

How (not) to excommunicate a king: Henry VIII and the Papacy

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Pope Paul III did not mince his words. In the bull of excommunication promulgated on 17 December 1538, he reviled Henry VIII as no better than a beast. Using a potent medical metaphor, he proclaimed Henry a diseased member of the community of the faithful that must be cut off to protect the rest from contagion. Unfit to partake in sacraments of the Church, so despicable a schismatic and tyrant was likewise ruled unworthy to be king. Invoking at once Rome's spiritual and temporal power, the Pope duly absolved Henry's subjects from allegiance to him and called on Christian princes to wage a crusade against England and topple the reprobate so as to restore the unity of the Christian Church.

Yet there was a major wrinkle in this plan. For, by the time Paul III got round to excommunicating and deposing Henry, the King had already severed his own and his kingdom's ties to Rome. Papal jurisdiction had been formally nullified by statute several years earlier and the King named supreme head of England's Church. The liturgy too had been reformed and references to papal authority all expunged. With the dissolution of the monasteries and seizure of their riches for the King's own use well underway, Henry had pacified two major rebellions, one in Ireland and the other in the north of England (the so-called Pilgrimage of Grace), as well as celebrating the birth of a son, Edward. Meanwhile, the few naysayers had been executed for treason, chief among them John Fisher, Bishop of Rochester – lately made cardinal of the Roman Church and the former Chancellor Sir Thomas More, and the loyalty of the vast majority of the population commandeered through a series of compulsory and strictly enforced oaths. Nor had the King shrunk from symbolic acts of defiance against Rome such as the desecration and plunder of the shrine of Saint Thomas of Canterbury aka Thomas Becket in September 1538 – the immediate catalyst for Paul's bull.

What though if the papacy had acted sooner? How might things have turned out for Henry, England, and Christendom had the excommunication come at an earlier point during the preceding years? For excommunication, especially when twinned with deposition, was a potent weapon in Rome's arsenal against recalcitrant princes. Perhaps the most notable example of a pope compelling submission of a monarch had been Gregory VII's treatment of the German King Henry IV. Declared excommunicate and deposed in 1076 for promoting his own candidate for a bishopric in preference to a papal appointee, the King had been given a year to repent or else he would never regain the throne. Henry IV's abject surrender to Gregory VII at Canossa in 1077 became the stuff of legend. Closer to home, Pope Innocent III's excommunication of King John in 1209, a year after the imposition of an interdict on England, had led to John submitting not once but twice in 1213, and professing himself Rome's feudal vassal. While the Roman See's power had subsequently waxed and waned, by the early sixteenth century the papacy had emerged victorious from a lengthy struggle for superiority against the institution of a general council of bishops that had rumbled on since the Western Schism of the later fourteenth century. So, although the spread of Luther's heresy was putting Western Christendom to the test even as the Ottoman menace grew, there remained scope for the papacy to use the coercive means at its disposal to bring its wayward son to book.

This Rome spectacularly failed to do in time and decisively enough. For the potency of Paul III's eventual excommunication of Henry was fatally undermined by the tortuous and protracted process through which it finally came to pass. That process took eight years,

involving two popes, two printed bulls, and countless admonitions. As a result, rather than bringing Henry and his kingdom back into the fold, the papacy may have actually expedited England's secession from the Roman Catholic Church.

Threats and bulls

The crisis began with Henry's ardent desire for a divorce from his wife of many years, Katherine of Aragon, who had failed to give him a male heir. Henry's burgeoning infatuation with Anne Boleyn only made him more impatient. Even so, he had initially hoped to solve this marital dilemma by working with, rather than against, the papacy. In the spring of 1529, he submitted a case for an annulment for consideration by a special trial presided over by the Pope's legate. Henry was initially confident that the trial would declare in his favour: Katherine had formerly been the wife of his late elder brother Arthur, and therefore, Henry argued, his marriage had violated the scriptural injunction of Leviticus 20:21 prohibiting such unions.

It was only in March 1534 that the trial, which had been advoked to Rome in July 1529, resolved that Katherine and Henry's marriage was, in fact, legitimate. However, in the meantime, Pope Clement VII, aware of Henry's haste to wed Anne Boleyn, tried to prevent the English king from taking matters into his own hands. The Pope sent a public letter to Henry in March 1530, ordering him to treat Katherine 'with marital affection in all things' until the legatine trial had concluded. Should Henry act otherwise, Clement warned, he would automatically incur the penalty of excommunication. In addition, his realm would suffer the pains of an interdict: an ecclesiastical sanction which would deprive all English people from receiving the spiritual benefit of participation in the sacraments.

Henry had ceased treating Katherine with 'marital affection' by the end of 1531. A number of the Queen's supporters were only too eager to point this out: in October, the imperial ambassador to England suggested to Katherine's nephew Emperor Charles V that, since Henry was now 'almost entirely divorced from the Queen, and cuts himself off from all conversation with her', he had violated the terms of the Pope's letter and ought therefore to be formally declared an excommunicate. Such official declaration was indispensable for the measure to come into effect.

But Clement continued to procrastinate. Rather than announce Henry's excommunication, the Pope instead sent a series of further admonitory letters to the English King over the following years – letters which simply reiterated the threat of excommunication unless Henry fell into line, sounding less and less convincing with each successive one. Only in July 1533, after Henry had ordered his new Archbishop of Canterbury, Thomas Cranmer, unilaterally to pronounce his marriage to Katherine invalid and crowned Anne Boleyn queen, did Clement finally bestir himself. He issued a definitive sentence of excommunication, confirming that all the censures threatened thus far would now come to pass. And yet, even now, the Pope gave Henry an out, granting him a grace period of two months before the excommunication would formally come into effect – ostensibly to give Henry time to atone and return to his wife. This period of grace was subsequently extended, then extended once again, until the matter appears to have fallen off the papal agenda altogether as Clement grew ill and died in September 1534.

Henry's excommunication thus remained *ipso facto* suspended. Yet the threat the Pope would act – a threat which had now been looming for over three years - had already caused serious repercussions in England. Some of Henry's subjects had become increasingly restive, worrying about the spiritual deprivation they would suffer in the event of his excommunication or else, as did the merchants, fearing its adverse consequences for their

business. Amid such fears, the regime had set about reshaping England's relationship with Rome: since 1532, a slew of increasingly uncompromising statutes had begun undermining papal authority until, in November 1534, Henry, not the pope, was confirmed as supreme head of the English Church. Anyone daring to dissent was set to incur charges of treason; oaths requiring acceptance of the new religious settlement were imposed on all adult males; and worship purged of all mentions of the pope and papal authority. Simultaneously, a multi-media propaganda campaign sought to win the population's hearts and minds.

It was this new anti-papal crusade, rather than the original matter of Henry's marital shenanigans, which revived the case for excommunication in Rome. The ultimate provocation came with Henry's ruthless beheading of Cardinal Fisher in June 1535. At long last, it seemed, the papacy was poised to take action. Before the year was out, the new pope, Paul III, prepared a bull of excommunication – a formal document bearing the papal seal. This bull was far more radical than the earlier sentence of 1533. First, there was the bull's unprecedented length – it numbered close to 4000 words. Secondly, Henry was not the only target; rather, the bull was aimed at both the King and his unnamed aiders and abettors – Cromwell, Cranmer, and all the others working to subvert Rome's primacy. Thirdly, Paul III not only excommunicated but also deposed Henry, neatly melding Rome's spiritual and temporal jurisdictions. Fourthly, the original ground for excommunication – the King's setting aside of Katherine and marriage to Anne – became something of a side-show, as the Pope now centred on Henry's seizure of the headship of the church and his brutal hounding of clerical opponents.

Fierce in its provisions and blunt in its condemnation of the King, the bull was nonetheless rhetorically unstable. Embroidering the words of the biblical Prophet Jeremiah, it opened with a grandiose assertion of the Pope's secular power as 'the chief overall the kings of the universe, and all peoples obtaining dominion', something that would scarcely endear the pontiff to Charles V and Francis I who were already concerned about papal overreach. But, despite such confident assertions, Paul III was anxious to vindicate and explain away Rome's chronic vacillation in the face of Henry's ever greater impudence. Veering uneasily between self-assured and self-exculpatory, his tone betrayed the disputes and competing interests that had so far frustrated public proscription of England's contumacious prince. The urge to bring Henry to book remained in tension with sheer disbelief at the depths of his depravity and an inclination to grant him yet another chance for amendment. Once the bull had been promulgated, he would have 90 days to repent before it came into effect.

However, this brief moment of papal decisiveness was followed by inaction. The bull of excommunication, despite being printed, was never promulgated. It remained, quite literally, a dead letter. Some hoped that Henry might seek reconciliation with Rome, especially following the deaths of both his wives – Katherine's of natural causes in January and Anne's by the executioner's sword in May 1536. However, the King showed no signs of slowing down in his religious innovations: armed with an Act of Parliament, he had begun dissolving and expropriating the monasteries in 1535 and he worked (albeit intermittently) to forge entente with the Empire's Lutheran princes and cities, the Schmalkaldic League.

It was only the sacrilege and robbery of Saint Thomas of Canterbury's shrine in September 1538, coupled with the (possibly apocryphal) report that Henry had exhumed and burnt the Saint's bones, that saw an end to the, by now, eight-year long excommunication saga. In December 1538, Henry was at long last excommunicated in a new bull. This bull encased the old one, almost like a relic, within an up-to-date frame consisting of a preamble and postscript, both rife with violent medical metaphors and far more insulting towards Henry than any prior papal missive. The preamble recounted the circumstances leading up to the 1535 bull being drawn up, notably devastation of the English church and judicial murder of Fisher. The postscript explained why, rather than issuing it, Paul had instead given in to the

counsel – blandishments? – of unnamed Christian princes and repeatedly extended mercy to the royal recidivist. Now though the wait for retribution was finally over – Henry’s ‘new crimes’ had made sure of that. Should he and his accomplices stay obdurate, the Pope demanded that Christian rulers restore England to the unity of the Church by the sword, a timely call to arms given the recent diplomatic rapprochement between France and the Empire. Aware that publishing the bull would be difficult, the Pope decreed that limited circulation and pared down ceremonies would suffice and not impair the instrument’s validity. Overall, the 1538 bull was yet more disjointed and rhetorically uneven than its 1535 predecessor. For all the bravado and vituperation, it read like a chronicle of papal incompetence and failure.

Dither and Delay

How are we to explain the papacy’s continued vacillation in the matter of Henry’s excommunication? On one hand, delay was not entirely unprecedented in such matters. Excommunication was always intended to be medicinal rather than punitive – a vehicle for bringing the recalcitrant back into the fold. For that reason, it was not unusual for the papacy to give multiple warnings. The threat alone, it was hoped, would be enough.

But in the case of Henry VIII, this principle was stretched well beyond breaking point. Henry had shown absolutely no signs of contrition over the 1530s. On the contrary, he had become increasingly brazen, not only in proceeding to marry Anne Boleyn, but also in undermining and ultimately overthrowing papal power. There were only so many chances, surely, that one man deserved? It seems more likely, then, that the papacy’s repeated delay in declaring Henry’s excommunication was rooted in more worldly considerations. European politics in this period was dominated by the two early modern superpowers of Spain (led by Charles V) and France (under Francis I) – superpowers which were either at war, or teetering on the edge of it, for most of the 1530s. Whilst its spiritual authority to excommunicate whoever it chose was supreme, the papacy relied upon the co-operation of temporal rulers both to disseminate its bulls in their realms, and to effect any trade embargos or depositions it sought to impose. Throughout the 1530s, neither Charles nor Francis could be counted on in this respect. Charles was eager, in theory, to punish the King who had treated his aunt, Katherine of Aragon, so disgracefully. However, he was wary of disrupting lucrative trade with England, and fearful of provoking war with Henry at a time when he was already preoccupied with bellicose Lutheran princes in Germany, and the threat of Ottoman aggression to the East. Francis I, for his part, straddled the line between wanting to be seen as a loyal son of Rome, whilst also entertaining the hope of a military alliance with England to recover territory from Charles V in Italy. As a result, both sides blew hot and cold in their support of the excommunication throughout the 1530s.

It may well be, therefore, that the papacy was reticent to go through with excommunicating Henry until such time that it could be sure of the support of France and Spain in helping execute it. But such a moment never arrived. Even in 1538 when Paul III did, finally, take the plunge and promulgate the bull of excommunication, Francis and Charles both failed to follow through on the bull’s threats of embargo and invasion. All which raises the question, would the papacy have been better off throwing caution to the wind and acting decisively earlier on, even if it meant acting alone?

A missed opportunity?

Had the papacy acted on its threats more promptly, would Henry have thought twice before proceeding with his reformation of the English Church? If the hammer had fallen as early as

1531 when the King banished his wife from court, would Henry have been cowed? Or, if it had come in 1533, when he cast Katherine aside and married Anne, would he have stepped back from the breach? How likely is it that the Henrician Reformation would have taken the course it did had first one and then another pope's tardiness in disciplining the King not emboldened him to proceed with ever more radical remodelling of religion and the ecclesiastical settlement? Did the papacy, in other words, squander the opportunity to change the course of English history?

Some contemporaries certainly thought so. One of Henry's most vocal religious opponents, the English nobleman and cardinal, Reginald Pole, was a key figure pushing for the king's excommunication throughout the 1530s. Writing to an Italian friend in March 1536, he explained pithily, 'If [Henry] had been shut out from the Church when this matter was first begun at Rome, he would still be in the Church.' Perhaps this was simply wishful thinking. However, a speedily executed excommunication in the early 1530s would certainly have increased pressure on Henry within his realm to conform with the papacy's demands. One of the principal reasons cited by historians why Henry did not encounter more domestic opposition to his religious changes is that many English people were unsure as to whether the King's piecemeal alterations to the religious landscape really represented a departure from the Catholic faith. Swift papal affirmation that they did might therefore have helped inspire more popular opposition to the King. Indeed, even the rumour that Henry was about to be excommunicated seems to have been enough for some: in September 1533, one Sussex priest instructed the people of Rye that, should the excommunication be promulgated, their duty was to the Pope, not the King. Had the excommunication been issued in advance of the Pilgrimage of Grace – the over 40,000-strong rebellion against the King and his religious changes that engulfed the north of England in later 1536 – might the rebellion have been strong enough to force Henry to change course? Rising against one's prince was a capital sin. The rebels understood they were hazarding their immortal souls. And yet rise they did. Would more of the Catholic nobility (who could have provided the leadership the rebels sorely needed) have felt more confident joining them had they been sure the Pope was on their side? Might not the Pilgrimage of Grace, the gravest of all Tudor rebellions, have succeeded had Henry been officially censured and deposed by God's Vicegerent on earth?

By the time the excommunication was at last promulgated in December 1538, it was too little, too late. By this point, Henry's newfound religious authority was well and truly secure: he had brutally quashed the Pilgrimage of Grace and compelled potential opponents to swear oaths of loyalty to their new supreme head of the English church. The heightened possibility of foreign invasion as a result of the excommunication certainly worried Henry: in 1539 he had his propagandists produce numerous printed tracts and sermons decrying the Pope's warmongering, whilst simultaneously improving England's defences. This fear of invasion may even have led Henry to temper some of his religious policies: historians often refer to the years 1538-47 as the 'conservative phase' of Henry's reformation – a period during which the English King slowed the pace of religious change, and even began rolling it back in some areas. However, there could be no rolling back of the royal supremacy itself: England's break with Rome was by now too well entrenched, and Henry liked his greatly expanded authority too much.

It is difficult, therefore, not to see the repeated delays in issuing Henry's excommunication as a missed opportunity for the papacy. But was it even more than that? Did the recurrent act of threatening excommunication, but drawing back from executing it, actually have a radicalising effect on the English King's religious policies, pushing him to go further – to move faster – than he might otherwise have done? We are firmly in the realm of speculation here, but there is certainly a case to be made that Henry's efforts to expunge every trace of papal authority from England were supercharged by his genuine fear that the Pope

was planning to use that same authority to turn the English people against him. By denuding the Pope of his power and portraying him, not as a pious, spiritual shepherd, but as an avaricious and power-hungry prince, Henry robbed excommunication of much of its potential sting. Moreover, in repeatedly threatening to call on European princes to take up their arms against Henry, the Pope only helped prove the King's arguments for him. As numerous historians have argued, England's break with Rome was undoubtedly fuelled by the potent mix of Henry's lust, his avarice, his egotism. However, the (in)action of the papacy helped fan the flames.