeling and most of them anxious only about their personal goods; the Emperor, whose will power has been weakened by constant illness, is surrounded by traitors."

As the means to effect all these hoped-for results the Emperor had summoned a diet which finally met at Spires in February, 1544. Charles in his address spoke of the progress of his arms and his purpose in the war and asked help to fight both France and the Turks. Moreover he also asked the members to consider the best means of healing the religious troubles. He received no immediate reply of acquiescence, for disputes arose among the members, especially concerning the recent expulsion of Henry of Brunswick. Henry himself added to the embarrassment of the Emperor by his open denunciations of the deceitful Declaration of Batisbon by which the Catholics had suffered in 1541. Dissent grew so that any favorable outcome seemed impossible. The Protestants realized what a powerful instrument they had in the Declaration for separating the Emperor and the Catholics and they used the advantage to the full by demanding that the Declaration be publicly promulgated by being included in the Recess. Charles on his part resorted even to pleading with the Protestants to win them to consent to a recess embodying promises of subsidies against the Turk. On May 24 Charles informed the Protestants that "he had gone so far in concessions for the maintenance of peace and tranquillity that the Catholics were in the highest measure annoyed with him; and that they (the Protestants) would find that as a mild and benevolent Emperor he had done his utmost for
them and they ought therefore to agree to the Recess." But the Protestants were not to be persuaded to yield to anything in the least disadvantageous to themselves, for, as Carl von der Plassen wrote on May 19, "the princes of Saxony and Hesse knew through Granvelle and other bribed imperial councillor that the less they gave in the more they would obtain in matters of religion, for the Emperor had set his mind determinedly on the war against France and in order to get help for this purpose he would be ready to concede all that was possible."

Not until June 10 was the Recess passed. It was, says Janssen, nearly a renunciation of the Catholic standpoint. In it Charles V definitely committed himself to a general free council of the German nation from which the Pope was excluded. In the meanwhile another diet was to be called without discrimination, in order to consider what line of action was to be followed with regard to the articles under dispute until the council could be held. Other dangerous concessions were made, such as the ever recurring suspension of legal proceedings on religious matters and the suspension of legislative measures against the Augsburg Confessionists. Finally, says Pastor, the Catholics were bound to contribute to the churches and institutions which had been taken possession by the Protestants.

This Recess marked the limit of Charles' retreat before the Protestants; little more was to be added by the celebrated Peace of Augsburg of 1555 which Charles would not conclude personally. Francis I was jubilant at the position of Charles since he believed that he could now win the Pope wholly to his side against the Emperor. Paul III, however, true to his policy, held to neutrality, though he was beginning to favor France. Loyal to his office and jealous of the honor of the Church, he addressed a sharp letter of remonstrance to Charles when the terms of the Recess became known in Rome. He warned the
Emperor of the danger to Christendom when secular princes arrogated to themselves the powers of the Priesthood, and protested vigorously against the omission of the Pope, the only true judge in religious matters, from any part in the German settlement. The letter exhorted action contrary to the Spires Resolutions, which it justly condemned as most injurious to the Catholic cause.

This was truly the low point of the Emperor's retreat. Soon his own position in Germany was bettered so that he could follow the true dictates of his own conscience and inclination. He had only yielded to the Spires Recess as an absolute necessity to ward off danger, and he himself admitted that he had done more than his conscience warranted. In September the Peace of Crespy was concluded with France. It removed the most immediate source of anxiety. It was a peace which showed the Emperor's true inner Catholic spirit, since in it Charles together with Francis promised and pledged himself to work to restore religious unity. Charles did not answer the Pope's vigorous remonstrance, written in large part by the very positive and willful Cardinal Carafa, with a passionate vindication of his own position. He realized the just reason for complaint on the Pope's side and the grievous injury a severe reply might work in Christendom by estranging the two heads, and, following his true Catholic sense, he refrained from such a reply. Charles wrote of this affair: "The Pope Paul directed to him (the Emperor) a Brief, little in keeping with the sentiment which his Majesty had professed during his whole life. The Emperor did not seek to reply to it, realizing that such a course could only compromise the honor and authority of the two heads of Christendom, and he was much grieved that the Protestants were using this occasion to combat the Pope in the name of his Majesty."
Still Charles hastened to add: "The Emperor perserved in the course resolved on in the Diet of Spires relative to the summoning of another Diet at Worms." This diet opened in Worms in January, 1545, but the impossibility of reaching a settlement was evident from the very beginning, since hardly any of the princes attended. Chancellor Eck worked vigorously against any accommodation and actually tried to stir up the German Catholics against the Emperor. Ferdinand presided at the diet in the Emperor's absence. He informed the delegates that the Emperor had instructed learned, honorable, and peace-loving persons to confer concerning religious reform and had received a written statement of their conclusions. However he recommended that since the council was then gathering it would be best to wait to see what it would do, especially since the matter required a serious deliberation impossible at the diet due to the approach of the Turks.

The Protestants however rejected the Council summoned for Trent and demanded a peace independent of it, which "should last until the religious question had been settled in a Christian manner." Thus this diet too descended to a series of bitter attacks by both sides, in which most insolent language became ordinary. The Protestants again showed themselves intractable by demanding in place of the papal council a national assembly in Germany. They refused even to wait till the Emperor's arrival for a settlement. The Emperor however, despite his illness, forced himself to Worms on May 16 and thus ended this part of the controversy. On the following day he wrote a letter to the King of Poland, which gives an insight into his state of mind. He told how for many years his whole aim had been to organize a concerted opposition to the Turks and to compose the religious differences. Now that the council was gathering he asked the King to send legates to add prestige
to the assembly and to confirm the decrees. "I believe that the Protestants have always been contumacious and will not depart from the Confession of Augsburg, nor will obey even public decrees. The state of affairs consequently demands that kings and princes intervene and, in case of continued disobedience, punish the guilty as enemies of the state and of all holy things." Charles therefore asked the King to consider the question of the Turkish war, to subscribe to the Council of Trent, and, in the case of the Protestants not returning to sanity, to aid and advise the Catholics.

Charles V was still desirous of conciliation so that a final settlement might be made. He urged the Protestant princes to come to Worms in person. Those that did come came prepared to fight unyieldingly for greater concessions. The Protestants were promised a fair hearing at the council, while the Emperor assured them that he would not give up any of his own authority nor allow that of other Estates to be infringed in the least by the council. But, he pleaded, he could not reject the council now that it had been summoned, since he had always been most active in its behalf.

Charles however with all his appearances of dilatoriness and weakness had a purpose in his policy. Shortly after he entered Worms, the Pope's nephew, Cardinal Farnese, arrived as the special legate of the Pope. Immediately Charles and the Cardinal met to discuss the welfare of the Church. Farnese was especially anxious to induce the Emperor to support the Council, which Paul III was pushing by every possible means. The Pope sent his Legates to Trent in February, but as few prelates had arrived by the appointed time it was impossible to open the council. The Legates, Cardinals Del Monte, Cervini and Pole, were at the time working energetically to draw prelates to Trent. They had a Bull from the Pope ordering the opening for May 3, unless
Cardinal Farnese should consider it better to wait till he had seen the Emperor. He had advised the delay and had then gone on to Worms.

At Worms Charles gave every evidence of fervent Catholicity. He welcomed the Cardinal Legate cordially and was generous in his professions of devotion. He did not however give any definite answer to the request that he order the bishops to go to Trent.

A matter of great importance was however revealed to Cardinal Farnese. It was that the Emperor was finally satisfied that the Lutherans could be won by no other means than force. Granvelle, in the Emperor's name, revealed that the greatest objection there was to the council was that the Protestants might break up the diet and appeal to arms while the Emperor had no adequate means of resistance. As a consequence the Cardinal was informed that help from the Pope was necessary. Cardinal Farnese, surprised to hear of this new resolution of the Emperor, so foreign to his former policy, was inclined to doubt its sincerity and considered it merely as a scheme to extort money from the Pope. Before he left Worms however he was convinced of the Emperor's sincerity.

It only remains here to bring this futile diet to a close. After the departure of Cardinal Farnese on May 28, the empty discussions of reconciliation continued. It seemed as though Charles was definitely postponing the inevitable appeal to force, for on August 4 a Recess was confirmed in the style of the Spires' Recess of 1544, which, without any consideration of the council gathering at Trent, announced a fresh diet at Ratisbon for the discussion and settlement of religious affairs. Before the opening of this diet a religious conference was to be convened of an equal number of Catholics and Protestants to aim at Christian union and reform of the Church. The conference was not to be hindered in its work by any consideration. The conference was not to be hindered in its work by any consideration.
ence was to begin at the end of November, the diet on January 6, 1546. 31

The last possible means of coming to some peaceful settlement was the long-desired council, now about to begin sessions at Trent. The Protestants however left no room for peaceful illusions. They absolutely repudiated any settlement made by a council called and directed by the Pope. We shall consider this subject in the next chapter, since the fitful work of the first sessions at Trent was contemporaneous to the Emperor's appeal to force.
NOTES TO CHAPTER III

1. Kervin de Lettenhove, Comentarios, 23.
3. Lanz, Korrespondenz, II, 142.
5. Lanz, Korrespondenz, II, 263.
7. Ibid., 26-27.
8. Ibid., 28-30.
11. Ibid., 142.
12. Ibid., 148.
13. Ibid., 147.
14. Ibid., 148-149.
17. Ibid., 159-160.
18. De Lettenhove, Comentarios, 45.
19. Ibid., 48.
20. Pastor, XII, 150-151.
23. Ibid., 240.
25. Ibid., 251.
26. Ibid., 251.
27. Pastor, XII, 190.
28. Ibid., 195-197.
29. De Lettenhove, Comentarios, 72.
CHAPTER IV
THE ATTEMPT AT FORCE, 1546-1547

Charles, as mentioned in passing in the preceding chapters, was never without some thought of the ultimate inevitableness of force. His first contact with the rising heresy led to his vigorous declaration of unconditional ban on it at the Diet of Worms in 1521. Only his absence, necessitated by wars in various parts of his vast domains, prevented him from carrying into effect his threat. The Government he left behind him was not strong enough to take any effective measures since it was fighting a losing battle for its very life. When Protestant influence incorporated a statement of toleration into the Recess of Spires in 1526 Charles vigorously repudiated the Recess and demanded the suppression of heresy not its toleration. But in that very year the tremendous defeat of Mohács opened Hungary to the Turks and cleared their way to the Empire itself. This new threat forced the Emperor to yield more and more to the Protestants to induce them to provide some aid against the Turkish menace. Thus came about the Religious Peace of Nuremberg in 1532, ordaining the temporary suspension of the Edict of Worms. Later the policy became that of comprehension as Armstrong calls it, by which Charles sought to reconcile the heretics with the Church by means of religious conferences, to some degree independent of the Pope. Charles erred in following this line of action; for by it he gave grounds for believing that he was neither a prudent man nor a Loyal Catholic, though to the end he remained both. When he finally saw the utter futility of further temporizing, he brought to light the plans that had long been forming in his mind and finally declared that he could suffer no longer the insubordination of the princes and the complete demoralization of the nation.
Of the development of this conviction of the sole efficiency of force Charles wrote at some length in his Commentaries: "The Emperor, like many others, had always been convinced that it was impossible to overcome the boldness and great power of the Protestants by the way of force; he therefore was uncertain what could be done in this affair of such importance." But the speedy victory over the Duke of Cleves, "finally opened his eyes and enlightened his mind, so that it seemed no longer impossible to curb their proud haughtiness by force, but on the contrary he now judged it a practical course if he should be placed in convenient circumstances and if he should have ample means." All this was before the Diet of Worms of 1545. At the diet he was convinced of the impossibility of a peaceful settlement even though he agreed to the Recess which provided for one more attempt at conciliation. When Charles communicated his new policy to his brother Ferdinand, "he, with the fervor he always showed in matters touching the service of God and with a great desire to remedy such great evils, seeing the insubordination of the Protestants and the scanty results of temporization and mildness, found the project of His Majesty well grounded in necessity and reason, and approved it as being very prudent and possible to enforce." Charles, therefore, since he considered the time opportune, resolved to communicate the matter with the Pope through Cardinal Farnese who was at Worms, for, as Charles said, the Pope was, "More than any one else obliged to remedy such great evils." Charles accordingly begged the Pope to aid him, "with both his spiritual and his temporal power."

Cardinal Farnese showed himself skeptical about this declaration of the Emperor and cautiously announced that his instructions would not justify his treating of the matter but that he would urge it with the Pope. Farnese, as was said above, feared that this was a scheme of the Emperor to extort money
from the Pope. Time, however, convinced the Cardinal of the Emperor's sincerity. He hastened to Rome and urged the matter with Paul III with the result that the Pope resolved to cooperate with the Emperor and promised generous help. His only condition was that the money contributed be spent on the war against the Protestants and that no agreement should be concluded without his concurrence. Paul III was sanguine in his hope of results and praised the Emperor's dispositions. Immediately he began preparations and urged the speedy commencement of hostilities.

We have seen, however, in the Recess of Worms that Charles still hesitated to throw Germany into a civil war, and that he agreed to try once more to reach a satisfactory settlement. Nearly a whole year was to pass before the appeal to force was made. The tardiness of Bavaria in coming to an agreement with the Emperor helped cause the delay, since Charles V considered the assistance of this strongest principedom indispensible. The Emperor also hesitated since he feared to begin a contest of such proportions and weight as he fore-saw this one would be without a sufficiency of men and money. Charles V moreover left Germany for the Netherlands at this critical period, and without him the war could not begin. He definitely committed himself to the last attempt at conciliation and promised to return to Germany to attend the conference.

Meanwhile the state of affairs in Germany was continually becoming more intolerable. The Protestants continued to make encroachments on the Catholic position, now more than ever insinuating bishops of Protestant leanings into German sees. The affair of Herman von Wied especially forced action, for by his defection which was guaranteed by the Schmalkald League the Protestants obtained a majority in the college of Electors, a fact which threatened not only the position of the House of Hapsburg but the very preservation of the
Empire itself. Still Charles slowly pushed on negotiations with the Pope concerning the attempt at conciliation in order to deceive the Protestants as to his real intentions.

While Charles V was in the Netherlands, however, some of the princes of the Empire sent envoys to him, complaining of a rumor current in Germany that he intended to return armed to suppress his opponents by force. Charles concluded that the news he had, above all, wished kept secret had leaked out in Rome, and he was highly displeased. To quiet suspicions he refused to treat with the Pope's envoys in the Netherlands, but deferred consideration of the proposed treaty till after the conference which was to be summoned in a short while at Ratisbon. He answered the German princes, "that he desired to regulate the questions of Germany more by the way of peace and concord than by discord and force, and that this was the absolute truth, conformed to his desires and intentions; wherefore he had never sought to employ arms except when he had recognized all other means as useless and necessity compelled him to resort to force."

The Emperor therefore encouraged the attempt at Ratisbon, and when the time came he left the Netherlands to be present in person. Of his intentions in doing so he wrote: "The Emperor believed that he should try mild and moderate means to reestablish order in Germany before turning in extremens to arms, and he adopted those means with the hope of obtaining a good result."

In March, 1546, Charles, on his way to Ratisbon, met and conferred with Philip of Hesse at Spires. Charles had entered Germany with but a small retinue in order to dispel any suspicion of the Protestants and thus insure a safe passage to Ratisbon where he would be able to raise troops. His visit with Philip of Hesse some interpret as having been made with the same intention, though Armstrong inclines to the view that Charles used this as the last
possible means to secure peace by winning over, as he had done earlier, the
most powerful and energetic of the Protestant princes. The entreaties of the
Emperor that the Landgrave attend the conference was utterly rejected and no
other result came from the meeting than the possible dissipation of suspicions
of an immediate appeal to arms.

On April 10 Charles V arrived at Ratisbon to find a disappointing assem-
ably. Not one of the greater princes was present. All Charles heard were the
complaints of the Catholics against the Protestants for their acts of violence
and robbery. Everything at the diet was suited to move the Emperor from his
state of hesitation to that of decided action. The conference which had be-
gun with his permission at the end of January had produced no results. The
Catholic party, represented by men of firmly orthodox minds, did not even
attempt the way of conciliation, vainly tried at Ratisbon in 1541. Malvenda,
Billick, Hoffmeister, and Cochlaeus represented the Catholics. In the dis-
cussion the utter incompatibility and irreconcilibility of the two doctrines
became apparent. The conference failed entirely and finally dissolved when
the Saxon representatives departed with a protest in March.

In the diet therefore the Catholics were vigorously demanding the sub-
mission of religious affairs to the council and the forcing of the Protes-
tants to accept its decisions. The Protestants on their part were as vigor-
ously repudiating the Council of Trent and demanding a free council to which
the laity as well as the clergy were to be summoned.

At the same time that Charles was being led by these circumstances to
the way of force, "the envoys of the Pope and certain ecclesiastics ceaseless-
ly tried to persuade the Emperor to make some agreement with the Head of the
Church and to take up arms against the Protestants." We have seen that in
the summer of 1545 the Pope had already drafted a treaty of alliance and offered it to the Emperor, but that Charles delayed his acquiescence. Only after it was evident that no result would come from the diet did Charles seriously resume negotiations. Charles' exhortation in March to his friend and ally Cosimo de' Medici not to press his grievances against the Pope lest this destroy the Emperor's plans in Germany was indicative of the changing attitude of Charles. By June the disputed points of the treaty had been satisfactorily settled and on June 7, the day on which Charles signed a treaty of alliance between himself, his brother Ferdinand, and William, the Duke of Bavaria, he also gave his long-delayed assent to the treaty with the Pope. The treaty between the princes begins thus: "In the first place the said princes have attentively considered the grave danger with which the German nation is threatened by reason of the many various sects and heresies which have arisen and are steadily increasing in strength and in number; they have seen too the many labors which up to the present have been undertaken in vain to bring back those who have strayed from the unity of the Catholic Church; they know moreover that with the loss of all hope of peace the heretics are becoming so confirmed in their error that they contumaciously refuse to submit in obedience to the holy ecumenical council, already lawfully convened and opened. In consideration whereof the said princes manifestly find no solution but in arms and lawful compulsion. They well understand therefore that if recourse to this remedy is not immediately forthcoming, and if these acts of the opponents are not squarely met, not only will there be no further hope of ever restoring the Church, but not even will there remain any hope of restoring peace and justice to Germany." With such considerations before them the princes determined, together with the help from the Pope, to use force against
the Protestants. The treaty with the Pope begins: "As Germany for many years, to its grievous hurt and in peril of its total ruin, has been disturbed by erroneous teaching and all remedies have proved fruitless, a General Council has assembled itself in Trent, the decisions of which are now rejected by the Protestants and the Schmalkaldic League. The Pope and the Emperor have therefore determined to combine in the following alliance for the glory of God and the salvation of Christendom. The Emperor binds himself, after all friendly means have been unavailing, in the next month of June, with the aid of the Pope to open war against the Protestants, the Schmalkaldic League, and other German teachers of error in order to bring them back to the true and ancient religion and to the obedience of the Holy See." Then follow the specific stipulations of the Treaty. The Emperor promised to make no peace without the Pope's concurrence, especially no concession in matters of religion and the constitution of the Church. The Pope on his part promised money and men. With the final acceptance of the Pope on June 26 the two chief heads of Christendom were at last allied against the enemies of the Church in Germany. Cardinal Farnese received the legatine cross for Germany and his brother, Ottavio, the Emperor's son-in-law, was appointed Commander in Chief of the papal army and received the standard of war against the Lutherans.

In a confidential letter of June 9 to his sister, Mary of Hungary, the Regent of the Netherlands, Charles narrated at length his efforts to restore peace in Germany, the opposition of the Protestants to all his work, and finally the necessity of at last appealing to arms to achieve any lasting results. He recounted his futile efforts to effect a peaceful settlement and declared his preference for this way rather than that of force. But, he went on, further moderation was useless, for the Protestants only continued in their way
of sedition, insolence, and obstinacy. If something were not done, not only would ecclesiastical foundations disappear, but also every vestige of authority in the Empire. Therefore Charles, after consultation with his brother, with the Duke of Bavaria, and other Catholic princes, recognized the necessity of appealing to force, above all at a moment when the Protestants were divided and help assured from the Pope. Charles expressed his double purpose in undertaking the war as being the desire to protect the interests of the holy faith and by that means restore proper authority in the Empire. But to dispel suspicions the pretext of war was to be that the Protestants had broken the common peace by their action against Henry of Brunswick. Speed and dispatch were necessary to get an advantageous start on the Protestants. As a result the spread of heresy and the consequent contempt of authority were to be checked before they could penetrate to the rest of Charles' domains.

On June 15, 1546, the instruction of Charles V for his envoys to his German allies showed the intentions of the Emperor in beginning the war. First he warned the princes not to be deceived by Saxony and Hesse into the false belief that the Emperor wished to subjugate the Germans, for his only desire was to restore peace, law, and obedience which had been completely destroyed. Charles declared that he had tried every means to keep peace despite the insults and insubordination he had borne. Since the Protestants were then destroying the Empire under the pretext of religion, the time had come to take up the sword, for it was evident, "that there was no further hope or expectation of any amelioration." He therefore resolved to bring Saxony and Hesse to reason and to dutiful obedience and thus give peace to Germany.

Again on June 17 Charles V wrote of his intention in a letter to some of the Imperial cities, trying to win them to his side. Since these cities were already quite contaminated by heresy Charles did not emphasize the religious
aspect of the war, but treated it rather as an effort to restore peace and prosperity to the Empire by suppressing the preeminent disturbances of the peace. The letter declared that he ambitioned the promotion of the honor, utility, safety and well-being of the German nation, and that he hoped to render stable her peace and quiet, her justice and her unity.

It is indicative of the state of Germany and its attitude toward the Emperor that in the reply to him the cities professed loyalty to him in temporals, but announced that they must in duty to conscience remain true to the reformation, which they proceeded to praise. Here again the old refrain rose that they were looking for a peaceful settlement in the hope of a "free christian council, held in Germany, or a national common congress." Augsburg, as an example of the response of the cities, promised obedience saving conscience.

Once again, from a slightly different point of view, Charles defined his intentions in a letter to King Christian III of Denmark, entreating him not to subsidize the Protestants. In this letter he stated his aims in beginning the war: "All my desires have had but this end in view and all my efforts have been to achieve but this, that I might be able to conciliate the dissensions and strifes that have risen between the princes and powers of the Empire because of religious innovations -- that I might restore peace and concord to the people of Germany, committed to my care, and that I might firmly establish honest and impartial justice in the Empire." So far, he said, only "malignitas" has answered his efforts. Wherefore he went on to accuse the Protestant leaders of lese-majesty.

Finally on August 1, Charles V sent a vindication of himself against the accusations of the Schmalkaldic League to his own allies. The Protestants had
accused him of wishing to subjugate the Empire with foreign troops, "and especially of desiring to take vengeance on the Christian religion and the word of God and to root it out." Charles promised to treat of religious matters considerately and not to employ foreign soldiery except in so far as it was necessary for the good of the Empire.

At the opening of the war in July with the attack of the Protestants on the territories of the Bishop of Augsburg, Charles was in a perilous position. He was at Ratisbon with but few troops and far separated from his recruiting source. Had the Protestants only taken advantage of the opportunity they might easily have seized the Emperor himself. They were however too divided among themselves and too lacking in military acumen. Immediately they took up the defensive, fearful lest any offensive on their part should drive wavering princes to the Imperial standard. Charles used the time left him by the pusillanimity of his opponents to hasten the formation of his army. He won over to his cause by secret agreements the powerful princes, Maurice, Duke of Saxony, who coveted the Electorate of his cousin, and the Margraves, Hans and Albrecht of Brandenburg. On August 3 the Emperor left Ratisbon for Landshut in Bavaria, where a few days later, due to the indolence of the Protestants, the troops supplied by the Pope were able to join him.

When the two opposing armies met a few weeks later, the Protestants showed no spirit but quickly began to retire. They even failed to prevent the juncture of Charles with the reinforcements sent him from the Netherlands. By this accession the Emperor gained help that made him superior to his enemies in strength. But still he did not impetuously strike a finishing blow at once; such a course would have been contrary to his character. Slowly he advanced against the Protestants, accepting, as he went, the submission of town after town. He was playing a Fabian game and playing it effectively.
By the middle of November the enemy had dispersed and each prince was hastening home to protect his own dominions. Thus ended the first phase of the Schmalkald War. Charles showed great, and perhaps unwise, moderation in dealing with the towns which had submitted to him after their insubordination. As a rule his only punishment was the levying of a heavy indemnity. Above all, he thought best to grant at least a temporary toleration to all Southern Germany, a fact of which the Pope complained as a violation of the treaty between them.

This incident is indicative of the beginnings of new difficulties and misunderstandings with the Holy See. Even before this the distrust of the Pope had been revived by the guarantees in the matter of religion which Charles had made to Maurice of Saxony and the Brandenburg princes. Difficulties also arose over the appropriation of ecclesiastical revenues by Charles to defray the expenses of the war. On his side Charles complained that the Pope had failed to keep the secrecy as to the war, stipulated in the treaty, a disclosure which had placed Charles in a perilous position and had ruined his plans of a sudden, unexpected attack. Moreover, he blamed the Pope that the Italian troops he had furnished were unruly.

The crown of these growing dissensions and difficulties was the matter of the council, then in session at Trent. It had finally opened on December 13, 1545. Contrary to Charles' wishes doctrine, not reform was made the first concern, a procedure which Charles proclaimed as disastrous to Germany, since it destroyed any hope of bringing the Protestants to recognize the council. The work of doctrinal definition had gone on at Trent, but always somewhat timorously due to the disturbed state of Germany. Finally, in the summer of 1546, after the outbreak of the war, the question of suspension or removal was raised. Charles was violently opposed to either course and demanded continue-
tion at Trent as part of the concerted action against the Protestants. The Pope to keep peace ordered the continuation, though through his nuncios he tried to induce Charles to consent to the removal. Charles, however, was firm and persevering in his refusal. As a result of these circumstances passionate denunciations and almost violent recriminations were heard at Trent, though the council kept on with its work till March 11, 1547, when, on the plea of the plague, it was transferred to Bologna.

The Italian-political situation further disturbed relation of Pope and Emperor. The most devastating weakness of Paul III was his nepotism, his irrepressible energy to promote the interests of his own family. He had given his son Pierluigi the duchy of Parma and Piacenza, but Charles had resolutely refused to confirm the grant. The threatening attitude of Charles' general in Italy, particularly Ferrante Gonzaga, an enemy of the House of Farnese, drove Pierluigi into the arms of France, and so alarmed the Pope that he too began to sound France for help.

By December 1546 the Pope was convinced that neither he nor the Church was profiting by the war in Germany. Charles had not used his advantages over the Protestants to dictate to them in religious matters, but had, contrary to the treaty, promised them a temporary tolerance. On the whole the Emperor's actions during the war are not easily defended; he was undoubtedly sincere personally, desiring the good of the Church and of the German nation, but he had not the strength or conviction to grip with the mailed fist. No sooner had the necessity for force passed than his warlike intentions faded away and he slipped back into the futile way of conciliation. In so doing he undoubtedly violated his treaty with the Pope. In all this, Paul III thought he saw more and more merely political expediency, and he was finally convinced
that he was simply supporting a war to strengthen the Emperor's position in Germany.

The conviction that political motives were guiding the Emperor was confirmed in the Pope's mind by the unyielding attitude of the Emperor to peace negotiations in face of a threatened outbreak of hostilities between Charles and France. Paul feared that he would be drawn into the threatened conflict as the ally of one party, a position which, as the common Father of Christendom, he was loathe to take.

The result of these circumstances was that in January 1647 a brief was sent to the Emperor which announced in as delicate and indirect a way as possible the determination of the Pope to withdraw his aid. At the very end of this flowery letter of congratulation and encouragement comes the announcement: "Since the war is as good as at an end, and your Majesty's position is wholly favorable and secure, we have determined to recall from Germany the troops sent to your aid and which are now terribly reduced in numbers, with the intention, in the case of such another occasion arising and your undertaking a similar war against the enemies of the Christian religion, of springing again to your side as we have hitherto done, according to our strength and that of the Apostolic See." Charles, at the receipt of this news, gave vent to his anger in the presence of the nuncio, Verallo. He accused the Pope of insincerity, of trying to entangle him more and more in war, of being a partisan of France and yielding to French inducements in withdrawing from the alliance. He did not end his arraignment until he had bitterly attacked the honor of the Pope. Moreover Charles declared later that if he were attacked by France and the Pope failed to aid him he would come to terms with the Protestants. Charles was manifestly trying to intimidate the Pope and force him to further compliance.
While Charles V had been keeping watch over the wavering army of the League along the Danube, Saxony was also the scene of activities. Maurice, Duke of Saxony, though a Protestant, had finally avowed himself on the side of the Emperor in order to put himself in a condition favorable to taking over the domains of his cousin, the outlawed Elector of Saxony, John Frederic. King Ferdinand also had set his eyes on Electoral Saxony. As John Frederic was on the Danube with his forces, Maurice and Ferdinand easily overran his dominions.

Conditions in the north were in part the reason for the dispersal of the Army of the League. John Frederic saw that his presence in Saxony was necessary to preserve any of his domains. In November he started his northward march, performing on the way feats redounding but little to his honor. He plundered convents and monasteries, and extorted heavy contributions from Catholics. He forcibly seized and annexed the bishoprics of Magdeburg and Halberstadt and occupied that of Merseburg. In his own dominions he was vigorously reestablishing himself against Maurice and Ferdinand and the troops the Emperor had sent them. The Elector in addition was stirring up the disaffected Bohemian nobles against the Hapsburgs and also spurring on the Turks to attack the Emperor's hereditary lands. Charles himself wrote: "Not only did he intend to regain the territories which the King of the Romans and Duke Maurice had taken from him, but he energetically made the necessary preparations to seize the possessions of both of them and to excite rebellion in them and finally cause to the one and the other the greatest possible evil."

Such a condition of affairs determined Charles to go to the aid of Maurice and Ferdinand himself despite the state of his army, weakened by disease, and least of all by defection as well as by the stress of the activities on the
Danube. Moreover at this very time came the announcement of the withdrawal of papal aid.

Once Charles V was aroused and committed to a policy he was bold and tireless in carrying it out despite difficulties. He spurned the peaceful advances of the Protestants and determined now at last to crush the Protestant power. Though he was suffering much from the gout, he pushed on to Saxony in the middle of the winter with all the speed possible. (His illness caused delays of some days at various points.) Once in Saxony he lost no time but effected a union with Maurice and Ferdinand and proceeded to the Elbe where John Frederic was in camp. The arrival of the Imperial troops was a complete surprise to the Elector, who after his initial successes was sitting by idly. Charles began the day of battle with Mass. He maneuvered as well as he could in the heavy fog and effected the perilous crossing of the river. At this great moment, wrote Charles in his Commentaries, "The Emperor placed all in the hands of God, that His Will might be done, whether it was to send victory or defeat."

John Frederic's troops were thrown into a panic. They made no attempt to stop the Emperor from crossing the river, but withdrew in disorder and too late to escape. "The action at Muhlberg," quotes Janssen from Wilibald of Wirsberg, "cannot rightly be called a battle, not even a skirmish. It was a rout during a scandalous flight. The Imperial army lost only about 50 men, including those who died afterwards from their wounds. The Elector lost all his banners; -- more than 2,000 foot and 500 mounted soldiers were cut down." Charles summed up his victory thus: "He came, he saw, and God conquered."

This was the end of the religious war; Charles V was supreme in Germany. John Frederic was captured and though Charles forebore to execute him as a
traitor, he was dispossessed and kept imprisoned. The cities and princes came servil.ly to Charles' feet to offer submission. Ulrich of Wurtenberg had already made his peace and was left in possession of his dominions. Philip of Hesse came only after long negotiations in which he insisted that he be not made to submit unconditionally, "auf Gnade und Ungnade." Charles in this instance promised the Electors of Saxony, the newly invested Maurice, and Brandenburg, who were interceding for Philip, that he would not keep him in perpetual imprisonment, but asked that this concession be kept secret from Philip. The Electors kept the secret, but at the same time promised more grace than the Emperor felt justified in showing. Philip expected to be freed immediately. Charles however, knowing the caliber of Philip and how little trust could be placed in him, refused an immediate pardon. Still, in consideration of the submission of the Landgrave and at the intercession of the princes, Charles withdrew the sentence of ban and the penalty of death incurred by the rebellion, and promised not to punish him either by perpetual imprisonment or by the confiscation of his property and effects. However the Emperor demanded that he be kept temporarily in custody.

Thus Charles V made himself master of Germany. He had conquered the political enemies who had been obstructing every measure he had tried for the good of Christendom. The rabid reformers were cowed into silence. Germany was at the feet of the Emperor. Never before had Charles V such an opportunity to heal the wounds of Germany and begin true reconstruction.
NOTES TO CHAPTER IV

1. De Lettenhove, Comentarios, 73.
2. Ibid., 81.
3. Ibid., 84.
5. Pastor, XII, 288-289.
6. Ibid., 291.
8. Ibid., 493.
9. Ibid., 496.
10. Ibid., 505.
11. Ibid., 508.
12. Ibid., 503.
13. Ibid., 512.
15. Ibid., 332.
17. Ibid., 134.
CHAPTER V

FAILURE AND WITHDRAWAL

The victories of Charles V over the Schmalkald associates in Germany placed the Emperor at the height of his power. Anxious to use his position to the advantage of the Church and the Empire, he called a diet to assemble at Augsburg to consider the religious situation and effect a settlement. Great hopes sprang up that at last the woes of Germany were to be healed. A contemporary describes the sentiments of the people of Germany concerning the victorious Emperor and his opportunity thus: "The whole world, either in hope or in fear, stood expectant that after such great events Charles would interfere vigorously in the internal affairs of the Empire, that the religious question would be settled on a lasting basis, and that the territorial Church system, with its usurped rights and prerogatives, would be abolished. Both parties, however, were disappointed, both those who hoped and those who feared. Those who imagined that the Emperor would profit by his victory for the consolidation of his authority and power, and for the establishment of a monarchy, were forced now to recognize that this had not been the Emperor's intention; for in the main everything remained in the same condition as before. In matters of religion decisions were made which satisfied nobody, and only served to fill some minds with suspicion, others with resentment. The blame for this must be chiefly laid on the Emperor's quarrel with the Pope and the Council."

On September 1, 1547 the diet, called the "Armed Diet" because of the military retinue of the Emperor, opened at Augsburg. The Proposition, addressed to the members by the Emperor, gave indications at least that he would
not use his victory to the full extent of his power, for he spoke about regarding matters both spiritual and temporal in the same light as before, "just as though no war nor victory had taken place." In matters of religion, the message went on to say that "since the disruption in Germany had been the root and chief cause of all the disturbance in the Empire, and without its removal no restoration of peace was possible, and to attain this object the Council of Trent had been summoned, the first and principal subject of deliberation must be how to effect an agreement, and, pending the success of such efforts, how to deal with questions of religion; it would be the business of the Estates to submit proposals on this subject." Inviting his subjects to cooperation with him in the settlement of the religious difficulties, Charles, as he said, "undertook that they (the Estates) would submit themselves and their successors to such a General Council and obediently await and accept its determinations for themselves and their successors, and thus in that place follow the footsteps of the Holy Fathers and ancients who in matters of religion had ever had recourse to holy councils of the Church."

In the discussion of the religious situation which followed, various opinions were advanced. The spiritual Electors advised leaving religious matters wholly to the Council of Trent for settlement. The Protestants on their part held the very opposite opinion: that the Council of Trent be repudiated and a council be summoned that would be "free and apostolic", in which the Pope was not to be supreme, but merely a subject as were the other representatives. This council was to reconsider all doctrines already defined at Trent and find a more generally accepted and satisfactory solution. Charles tried to win the Protestants to trust him regarding the council. "He promised to make provision for Christian procedure and fair treatment of the Protestants; the whole regulation and method should be pious and Christian,
all party spirit should be set aside, everything should be begun and concluded in conformity with Holy Scripture and the teaching of the early Fathers, a salutary reform should be instituted and all abuses and erroneous doctrines be abolished." Though the attitude of the Protestants gave no hope that they would submit in fact, Charles, none the less, sanguinely reported to the Pope that finally all had agreed to submit to the Council, and therefore he asked its return from Bologna to Trent. The Pope proved not unwilling to return the council as long as it was guaranteed absolute freedom from any attempts at intimidation, and moreover would not be expected to reconsider matters already settled.

Unfortunately the Pope and the Emperor could not come to any successful agreement. Their relations at this time were more than strained by the assassination of Pierluigi Farnese and the subsequent refusal of the Emperor to set the murdered man's son over Piacenza. Charles V moreover refused to accept the conditions laid down by the Fathers at Bologna anent the reassembling at Trent. He was Lord Supreme in Germany by force of his victorious arms and unfortunately would not hear of any concessions. He resorted to a policy not very different from bullying, trying to overawe the Fathers and the Pope himself into yielding to his wishes.

Of this situation Janssen writes: "Had the two supreme chieftains of Christendom gone forward together, working in intimate and unbroken harmony for the removal of the blemishes and abuses which disfigured the external life of the Church; had they united their energies to carry into effect the reformatory decrees already enacted at Trent as well concerning the duty of the bishops to reside in their sees and to attend to the office of preaching the word of God personally and by the appointment of capable preachers, as also
concerning the visitation of dioceses, the erection of theological chairs in cathedral and collegiate churches and in monasteries, there is no doubt that their combined labors, at a time when Charles had succeeded in crushing the opposition of the two chief leaders of the religious revolution, would have issued in a triumphant consolidation of the ancient faith and of the imperial constitution so intimately connected with the faith, and in a revival of religious life, morality and discipline, justice and peace."

In the actual situation it seemed not improbable that schism would result. Only the deep loyalty of Charles V to the Church and to the Apostolic See itself kept him from this step. He determined to attempt a temporary settlement in Germany to be in force until the Council should provide a definite and lasting solution. This was the origin of the notorious "Interim of Augsburg."

Charles V hoped by means of this temporary arrangement to restore peace to the Empire and to provide a means whereby the Protestants might gradually again draw back to the old Church. The Pope could not of course be left out of the settlement entirely, but the influence of Charles far overshadowed that of the Pope. It was Charles' theologians who discussed and drew up the articles. Pastor discusses the Emperor's motives thus: "When Charles V accepted this proposal he certainly was not thinking of founding a Germanic Church on the pattern of the Gallican. He only wished, by means of a religious compromise and the removal of abuses in the Church, to put an end to the internal dissensions which were crippling his Imperial authority. In a certain sense Charles was falling back on the earlier attempts at reunion but with this difference that on this occasion the formula of agreement was not to be drawn up by a conference and was to be of a temporary character. The Emperor still recognized as clearly as ever that the religious controversy turned upon two entirely contradictory systems which could not be harmonized
by a 'more' or 'less'. Charles hoped that his new expedient would create a state of things by which the gradual return of the Protestants to the Catholic 6 Church would be rendered possible."

Despite the Emperor's good intentions the attempt was unfortunate. It was a return to the futile way of compromise which never had settled anything and never had won any of the heretics back to the Church. It was doomed to failure all the more in that ecclesiastical authority had not its proper place, so that no one could seriously consider the compromise religion as more than a political expedient.

The instrument of the settlement was the "Declaration of His Roman Imperial Majesty on the observance of religion within the Holy Empire until the decision of the General Council." It embraced a statement of doctrine drawn up "almost entirely in the Catholic sense, but always in the mildest and often vaguest terms." Concessions were promised in matters of clerical celibacy and communion under two kinds, while the discussion as to the title of Church property was to be left in abeyance and the present possessors were to continue in possession.

If there had been a sincere effort to keep the document orthodox, it was none the less quite open to attack by discerning minds. A study of the comments of the Jesuit Bobadilla on it in a letter to Cardinal Truchsess gives some idea of the contents of the "Declaration." Bobadilla began with the observation that many things could be added to the Interim and many more should be explained, but, above all, many others should be corrected lest scruples or scandal result. Then after a discussion of the marriage of the clergy and of communion under two kinds, he said that these concessions if made would only lead men to ask for more; if, for instance, they were given
to the Protestants, the Catholics likewise would clamor for the same favors, and the only result would be further disruption of religious unity. After discussing these questions at length, he considered other points, "which seemed to need correction or deletion or augmentation." He said that it was well and good to order the restitution of the properties whence came their livelihood. Again, justification was defined as consisting of faith, hope and charity; if one of these were missing, the document said, justification would be incomplete. Bobadilla said that in that case there would be no justification at all. Of the Sacrament it was said, "it may properly be adored." Babadilla would have it, "should be." Of abstinence, where the "Declaration" said, "let it not be condemned," Bobadilla advised the addition of, "but let it be observed."

He concluded therefore that as the Interim then stood it could not be promulgated by the Pope or Emperor with a clear conscience. He remarked that the Catholic Church had never been governed by colloquies of Interims, but by ecumenical councils. In his mind all hope was therefore to be placed in the Council, though he admitted that it would not be wrong to suffer things a little while till the Council met, rather than precipitate great evils. It was of prime importance however to give the Pope his proper place.

For his pains in the matter of the Interim Bobadilla was invited to leave Germany. Polanco wrote in his chronicle: "Since Father Babadilla considered that a peace or Interim of this nature was absolutely worthless towards promoting the interests of religion, and since he was courageous in opposing the agreement in word and writing, he was ordered by the Imperial Ministers, in the name of the Emperor, to leave Germany, even though he was in high favor with many of the princes."
In the first months of 1548 Charles V tried to win the princes to accept his new instrument. The only ready supporter of the Interim religion however was the Protestant Elector of Brandenburg, whose chaplain, Agricola, had helped to draw up the "Declaration." Maurice of Saxony was led to acceptance only by the addition of special concessions that practically nullified the intended effect of the Interim. The bulk of the Protestants however resolutely refused to have anything to do with the compromise, for they thought they were being led to disloyalty to their principles and to possible embarrassment in the possession of ecclesiastical property. The Catholics however were especially outspoken in their repudiation. They deeply resented the Emperor's arrogation of power in the ecclesiastical field and professed anew their belief that only the Pope and the Council were supreme, and thus only the one or the other could legitimately make any concession or speak with authority on doctrinal matters. Even the secular princes were outspoken in their refusal, some for pure motives, others, like Eck of Bavaria, with more mixed intent. The Catholic princes drew up a formal remonstrance. Charles did not yield to it, but to keep peace in camp did accept and follow the representations of the spiritual princes, namely, that the Interim be made to apply not to Catholics, who had always been faithful in following orthodox doctrine and practise, but only to the Catholics. He professed that the whole purpose of the Interim was only, "to draw the Protestant Estates once more to the Catholic religion with a view to their final submission."

It was not long till it was quite evident that the Interim was useless, but not wholly harmless. By it Charles was frittering away his opportunity to take stern measures for the reconciliation of Germany. Long and involved conferences with the Pope followed with a view to his indorsement of the document,
but these were fruitless, because the Pope could not yield, for instance, in the matter of the rediscussion of the articles already settled at Trent. The Emperor believed that he had acted, "only as a legitimate and Catholic prince," and was unwilling to consider the abandonment of his scheme. On the contrary he went further and drew up a plan of Christian reform embracing necessary matters, but like the Interim ineffective because it lacked the support of the proper authorities. Of Charles' attitude Janssen quotes from one of the Emperor's contemporaries: "With wonderful tenacity the Emperor still held firmly to his religious edict even after it had been shown to be quite ineffective. When the Pope humored him so far as to dissolve the Council at Bologna and to announce his intention of holding another at Rome, at which he meant seriously to take in hand the necessary reforms, Charles made the stipulation that no resolution was to be passed at this Council which should be in opposition to the articles of his Interim or to the scheme of reform prescribed by him to the ecclesiastical Estates."

The Interim soon proved to be only an instrument to promote discord. It aroused the heretics to fury against the Emperor, whom they ridiculed in scurrilous verse and roundly condemned as being in league with the devil. Feeling ran higher than even before the war. In the immediate presence of the Emperor with his troops there was an outward semblance of conformity, but as a rule the farther distant from the Emperor the various cities were, the more violent became their reproaches and repudiations. The disaffection was not by any means confined to Protestant districts, but it was broadspread. There were changes only for the worse. A contemporary sums up the situation thus: "What fruit we have reaped from the great Diet of Augsburg, which all the world was awaiting either in hope or in fear, we see daily before our eyes.}
The schism in religion which was to have been healed by this Diet is greater than ever. The hoped-for protection for the Catholics has not been secured. The Protestants either vehemently oppose the imperial decrees or else submit to them only in outward appearance. The Catholic clergy refuse from conscientious scruples to be Interim priests and to dispense the Communion in both kinds. What has been done in the heretical districts to secure the enforcement of the decrees?"

Before the year was over Charles V himself saw the failure of his attempt and was ready to admit it. He feared that all he had gained by his great victories had been lost, and he was right. The failure of the Interim was in reality the final failure of all his efforts for the Church in Germany. They had been sincere efforts, though not always the best absolutely speaking or the most prudent. The odds against him were tremendous, as I have tried to show. He began his battle vigorously with the Edict of Worms in 1521, but found it physically impossible to enforce it due to the weak instruments of government he had at his disposal in Germany and due to the multifarious concerns that called him from Germany to other fields of hardly less important action. One may condemn the policy of temporary toleration and suspension which he adopted after 1530, but here too the Emperor was unable to follow any other course, with the Turks threatening his Empire and Christendom itself more savagely even than the Protestants. His unfortunate quarrels with the Popes played their part in rendering his policy against the Protestants weak and ineffective, but while he cannot be excused of guilt in causing and continuing them, neither was he without provocation from the other side. His dabblings in doctrinal matters were the cause of much trouble and even harm to the Church, but they were undertaken in good faith and at the unfortunate
instigation of advisors of doubtful orthodoxy. When he was finally convinced of the necessity of force — a conviction he was slow to admit, for he was loathe to add to the troubles of Germany that of civil war, and moreover was uncertain of the strength of his own troops or the fidelity of his allies — he proved himself brave and capable in battle. His successes gave him the opportunity long-sought to attempt the healing of German's wounds.

But the opportunity came too late; it was then no longer possible for him to suppress forcibly the new religion. Too large a number were too passionately attached to the reform by then to make any other way of pacification but that of compromise possible. The sword could cow a few, but it could not change the convictions of half a nation. This, however, Charles V could not and would not admit. His efforts could only be for the reunification of Germany in the ancient faith and therefore he attempted his impossible policy of a compromise religion pending a final settlement. Such a policy was doomed at once to please neither side, but only to weaken his own position in the Empire and win the distrust of the Pope.

The Interim was not the last of the Emperor's contacts with the religious question in Germany. He did not give up hope of some religious settlement, but he almost ceased working directly for it. In the Diet of Augsburg of 1550 he hardly mentioned the Interim. Later, concerning the position to be taken at the Conference of Passau in the course of his war with the treacherous Maurice of Saxony, he agreed to put off discussion of religious matters, but would not "pledge himself to leave the religious schism for all future time without some sort of remedy." He resolutely refused to yield against duty and conscience on religious matters, no matter what the cost of such a policy to himself. Thus he kept on fighting, but his battle was
different; he was merely covering his retreat. He recognized his failure, but struggled on for a few years, only to abdicate in favor of his brother Ferdinand rather than surrender by consenting to the Peace of Augsburg in 1555. This finally professed to make permanent the policy of mutual toleration, which he had long supported as a temporary expedient till such a time as the differences should have been settled.

Thus ended the German career of this great, good and sincere, if not all-wise, Catholic Emperor. He withdrew from conflict to peace in the monastery at Yuste in Spain, there to end his days. I can find no better conclusion to this account of the battles against heresy of this Catholic champion than the letter, breathing the spirit of the dauntless warrior, written to his daughter Joanna when the shadow of death was on him. When he heard of heresy creeping into Spain he wrote to Joanna insiting that she take measures against it. "Tell the grand inquisitor and his council for me to be at their posts and to lay the axe at the root of the evil before it spreads farther. I rely on your zeal for bringing the guilty to trial, and for having them punished without favor to any one, with all the severity that their crimes demand. -- If I had not entire confidence that you would do your duty and arrest the evil at once, I know not how I could help leaving the monastery and taking the remedy in my own hands." He recommends as an example his own mode of proceeding in the Netherlands, "where all who remained obstinate in their errors were burned alive, and those who were admitted to penitence were beheaded."
NOTES TO CHAPTER V

2. Pastor, XII, 389.
3. Ibid., 391.
5. Ibid., 387-388.
6. Pastor, XII, 410-411.
7. Monumenta Bobadillae, Madrid, 1913, 137.
8. Ibid., note to page 137.
10. Janssen, VI, 409
11. Ibid., 414.
12. Ibid., 486.
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The thesis, "The Religious Policy of Charles V in the Germanies," written by Maurice F. Meyers, S.J., has been accepted by the Graduate School with reference to form, and by the readers whose names appear below, with reference to content. It is, therefore, accepted in partial fulfillment of the requirements for the degree of Master of Arts.

Rev. Joseph Roubik, S.J. September, 1937
Rev. Jerome V. Jacobsen, S.J. September, 1937