

The Call for a Representative Church:
General Councils of the Fifteenth Century

Joseph Vietri

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By: Joseph Vietri

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Signed by the final examining committee:

Dr. Marie-France Dion Chair

Dr. Lucian Turcescu Examiner

Dr. Jason Zuidema Examiner

Dr. Jean-Michel Roessli Supervisor

Approved by _____
Chair of Department or Graduate Program Director

Dean of Faculty

Date December 5, 2013

ABSTRACT

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Joseph Vietri

The Catholic Church in the medieval period should not be seen as a monolith. While many maintain the views of a centralized papal monarchy, the reality was much different. In the fifteen century, while reacting to the Great Schism (1378-1417), a group of Christians looked to the early Church and canon law for precedents which allowed general councils to depose ruling pontiffs. These individuals, known as Conciliarists, sought to reform Western ecclesiology by limiting the role of the pope. They did not seek to overthrow papal authority; instead they attempted to curb papal control over Christendom. The pope was to govern within the limitations of doctrine defined by councils. General councils were to hold the role akin to a parliament. Such hopes were lost, however, when the monarchs who originally supported the councils, began to fear chaos the nascent democratic movement produced. Papal authority did win out, through the signing of Concordats, but the call for reform to the Church hierarchy shows a glimmer of hope in a period generally perceived by many as dark.

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Introduction

The objective of this thesis is to examine the peak of Conciliarism and its reception through the lens of Historical Theology. Conciliarism took root in Western Europe at the Council of Constance and was later reaffirmed at the Council of Basel. Constance was called in order to resolve the Great Schism. Although the council of Constance was held between 1414 and 1418, early signs of Conciliarist ideals were already present in Europe, as testified by works of canon law and Marsilius of Padua, a fourteenth century political theorist.

Conciliarism most likely gained prominence due to two main factors. The first was the Avignon Papacy, seen by contemporaries as the captivity of the Bishop of Rome by the French King.¹ The second factor was the Great Schism which produced, at its peak, three ruling and feuding popes.² The presence of three popes during the same period caused great distress for the Church faithful and a general council was perceived as the only solution for the division the Church faced.

An interesting feature of Conciliarism was its attempt to make the Church more universal. As catholic means universal, many, like Marsilius of Padua, believed that this universality rested in the people and the bishops as a whole. To call a Church under the rule of Rome universal was simply not possible.³ Furthermore, Conciliarism was fuelled by public perceptions of the pope and the papal court at the time. Many saw the papacy as being corrupt and lacking in morals. Two examples can be given of contemporaries

¹ Eamon Duffy, *Saints and Sinners: A History of the Popes*, 3rd ed. (London: Yale University Press, 2006), 164-165.

² Duffy, 168.

³ Paul E. Sigmund, "The Influence of Marsilius of Padua on XVth Century Conciliarism," *Journal of the History of Ideas* 23, no. 3 (1962): 393.

reacting to this lack of papal morality. The first is Boccaccio,⁴ who in his *Decameron* critiques the papacy, and more generally the Catholic Church. The second critique comes from Dante Alighieri⁵ and his *Divine Comedy*. While both of these individuals demonstrate strong biases concerning the papacy, since they are clear supporters of papal authority, nonetheless their works show a common thread in Italian thought: a lack in accountability in the papal court.

While Conciliarism primarily attempted to solve the Great Schism, its success did not reach past the council of Basel. This was due, in large part, to the strength and legal skill of the papacy. While there were threats of councils to depose the popes, no councils were held between 1447 and 1521. This thesis will explore why Conciliarism did not truly flourish in the years between the Councils of Constance and Basel. By examining two main research questions: firstly, what led to the rise of Conciliarism? Secondly, and more importantly, what factors prevented the general councils from maintaining themselves? Conciliarism should not be seen as a form of heresy or random event. Instead, it evolved out of existing ecclesiological theories, the interpretation of canon law and the use of precedents like the council of Nicaea (325) and Chalcedon (451). The movement drew on democratic and national sentiments calling for the decentralization of papal authority.

This topic was chosen because of its implications. Many see the Middle Ages as a period of Catholic and papal hegemony. The presence of this movement, and other

⁴ Though Boccaccio can be seen as a biased source, in favour of the papacy, his critiques of Rome and the curia are important to gain a better understanding of contemporary views of papal corruption and vice.

⁵ Like Boccaccio, Dante is a questionable witness. His political leanings were toward papal authority. Dante was a member of the Guelfs in his native Florence, a group which supported papal authority over imperial. Once again, while treating Dante's statements with caution, his work shows a common thread with Boccaccio. Both Tuscans highlight existing views of corruption and greed in the papacy.

similar dissent groups, which claimed to remove such papal authority proves that the general perception of the medieval period is faulty. More specifically, the Middle Ages were not, and cannot, be considered a time of political passivism. On the contrary, people like Marsilius of Padua and others attending Constance had ideas of limited democracy and actively proposed to apply them to the government of the Church. Although this movement failed, it is a perfect example of the misunderstanding of the Middle Ages as being dark and backward thinking.

The study of Conciliarism is an important academic pursuit. It not only explores an influential medieval movement, but it is also important for modern ecumenical dialogues. While councils attempted to limit most of the papacy's authority, Conciliarism generally accepted Rome as holding a special position in Christendom. An understanding of such a movement can help all Christian Churches who are in dialogue find common ground or a template for future cooperation. Though this thesis does not cover modern Church history, the findings for Conciliarism may be of some value to other scholars examining ecumenism.

Methodology:

This thesis combines two methodologies to examine Conciliarism. The first method is the Great Thinkers Model which is the study of theories presented by major thinkers of the time.⁶ While many criticize this method as ignoring the social reality of the period, hence it is not a valid method to study social history, it can be applied

⁶ James E. Bradley and Richard A. Muller, *Church History: An Introduction to Research, Reference Works, and Methods* (Grand Rapids: William B. Eerdmans Publishing Company, 1995), 30-31.

effectively in the case of Conciliarism as it was a movement undertaken by the clergy and princes and not representative of the common people.

The second method utilized is the Integral Method. This is the more important of the two methods, as it integrates the theological ideas of Conciliarism and the papacy in relation to social concerns, politics and the interactions between parties in the Church.⁷ Such a method also compliments the Great Thinkers model, which often ignores the socio-political matrix which fosters the development of ideas.

Division of the Thesis

This thesis will be divided into five chapters, the first beginning with an examination of the evolution of papal authority. Such a task is in and of itself massive, therefore chapter one will provide but a very brief overview of the first thirteen-hundred years of papal evolution. A special emphasis will be placed on Gregory the Great (590-604), Urban II (1088-1099) and Innocent III (1198-1216). While these popes mark highlights in papal prestige, there are other examples, not covered here, which also provide a glimpse in the rise, and some cases, decrease, of papal power. These three popes were selected due to their representing large shifts in papal power. Gregory's *Regula Pastoralis* presupposes a leadership role held by Rome with regards to other bishops. Urban II's ability to muster large Christian armies to go on crusade shows the influence the Pope held over Christendom. Innocent III, on the other hand, represents the pinnacle of papal power, acting as "Mediator", "Father of Western Europe" and "Vicar of Christ."

⁷ Bradley, 31-32.

Chapter two will focus on the origins of the Avignon papacy, with special attention given to Boniface VIII and the Outrage at Anagni, Clement V, the political role of the Avignon popes and the Great Schism. Once again, such topics are quite broad and the historical representation given here will be anything but exhaustive. Instead, the causes and events leading up to the Great Schism will be emphasised and a clearer picture of the issues facing Christendom during the Schism will be highlighted.

Chapter three and four represent the main body of this work. An examination of the origins of Conciliarism will be provided in chapter three with special emphasis given to Brian Tierney's seminal book *Foundations of the Conciliar Theory*. Chapter four includes a detailed study of the main councils which proposed Conciliarism, including the Councils of Pisa, Constance, Pavia-Siena, Basel and Ferrara-Florence. Specific notions such as nascent democracy, nationalism⁸ and decentralization of papal authority will be explored. Furthermore, the successes and failures of these councils as well as the key thinkers present there will be highlighted.

The final chapter of this thesis concerns the life of Aeneas Piccolomini. Aeneas began his life as a Conciliarist, becoming neutral under the patronage of the Holy Roman Emperor, and finally becoming Pope. Piccolomini's life, one of constant movement and

⁸ Nationalism here refers not to an ethnic group, but a sense of belonging to a town, community or kingdom. While the term nationalism is often associated with colonial or post-colonial thought, medieval studies shows roots of nationalism present in the medieval period. As explained in Susan J. Noakes, "Medieval Texts and National Identities: Dante in Red, White, Green: Then Black," *The Journal of Medieval Modern Language Association* 40, no.1 (2007): 11: "The foundations, character, and implications of nationalism have in recent decades come from an increasingly important subfield of cultural studies. This subfield has, generally, limited its cultural range to the periods of colonial and post-colonial studies. Medievalists, however, are in a position to realize that the seeds of European nationalism were sown, paradoxically, well before the emergence of the nation-state...thus implicating medieval scholarship in a foundational feature of one chapter in the history of nationalism and colonialism." See also G.G. Coulton, "Nationalism in the Middle Ages," *Cambridge Historical Journal* 5, no.1 (1935): 15-40; Felix Gilbert, "The Concept of Nationalism in Machiavelli's Prince," *Studies in the Renaissance* 1 (1954): 38-48; and most notably the ground breaking work of Patrick J. Geary, *The Myth of Nations: The Medieval Origins of Europe* (Princeton: Princeton University Press, 2002).

thought, produced writings which fill volumes of work and the brevity of this paper does not adequately do justice to this Humanist giant. However, important events in his life will be looked at with hopes of showing an overarching motif in the life of Conciliarism. It will illustrate the appeal of the conciliar theory early on, an appeal which dissipated over time with the realization that the general councils did not offer all they promised.

Conciliarism was an interesting movement which sought to return the Church to its roots; one where general councils governed alongside the pope, successor of Peter. Through the development of canon law and the chaotic events of the Great Schism, Conciliarists managed to put their theories into action. While they proposed democratic reforms and national autonomy for the Church, as will be demonstrated, the chaotic events at Basel led monarchs who once supported the movement to shift their allegiance back to Rome. Conciliarism's greatest foe was its own ideals, which prevented councils from producing timely decisions and benefits for the kings of Europe. Papal centralization, on the other hand, was efficient and able to respond to the needs of the princes.

As stated previously there is also an ecumenical benefit to the study of Conciliarism. Emphasis on the utilization of general councils in the development of Church doctrine, and recognition of the special role held by the papacy, though limited, can help mend divisions between the Eastern and Western Churches. Therefore, a greater understanding of this late medieval movement can help shed light on the plight of Christians seeking unification today.

Chapter 1: The Rise of Papal Authority (to 1300)

Papal authority in Western Europe developed through an evolutionary process. Throughout the centuries, the role of the bishop of Rome was redefined and altered through precedents, political opportunism, and power vacuums left by the Roman Empire. Successive popes attempted, and partly succeeded in both centralizing their authority and raising their See above the kings and clergy of Europe. This increase in authority, however, did not occur easily or immediately. The prestige of Rome was developed through the clever use of political theology by many successors of Peter.

This chapter will examine the evolution of papal prestige. Beginning with the biblical foundations for Petrine supremacy, select passages from Gospels of Matthew and John will be explored. Then a brief look at the political and historical evolution of the papacy will take place, with an emphasis on selected popes who will act as case studies. These will include Gregory the Great, Urban II and Innocent III. Though other popes contributed to the increase in papal authority, these three successors of Peter will be used as examples of this evolution in power.

Biblical Foundations of Petrine Supremacy

The most influential source employed to attest to the special place held by the bishop of Rome is understandably the Bible, a crucial source of theology. Though there are passages which would suggest equality amongst the apostles of Christ, such as John 20:20-23, the Catholic Church since the medieval period placed emphasis on two passages upholding Petrine authority, both central to the rise of papal primacy.

John 21:15-17,⁹ the first of these passages, states:

¹⁵ When they had finished breakfast, Jesus said to Simon Peter, “Simon son of John, do you love me more than these?” He said to him, “Yes, Lord; you know that I love you.” Jesus said to him, “Feed my lambs.” ¹⁶ A second time he said to him, “Simon son of John, do you love me?” He said to him, “Yes, Lord; you know that I love you.” Jesus said to him, “Tend my sheep.” ¹⁷ He said to him the third time, “Simon son of John, do you love me?” Peter felt hurt because he said to him the third time, “Do you love me?” And he said to him, “Lord, you know everything; you know that I love you.” Jesus said to him, “Feed my sheep.”

According to this biblical pericope, the author of John 21¹⁰ gives Peter the role of caring for Christ’s sheep. Christ, self-described as the Good Shepherd,¹¹ passed on the shepherd’s crook to Peter. Due to this focus on Peter, Catholics recognise a special role held by the Apostle in the hierarchy appointed by Christ.

⁹ NRSV translation.

¹⁰ Raymond E. Brown, *The Gospel According to John XIII-XXI: A New Translation with Introduction and Commentary*, The Anchor Bible (New York: Doubleday & Company, Inc., 1970), 1077-1078. John 21 is most likely a later addition to the Gospel of John. As Brown points out few modern scholars believe Jn. 21 was part of the original plan of the author. Jn. 20:30-31 shows a clear termination in the narrative. Therefore, the author most likely did not want to continue the story. Jn. 20:29 presents a beatitude for those who did not see the resurrected Christ; therefore, it is not likely the authors would include a second vision for those who already saw Jesus. Chapter 21 is also an awkward sequence to chapter 20. After being appointed apostles by Christ in Jerusalem in Jn. 20, why would the disciples return to Galilee to continue their old occupations in Jn. 21? They also fail to recognize Christ in 21, when they had just seen him in 20. Cf. Armin Daniel Baum, “The Original Epilogue (John 20:30-31), the Secondary Appendix (21:1-23), and the Editorial Epilogues (21:24-25) of John’s Gospel: Observations Against the Background of Ancient Literary Conventions,” In *Earliest Christian History*, 227-270 (Tübingen: Mohr Siebeck, 2012).

¹¹ Cf. John 10:11;14.

Along with the passage found in the Gospel of John, Matthew 16:13-19 represents the second and most important biblical passage promoting Peter's chief role amongst the apostles:

¹³ Now when Jesus came into the district of Caesarea Philippi, he asked his disciples, "Who do people say that the Son of Man is?"

¹⁴ And they said, "Some say John the Baptist, but others Elijah, and still others Jeremiah or one of the prophets." ¹⁵ He said to

them, "But who do you say that I am?" ¹⁶ Simon Peter answered, "You are the Messiah, the Son of the living God." ¹⁷ And Jesus

answered him, "Blessed are you, Simon son of Jonah! For flesh and blood has not revealed this to you, but my Father in heaven.

¹⁸ And I tell you, you are Peter, and on this rock I will build my church, and the gates of Hades will not prevail against it. ¹⁹ I will

give you the keys of the kingdom of heaven, and whatever you bind on earth will be bound in heaven, and whatever you loose on

earth will be loosed in heaven."¹²

This pericope, also known as the "*Tu es Petrus*," grants Peter the right to bind and loosen the sins of humanity. Therefore, Peter was designated to feed the lambs of Christ, and given the authority to forgive the transgressions of humanity.

¹² Ulrich Luz, *Matthew 8-20: A Commentary*, trans. James E. Crouch, Hermeneia-A Critical and Historical Commentary on the Bible, ed. Helmut Koester (Minneapolis: Fortress Press, 2001.), 370-371. Luz points out that Mat. 16:18 decorates the dome of St. Peter's in Rome. However, it is a large leap from v.18 to Roman supremacy. In reality, the factors leading to Roman supremacy were diverse. Rome was the capital of the empire, the center of orthodoxy and held to the tomb of Peter. Mt. 16:18 was not received early on. Peter was simply seen as an ideal disciple. Origen presents Peter as the prototype apostle, while Tertullian illustrates Peter's authority as that given to a pneumatic people. By the third century, Cyprian began to view Peter as the source of authority for all bishops. To Cyprian the Church itself was undivided. Luz shows that Petrine authority is a new institution, not derived from biblical factors, but instead of an evolving historical situation.

This passage, according to Brian Tierney, author of *Foundations of the Conciliar Theory*, has been the object of intense study. Many exegetes recognize that Peter was given the “keys to heaven and earth,” but the Church is what has “unfailing protection against the ‘gates of Hell.’”¹³ There are debates concerning different elements in this biblical passage. For example, who and what are symbolized by the “rock”? Should we consider the rock being Peter or Christ? Joannes Faventinus (d. ca. 1220) attributes the rock to Peter and this is generally an accepted, though not unanimous, interpretation in the Catholic faith. The *Summa Parisiensis* (ca. 1160) claims that the rock, represents Christ, the foundation of the Church, while Peter is only secondary.¹⁴

Joannes Teutonicus, in the thirteenth century *Glossa Ordinaria* to the *Decretum Gratiani*, extends the interpretation of this passage wherein he argues that the rock mentioned in Matthew symbolizes Peter’s statement of faith to Jesus: “*Tu es Christus, Filius Dei vivi*” (You are Christ, Son of the living God).¹⁵ From this perspective it was Peter’s faith in Christ rather than his person on which the Church was built. Regardless of the different interpretations of the meaning of the word “*petram*,” however, it was generally accepted in the later Middle Ages that Peter was singled out in Matthew 16¹⁶ and holds a special place amongst the apostles.¹⁷

¹³ Brian Tierney, *Foundations of the Conciliar Theory: The Contribution of the Medieval Canonists from Gratian to the Great Schism*, Enlarged New Edition (Leiden: Brill, 1998), 23.

¹⁴ Tierney, *Foundations*, 24.

¹⁵ Mt. 16:16.

¹⁶ Tierney draws our attention the fact that Jn. 20:22-23, a passage in which Christ gives all the apostles the ability to forgive sins, causes debate amongst the early Church. It should be noted though, that the debate is limited and sometimes seen as rectified through Jn. 21, the passage quoted above concerning Christ directing Peter to feed his sheep, and therefore establishing an important role for Peter.

¹⁷ Tierney, *Foundations*, 25.

In light of these two Biblical passages, the early Church focused its attention on Peter.¹⁸ Early Christians attempted to clearly define Peter's true role amongst the Twelve. However, according to scholars like Klaus Schatz, the special place Peter held was most likely not meant to extend to his successors.¹⁹ Due to the rise of Gnosticism, however, the tradition of apostolic succession became central for the early Church's survival. Since Gnosticism began to cause divisions within the Church, the need to protect orthodox doctrine became apparent. Such protection was safeguarded by bishops. Heretical movements like Gnosticism also led to an even greater emphasis being placed on the *sedes apostolicae*²⁰ founded directly by the apostles. While most of these *sedes* can claim their foundation to an apostle, Rome maintains distinct honours in Christendom because tradition states Peter and Paul were both martyred there. Both Peter and Paul were central leaders of the primitive Church, and the bishops of Rome built their reputation as being their successors and overseeing the bishopric where the two were martyred.²¹

The manner in which Peter's relationship with the other apostles was interpreted also led to a distinct Church theory concerning its governance. As Christ designates Peter as being central to the Church, the canonists²² adopted relevant theories placing the pope at the center of the Church.²³ Gratian, in his *Decretum*, attributed a link between the

¹⁸ Klaus Schatz, *Papal Primacy: From its Origins to the Present*, trans. John A. Otto and Linda M. Maloney (Minnesota: The Liturgical Press, 1996), 1.

¹⁹ Schatz, 1.

²⁰ There are four major See founded by apostles: Rome, Antioch, Alexandria and Jerusalem; however a fifth is later added to the list, Constantinople, because of its status as the second Rome and the capital of the Eastern Roman Empire.

²¹ Schatz, 7.

²² Canonists are interpreters of canon law, the legal texts used to govern the Catholic Church. Their opinions on legal matters concerning the Church have great influence on the political and legal governance of the Church throughout different periods of history.

²³ Tierney, *Foundations*, 30.

authority of binding and loosing given to Peter to justify the pope's ability to bind the faithful to juridical decisions.²⁴

The Early Church

Rome held a moderate role in the first three centuries. She did take on a leading role in the second century crisis concerning the Quartodecimans and the debate concerning the date of the celebration of Easter, either on the fourteenth of Nisan or Sunday.²⁵ Rome managed to champion against the Quartodecimans in the West, with the exception of Ireland, but the Eastern Churches did not follow the Roman formula. The lack of influence in the east was due to the intervention of the emperor Constantine in 313 and 325 who removed the bishop of Rome's power in the East, leaving the emperor and the Patriarch of Constantinople in control of Church policies.²⁶

With the waning of the Roman Empire in the West, successive popes began to expand their role to political leadership. Leo I (440-461) began to shift the nature of papal authority by emphasising the pope's role as heir of Peter, thus inheriting all Petrine privileges, including the ability to bind and loosen sin as presented in Matthew 16. The claim to the inheritance of the keys of the kingdoms of Heaven and Earth is central to papal claims. More importantly, Leo begins to utilize the title of Vicar of Peter. Just as Peter was the Vicar of Christ, the popes are now to be seen as the Vicars of the Prince of the Apostles.²⁷

²⁴ Tierney, *Foundations*, 28.

²⁵ Schatz, 11.

²⁶ *Ibid*, 21.

²⁷ *Ibid.*, 29.

Gregory the Great (590-604)

The papal reign of Gregory was an important step in the solidification of Western papal authority. Gregory recognized early on in his rule that his authority was not able to reach the east. Recognizing this challenge, he decided to shift his attentions to Western Europe. Gregory's achievements include the conversion of England, a production of an extensive commentary on the life of St. Benedict of Nursia and the authorship of what was to become a seminal piece on the role of the pastor known as the *Regula Pastoralis*.²⁸ The *Regula* mirrored the *Rule of St. Benedict*, which was a set of rules to be followed by Benedictine monks.²⁹

The *Regula Pastoralis*, written after 590, consists of four books. Gregory defined the type of person who should hold power, the proper way to assume power, and the method in which moral authority should be maintained.³⁰ This concept of moral authority appears central to Gregory's reign and theology. Looking to Job, Gregory is, among other works, the author of *Moralia in Job*, and Ezekiel, Pope Gregory believed that Christians can determine the truth concerning moral authority.³¹

The production of the *Regula* indicates a key aspect of Gregory's power. While St. Benedict wrote his *Rule* to enable monks to follow his way of life, Gregory's *Regula* was intended for pastors and bishops of the West thus indicating the role Gregory ascribes to the pope. As Bishop of Rome, Gregory authorized rules for other bishops to follow, thereby, Gregory distinguishing his role amongst other bishops. Rome begins to

²⁸ Conrad Leyser, *Authority and Asceticism from Augustine to Gregory the Great* (Oxford: Clarendon Press, 2000), 102.

²⁹ Cf. Leyser, 102; 132.

³⁰ Leyser, 140.

³¹ *Ibid.*, 148.

be seen as *primus inter pares*, “first amongst equals”, allowing Gregory to propagate his views on the importance of moral authority.

Gregory also rejected the attempts of the Patriarch of Constantinople, Pelagius II, to use the title *patriarches oikoumenikos*.³² To Gregory, any bishop attempting to take on the title of ecumenical or universal bishop degraded the prestige of the others.³³ It is possible, however, that Gregory was in reality defending the role of the bishop of Rome. Constantinople had generally recognized itself as second only to Rome, and the attempts of Pelagius to have Constantinople use the title of universal patriarch was perceived as an infringement on Rome. Regardless, Gregory’s eyes were set on the West and many subsequent popes continued to focus on Western issues, further dividing Eastern and Western Christendom.

Merovingian to Carolingian Kingship

With their eyes on the West the popes began to solidify their relations with the Germanic kings. A major precedent was established in 750, when the Merovingian King of the Franks was removed by Pope Zachary and Pepin, a Carolingian, was anointed as the new King.³⁴ Though the Merovingian dynasty was established by Clovis, and supported by the Catholic Church, his heirs became weak and the Mayor of the Manor, the Carolingians, truly governed the Franks. This led Pope Zachary to decree that it was better for those who are truly ruling to hold the title of king. In return for this papal blessing, Pepin pushed back the Lombards, who harassed papal territory and interests.

³² R. A. Markus, *Gregory the Great and his World* (Cambridge: Cambridge University Press, 1997), 91.

³³ Markus, 93.

³⁴ Brian Tierney, *The Crisis of Church and State 1050-1300* (New Jersey: Prentice-Hall Inc., 1964), 20.

The new King also gave a large territory of land over to Zachary and promised him protection.³⁵

To ensure that the land donated by Pepin was respected, a document was created known as the *Donations of Constantine*. These documents stipulated that Constantine gave a vast territory to the bishop of Rome. Constantine also handed over the power of *translatio imperii* to the popes.³⁶ This “translation of Imperium”³⁷ implies that the pope has the ability to appoint kings and remove them from power. The combination of this forged decretal, known as the *Donations of Constantine*, and the actual political manoeuvring by Pepin and Zachary, established major precedent to the pope’s authority. Though Pepin needed a way to seize the crown peacefully and with the support of the powerful bishops, he managed to increase the pope’s claim to power in the West. With the deal between the King and the Pope, Zachary, managed to remove a sitting king, gain a large piece of land, remove his Lombard enemies and establish a precedent for papal power to translate Imperium from one king to another in the West.

This new papal authority was used quite drastically in the year 800. While at Christmas mass in Rome, Charlemagne was crowned Holy Roman Emperor by Pope Leo III.³⁸ Leo made this move for a number of reasons; the first reason most likely to solidify his authority over the anointing of kings and the second reason due to lack of a male emperor in the East. The Byzantine Empire, which was being governed by a female, Irene of Athens, provided Leo with an opportunity to crown an Emperor. Whether Charlemagne expected or was pleased with this show of papal authority is unclear, but

³⁵ Tierney, *Crisis*, 20-21.

³⁶ *Ibid.*, 21-22.

³⁷ The translation of Imperium is a term used for the pope’s ability to transfer the authority of rule to different monarchs.

³⁸ *Ibid.*, 22-23.

Leo made his point. Both he and his future successors had the ability to make and break kings.

Urban II (1088-1099) and the Crusades

We shall now move ahead a few centuries to the rule of Urban II. With the pope's authority over the Western monarchs established, Pope Urban further extended the reach of the Vicars of Peter. At Clermont, France, in 1095 Urban issued a call to the West to take up arms and travel to the East to regain the Holy Land from the Muslims. Citing supposed atrocities committed by the Muslims as propaganda,³⁹ Urban offered "salvation by a sustained act of violence."⁴⁰ Urban's speech was targeted at the aristocracy and the knight class. Being born in Châtillon-sur-Marne and a former Cluniac monk, Urban understood the regional politics of France and utilized this knowledge to his benefit. More importantly, though the region may not have been as violent as many would have thought, there was still lust for war.⁴¹

It is believed that about 100,000 people answered Urban's call to take up the cross, 60,000 arriving in Nicaea in 1097.⁴² The poor sought salvation and the rich attempted to get richer.⁴³ Urban appealed to a society fearing damnation and offered salvation in return for participation in the Crusade.⁴⁴ His appeal was targeted at a fluid

³⁹ Thomas Asbridge, *The First Crusade: A New History* (Oxford: Oxford University Press, 2004), 1-2.

⁴⁰ John France, "Patronage and the Appeal of the First Crusade" in *The First Crusade: Origins and Impact*, ed. Jonathan Phillips (Manchester: Manchester University Press, 1997), 5.

⁴¹ Asbridge, 5.

⁴² France, 6.

⁴³ *Ibid.*, 7.

⁴⁴ *Ibid.*, 9.

class of people in France, and he offered something for all members of society, including salvation, monetary benefits, land and titles.⁴⁵

Urban was also solidifying Rome's power over the Alps. Urban's was the first papal visit to France in over fifty years. Knowing the sentiments of his home country, Urban chose Clermont to help him solidify the bond between Rome and France. Urban also appears to have desired to re-establish links between the East and West⁴⁶ in answer to the call of the Eastern Emperor to fix an ailing relationship.⁴⁷

Regardless of Urban's intentions, his ability to muster 100,000 Christians was impressive and clearly indicates his authority and appeal. Future popes also attempt to summon a crusade, but many fail. Urban's success illustrates the position he held in the West, and the reverence the aristocracy and knights had for his call. Though they did have their own self interests involved, Urban managed to use his position as pope to summon a large Christian army, calling for a movement of a united Christendom against Islam. Urban's plea to this Christendom shows a united view of Christian citizenship in Europe near the dawn of the twelfth century.

Innocent III (1198-1216)

Papal authority reached its height in the middle ages with the election of Innocent III. Innocent acted as the umpire of Western Europe and a mediator between God and

⁴⁵ France, 17.

⁴⁶ In 1054 the first Great Schism occurred, splitting the Eastern Orthodox Churches and the Roman Catholic Church. There were many reasons for this split, including language, socio-political and theological divergences. Cf. S. Runciman, *The Eastern Schism: a Study of the Papacy and the Eastern Churches during the XIth and XIIth Centuries* (Oxford: Clarendon Press, 1955).

⁴⁷ Asbridge, 19.

humankind.⁴⁸ Upon celebrating his first year as pope, Innocent, now using the title Vicar of Christ in lieu of Vicar of Peter, claimed he was the spouse of the Roman Church. None were above the Bishop of Rome, save God. More importantly, like Sarah brought Abraham to Hagar's bed, Rome allowed her spouse to bring all other Sees into his authority.⁴⁹ Achille Luchaire in "A Realist Ascends the Papal Throne" shows that Innocent's heavy burden of overseeing the world government seems to have taken away from his ability to meditate more theological issues. Luchaire points out that Innocent perceived the neglect of spiritual affairs for temporal concerns. This neglect, due to the sins of humanity which required prevention, forced the Pope to intervene in political matters.⁵⁰ This need to deal with the morality of the princes of Europe prevented, in other words, Innocent's focus on theological matters affecting the Church.

This overview of the evolution of papal authority, clearly demonstrates how Rome took on a larger temporal role over the centuries leading to many struggles between pope and king, like that of the Investiture Controversy.⁵¹ However, Innocent also continued the policy of *translatio imperii*, claiming the right to ensure emperors-elect were fit to rule. In uncertain cases, concerning either secular or ecclesiastical jurisdictions, the pope would judge them.⁵² Innocent also tried to resolve conflicts

⁴⁸ Achille Luchaire, "A Realist Ascends the Papal Throne" in *Innocent III: Vicar of Christ or Lord of the World?* ed. James M. Powell, Problems in European Civilization (Boston: DC Heath and Company, 1963), 13.

⁴⁹ Luchaire, 13.

⁵⁰ *Ibid.*, 15

⁵¹ Cf. Brian Tierney, *The Crisis of Church and State: 1050-1300* (New Jersey: Prentice-Hall, Inc., 1964).

⁵² A.J. and R.W. Carlyle, "Judged by God Alone" in *Innocent III: Vicar of Christ or Lord of the World?* ed. James M. Powell, *Problems in European Civilization* (Boston: DC Heath and Company, 1963), 17. Cf. John C. Moore, Brenda M. Bolton, James M. Powell, and Constance M. Rousseau, eds., *Pope Innocent III and His World, Papers presented at a conference held at Hofstra University in May 1997* (Aldershot, UK: Ashgate, 1999).; Andrea Sommerlechner, ed., *Innocenzo III: Urbs et orbis; Atti del congresso internazionale: Roma, 9-15 settembre 1998*, 2 vols. (Rome: Società Romana di Storia Patria and Istituto Italiano per il Medio Evo, 2003).

between warring princes, like Philip of France and John of England being forced into peace by ecclesiastical threats.⁵³ Why would Innocent claim to be above these issues and act as a mediator? Innocent saw himself as ruling above the Empire, without limit, based on the *Donations of Constantine* and the *translatio imperii*. These powers also enabled Innocent to dissolve the Magna Carta⁵⁴ in 1215 on ecclesiastical grounds.⁵⁵

The role of the kings, in Innocent's mind, was to help the pope extend the Christian faith and maintain a just society.⁵⁶ The Holy Roman Emperor was to act as the Pope's temporal ally by imposing the papal political agenda.⁵⁷

One theological issue which arose during Innocent's reign concerned whether or not the pope received all the powers held by Christ. As Christ's rule was both spiritual and temporal, did his Vicar take on his powers too? Michele Maccarrone argues that this was a debate which occurred in the 13th to 16th century.⁵⁸ However, according to Maccarrone, Innocent did not see himself as King of Kings, as did the future Innocent IV, instead he saw himself as Vicar of the King of Kings.⁵⁹

Even in ecclesiastical matters, Innocent ensured his supremacy. In 1213, the Pope issued *Vineam Domini*, a call to council to be held in the Lateran (Lateran IV) beginning on November 1, 1215.⁶⁰ Innocent believed in the old doctrine, that only general councils

⁵³ Carlyle, 21.

⁵⁴ The Magna Carta was an attempt by the English nobility to limit the authority of the king to protect their interests and privileges.

⁵⁵ C.H. McIlwain, "To Determine a Matter of Sin" in *Innocent III: Vicar of Christ or Lord of the World?* ed. James M. Powell, Problems in European Civilization (Boston: DC Heath and Company, 1963), 27.

⁵⁶ Jane Sayers, *Innocent III: Leader of Europe 1198-1216* (London: Longman, 1994), 45.

⁵⁷ Sayers, 81.

⁵⁸ Michele Maccarrone, "Innocent III did not Claim Temporal Power" in *Innocent III: Vicar of Christ or Lord of the World?* ed. James M. Powell, Problems in European Civilization (Boston: DC Heath and Company, 1963), 45.

⁵⁹ Maccarrone, 46.

⁶⁰ Sayers, 95.

could declare or pronounce the faith, establish doctrine and condemn heresies.⁶¹ Though the first ecumenical councils saw all members participate, the lay and lower clergy were only summoned by Innocent to witness the declarations made at Lateran IV on the faith. Innocent was not willing to embarrass himself by allowing a council to vote against him and therefore, protected his position by maintaining control over this council. The Pope ruled on all the issues presented at the council.⁶² The members attending Lateran IV gave endorsement and validity to the rulings, and Jane Sayers, author of *Innocent III: Leader of Europe 1198-1216*, believes this council may have begun to lay the seeds for the Conciliarist movement.⁶³

Innocent represents the pinnacle of papal power and prestige. He was a mediator between monarchs, Vicar of Christ; he could appoint kings or remove them. Innocent summoned councils to support his decrees and he saw himself as the father of Western Europe. Despite Innocent's achievements, his successors were certainly less successful in maintaining this power. Innocent IV (1243-1254) claimed that the pope was subject to no laws, not even the Church's and decreed that a pope was above all and only divine laws are imposed upon the successor of Peter.⁶⁴ Such an inflated view of papal authority, coupled with a lack of accountability allowed corruption in the papal court and curia to spread quickly. While Innocent III may have marked the peak of papal authority, he initiated its decline. Successive popes began the decay of the Seat of Peter and fuel the development of the Conciliar movement.

⁶¹ Sayers, 96.

⁶² *Ibid.*, 97.

⁶³ *Ibid.*, 98.

⁶⁴ Schatz, 93-94.

Chapter 2: The Avignon Papacy, the Great Schism and the Decrease in Papal Prestige

The fourteenth century saw many major changes to the European socio-political landscape. The depletion of natural resources, possibly due to a shift in climate, caused mass famines. A disease identified as the Black Death targeted and killed a large section of Western Europeans with no regard for rank or class. This all led to a change in the political outlook of important thinkers of the time. Joseph Canning, in *A History of Medieval Political Thought 300-1450*, identifies this as a point when political theory shifts from Aristotelian speculations, which were often founded on states which did not truly exist,⁶⁵ to political ideas grounded in reality.⁶⁶ Many large political treatises are produced by thinkers like Marsilius of Padua and Dante Alighieri, to name but a few. This new way of thinking about politics is important for understanding the decrease in papal authority.

Pope Boniface VIII, King Philip IV of France and the Outrage at Anagni

Accompanying the environmental and health cataclysms facing Europe, the Kingdoms of France and England were at war. These wars forced states to reconsider the way they funded their armies. Seeing a need for increased revenues, King Philip IV of France decided it would be necessary to tax the clergy in order to gain greater financial revenue for his kingdom. Such a move could have easily transpired in the past, but the perceived strength of papal authority was too great for Boniface VIII (1294-1303) to

⁶⁵ Cf. Niccolò Machiavelli, *The Prince*, trans. Harvey C. Mansfield, 2nd ed. (Chicago: The University of Chicago Press, 1998), 61: “And many [Aristotle, Plato, Augustine] have imagined republics and principalities that have never been seen or known to exist in truth...”

⁶⁶ Joseph Canning, *A History of Medieval Political Thought 300-1450* (London: Routledge, 1990), 135.

allow any slight against his rule.⁶⁷ The conflict which followed is identified by Canning as an important event in the fall of papal prestige.

At this time the taxation of the clergy by a secular ruler was not permitted without papal consent. In response to Philip's taxation policy Boniface issued the decree *Clericis laicos*. Though not named directly, this bull rejected Philip's authority to tax the clerics in France.⁶⁸ Boniface's bull was a miscalculation. Had he attempted to negotiate with Philip, his position could have been maintained, but due to exaggerated view of his authority, Boniface erred. With a large part of papal funds coming from France, Philip simply placed an embargo on papal interests in his kingdom. This placed a large strain on Boniface who was eventually forced to retract his bull. The Pope then issued *Esti de statu*, relieving Philip of the necessary papal permission to tax the French clergy in times of emergency.⁶⁹ Such a submission was a large loss of face for Boniface. The power and influence held by Innocent III was no more.

This impotence with regard to France became even more evident when Philip arrested and tried the Bishop of Pamiers for treason and other criminal offences. Such a move contravened canon law, as no authority, other than the pope, was to place bishops on trial. Philip was slowly encroaching on papal matters, leaving no recourse for Boniface to stop him. The Pope decided to revoke *Esti de statu* and summon all the French bishops to Rome to discuss the governance of France. Boniface also issued *Asculda fili*, "listen son", in December of 1301 reminding Philip that there was a spiritual father above him, namely the pope, and that he was subject to Rome.⁷⁰ It was imperative

⁶⁷ Canning, 136.

⁶⁸ Agostino Paravicini Bagliani, *Boniface VIII: Un pape hérétique?* (Paris: Biographie Payot, 2000), 140.

⁶⁹ Canning, 138.

⁷⁰ *Ibid.*, 138.

that Boniface reacted to Philip's actions since the Pope needed to politically ensure the protection of his bishops throughout Europe. Failure to do so would have undermined Rome's ability to govern the entire Church; bishops would fear their local rulers and comply with their decrees, even if they contravened those of Rome.

Boniface, therefore, promulgated *Unam Sanctam* in 1302, a text unlike any other papal bull created. While theologians like Bernard of Clairvaux and Aquinas produced texts supporting papal authority, Boniface claimed to be the pinnacle of European society and hierarchy. Spiritual and temporal powers formed the body, while Christ was the head of society. As the representatives of Christ, the popes held the highest position within Europe.⁷¹ However such attempts to solidify his position were futile and on September 7, 1303, with the help of the powerful Colonna family, Italian supporters of the French cause in Italy, tried to kidnap Boniface. Philip's intentions were to capture the pope in Anagni, bring him to Paris and put him on trial. But he was thwarted thanks to the population and papal soldiers.⁷² Though not kidnapped, Boniface was battered badly and shocked to the point that he laid in bed clutching a crucifix.⁷³ He died shortly after the attack in 1303. The message was out. The pope was no longer sacrosanct. A secular ruler physically harmed a pope, ignored papal edicts and a new precedent had been set, which shifted the balance of power in favor of temporal rulers and away from Rome.

⁷¹ Canning, 139.

⁷² Joseph F. Kelly *The Ecumenical Councils of the Catholic Church: A History* (Minnesota: Liturgical Press, 2009), 101.

⁷³ Paravicini Bagliani, 378-379.

The Avignon Papacy (1309-1378)

Benedict XI (1303-1304) was Boniface's successor and the new Pope pardoned the Colonna family and the French king, but died shortly after his election, possibly from poisoning.⁷⁴ Following his death was a long Petrine vacancy and a fault line soon began to appear. Napoleone Orsini was the voice for reconciliation with Philip of France, while his uncle Matteo Rosso Orsini wanted a continuation of the policies held by Boniface VIII, embracing the need for satisfaction due to Anagni.⁷⁵ The College of Cardinals were divided and unable to select one of their own to take on the Throne of Peter. This left no choice but to look outside for the next pope.⁷⁶

Bertrand de Got, Archbishop of Bordelais, was selected as pope in 1305. He accepted his election on the twenty-fourth of July and took the name of Clement V.⁷⁷ This election changed the course of papal history for the next hundred years. Throughout his pontificate, Clement continued to travel throughout France and expected hospitality from ecclesiastical institutions. This caused numerous tensions between himself and the French clergy because of the financial strain this placed on their coffers.⁷⁸

Clement's coronation seemed to have been a political success. Philip the Fair, a large envoy from England and many Christian leaders were all in attendance. This may indicate a strong will, on the part of temporal powers, to attempt to use the new Pope and his influence to their advantage. Clement, on the other hand, appeared to be invested in the recovering of the Holy Land from the Turks. Only two days after his coronation,

⁷⁴ Kelly, 101.

⁷⁵ Sophia Menache, *Clement V* (Cambridge: Cambridge University Press, 2002), 14.

⁷⁶ Menache, 13.

⁷⁷ *Ibid.*, 16.

⁷⁸ *Ibid.*, 16.

Clement published an encyclical with the intent on taking back the East.⁷⁹ His intentions were never fulfilled, and Clement's presence in France and his seemingly close relationship with Philip sparked a flurry of rumours. The largest misconception held by Christians at the time was that Clement had agreed to a secret pact with Philip. This pact would benefit France and remove the memory of Boniface.⁸⁰

Though there was most likely no concrete deal, many Italians began to suspect the Pope of selling the See of Peter. An important critique came from Dante Alighieri – a strong supporter of the papacy – who claimed that Clement was the new Jason buying the High Priesthood from Antiochus.⁸¹ Other Italian chroniclers also criticised the avarice of the popes.⁸² Such criticism was indeed common to many Italian authors of the time. Though biased in their interpretation, since in most cases they were supporters of papal authority, a brief look at some of their criticisms may be of use at this point.

Dante Alighieri (1265-1321) was a citizen of Florence and a member of the Guelphs, a Florentine group which supported Papal power over Imperial.⁸³ Even with his conflict of interest, Dante did not shy away from critiquing the corruption found in the papacy and her court. In his *Divine Comedy*, Dante places Pope Nicholas III (1277-1280) in the Eighth Circle of Hell which holds those who committed simony. Upon meeting the Pope, Dante asks:

So, tell me now: how much gold / did our lord first ask of St.
Peter / to place the keys in his safe keeping? / Certainly he only
said: “follow me.” / Nor Peter, nor the others asked of Matthias /

⁷⁹ Menache, 17.

⁸⁰ Ibid., 19.

⁸¹ Ibid., 20.

⁸² Ibid., 21.

⁸³ Dante Alighieri, *The Divine Comedy*, trans. Allen Mandelbaum (London: Everyman's Library, 1995), 40.

gold or silver when he was sorted in the place lost to the guilty
soul. / Though stay as you are, for you are rightly punished / and
guard well the badly taken money / which made you daring
against Charles.⁸⁴

Dante represents those who committed simony as being head first in holes with flames on their feet. Clearly, Dante believed that Pope Nicholas committed a great sin in life by focusing on money and riches rather than faith. Other examples can be found supporting similar patterns in Dante's thought, but it will suffice to give one more example. At an earlier point in Hell, Dante and Virgil come across numerous popes and cardinals. The conversation between Dante and his Master goes as follows:

“These clerks out there, who do not have a covering / of hair on
their head, are popes and cardinals, / in them avarice used his
excess.” / And I [Dante]: “Master, amongst these / I should be
able to recognise someone who was infected by these evils.” /
And he to me: “Vain are the thoughts of your mind: / the
undiscerning life which made them filthy, makes them obscure to
all recognition.”⁸⁵

Similar criticism can be also found in works by Giovanni Boccaccio (1313-1375), another Tuscan. In his *Decameron* Boccaccio critiques the Papacy and more generally the

⁸⁴ Dante Alighieri, *La Divina Commedia: Inferno*, ed. Anna Maria Chiavacci Leonardi, Classici (Milan: Oscarmondadori, 2005), XIX: 90-99. “Deh, or mi di: quanto tesoro volle / Nostro Signore in prima da san Pietro / ch’ei ponesse le chiavi in sua balia? / Certo non chiese se non “Viemmi retreo / Né Pier né li altri tolsero a Matia / oro od argento, quando fu sortito al loco che perdé l’anima ria. / Però ti sta, ché tu se’ ben punito; / e guarda ben la mal tolta moneta / ch’esser ti fece contra Carlo ardito.”

⁸⁵ Ibid., *Inferno* VII: 46-54. ““Questi fuor cherchi, che non han coperchio / piloso al capo, e papi e cardinali, / in cui usa avarizia il suo soperchio.” / E io: “Maestro, tra questi cotali / dovre’ io ben riconoscere alcuni/ che furo immondi di cotesti mali.” / Ed elli a me: “Vano pensiero aduni: / la sconoscente vita che if é sozzi, / ad ogni conoscenza or li fa bruni.”

Catholic Church, on many occasions. In one of these stories, being told by men and women who have retreated to the country side to avoid the plague, a man named Jehannot wanted his Jewish friend, Abraham, to convert to Christianity. Abraham wanted to see the Papal Court before making his decision. Jehannot, a Catholic, fearing that the Court would turn Abraham away from the faith, was surprised when upon returning from Rome, Abraham decided to convert to Catholicism. Abraham responded that though the curia was filled with “lust, avarice, and greed, fraud, envy and pride” it appeared that “their attempts are not availing, but your religion continues to augment, is more lucid and more clear which I discern to the Holy Spirit.”⁸⁶ This is a prime example of Boccaccio being out rightly critical of the clergy. The leaders of the Church, and especially the pope, stand accused of attempting to destroy the Catholic faith, yet through the grace and support of God, as Boccaccio implies, it manages to remain standing.

Though not directly linked to Clement, Dante and Boccaccio’s chastisement of the papacy was fitting. While Clement’s secret deal with Philip is most probably a false story, rumours would have spread like wildfire throughout the Italian peninsula. Critiques of nepotism, greed, simony and other sins perceived to exist early on fueling the fires of speculation and thus solidified the Italian views of Clement.

Italian worries concerning Clement were exasperated by his selection of residence. Not all popes resided in Rome, for example Benedict XI (1303-1304), Boniface VIII (1294-1303), Nicholas IV (1288-1292), Martin IV (1281-1285), just to name a few, all resided outside of Rome. Popes, however, generally remained in the

⁸⁶ Giovanni Boccaccio, *Decameron*, eds. Amedeo Quondam, Marizio Fiorilla and Giancarlo Alfano, *Classici* (Milan, BUR Rizzoli, 2013), 226-225. “...*lussuria, avarizia e gulosità, froda, invidia e supurbia... E per ciò che io veggio non quello avvenire che essi procacciano, ma continuamente la vostra religion aumentarsi e più lucida e più chiara divenire, meritamente mi pas discernere lo Spirito Santo esser d’essa...*”

Italian peninsula or the Papal States.⁸⁷ In fact it was not peculiar for a pope not to remain in Rome; it was dangerous, due to civil unrest and unhealthy conditions, to remain in the city during the summer. From 1198-1304, ruling popes were outside of Rome sixty percent of the time.⁸⁸ Clement wanted to go to Rome after he was elected, but a number of issues prevented him from doing so: love for his native land, a positive relationship with King Philip, a desire to negotiate peace between France and England, and a need to hold a council at Vienne. Finally, Clement experienced ill health and feared the chaos of Northern Italy.⁸⁹ This refusal to move concerned the Italians for unlike the other popes who ruled outside Rome, Clement was not in Italy and appeared to be under the control of the French king.

Clement's final choice of residence was Avignon, a good choice for the location of the Successor of Peter, strategically placed in the Mediterranean between Provence and Languedoc. Charles of Anjou, a papal vassal, ran Provence and granted the Pope protection. Avignon also had an adequate population level and a new university. The Pope ensured peace by continuously alluding to an imminent return to Rome.⁹⁰ But this did not work for very long. On December 29, 1305, Rome and Tuscany sent an envoy to Avignon summoning the Pope back to Rome threatening that should he not return an Emperor would be selected. This further fuelled the rhetoric of the Italian writers who supported the concept of *Pontifex Romanus*.⁹¹ Such a theory supports the view that Rome

⁸⁷ Menache, 23.

⁸⁸ P. N. R. Zutshi, "The Avignon Papacy," in *The New Cambridge Medieval History c. 1300-1415*, vol. 6, ed. Michael Jones (Cambridge: Cambridge University Press, 2000), 653.

⁸⁹ Zutshi, 653.

⁹⁰ Menache, 26.

⁹¹ *Ibid.*, 28.

must be the seat of the pontiff, as Rome was favored by God and selected as the capital of the Empire.⁹²

General Italian sentiment can be found in the works of Petrarch (1304-1374). Reacting directly to the Avignon papacy, the great poet shows contempt for the popes and their situation. The corruption and residency in France is a form of Babylonian Captivity, equated to the domination of Israel by the Babylonians. In a letter written to a friend, Petrarch states:

“Now I am living in France, in the Babylon of the West. The sun in its travels sees nothing more hideous than this place on the shores of the wild Rhone, which suggests the hellish streams of Cocytus and Acheron. Here reign the successors of the poor fishermen of Galilee; they have strangely forgotten their origin. I am astounded, as I recall their predecessors, to see these men loaded with gold and clad in purple, boasting of the spoils of princes and nations; to see luxurious palaces and heights crowned with fortifications, instead of a boat turned downward for shelter... We no longer find the simple nets which were once used to gain a frugal sustenance from the lake of Galilee, and with which, having labored all night and caught nothing, they took, at daybreak, a multitude of fishes, in the name of Jesus...”⁹³

⁹² Cf. Book II of Dante’s *De Monarchia*. “Whether the Roman People Rightfully Appropriated the Office of Monarchy.”

⁹³ J. H. Robinson, *Readings in European History* (Boston: Abhedananda Press, 2007), 502-503. Other, non Italian critics, also exist. Bridget of Sweden (1303-1373), for example, wrote many letters beseeching the popes to return to Rome. However, the emphasis being placed on Italian authors here is to illustrate their anger against the papal residence at Avignon and the view of the *Pontifex Romanus*, the pope out of necessity needing to reside in Rome.

Prior to Avignon being linked to Babylon, this title was often given to Rome. We first see such a link being made by Augustine, who in his *City of God*, identified the city of man with Rome. As anti-clericalism increased in the 1300s, many began to latch these sentiments to the papal court, which resided in Avignon. Therefore, the Avignon curia became a focus of these views of the clergy. More importantly, with Dante's restoration of the image of Rome, Petrarch's views of Avignon were amplified.⁹⁴ To Petrarch, Avignon was a putrid place with terrible individuals and food.⁹⁵ All seven of the deadly sins were being committed by the Avignon curia.⁹⁶ The idea of Roman Babylon, as depicted by Augustine, was translated by Petrarch to Avignon, the anti-Christ, while Rome became the blessed city, representing Christ.⁹⁷

Even with large resistance, following the death of Clement, successive popes continued to reside in Avignon and solidify this papal castle. Pope John XXII (1316-1334), a former bishop of Avignon, increased the stability of the Avignon court. Benedict XII (1334-1342) abandoned a plan to move the papacy to Bologna, a first step back to Rome, and instead decided to create a papal palace in Avignon. Benedict's construction project showed the Christian West that the Pope would remain in Avignon for a number of years. Clement VI (1342-1352) bought the city of Avignon in 1348 from Queen Joanna of Sicily. The Sicilian crown owned Avignon, and the Pope's ability to buy the

⁹⁴ Thomas Renna, "Avignon vs. Rome: Dante, Petrarch, Catherine of Siena," *Expositions* 4.1&2 (2010): 48.

⁹⁵ While Petrarch was attacking Avignon as the See of the successor to Peter, his attacks against the papal curia would later be used against Rome. Hussites, Lutherans, Italian Humanists and followers of Zwingli would all reference Petrarch and his critiques of the Avignon papacy. Since Petrarch supported Rome, this interpretation of his works would have shocked the great poet. Cf. Renna, 50.

⁹⁶ Renna, 51.

⁹⁷ *Ibid.*, 52.

territory increased his independence as it demonstrated he was not controlled by any ruler. Avignon's territory was steadily strengthened and the papal palace fortified.⁹⁸

Not only did Avignon present the papacy with a way to strengthen its protection and defences, it also allowed for an administrative reform. Avignon's curia was extremely stable. When popes travelled, most of the administration remained in Avignon which allowed for better and more efficient governance. Popes John XXII and Benedict XII reformed the method of responding to letters and petitions by recentralizing the process under the control of the apostolic chancery, run by the vice-chancellor.⁹⁹ This ensured all petitions were answered quickly and standardization was implemented.

P.N.R. Zutshi also believes that the Avignon popes were generally more conciliatory to rulers. This increased their influence in the Churches of different states which Zutshi sees as a pinnacle of power for the popes. Helped by the strong creation of government, the Avignon popes, according to Zutshi, held a strong position in Europe, one that would be lost after the Great Schism.¹⁰⁰ Such a theory is supported by John Gruber in his article "Peace Negotiations of the Avignon Popes" who argues that the general idea concerning the unworthiness or worthless nature of the Avignon popes is false.¹⁰¹ The failure of the Avignon popes came not from their lack of political authority or ability, but from the rise of nationalism or national policies. France and England were at war while the Turks were moving in on European territory in the East. After 1330, when Nicaea was captured, the pope wanted a Crusade to be sent to stop the Turks.¹⁰²

⁹⁸ Zutshi, 654.

⁹⁹ Ibid., 662.

¹⁰⁰ Ibid., 673.

¹⁰¹ John Gruber, "The Peace Negotiations of the Avignon Popes," *The Catholic Historical Review* 19, no.2 (1993): 190.

¹⁰² Gruber, 191.

This Crusade could not occur, however, because England and France were at war. The king of England laid claims to France, and although the papacy tried on many occasions to prevent the wars between the two Kingdoms, the pope's presence in France and the number of French cardinals made the English hesitant to heed his advice.¹⁰³ England and France went to war, the papacy proposed some form of settlement, and although agreed upon, France refused to ratify the treaty at the last moment.¹⁰⁴ Throughout the Avignon papacy, the conflict between England and France continued and, more importantly, every time a pope negotiated a peace treaty, one of the kings would reject it at the last minute. This shows, according to Gruber, that despite the papacy's leading negotiations, the will of the individual kingdoms prevented papal authority from completing or achieving peace. Furthermore, while the papacy tried on many occasions to heal the feud between France and England throughout this time period, it did not show favouritism towards the French. Instead, the popes tried to maintain international status, while focusing on the Turks. Wars between England and France were not in the interest of the papacy because it prohibited them from collecting revenues and taxes from their Churches. The papacy's main interest then, was to maintain peace in order to govern the Church with ease.¹⁰⁵

Another region, which put this peace at risk, was the Papal States who did not accept the rule of the French popes. In 1375, members of the Papal States united with Florence and went to war against the Avignon papacy. Pope Gregory XI (1370-1378), seeing he could not gain control over the situation, and with the prodding of Catherine of

¹⁰³ Gruber, 193.

¹⁰⁴ Ibid., 194.

¹⁰⁵ Ibid., 199.

Siena (1347-1380), left for Rome with seventeen of the twenty-three Cardinals in 1376. He arrived in Rome in January 1377, but died a year later.¹⁰⁶

Catherine of Siena had her first beatific vision as a child while walking home with her brother. Before a church she saw Christ enthroned as the bishop of Rome.¹⁰⁷ From this point on Catherine constantly sought to be with Christ and to regain that first beatific vision. She eventually joined the Third Order of Saint Dominic, a lay order, and offered herself in totality to Christ.¹⁰⁸ Catherine was an important figure influencing the pope's return to Rome from Avignon. She spent much of her life trying to restore order in the Church. Raymond of Capua, the author of a *Life of Catherine*, tells how she was conscripted and sent by the Florentines to go to see Gregory XI in Avignon and form a peace treaty with him.¹⁰⁹ Despite problems with the negotiations for this treaty, Catherine eventually managed to get the treaty signed after the death of Pope Gregory.¹¹⁰ Raymond also mentions how Pope Urban VI (1378-1389), Gregory's successor, asked Catherine for advice on how to deal with the threat of revolt by the Roman population. Catherine advised the Pope to show a sign of humility by walking bare foot into St. Peter's,¹¹¹ an extremely interesting piece of advice since Urban VI was known for having a bad temper. Raymond's account may be subject to some suspicion, especially since he was promoting Catherine and his Dominican order in this hagiographical text, but Catherine's letters seem to support the idea that she chastised the popes when she felt they strayed off the path of righteousness.

¹⁰⁶ Howard Kaminsky, "The Great Schism" in *The New Cambridge Medieval History c. 1300-1415*, vol. 6, ed. Michael Jones (Cambridge: Cambridge University Press, 2000), 674.

¹⁰⁷ Raymond of Capua, *The Life of the Blessed Virgin, Saint Catharine of Siena. Drawne out of all them that had written it from the Beginning*, trans. Jon Fen (Louvain, 1609), 12-13.

¹⁰⁸ Raymond of Capua, 63.

¹⁰⁹ *Ibid.*, 229

¹¹⁰ *Ibid.*, 348.

¹¹¹ *Ibid.*, 295.

Catherine also wrote many letters to different state leaders and people including Popes Gregory XI and Urban VI, the Queen of Naples and the King of France. The letters to Pope Gregory are quite interesting, as one of Catherine's letters to Gregory attests: "Alas, Alas, my sweet "Babbo," forgive my presumption, of that which I have told you, and am saying: I am constrained to say it by the sweet first Truth. His will, Father, is this, and this he asks of you. He asks that you do justice to the abundance of inequities which are committed by those who gain nourishment and graze in the garden of the holy Church."¹¹² This text reveals two aspects about Catherine's relationship with Gregory. Firstly, the use of "Babbo" to refer to Gregory can be seen as an informal address, since "Babbo" is translated as "Daddy," an interesting title for a lay individual to employ when speaking to a Pope. Yet, Catherine still maintains the formal "vi," "you" or "vous" in French, when beseeching Gregory. Therefore, she addressed him with respect and as a father. Secondly, Catherine presumes an authority to tell the papacy, in this case Gregory, how to run his affairs and even scolding the Pope for his lack of leadership in some of her letters.

Many of her letters are assumed to have influenced Gregory's choice to return to Rome. It should be noted at this point that some scholars seem to reject the idea that Catherine played any serious role in the returning of the papacy to Rome. Whether or not her role was central, or peripheral, the Pope financed Catherine's return from Avignon to Italy. Catherine also had Gregory's ear. He allowed her in 1377 to lead a mission in the countryside around Siena, in 1378 to act as his envoy to Florence seeking peace between

¹¹² Catherine Benincasa, *Le Lettere di S. Caterina da Siena*, ed. P. Misciatelli (Marzocco: Florence, 1939), 793. "Oimè, oimè, babbo mio dolcissimo, perdonate alla mia presunzione, di quello ch'io vi ho ditto, e dico: son constretta dalla dolce prima Verità di dirlo. La volontà sua, Padre, è questa, e così vi dimanda. Egli dimanda che facciate giustizia dell'abondanzia delle molte iniquità che si commettono per coloro che si nutricano e pascono nel giardino della santa Chiesa..."

Rome and the City State, and in that same year Gregory's successor asked her to travel to Rome to support his claim to the papacy.¹¹³ There is sufficient evidence to lead one to conclude, therefore, that Catherine was an active supporter of the papal cause and her influence, even if only minor, should be seen as significant with regards to the papacy returning to Rome.

An important issue worth discussing at this time was the importance accorded by the Italians, both secular and religious, to have the pope reside in Rome. Was it simply for personal or national reasons, or were there larger issues in question? The answer to this question is complex. Though it did benefit the Italians to claim the papacy, and in the majority of cases Italians were elected as popes, there was a larger theological underlining the issue of the popes residing in Avignon. As was seen previously, the rise of papal authority has roots in the martyrdom of Peter and Paul in Rome. Hence the earliest forms of papal privilege derived from the fact that the bishop of Rome was the successor of these two important apostles. By moving to Avignon for a period of seventy years, the popes were no longer able to connect their rule with Rome leaving behind a long history which was needed to maintain their authority. This implied that they were simply bishops of Avignon and therefore seen as equals to all other bishops. On the other hand, the main benefit to moving to Avignon was an increase in their efficiency and position within the European continent.

With the pope in Rome, the curia under fire for corruption and lack of morality and wars occurring between England, France and even Scotland, the people of Europe began to despair. The situation was made even worse with the spread of the Black Death. From 1345 to 1350 anywhere from one third to half the population of Western Europe

¹¹³ Karen Scott, "Catherine of Siena, 'Apostola,'" *Church History* 61, n. 1 (1992): 34.

were killed.¹¹⁴ Most Christians saw the plague as a punishment for their sins and the sins of the clergy.¹¹⁵ God's wrath caused the pestilence, which was compared to biblical accounts of plagues. The concept of sin as the root of the Black Death was so strong that a religious movement known as the flagellants began pilgrimages from town to town between the years 1348 and 1350. These flagellants would perform self-mortification to purge themselves of sins and encourage others to pursue a similar course of purification.¹¹⁶

Gregory's choice to return to Rome, however, did not end the issues of papal authority, nor solve the perceived sins of the clergy. The events that followed his death simply exasperated tensions that already existed and threw the Western Church into the Great Schism.

The Great Schism (1378-1417)

Upon the death of Gregory, the city of Rome became increasingly hostile towards the French cardinals. Lives were threatened and the cardinals, pressured to elect a Roman pope, met and quickly elected, under duress and haste, Bartolomeo Prignano, the archbishop of Bari and vice-chancellor of the Church. Fearing the crowds, however, who demanded a Roman, the cardinals decided to present a Roman cardinal as the pope-elect. This allowed the College to safely leave. The next day Prignano was confirmed as the true pope, and took the name of Urban VI.¹¹⁷

¹¹⁴ Johannes Nohl, *The Black Death: A Chronicle of the Plague Compiled from Contemporary Sources*, trans. C. H. Clarke (London: Unwin Books, 1971), 7.

¹¹⁵ Nohl, 79.

¹¹⁶ *Ibid.*, 134.

¹¹⁷ Kaminsky, 675.

Though Urban VI (1378-1389) was reform minded, he was unable to deal with the “national jealousies”¹¹⁸ which divided him from the cardinals. This led to some of the cardinals meeting in Fondi to elect a new pope.¹¹⁹ Though the cardinals seemed to have accepted Urban’s election early on, his reluctance to return to Avignon caused the cardinals to fear a decrease in their role within the Church. As co-governors of the Church in Avignon, they feared a return to courtier status in Rome. This led them to argue the election of Urban was false, made in duress and invalid.¹²⁰ At Fondi, therefore, Clement VII was named pope, and the Great Schism began.¹²¹ To scholars like Klaus Schatz, the Great Schism was the largest loss of papal authority up until that point in history.¹²²

The election of Clement now divided Western Europe. Germany, Italy, Northern and Eastern parts of Europe sided with Urban, while France, Scotland and sections of the Iberian Peninsula supported the claims of Clement.¹²³ Though other schisms had occurred, with the election of anti-popes, most were settled by mutual agreement amongst Christians as to who should be considered the true pope. One papal claimant would resign, or upon the death of one claimant, the cardinals would confirm the other as pope. The Great Schism did not allow for mutual resignation.¹²⁴

Urban died in 1389 and the Roman faction of the College of Cardinals decided to elect a new Roman claimant instead of ratifying Clement. Without a compromise, the

¹¹⁸ Schatz, 101.

¹¹⁹ Ibid., 101.

¹²⁰ Kaminsky, 676.

¹²¹ Schatz, 101.

¹²² Ibid., 100.

¹²³ Ibid., 101.

¹²⁴ Ibid., 101.

Roman and Avignon camps continued to elect successor to the papacy.¹²⁵ It is important to note at this point that the Schism allowed monarchs to shift their allegiances between the two claimants, depending on the benefits offered by either the Bishop of Rome or Avignon.¹²⁶ This ensured no real political will on the part of the monarchs to attempt to force a resolution early on, as it was in their interests to maintain the schism and utilize it to their advantage.¹²⁷

Such advantages, however, were not as apparent to the Christian faithful. Without a legitimate pope, the consecration of bishops and priests was in question. This raised a potential problem regarding the sacraments, and the spiritual salvation of Christians was in jeopardy.¹²⁸ Such fears would have been heightened due to the Black Plague and numerous other catastrophes already discussed. These fears led the monarchs to realize the drawbacks to the Schism and they began to seek ways to resolve the issue. While Benedict XIII of Avignon (1394-1417) and Gregory XII of Rome (1406-1415) agreed to meet in 1408 and mutually resign their positions, Gregory did not fulfill his commitment and never met with Benedict.¹²⁹ Thus another solution was needed in order to end the schism.

The solution was eventually found in canon law which stipulated in the thirteenth century that if a pope was heretical, the Church, which has greater authority, could remove him. Ultimate power, according to Church law, was held by ecumenical councils. Therefore, in 1409 the cardinals and other clergy met in Pisa. The Council of Pisa began on March 25 and deposed Gregory and Benedict on June 5. In their place Alexander V

¹²⁵ Kaminsky, 683-684.

¹²⁶ Kelley, 106.

¹²⁷ Ibid., 106.

¹²⁸ Ibid., 106.

¹²⁹ Schatz, 102.

(1409-1410) was elected.¹³⁰ Though it appeared to be the end of the matter, Gregory and Benedict refused to resign or recognize the Council of Pisa. There were now three papal claimants residing in Avignon, Rome and Pisa. Recognizing the dangers of having three papal claimants, Emperor Sigismund (1411-1437) responded by summoning another council in Constance.¹³¹ This location, safely away from Italian politics, proved successful. On November 11, 1417, the Council of Constance elected Martin V as true successor to Peter.¹³²

To Klaus Schatz, the Great Schism resulted from an inflation of papal authority. Popes perceived themselves as selected by God and placed all their faith in Providence. Any resignation was subjected to punishment by God. Some of the popes throughout the Schism even rejected human intervention in ecclesiastical affairs. Boniface IX of Rome (1389-1404), for example, rejected the use of councils to resolve the Schism. This indicated, as Schatz points out, the need for a new form of ecclesiology.¹³³ Such a shift was attempted at Constance, a council which marked the pinnacle of Conciliarist ideals.

¹³⁰ Kelley, 107.

¹³¹ Ibid., 108.

¹³² Kaminsky, 696.

¹³³ Schatz, 102.

Chapter 3: The Sources of Conciliar Theory

Who were the Conciliarists attending the council of Pisa? What did they stand for? Conciliarism was a movement made up of individuals who believed the Church had the right to govern itself. They did not enter into direct conflict with the papacy, nor seek to remove the pope as head of the Church. For the Church to govern, therefore, Conciliarism, being an ecclesiological movement, emphasised the special role of the council in light of the Church's life¹³⁴ and sought only to limit and define the pope's authority. In essence, Conciliarism was a call for the Church to be true to its roots, as a congregation of the faithful.¹³⁵ The Great Schism resulted in a need for ecclesiastical reform. With neither papal claimant wanting to resign or give up authority, it became clear that the only possible solution was to convene a general council of the Church. In fact, the use of general councils was necessary¹³⁶ to implement a reformed agenda and give unity back to the Church.¹³⁷ Therefore, the Council of Pisa was called and the theories of the Conciliarists were applied.

Such a movement did not, however, sprout up in the middle of the Schism. These thinkers were not revolutionaries. Instead they were looking to canon law and the model of the Early Church.¹³⁸ Through interpretation of the *Decretum Gratiani*, to be henceforth referred to as the *Decretum*, and the *Glossa Ordinaria*, a commentary on the *Decretum*,

¹³⁴ Stefan Swiezawski, *Les tribulations de l'ecclésiologie à la fin du Moyen Age* (Paris: Beauchesne, 1997), 93.

¹³⁵ Swiezawski, 94.

¹³⁶ *Ibid.*, 69.

¹³⁷ *Ibid.*, 68.

¹³⁸ *Ibid.*, 69.

the Conciliarists sought a way to solve the disunity within Western Christendom through a council of the universal Church.

The Rise of Conciliarism

Was Conciliarism a random occurrence? What led to the rise of Conciliar ideas? Brian Tierney, in his seminal work *The Foundations of the Conciliar Theory: The Contributions of the Medieval Canonists from Gratian to the Great Schism*, provides some answers to these questions. In Tierney's view, any attempt to solidify or maintain the papal hierarchy in the Late Medieval period was a worthless task due to the rise of nationalism, western monarchs trying to expand their power and the growing attempt to utilize general councils.¹³⁹

To Conciliarists, the entirety of the Christian community was superior to any single prelate, even if the prelate was the bishop of Rome.¹⁴⁰ Though Rome held a special place within this Christian community, there were safeguards to protect the Church from papal corruption. The Roman See's authority resided both in the pope and the College of Cardinals. The College was to keep the pope in line, and should he err, they were to summon a council.¹⁴¹ Therefore, the Conciliarists believed it was possible to depose heretical popes through the use of councils. With the presence of two, and then three popes during the Great Schism, it became apparent that only a council would be able to remove the papal claimants and re-establish unity within the Catholic Church.¹⁴² However, what precedent or legal mechanism did the Conciliarists have to guide them?

¹³⁹ Tierney, *Foundations*, 44.

¹⁴⁰ *Ibid.*, 5.

¹⁴¹ *Ibid.*, 6.

¹⁴² *Ibid.*, 8.

Two schools of thought existed within the Church. The first were the Decretists, forerunners to the Conciliarists and democratic in thought. The second group, labelled Decretalists, were more monarchical or oligarchic in their political views of the Church.¹⁴³ Decretalists generally supported papal authority, and the authority of the Roman See, comprised of the pope and cardinals. Since the Decretists formed the backbone of Conciliarist thought, although Tierney points out Decretalists also lent some theories to Conciliarism, an examination of Decretists' political theology is necessary at this point.

Decretists were followers of Johannes Gratian, the twelfth century compiler of canon law known as the *Decretum*.¹⁴⁴ There are two diverging views concerning papal status within the Church which stem from the Decretists. The first is the *figura ecclesiae*, which argued all ecclesiastical authority resided within the person of the pope. The second theory borrowed by Conciliarists, proposed a more limited papal authority, inherited and spread out throughout the Church as a whole.¹⁴⁵ A pope shared a part of this authority, but it was present in greater concentration when a general council of the Church was sitting.¹⁴⁶

There was, however, an issue of primacy which the Decretists theory produced. Should the pope disagree with a council, who maintained primacy, pope or council? The Decretists did not address this when developing their thoughts. Gratian seems to have rejected any notion of limited papal authority. It was his followers, through the development and interpretation of the *Decretum* who gave the council a position of

¹⁴³ Tierney, *Foundations*, 81.

¹⁴⁴ Cf. Anders Winroth, *The Making of Gratian's Decretum* (Cambridge: Cambridge University Press, 2004).; Gaumet, Jean. *Les Sources du droit canonique VIII^e-XX^e siècle* (Paris: Cerf, 1993).

¹⁴⁵ Tierney, *Foundations*, 30.

¹⁴⁶ *Ibid.*, 43.

superiority,¹⁴⁷ whereby the pope became limited by the articles of faith pronounced at councils. The pope's role was to act as the supreme judge, but only within the decrees of the general councils.¹⁴⁸ The *status ecclesiae* was important for Church policy and thus overruled the pope's authority.¹⁴⁹ As a result, the pope was not able to remove, alter or twist any articles of faith pronounced by councils. He was to act as a judge and ensure Conciliar decrees were upheld. Tierney points out that the Decretists were actually less radical than they appear. Though a council has greater authority than the pope alone, the Decretists stated that when the pope was surrounded by council fathers a greater authority was present; the council amplified the pope's authority.¹⁵⁰ This was not to say the pope was free to do as he pleased. Should he err in his faith, or take part in a notorious crime, the Decretists believed he was to be removed.¹⁵¹

The *Decretum* provided a problem for the Decretists, however. It argued that the pope was above all human judgement and superior to all temporal powers. Gratian's *Decretum* also stated that no inferior was able to legally bring charges against a superior. How, then, could anyone try to remove a pope who was labelled as heretical? Huguccio, a late twelfth century canon lawyer from Pisa, solved this problem by proposing that heretical popes lost their claims to the papacy.¹⁵² This would mean their position as Successor to Peter was no longer upheld and any Christian could bring charges against him.

¹⁴⁷ Tierney, *Foundations*, 44.

¹⁴⁸ *Ibid.*, 45.

¹⁴⁹ *Ibid.*, 47.

¹⁵⁰ *Ibid.*, 49.

¹⁵¹ *Ibid.*, 51.

¹⁵² *Ibid.*, 54.

To Tierney, Huguccio did not adequately solve this issue as well as some scholars propose. Tierney points out that Huguccio's proposition that a heretical pope becomes invalid does not hold ground as the pope had some legal protection. Once a pope was elected by two-thirds of the College of Cardinals, he was legitimately the pope, even if he gained the papacy through simony. More importantly, if the pope was heretical who would actually bring the charge of heresy against him? For any charges to be laid, an individual, or group of individuals, would need to bring a formal charge of heresy against the pope.¹⁵³

Huguccio did provide some solutions for deposing heretical popes. A pope could be deposed if he either publicly supported a known heretical belief or did not reject it. The heresy must be stated publicly and not said in private with only a few individuals as witnesses. Since the heretical view was publically known, it removed the need for anyone to formally bring the charge of heresy against the pontiff, thus bypassing the *Decretum's* law forbidding inferiors to bring legal complaints against their superiors.¹⁵⁴ Huguccio's view of public heresy also set up a very broad understanding of when a pope could be deposed. Since notorious crimes were treated as heresy,¹⁵⁵ popes were now accountable, in Huguccio's view, for their actions.

¹⁵³ Tierney, *Foundations*, 55. Boniface VIII was posthumously placed on trial by Philip IV in 1310. He was found guilty of sodomy and his reputation was tarnished by the French king, who struggled to assert himself over Roman authority. Cf. Agostino Paravicini Bagliani, *Boniface VIII: Un pape hérétique?* (Paris: Biographie Payot, 2000).

¹⁵⁴ Tierney, *Foundations*, 56.

¹⁵⁵ *Ibid.*, 57.

The Pope and the College of Cardinals

While the pope's relationship to the general councils was being defined, the relationship between the pontiff and the College of Cardinals was also being elaborated. The authority of general councils had ancient precedents, but the cardinals were a fairly new ecclesiastical body.¹⁵⁶ In the eighth century, the cardinals were leaders of the great basilicas. This began to change in the eleventh century when Pope Nicholas II decreed in 1059 the importance of the Sacred College. The status of the cardinals continued to grow. Peter Damian (ca. 1007-1072), for example, identified the cardinals as *spirituales ecclesiae universalis senatores*, spiritual senators of the universal Church.¹⁵⁷

In 1084, a group of dissident cardinals claimed that they held part of the Roman See's authority and the College of Cardinals was also able to constrain an erring pope. The next century saw a dramatic increase in the authority of the cardinals. They began to run papal departments of state, represent the pope at functions he could not attend, and became his closest councillors. By the twelfth century, the consistory gained control of the Church governance and the Cardinals took over authority from the Roman synod. This allowed them to control finance, questions of faith, discipline of Church members, justice and governance of papal fiefs.¹⁵⁸

While Gratian did not define the specific role of the cardinals, Huguccio did. Huguccio's definition of the *Romana Ecclesia* included both pope and cardinals. This embodied a more representative authority over the faith than the pope acting on his own, especially since together they comprised of a larger part of the Christian community.¹⁵⁹

¹⁵⁶ Tierney, *Foundations*, 62.

¹⁵⁷ *Ibid.*, 63.

¹⁵⁸ *Ibid.*, 64.

¹⁵⁹ *Ibid.*, 65.

Decretists began to theorise whether the College could be thought of as the head of the Church. The issue that subsequently arose was the question of Petrine succession. Did the College of Cardinals inherit Petrine authority as well? Decretists did not immediately address this problem, but they did recognise that the College had deposed bishops, affirmed doctrine and elected new popes.¹⁶⁰ Even though once a pope was elected with two-thirds support of the College of Cardinals his election was valid, even if under negative circumstances,¹⁶¹ the Cardinals could, in extreme cases, refer to a general council to address important issues.¹⁶² Therefore, the College maintained some Petrine rights legally held by the pope.

While the cardinals were able to refer to a general council in cases of papal heresy, or other urgent events facing the Church,¹⁶³ Decretists were not as thorough, nor as precise in theory as they could have been. They neglected to justify the idea that the cardinals were able to summon councils,¹⁶⁴ which Canonists of the thirteenth century developed to a greater extent.¹⁶⁵

Thirteenth Century Canonists and the Church as a Corporation

Decretalists, those who supported the monarchic view of the Church, were very much present during the pontificate of Innocent III (1098-1216). Decretalist writings described the pope as the vice-regent of God.¹⁶⁶ The Roman pontiff is to be held above all others and holds absolute authority over the Church, although there were limits set by

¹⁶⁰ Tierney, *Foundations*, 66.

¹⁶¹ *Ibid.*, 68.

¹⁶² *Ibid.*, 69.

¹⁶³ *Ibid.*, 70.

¹⁶⁴ *Ibid.*, 76.

¹⁶⁵ *Ibid.*, 77.

¹⁶⁶ *Ibid.*, 81.

Decretalists as well. Petrine authority had to be used for the good of the Church. The pope could not attempt, directly or indirectly, to destroy Christianity.¹⁶⁷ The pontiffs were also forbidden to go against articles of faith,¹⁶⁸ and the Decretalists did not believe the general councils were superior to the pope.¹⁶⁹ Since the limitations to papal authority were almost impossible to enforce, because the Decretalists were reluctant to accept anyone above the pope, it brought once again into question, the issue of who could bring the charges against the pope.¹⁷⁰

While at first glance Decretalists were at the opposite side of the spectrum from the Decretists, some of their ideas were borrowed and shared by future Conciliarists. Decretalists viewed the Church through a “corporation concept.”¹⁷¹ This concept presented a view where faith was defused throughout the entire Church. Therefore, Decretists interpreted this theory to mean the pope was the head of the corporation while the general council acted as the corporate body.¹⁷² Such a view, according to Tierney, developed whereby the Church continued to act as a federation of bishops, abbots, orders, and colleges even though there was a move for papal centralization. These distinct parts of the Church, working together, behaved as a corporation.¹⁷³

In a corporation, authority is not concentrated in the head, but resides in its members. Prelates, therefore, cannot act without the consent of their members.¹⁷⁴ Bishops do represent their diocese in legal cases, always acting on behalf of their community, but God is the true owner of the Church, according to the “corporation concept”. The

¹⁶⁷ Tierney, *Foundations*, 82.

¹⁶⁸ *Ibid.*, 83.

¹⁶⁹ *Ibid.*, 86.

¹⁷⁰ *Ibid.*, 89.

¹⁷¹ *Ibid.*, 89.

¹⁷² *Ibid.*, 89.

¹⁷³ *Ibid.*, 90.

¹⁷⁴ *Ibid.*, 108.

Canonists, successors of the Decretists, used this concept to solidify their position within the Church. Canonists, experts in canon law, were able to retain the authority of the Church when the *sede vacante*¹⁷⁵ occurred.¹⁷⁶

Support for the “corporation concept” can be found in the writings of Saint Paul who proposed that the Church was an amalgamation of the faithful with Christ at the head. This Mystical Body, also symbolized by the Eucharist, showed a unity of the Church, as well as a commemoration of Christ’s life.¹⁷⁷ Joannes Teutonicus (d. 1245), a commentator of the *Glossa Ordinaria* of the *Decretum*, utilized similar symbolism when stating that the Church was a body united by the Holy Spirit.¹⁷⁸ As Christ was the head of the entire Church, Rome, or the pope, was the head of the earthly Church.¹⁷⁹ Cardinal Franciscus Zabarella (1370-1417), “the most learned [jurist] of his generation”¹⁸⁰ according to Tierney, argued that if the pope possessed his power from being the head of the corporation, *plenitudo potestatis*, this authority must be “limited, derivative and revocable.”¹⁸¹

This *plenitudo potestatis* was not unique to the pope, according to Hostiensis (d.1271), an important Canonist who helped shape Conciliarism. This authority was shared, or present, in other bishops. The Church, to Hostiensis, was oligarchic. The cardinals had papal authority during the *sede vacante*. The reason they held this power was because it was considered heresy for Rome, the head of the Church or the Church as a whole, to lack leadership. Therefore, the cardinals remain at the head while Rome is

¹⁷⁵ *Sede Vacante* refers to the time period between the death, or resignation of a pope, and the election of his successor. It translates into English as Vacant See, referring to the lack of a bishop to overlook the See.

¹⁷⁶ Tierney, *Foundations*, 117.

¹⁷⁷ *Ibid.*, 121.

¹⁷⁸ *Ibid.*, 123.

¹⁷⁹ *Ibid.*, 127.

¹⁸⁰ *Ibid.*, 131.

¹⁸¹ *Ibid.*, 131.

vacant. Christ is also continuously present, as pointed out by Paul, so the cardinals do not remain there alone.¹⁸² Hostiensis, therefore, did not see the head of the Church residing only in the Pope, but consisting of both the pope and cardinals.

This theory proposed the devolution of papal authority to the cardinals and other canonists began to speculate that such devolution could occur at lower levels. The authority held by cardinals could be devolved to the clergy, and clerical authority could eventually move to the people, who could in fact elect a pope or call a general council themselves if necessary. Such a council would truly represent the universal Church.¹⁸³ This concept is known as the *congregatio fidelium* and Conciliarists adopted this idea and argued for an “inherent right diffused throughout the whole community.”¹⁸⁴

Each layer of the Church, then, held a special role. Guilielmus Durantis (1230-1296), a French canonist, proposed just that, arguing that each layer of the clergy held a divine function.¹⁸⁵ While some saw the general council as a final court of appeal, Durantis wanted the general council to act as a governing body, which would have “a regular constitutional role in the government of the Church.”¹⁸⁶ Durantis’ theories will be amalgamated by the Conciliarists.

Dante Alighieri and Marsilius of Padua

While Conciliarism borrowed heavily from the Decretists and Canonists, they also amalgamated political theory of the Late Medieval period. Two important thinkers who paved the way for the fifteenth century movement were Dante Alighieri (1265-1321)

¹⁸² Tierney, *Foundations*, 138.

¹⁸³ *Ibid.*, 139.

¹⁸⁴ *Ibid.*, 140.

¹⁸⁵ *Ibid.*, 175.

¹⁸⁶ *Ibid.*, 177.

and Marsilius of Padua (1275-1342), although political theorists tend to overlook the medieval period and its contributions to political philosophy, and Dante is certainly a treasure often overlooked.

According to Dante, the natural state of nature was sinful and the state helped correct such sinfulness by establishing order on natural chaos, a view which foreshadowed Thomas Hobbes and Niccolo Machiavelli. Humans, in Dante's view, are not only to focus on the next life, but can bring fulfilment to this one. Happiness exists in this life and not only the next. Humanity thus has two goals; physical and spiritual, this life and the next. Dante's division of goals is mirrored in his presentation of the political spheres. This life, on earth, is under the authority of the emperor. The pope cannot claim any authority over the physical, but only over the spiritual, or life to come. Therefore, Dante rejects the theory of *plenitudo potestatis* and the view that the pope is at the head of society with none above him.¹⁸⁷

Dante depicts the emperor in his *De Monarchia* (ca. 1312/1313) as a saviour figure. He clearly divides imperial rule from papal authority.¹⁸⁸ Both pope and emperor benefit the state, but the pope does not give legitimacy to the emperor. Instead he blesses the imperial rule "like the light of the sun shining upon the moon."¹⁸⁹ Dante stripped the pope of all powers, except those which are spiritual and increased the authority and figure of the emperor.¹⁹⁰ Finally, Dante's theory of "total human (Christian) community...has

¹⁸⁷ Paul Avis, *Beyond the Reformation: Authority, Primacy and Unity in the Conciliar Tradition* (London: T&T Clark, 2006), 48.

¹⁸⁸ Avis, 49.

¹⁸⁹ *Ibid.*, 50.

¹⁹⁰ Cf. Dante's *De Monarchia*. In book III, chapter 13 Dante rejects the notion that the Church is in fact the source of imperial authority. Book III, chapter 15 argues any attempt to confer such authority on the empire by the Church is contrary to the Church's role in society. Finally, book III chapter 16 directly links the emperor's authority to God himself. There is no need for the Church to mediate this authority, since God grants it to the empire freely.

given a boost to that notion of *universitas*...”¹⁹¹ This *universitas* is a sense of corporation which the Conciliarists adopted and heavily applied.¹⁹²

Paul E. Sigmund, in his article “The Influence of Marsilius of Padua on XVth Century Conciliarism” explains how Marsilius influenced Conciliarism. Marsilius and Machiavelli were instrumental, according to Sigmund, for the change in political theory in Europe. Marsilius’ treaty *Defensor Pacis* presented his ideas concerning the papacy. He argued that councils or the legislator, the body of the Church, maintained supremacy within the Church.¹⁹³ Marsilius denied the papacy any power or special privileges. Power, according to Marsilius, resided with the population.¹⁹⁴ The coercive force of law was based on the legislator,¹⁹⁵ which was defined as the whole people or their representatives.¹⁹⁶ Major decisions could only be made through a council of representatives from within the Church. Should the papacy act on its own will and prerogative, thereby removing the authority of the legislator, the Church ceases to be universal.

As Marsilius’ *Defensor Pacis* was very influential to the Conciliarists, an examination of this text, though not exhaustive, is appropriate. Much like Dante, who rejected the pope’s authority over the physical life here on earth, Marsilius rejected any temporal authority held by pope or bishops. In his view, such jurisdiction over temporal affairs was against scripture according to Marsilius and against Christ:

¹⁹¹ Avis, 50.

¹⁹² Ibid., 50.

¹⁹³ Sigmund, 392.

¹⁹⁴ Ibid., 393.

¹⁹⁵ Ibid., 398.

¹⁹⁶ Ibid., 400.

“[Scriptures] [...] which explicitly command or counsel that neither the Roman bishop called pope, nor any other bishop or priest, or deacon, has or ought to have any rulership or coercive judgement or jurisdiction over any priest or non-priest, ruler, community, group, or individual of whatever condition [...]”¹⁹⁷ [...] Christ himself came into the world not to dominate men, nor to judge them [...] nor to wield temporal rule, but rather to be subject as regards the status of the present life [...] he wanted to and did exclude himself, his apostles and disciples, and their successors, the bishops and priests, from all coercive authority or worldly rule [...] both Christ and the apostles wanted to be and were continuously subject in property and in person to the coercive jurisdiction of secular rulers, and that they taught and commanded all others [...] to do likewise, under pain of eternal damnation.”¹⁹⁸

The pope has been stripped here of any authority to rule over temporal affairs. Marsilius reduces the papacy, as Dante did, to spiritual matters only. Marsilius also limits this spiritual authority as he does not even permit the pope to hold any special authority over other bishops. This originates due to the fact that historically no single apostle held special authority, spiritual or temporal, over the others, therefore, neither should any bishop. Marsilius employs scripture to argue his case. “The first proposition, then, is proved by Luke, chapter 22. For when Christ gave to the apostles the power to administer the sacrament of the Eucharist, he said to them: “This is my body [...] do this in

¹⁹⁷ Marsilius of Padua, *The Defender of Peace*, trans. Alan Gewirth (New York: Harper & Row, Publishers, 1956), 113.

¹⁹⁸ *Ibid.*, 114.

remembrance of me” [...] Christ did not address these words to St. Peter more than the other apostles [...] but rather said: “Do ye” (*facite*), speaking in the plural...”¹⁹⁹

Marsilius also looked to other scriptural passages to support his arguments. In John 20, Christ gives the power of absolution of sins to all the apostles, not just Peter. The Gospel of Matthew recounts Christ telling all his apostles to go to the nations and spread the word, not only Peter.²⁰⁰ While all of these examples amply support Marsilius’ argument, his views on the role of Paul are also quite persuasive; since Paul received his authority directly from Christ, he in no way needed to seek the support or blessings of Peter. Marsilius supports this by quoting Galatians 1: ‘Paul an apostle, not of men, neither by men, but by Jesus Christ, and the Father.’²⁰¹

Marsilius literally shakes the foundations of Petrine supremacy. Continuing this attack of papal authority, the Padovani thinker argued that all Christians should follow one faith, one which must be defined by councils. Who should call such a council? Marsilius quotes from Isidore of Seville’s (ca. 560-636) codex to show that most councils were called by legislators, temporal powers. For example, Constantine called the council of Nicaea in 325.²⁰² Popes and cardinals could not be trusted to call councils because the council could be delayed in cases of guilt due to heresy or crime. The legislator or body of believers, on the other hand, both remain unaffected by this bias and represent the larger portion of the faithful. The Legislator not only called the councils, but was to enforce them too, like the emperor Marcianus enforced Chalcedon.²⁰³

¹⁹⁹ Marsilius of Padua, 241-242.

²⁰⁰ *Ibid.*, 242.

²⁰¹ *Ibid.*, 243.

²⁰² *Ibid.*, 288.

²⁰³ *Ibid.*, 288-289.

According to Marsilius, councils are to regulate Church rituals and observances. No bishop, group or congregation can change or reinterpret conciliar decrees.²⁰⁴ No one bishop or individual has the authority to appoint others or give out benefices.²⁰⁵ The pope's ability to give out teaching licences should be revoked.²⁰⁶ Though Marsilius represents an extreme example, his ideas, as has been shown with the case of Dante, represent views held by the intelligentsia of the fourteenth century. These thinkers, along with the Decretists and Canonists paved the way for the Conciliarists of Constance and Basel.

²⁰⁴ Marsilius of Padua, 294.

²⁰⁵ Marsilius seems to believe the legislator had the authority to appoint the pope. Cf. Marsilius of Padua, 290.

²⁰⁶ *Ibid.*, 297.

Chapter 4: The Application of Conciliar Theory

Why did ideas supporting conciliar supremacy gain prominence in 1409, at the start of the Council of Pisa? The answer may not seem obvious at first, but given an understanding of the situation facing the Church at this time, a general council appears to be the only viable solution. With both the Avignonais and Roman popes refusing to step down, the Church soon found itself in a dangerous situation. Influential thinkers and political leaders began to reach the understanding that a prolonged schism was in fact heretical. The only solution, then, was to summon a council to reform the Church and deal with the two existing popes.²⁰⁷

Using the existing legal framework devised by Canonists and Decretists, the cardinals from both Gregory XII and Benedict XIII's camps left their patrons, met and summoned a council at Pisa.²⁰⁸ Since both popes were erring, papal authority had devolved to the College of Cardinals. This allowed them the validity, along with political support from the princes of Europe, to summon the council.

The Council of Pisa (1409)

The Council of Pisa began on March 25, 1409.²⁰⁹ Present at Pisa were twenty-two to twenty-four cardinals, four patriarchs, eighty bishops, many university representatives, monarchs, Dominicans and cathedral chapters. Though this may appear to be a large

²⁰⁷ C.M.D. Crowder, *Unity, Heresy and Reform, 1378-1460: The Conciliar Response to the Great Schism*, Documents of Medieval History (London: Edward Arnold Ltd., 1977), 3.

²⁰⁸ Crowder, 47.

²⁰⁹ Crowder, 5.; Charles-Joseph Hefele, *Histoire des conciles d'après les documents originaux*, tome VIII, première et deuxième parties, trans. H. Leclercq (Paris: Librairie Letouzey et Ané, 1916), 1.

council, many were absent from Pisa. Over one-hundred bishops and close to ninety abbots were not represented.²¹⁰

The opening session, which began on March twenty-sixth, started with a reflection on Judges 20:7.²¹¹ Two papal claimants caused division in Christendom and the Council was summoned to find a remedy. As with the Israelites, the council fathers asked those present to deliberate on the issue.²¹² A solution was produced on the May 17 1409. In the ninth session of Pisa, it was decreed that all subjects were to leave the obedience of Benedict XIII and Gregory XII. All condemnations or sentences passed by these two claimants were null and void.²¹³ Cardinals were also subject to these *Acta*.²¹⁴ They were to withdraw their obedience to their pope. The Council argued: "...there could be no union of the two Colleges as long as Benedict's cardinals obeyed him...and the others were not obedient to Gregory XII but only to God and the Church...It was therefore necessary that the lord cardinals should withdraw their obedience..."²¹⁵

With allegiance withdrawn from Rome and Avignon, the Patriarch of Alexandria, a successor of Saint Mark the Evangelist and holder of one of the five Apostolic Sees, declared before the Pisan council that both Benedict and Gregory were disobedient of authority.²¹⁶ The tide began to turn for both Gregory and Benedict. During the following days the Patriarch of Alexandria and Council Fathers adopted a series of motions against

²¹⁰ Hefele, 4-5.

²¹¹ Judges 20:7, Biblia Sacra Vulgata (BSV): "*adestis omnes filii Israhel decernite quid facere debeatis*" "Come all you children of Israel, discern what we must do."

²¹² Hefele, 6.

²¹³ *Ibid.*, 41.

²¹⁴ The *Acta* are formal decrees issued by councils.

²¹⁵ Crowder, 58.

²¹⁶ Hefele, 42.

the schismatic popes. The Patriarch decreed that since both claimants had committed notorious and scandalous actions, they were to be sanctioned.²¹⁷

In the thirteenth session of the Council, Peter Plaoul (1353-1415), a member of the University of Paris, read Hosea 1:11²¹⁸ to those gathered at Pisa. Plaoul emphasised that Benedict XIII was charged as a schismatic and heretic by the University of Paris. This meant, according to canon law, that he had already lost the papacy.²¹⁹ A reflection on Hosea was a tactful choice on Plaoul's part. The biblical passage emphasised the selection of a single leader by two groups, those from Judah and those from Israel. This passage mirrored the schismatic situation faced at Pisa. Two camps, or groups, those of Gregory and those of Benedict had met together to select a single head of the Catholic Church. Plaoul's use of the biblical passage was artful and well thought out.

Pisa was faced with two pressing questions. Were Benedict and Gregory schismatic heretics? If so, should they be removed from the Church and papacy? When both of these questions were put to the members of Pisa, the response was affirmative for both.²²⁰ It was settled. Both claimants were to be removed. On June 5, 1409 the Patriarch of Alexandria, along with the Patriarchs of Antioch and Jerusalem, passed sentence on the Roman and Avignonais popes. The Patriarch of Alexandria stated:

“Peter de Luna and Angelo Correr, called once Benedict XIII and Gregory XII, are notorious schismatics; they nourished and instigated the schism which is already ancient. They are, also, notorious heretics...[T]he council pronounces against them a

²¹⁷ Hefele, 43.

²¹⁸ Hosea 1:11, BSV: “*et congregabuntur filii Iuda et filii Israhel pariter et ponent sibimet caput unum...*” “And the children of Judah and Israel will congregate together and appoint for themselves one head.”

²¹⁹ Hefele, 43.

²²⁰ Ibid., 44.

definitive sentence of destitution, deposition and exclusion, and forbids them to act henceforth as popes. The Roman Church is now vacant.”²²¹

This schism was thought to be over. A ten-day period of vacancy was observed, as was usual after a death of the pope, and then the cardinals began the conclave to elect the successor of Peter. Twenty-three cardinals took part in the election, thirteen of Gregory’s and ten of Benedict’s.²²² The election process was quick. Peter Philarghi was elected and took the name of Alexander V (1409-1410). Alexander, was a well educated individual who studied at Oxford and the University of Paris, eventually becoming a professor of philosophy and theology. He understood the political circles and did well in the service of Gregory XII.²²³

Once elected, Alexander faced the flood of people wanting to pay homage to him as their new pope.²²⁴ The Council of Pisa finished its business and the pope closed the council on 27 July 1409.²²⁵ Though the schism appeared to be over, and Alexander V elected to unite the divided Christendom, Gregory and Benedict were not prepared to let their authority go. Instead of solving the Great Schism, Pisa exasperated it. Unlike Judah and Israel, who selected a single head to rule them, Pisa attacked a hydra. While attempting to remove two heads, a third grew. Christendom now had three papal claimants.

²²¹ Hefele, 46. “*Pierre de Luna et Ange Correr, appelé jadis Benoît XIII et Grégoire XII, sont schismatiques notoires; ils nourrissent et fomentent ce schisme déjà ancien. Ils sont, de plus, hérétiques notoires... le concile prononce contre eux une sentence définitive de destitution, déposition et exclusion, et leur défend d’agir désormais comme papes. L’Église romaine est maintenant vacante.*”

²²² Ibid., 54.

²²³ Ibid., 56.

²²⁴ Ibid., 58.

²²⁵ Ibid., 65.

The Council of Constance (1414-1418)

The presence of three popes scared many European leaders. Emperor Sigismund (1368-1437), King of Hungary and the eventual Holy Roman Emperor, decided to take the leading role on this issue and pressured Pope John XXIII (1370-1419), successor of Alexander V and Pisan claimant to the papal throne, to convoke a general council. After long hesitation, John eventually agreed and summoned a council in the city of Constance. The Pisan Pope had originally attempted to use the support of the Italian bishops in his favor by calling a council within Italian territory, but Sigismund rejected his plans and the Council was held in neutral land. More importantly, John's hope that the Italian representatives would outnumber those from other states was foiled. The council of Constance did not permit individual voting; instead, each nation had a single vote. This levelled the field and ensured each state represented had an equal voice at the council.²²⁶ It also ensured princes had an increased say in Church governance, because they would be able to control the votes.

On October 28 1414, John XXIII entered Constance in a solemn procession accompanied by nine cardinals and numerous prelates. Cardinal Franciscus Zabarella was chosen as president of Constance.²²⁷ The council had three objectives. To complete the unity sought by Pisa, suppress heresies that sprouted up in Prague and Bohemia and ecclesiastical reform.²²⁸ Such high hopes for the council seem unrealistic. Sigismund

²²⁶ Francis Oakley, *The Conciliarist Tradition: Constitutionalism in the Catholic Church 1300-1870* (Oxford Scholarship Online: Oxford University Press, 2013), 38.

²²⁷ Hefele, 108.

²²⁸ Crowder, 7.

details his frustrations with the council in his letters which he attributes to debates between cardinals and delays concerning the case of John Huss²²⁹ and the Hussites.²³⁰

In order to solve the schism, it became apparent that all three popes would have to be removed or resign their positions. This included John, the convener of Constance.²³¹ As a Cardinal attending Constance pointed out, there was the “merit of the shepherd who laid down his life for the flock.”²³² John, perceiving his demise, began to spread the word that he would resign his position. Fearing this loss of authority, however, he fled the Council on March 20, 1415 to a town called Schaffhausen. This caused panic for the members of Constance. Sigismund responded quickly by shutting down the city so none were permitted to leave. With the help of Jean Gerson (1363-1429), the Chancellor of the University of Paris, Sigismund managed to maintain legitimacy of the Council. Gerson argued that a general council was directed by the Holy Spirit and, as Decretists argued before him, Christ was with the Council as the head of the Church. This meant that Constance was legitimate and all faithful, including the popes, were subject to its rulings.²³³

John’s actions had hardened the hearts of the Council Fathers. While some sympathy may have existed for papal authority before his flight, Constance now began to have a greater Conciliarist leaning.²³⁴ This Conciliarist faction produced a decree known as *Haec Sancta* and the Council passed it on April 6, 1415.

²²⁹ The Hussites were followers of John Huss (1369-1415). Though Huss was an important Czech thinker and was condemned by the Council of Constance, his theology and trial will not be covered here. For an excellent account of his trial see Thomas A. Fudge, *The Trial of Jan Hus: Medieval Heresy and Criminal Procedure* (Oxford: Oxford University Press, 2013).

²³⁰ Hefe, 180.

²³¹ Crowder, 11.

²³² Ibid., 10.

²³³ Oakley, 39.

²³⁴ Ibid., 40.

Haec Sancta limited papal authority by making popes subject to conciliar decrees. This was the pinnacle of Conciliarist doctrines. Councils according to *Haec Sancta* were inspired of the Holy Spirit, and therefore all rulings and decrees produced by a council came through divine guidance. No earthly power, in this cause the pope, would have the authority to alter such decrees. Constance was truly protecting and maintaining its authority. The pope, as the Decretists once theorized, was bound by the statements of councils. He could not ignore them, alter them or nullify them. It is worth quoting a section of *Haec Sancta* at this point:

“This holy synod, constituting the general council of Constance, for the purpose of eradicating the present schism and of bringing about the union and reform of the Church of God in head and in members, lawfully assembled in the Holy Spirit to the praise of Almighty God, ordains, defines, enacts, decrees and declares as follows...lawfully assembled in the Holy Spirit, constituting a general council and representing the catholic Church militant, it holds power directly from Christ; and that everyone of whatever estate or dignity he be, even papal, is obligated to obey it in those things which belong to faith....[It] declares that anyone, of whatever condition, estate or dignity he be, even papal, who should contumaciously disdain to obey the mandates, enactments or ordinances or the precepts of this holy synod, or of any other council whatsoever that is met together according to the

law...shall be subjected to well-deserved penance, unless he
repent, and shall be duly punished...”²³⁵

Once the authority of Constance was re-established, John was arrested and kept under guard. After much debate the council deposed John XXIII. “In the end the Council pronounced that not Balthazar Cossa, nor Angelo Correr, nor Peter de Luna, could henceforth be re-elected popes.”²³⁶ John XXIII’s name was now placed amongst Gregory XII’s and Benedict XIII’s.

Having deposed John, the two other claimants needed to be re-addressed by the council. Gregory, the Roman claimant, was given the opportunity to officially convoke Constance, even though it was already sitting. This was to increase the legitimacy of Constance and ensure that followers adhered to the decrees produced. Gregory agreed, issued a decree convening Constance and then proceeded to resign from his post. Gregory’s resignation is important to many Catholics. Constance did not depose the Roman claimant. Instead Gregory simply gave up his authority. This ensured, according to some theologians, that the Roman line was not broken.²³⁷ The results of Gregory’s decision, however, have more immanent benefits. Two papal claimants had been successfully removed.

The Council decided to send word of Gregory’s resignation to Benedict and invited him to resign as well.²³⁸ Benedict, however, did not let go so easily. Having lost all this supporters, including Spain, who supported the Spanish Pope, he persisted to claim his rights to the Seat of Peter until his death in 1423. In July 1417, Constance,

²³⁵ Quoted by Crowder, 83.

²³⁶ Hefele, 249: “Enfin le concile prononce que ni Balthazar Cossa, ni Ange Correr, ni Pierre de Luna, ne pourront désormais être réélus papes.”

²³⁷ Oakley, 40.

²³⁸ Hefele, 298.

convicted him, in absentia for perjury, heresy and schism. Though he continued to claim he was pope, he had very few supporters and, in reality, was deposed by the Council.²³⁹ Constance managed to do what Pisa could not, successfully remove three popes and solve the Great Schism.

With all three claimants removed, Sigismund wanted to reform the Church while the *sede vacante* was in effect. This was not possible though while Constance was experiencing strong national tensions. France and Italy were united to stop Germany and England's attempts at reforms.²⁴⁰ And the European states were beginning to gain a stronger national identity and looking after their own self-interests.

Some reform did occur in the end. Before electing a new pope, Constance issued another decree, one which, along with *Haec Sancta*, was central to the Conciliarist movement. In the thirty-ninth session, on the 9th October 1417, the Council issued *Frequens*. Below follows the most important section of the decree, which states:

“The frequent holding of general councils is a pre-eminently good way of cultivating the patrimony of Our Lord. It roots out the briars, thorns and thistles of heresies, errors and schisms. Corrects excesses, reforms what is deformed, and brings a richly fertile crop to the Lord's vineyard. Neglect of councils, on the other hand, spreads and fosters the foregoing evils...For this reason by perpetual edict, we establish, enact, decree and ordain that henceforth general councils shall be held so that the first shall take place in five years immediately following on the end of this

²³⁹ Oakley, 41; Hefele, 438.

²⁴⁰ Joseph Gill, *Constance et Bâle-Florence*, Histoire des Conciles Œcuméniques, no. 9, ed. Gervais Dumeige (Paris: Editions de l'Orante, 1965), 60.

council, and the second in seven years of that immediately following council; and thereafter they shall take place from ten years to ten years for ever...the effect will be that there will always be either a council in being or one awaited at a given term...it may not be prorogued for any reason...”²⁴¹

Frequens also stipulated that any change of the location, or shortening of the gap between two councils must be duly published by the pope. No extensions can be given for the gap between councils, but it could be shortened by a pope with the advice of his cardinals.²⁴²

Frequens reverted centuries of ecclesiology in Western Church, by linking her to early forms of governance. It forced councils on the popes²⁴³ and thus creating, more importantly, a form of parliament to help the pope rule.

November 9, 1417 saw the start of the papal conclave. Within two days, Odo Colonna was elected pope and he took the name of Martin V.²⁴⁴ In the end, Constance was a success story for the Conciliarists. The supremacy of councils was established, supported by the princes of Europe and Martin V was forced to sign an agreement to abide by Constance upon his election. Conciliarism had imposed a new ecclesiology of the Church.

Cardinal Zabarella and his Role at Constance

Franciscus Zabarella was eighteen years old in 1378 when the Great Schism broke out and had just begun his education in law at Bologna. By 1398, he was already directly

²⁴¹ Crowder, 128-129.

²⁴² Ibid., 129.

²⁴³ Ibid., 128.

²⁴⁴ Oakley, 41.

involved in the matter while working in the service of Boniface IX, papal claimant of Rome. Boniface, was seeking unity and an end to the schism, but failed in his attempts.²⁴⁵

Zabarella's career was heavily influenced by Boniface and this call to unity.

Zabarella, who eventually became a cardinal, was "a most distinguished canonist"²⁴⁶ according to Brian Tierney. His *Tractatus de Schismate* amalgamated all conciliar elements in canonistic scholarship, drawing upon Joannes Teutonicus, Hostiensis and Durantis.²⁴⁷ Zabarella skillfully used legal texts for his *Schismate* to argue that Christendom was a corporation that the pope presided over it like a rector. To the Cardinal, the idea of *congregatio fidelium* was central to the life of the Church and since the *congregation* composed the mystical body of the Church, unity was central to his theory. The Great Schism, to Zabarella, had torn Christendom apart.²⁴⁸

With the presence of two, and then three popes, the Church experiences a "quasi-vacancy." Therefore, a council of the congregation of the faithful, *congregatio fidelium*, was needed to stand in the place of the rector, the pope, in order to govern. Drawing on Aristotle, Zabarella believed it was the responsibility of the *pars valentior*,²⁴⁹ the major or stronger part, to govern in times of crisis at the helm. Who would summon such a council though? To Zabarella, each papal claimant should have summoned those faithful to him. If this was not possible, as the Great Schism shows it was not, Zabarella devolved the papal authority to the College of Cardinals. The Cardinals, therefore, were to summon the council. If they too should fail, the Emperor, who embodied the power of the people,

²⁴⁵ Thomas E. Morrissey, "The Call for unity at the Council of Constance: Sermons and Addresses of Cardinal Zabarella, 1415-1417," *Church History* 53, no. 3 (1984): 309.

²⁴⁶ Tierney, *Foundations*, 199.

²⁴⁷ *Ibid.*, 199.

²⁴⁸ *Ibid.*, 200.

²⁴⁹ *Ibid.*, 201.

would be required to issue a call to council. In reality, Tierney notes, Zabarella did not seem to care much about the method used to call the council. This was of secondary importance to him. Instead he focused on the composition of the council, holding the status of *congregatio fidelium* and a majority of Christians.

His theories were well known and that enabled him to be named president of the Council of Constance by John XXIII, most likely with the backing of Sigismund. An exceptional orator with solid links to the humanist circles of the day, Zabarella gave many speeches to arriving envoys. The Cardinal's main message, however, was unity. When addressing Spanish and Portuguese envoys, Zabarella emphasised the importance of their presence and support for Constance. Such support offered unity and stability for Christendom. Zabarella had one main agenda: ensure the fissured Church be united again.²⁵⁰

In his opening address to Constance, Zabarella echoed Boniface VIII's *Unam Sanctam*'s call for unity. This was quite an ironic turn of events. Boniface's relationship with Philip IV of France was the catalyst which started the Avignon papacy and the eventual Schism itself. But Boniface's bull was used as a rallying point for Zabarella.²⁵¹

How was the Schism to end? Zabarella proposed that the Church should correct erring popes. This could be achieved by Christians withdrawing their allegiance to the pope or by having a general council depose the pontiff.²⁵² While at first glance this seems easy to accomplish, a larger question arose. How can a council rule against the pope and depose him? Zabarella looked to Joannes Teutonicus for guidance. Since the general council held authority over doctrines of faith, and the pope only acted as a judge, it meant

²⁵⁰ Morrissey, 310.

²⁵¹ *Ibid.*, 314.

²⁵² Tierney, *Foundations*, 205.

that the council could rule against popes who are heretical and in breach of the faith.²⁵³ Simply put, general councils, which represented the *congregatio fidelium*, were the only bodies able to define the faith. The pope simply upheld this faith. Therefore, a council would be able to identify an erring pope and remove him from his seat.

Zabarella also reworked the model of the Roman Church. Rome was no longer to be seen as pope alone. It was “pope and cardinals together form[ing] a corporate head of the Church...”²⁵⁴ The Cardinalate acted as *senatus* in the eyes of Zabarella. This implied that the pope was to seek counsel and abide by the advice of these cardinals.

Though Zabarella was considered “papabile” at the start of Constance, he did not live long enough to see the council end. By the time Martin V was elected pope, Zabarella had already died.²⁵⁵ It was a shame that such a seminal and intelligent thinker was unable to see his work come to fruition. Zabarella embodied the strengths of Conciliarist thought and helped established a strong framework for the future, a man who “clothed the bare framework of Decretalist corporation theory with all the complex details of an integrated theory of Church government.”²⁵⁶ Through Cardinal Zabarella’s work we can see the truth to Tierney’s point that the conciliar movement was not a belated reaction against canonist theories of sovereignty, but a “logical culmination of ideas” developed by canonists.²⁵⁷

²⁵³ Tierney, *Foundations*, 208.

²⁵⁴ *Ibid.*, 213.

²⁵⁵ Morrissey, 317.

²⁵⁶ Tierney, *Foundations*, 214.

²⁵⁷ *Ibid.*, 214.

The Council of Pavia-Siena (1423)

In his “The Council of Pavia-Siena and Medieval Conciliarism,” Thomas Ferguson claims that Pavia-Siena is an understudied council. Ferguson’s main thesis is that the Council of Pavia-Siena is an important council for the Conciliarist movement, which marks the continuation of Constance and the end of Conciliarism, like Basel.²⁵⁸ According to Ferguson there were three stages to Pavia-Siena. The first stage was at the start of the Council when no one knew who really held authority, pope or council. The second stage occurred when the Council asserted itself by adopting the French Platform of reform which called for larger control of national interest by the local Churches. The third and final stage foreshadowed the struggle between pope and council that would occur after the Council of Basel.²⁵⁹ Ferguson’s theory does hold up. That minimal attention is given to Pavia-Siena is most likely due to a lack of progress for either the papal or conciliar factions of the Church.

Complying with *Frequens*, Martin V appointed Leonardo of Florence, the head of the Dominicans, to lead the council at Pavia. It appears as though Martin did not trust the location of Pavia for this new council to take place,²⁶⁰ as he gave Leonardo the ability to move the council. Martin’s permission to move the council was an interesting one. As was stated earlier, when examining the decree *Frequens*, a pope was not able to change the location of a council once it was established. This shows the uneasiness between

²⁵⁸ Thomas Ferguson, “The Council of Pavia-Siena and Medieval Conciliarism,” *Journal of Religious History* 25, no. 1 (2001): 1.

²⁵⁹ Ferguson, 16.

²⁶⁰ Hefele, 612.

papal and conciliar camps. Martin upheld his promise to hold another council, but he still did not trust a sitting council.²⁶¹

Martin's fears were understandable, but few attended the council at Pavia. By April 23, 1423 only four envoys from Germany, six from France, several from England and the papal envoys were in the city.²⁶² Hindered by a plague, the council was transferred from Pavia to Siena, after much debate regarding the location for the transfer to take place.²⁶³ Siena was a perfect choice since it was a free city and part of the Holy Roman Empire.

The council at Siena opened on July 21, 1423.²⁶⁴ Though not much is known about the proceedings, the work of John of Ragusa tells us that Martin was invited to the city to attend the council.²⁶⁵ We are also told that the council was divided into two factions. The first wanted the council to move forward, continue the Conciliarist cause, while the second, and more dominant group, wanted to shut down the council and block any possible progress.²⁶⁶ This second camp supported papal primacy and wanted to keep the council in check.

An issue arose concerning the French factions, who did not believe the concordat they signed with the Holy See was being upheld.²⁶⁷ France wanted to increase their control over the Churches in their state and Rome continued to block these attempts, even after a concordat was signed. Pavia-Siena in no way ameliorated this growing tension.

²⁶¹ Hefele, 613.

²⁶² Ibid., 614.

²⁶³ Ibid., 616.

²⁶⁴ Ibid., 619.

²⁶⁵ Ibid., 620.

²⁶⁶ Ibid., 621.

²⁶⁷ Ibid., 634.

Over time, it was apparent that divisions would not allow the council to function properly. After selecting Basel as the location for the next council, Martin dissolved Pavia-Siena in early March 1423. Though Martin and his successor Eugenius IV considered Pavia-Siena a general council, due to the low representation, large divisions and lack of successful decrees it is no longer given that status,²⁶⁸ although Ferguson would prefer a larger study of this council.

Most scholars also view Pavia-Siena as a failure. To Joseph Gill, a specialist of Constance and Basel, the timing made it impossible for states to attend and devote efforts to a council.²⁶⁹ France and England were at war and the French were divided amongst themselves concerning how to deal with the Church. The Hussites were drawing the attention of a large number of eastern countries like Poland and Hungary. The Spanish were also occupied with their wars against the Moors. C.M.D. Crowder rejects any conception of success at Pavia-Siena. The council, he argues, did nothing and dissolved due to both internal and large political disputes, as well as a lack of papal attendance.²⁷⁰

While Constance's *Haec Sancta* and *Frequens* were intended to increase the role of councils in the governance of the Church, Pavia-Siena showed that conciliar support was off to a bad start. Martin had successfully summoned a council, and moved it to a new location, but also disrupted the proceedings by purposely having the papal envoys stall any movement towards reform and avoided attending the council even when it was in Siena, not far from Rome. It was not a strong start for Conciliarism. However, national interests had begun to take priority. Churches like France increasingly wanted to control

²⁶⁸ Hefele, 645.

²⁶⁹ Gill, 121.

²⁷⁰ Crowder, 29.

their own ecclesiastical machinery. Whoever would offer the monarchs more benefits in this regard, Conciliarists or Papalists, would soon learn that he held the power.

The Council of Basel (1431-1449)

With the failure of Pavia-Siena, Conciliarists were most likely anxious for the next council to be called. Heresy and schism were now to be dealt with through the use of councils. Basel attempted to take over the role of the pope, and act as the head of Christendom.²⁷¹ To the Conciliarists, Christ gave authority to the Church and the Church was represented in the Council.²⁷² While Peter was singled out by Christ, he embodied all the apostles.²⁷³ More specifically, while the pope was superior in the Church's *dispersive* form, while no council was sitting, he had no superiority in the *collective* form, while in council.²⁷⁴ The Conciliarists at Constance saw the council as a meeting of "established Church authorities"²⁷⁵ like bishops and abbots. Those who participated at Basel, on the other hand, shifted emphasis from those authorities to the Council itself. The Church in council acted like the *universitas*,²⁷⁶ when each member gathered, they lost their individuality and acted as a whole, echoing Dante's views. Therefore, the Conciliarists applied the same concept at Basel. The bishops lost their individuality and became united in representing the universal Church.²⁷⁷ Derived from these ideas was the concept of *Rechtssubjekt*. The council acted as "power-bearer" in and of itself. None can hold the

²⁷¹ A. J. Black, *Monarchy and Community: Political Ideas in the Later Conciliar Controversy 1430-1450*, vol.2, Cambridge Studies in Medieval Life and Thought, third series (Cambridge: Cambridge University Press, 1970), 7.

²⁷² Black, 8.

²⁷³ Ibid., 9.

²⁷⁴ Ibid., 13.

²⁷⁵ Ibid., 16.

²⁷⁶ *Universitas* here is defined as the entirety or totality.

²⁷⁷ Black, 16.

council's delegated powers since it was not delegated, "The Council embodies 'the judgement of the Church' both in the legal and moral sense."²⁷⁸

Basel, unlike Constance, was not a test ground. While Constance established Conciliarism, the need to resolve the Great Schism was greater than the Conciliarist agenda. At Basel, there was no schism to deal with. Therefore, the members of the Council were able to devote their time to debating the true role of the conciliar model in Church governance. An examination of the Council's history, then, is necessary.

Seven years after the end of Pavia-Siena, as stipulated by *Frequens*, Pope Martin V summoned a council in the city of Basel.²⁷⁹ Cardinal Giuliano Cesarini (1398-1444) was appointed president of the council. Martin propagated a bull calling on Cesarini to lead clerical reforms, attempt to unify the Western and the Eastern Churches, preserve peace, and address the heresies in Bohemia.²⁸⁰ It also gave the Cardinal the permission to dissolve, prorogue or transfer the council if it became necessary.²⁸¹ Martin most likely hoped to be as effective at stifling Basel as he was with Pavia-Siena. This was not to be the case, for Martin died nineteen days later on February 20, 1431²⁸² and his death marked an important point in the recovery of papal authority. Upon his death, the Pope left a number of issues which needed to be addressed, including reforms of the curia. His successor, Eugenius IV (1431-1447), less skilled politically, had just as much fear of Conciliarism as Martin did.²⁸³

²⁷⁸ Black, 18.

²⁷⁹ Oakley, 44.

²⁸⁰ Joachim W. Stieber, *Pope Eugenius IV, the Council of Basel and the Secular and Ecclesiastical Authorities in the Empire: The Conflict over Supreme Authority and Power of the Church* (Leiden: E.J. Brill, 1978), 11.

²⁸¹ Hefele, 668.

²⁸² *Ibid.*, 669.

²⁸³ Oakley, 44.

Eugenius had to quickly adjust to his role as pope. Since Basel had already begun to meet, though not officially, Eugenius came to come to terms with the idea of a general council, and wasted no time by ratifying Martin's bull just days after his election. Basel's agenda, however, was not a radical shift. Instead it was a continuation of the progress Conciliarism made at Constance.²⁸⁴

The council had two main goals. The first was to deal with ecclesiastical, and internal, constitutional issues, the second to deal with the Bohemian and Hussite wars.²⁸⁵ The council began immediately by reaffirming *Haec Sancta* and *Frequens* through a unanimous vote.²⁸⁶ Once again, papal authority was subject to the decrees of a council. What made this vote different, however, was the fact that, unlike Pisa and Constance, where a one vote per nation ballot system was applied, it was not a vote by nations. Basel adopted a one person, one vote method. This ensured that Masters of universities, for example, had an increased voice and presence.²⁸⁷ This also brought in a form of democracy, allowing the lower clergy, who were generally controlled by the ecclesiastical hierarchy, to have a say in the Church governance.²⁸⁸ "Basel was much more a clerical parliament reflecting grass-roots representation of the Body of Christ than its predecessors."²⁸⁹ Basel took down national lines, released the masses and allowed each member of the Church to vote freely. Basel, at its conception, became a representation of *universitas*.

²⁸⁴ Stieber, 11.

²⁸⁵ Oakley, 45.

²⁸⁶ Oakley, 46; Hefele, 693.

²⁸⁷ Oakley, 45.

²⁸⁸ Crowder, 30.

²⁸⁹ *Ibid.*, 30.

Such a make up in the voting system also resulted in reforms calling for decentralization. For example, the Roman courts were being rejected for trying legal cases. Instead the council showed a preference for provincial Churches to hold courts and deal with the local issues.²⁹⁰ Basel was both an example of nascent democracy, through the voting system, and an increased tendency of national protectionism, in a political sense. The grass-roots rejected any form of Roman interference in local matters. The long arm of Rome was being limited, and the authority of local Churches, which most likely understood the needs of the population better, were being favored.

With the progression of Basel, Eugenius became fearful of the loss of papal authority and his position as a true pope. During the conclave that elected him, Cardinal Domenico Capranica was not allowed to vote, due to not officially being made a cardinal. Even though Martin V had named him to the College, the conclave did not recognize him because he was not officially appointed in Rome. This caused Eugenius to become wary of his position and the possibility that some would call his election false. Therefore, the Pope issued *Quoniam Alto* to dissolve Basel on November 14, 1431.²⁹¹ A new council was to be held in its place at Bologna to deal with the Eastern and Western unification. Being able to shut down Basel would have had two effects according to Joachim Stieber. Firstly, Eugenius would have set precedents against *Frequens*, thereby increasing papal authority. Secondly, a council located in Italy would be easier for the Pope to control. The clergy over the Alps would not all be able to attend, therefore, the number of Conciliarists would decrease while the influx of Italian clergy would ensure papal

²⁹⁰ Oakley, 46.

²⁹¹ Stieber, 12; Gill, 133.

authority was upheld.²⁹² Eugenius' attempt failed. Cesarini refused to dissolve the council.

Eugenius had made a tactical error. His attempt to move the council onto Italian soil resulted in a loss of face for the Pope. Eugenius had misread the mood of his cardinals and fifteen of the twenty-one cardinals voted against the move. Cesarini's rejection was not only a stand against the Pope, but also a political one. With impending negotiation with the Hussites, who were condemned at Constance,²⁹³ Cesarini had no choice but to reject the papal bull. Sigismund and other monarchs also offered strong support for Basel.²⁹⁴ Sigismund's brother, who was to become king of Bohemia, wanted Basel to find accommodation to the Hussites.²⁹⁵ It became clear that even the intelligentsia of Basel rejected the move, Nicholas of Cusa (1401-1464) being amongst them. Such a strong opposition, and with the threat of being deposed by Basel,²⁹⁶ the Pope recanted and issued *Dudum Sacrum*, a papal bull which ensured that the council's verdicts were upheld. More importantly, it was a truce between pope and council.²⁹⁷ Eugenius had taken on the council and lost.

Despite the Pope's attempts to waylay the council, the number of attendants at Basel continued to increase. The council made agreements with the Hussites and extended an invitation to the Greek Emperor to attend the council proceedings.²⁹⁸ Basel also took on the reform of the curia. It set the number of cardinals to twenty-four. Conclaves were to be held after ten days of mourning the death of the pope. Once elected,

²⁹² Stieber, 13.

²⁹³ Gill, 133.

²⁹⁴ Stieber, 14; Gill, 148.

²⁹⁵ Crowder, 32.

²⁹⁶ Stieber, 19.

²⁹⁷ Oakley, 47.

²⁹⁸ Stieber, 18.

the pope was to sign a document, by his own hand, supporting councils and agreeing that he was elected by the decrees of “the holy council of Basel.”²⁹⁹ In the views of Basel, it was not the pope, nor the College of Cardinals, that headed the Church, but the council itself. The council was actually the Church while it was convoked. Therefore, the council could do all the Church did, including to deal with heresies, reform, relations with nations, beatifications, defining the immaculate conception, distribution of indulgences, dispensations and reform to the calendar.³⁰⁰

The Council of Ferrara-Florence (1437)

While Eugenius continued to combat the views of Basel, and their encroachment on papal authority, the Roman curia soon began to recognize the need to utilize a council to nullify Constance’s decrees of Conciliar superiority. Only through a council could they be reversed, since a papal bull would not be sufficiently accepted.³⁰¹ Eugenius was advised to move the council to Ferrara, and later Florence, in 1437.³⁰²

Eugenius attempted to convince Basel that it would be easier for the Greeks, who were coming to attend a council of unification, to land in Italian territory rather than travel over the Alps. Basel rejected this notion and proposed that Avignon or Savoy could be used as a location instead of Ferrara.³⁰³ Some members at Basel, however, formed a minority who supported the move. Eugenius refused to work with the majority, and sets his eyes on the minority.³⁰⁴ Members of this minority party included Cesarini and

²⁹⁹ Gill, 204. “...du saint concile de Bâle.”

³⁰⁰ Ibid., 205-206.

³⁰¹ Stieber, 22-23.

³⁰² Ibid., 25.

³⁰³ Ibid., 35.

³⁰⁴ Ibid., 37.

Nicholas of Cusa. They shifted their support from Basel and moved to align themselves with Ferrara-Florence. England and Burgundy shifted their positions as well but did not send any delegation.³⁰⁵

Ferrara-Florence was an important council in that it re-established, though only shortly, the relationship between the Eastern and Western Churches. Ferrara-Florence allowed both Greek and Latin members to sit together in a council, something which had not occurred since 1054.³⁰⁶ The Greeks chose to go to Ferrara-Florence because they knew the pope would gain superiority over Basel. There was also the question of proximity. Italian cities were closer to Constantinople than Basel was. Division was also a factor. The Greeks knew that Basel was divided on how to deal with the Eastern Churches.³⁰⁷ Rome, however, was clear and was closest to the Orthodox Church in their apostolic and catholic claims.³⁰⁸

Ferrara-Florence achieved not much more than temporary unification with the East. The council eventually died down, at an unknown date. The Pope sent a message to the members of Basel, stating he was able to make progress where they could not. A schism that existed between East and West since 1054 was resolved. The Greeks chose to meet with Eugenius, the successor of Peter and not the Conciliarists at Basel. Eugenius appears to have won his battle.

³⁰⁵ Oakley, 48.

³⁰⁶ Deno J. Geanakopolos, "An Orthodox View of the Councils of Basel (1431-1449) and Florence (1438-1439) as a Paradigm for the Study of Modern Ecumenical Councils," *Greek Orthodox Theological Review* 30, no.3 (1985): 311.

³⁰⁷ Geanakopolos, 324.

³⁰⁸ *Ibid.*, 325.

Nicholas of Cusa (1401-1464)

When Eugenius gained Nicholas of Cusa as an ally to the Papalist cause the Pope had won a great deal. Nicholas was born in 1402 in the village of Keus. He entered the University of Heidelberg in 1416 to study the liberal arts and a year later, in 1417, transferred to study canon law at the University of Padua, one which rivaled Bologna. In Padua, Cusa was exposed to humanists of the Italian Renaissance.³⁰⁹ Through contact with to the great Italian thinkers, Cusa increased his interests in the Greeks. He graduated from the University of Padua in 1423 and by 1425 he was appointed doctor of canon law at the University of Cologne. His skills as a lawyer drew the attention of the University of Louvain and they twice offered him a position, both times Nicholas refused.³¹⁰

Nicholas entered the council of Basel in 1432 to act as the legal representative of Ulrich von Manderscheid. This led to many contacts between Cusa and the European hierarchy. His political and legal skills were next to none, and many sought his talents. These skills were put to use for the Conciliarist faction of Basel when Nicholas published *De Concordantia Catholica* sometime between 1433 and 1434. His work was praised as a great Conciliarist text and Cusa dedicated it to Cardinal Cesarini, president of Basel and Emperor Sigismund.³¹¹

Cusa's main goal was the unity of the Church, much like Zabarella at Constance. When the divisions between Basel and Eugenius began to sprout, Nicholas began to shift his allegiances, voting with the minority in 1436 to allow the Pope to move the council

³⁰⁹ Morimichi Watanabe, *Nicholas of Cusa: A Companion to his Life and Times*, ed. Gerald Christianson and Thomas M. Izbicki (Farnham: Ashgate Publishing Limited, 2011), 1.

³¹⁰ Watanabe, 2.

³¹¹ *Ibid.*, 2.

for easier access by the Greeks.³¹² His alignment with the minority at Basel marked a large transformation for Cusa who was already fully aligned with Rome by 1437. Eugenius sent him to Constantinople to bring back a delegation of Greeks to the council of Ferrara-Florence. Nicholas succeeded and Eugenius assigned him another task upon his return to Rome; to go to Germany and convince the Emperor to shift his neutrality. This was achieved years later with the signing of the Concordat of Vienna in 1448, a treaty signed between Pope and Holy Roman Emperor, defining the authority the Empire had over the ecclesiastical institutions within his realm. Cusa's success earned him the nickname "Hercules of the Eugenians"³¹³ by Aeneas Piccolomini, the future Pius II. His success also earned him a cardinal's hat in 1448.³¹⁴

Nicholas died on his way to Ancona on August 11, 1464 to meet Pope Pius II, who was preparing for a crusade against the Turks who took Constantinople in 1453. Pius died three days later.³¹⁵ Both Pius II and Nicholas of Cusa began their careers as Conciliarists who shifted allegiances from council to pope as they grew older and became exposed to the realities of Basel.

Nicholas of Cusa played an important role in the defeat of Conciliarism. Though he supported the movement early on, as the advocate of von Manderscheid,³¹⁶ his drive for unity superseded any Conciliarist leanings. By 1436, when Cusa began to shift his position, many had already left Basel due to the decrease in political capital. Basel had a lower attendance; therefore, those outside the council represented the true majority at

³¹² James E. Biechler, "Nicholas of Cusa and the End of the Conciliar Movement: A Humanist Crisis of Identity," *Church History* 44, no.1 (1975): 6.; Watanabe, 2.

³¹³ Watanabe, 3.; Cf. Biechler, 6.

³¹⁴ Watanabe, 3.

³¹⁵ *Ibid.*, 4.

³¹⁶ Biechler, 5.

time.³¹⁷ But Cusa's shift was more than a mere political act. Nicholas did not drastically alter his position over night. Instead, according to James Biechler who authored "Nicholas of Cusa and the End of the Conciliar Movement: A Humanist Crisis of Identity," Cusa's change of heart was a gradual shift and evolution of thought like those found in the works of Augustine. Nicholas experienced a gradual change.³¹⁸ No single event in Nicholas' life has been identified as the reason for his shift in views, although a number of events appear as catalysts, such as his lost case for von Manderscheid,³¹⁹ Basel's lack of will to agree to a new location for the council to meet with the Greeks,³²⁰ and Nicholas' uneasiness with the democratic tone of Basel, especially the ability of cooks to vote in theological matters.³²¹ Coupled with the political mobility available to Cusa in Eugenius', and later Pope Nicholas V's court, plenty of reasons explain Cusa's shift in camps.³²²

Nicholas of Cusa's move marks also a change in the winds for Conciliarism. A great intellectual was lost when he changed his allegiance. Nevertheless, when Nicholas began to support Rome, he still maintained some conciliar ideals. He simply conformed them to the College of Cardinals. The pope and his cardinals formed "a kind of perpetual council"³²³ according to Cusa's thought. Yet even if he maintained some conciliar tendencies, Eugenius and Nicholas V most likely preferred Cusa on their side formulating such theories than on the side of their opposition.

³¹⁷ Biechler, 6.

³¹⁸ Ibid., 8.

³¹⁹ Ibid., 11.

³²⁰ Ibid., 12.

³²¹ Ibid., 17.

³²² Ibid., 17.

³²³ Ibid., 20.

The Waning of Basel

Members of Basel began to leave the council for Ferrara-Florence, because Basel was perceived as holding their own interests above those of reunification with the Greeks.³²⁴ Basel decided to declare the supremacy of a council over the pope as a doctrine of faith in order to shore up support. This ensured that those who rejected Basel's position were heretic. Eugenius, of course, did not support this doctrine, and was deposed by the council on June 24, 1439.³²⁵ The council then elected Pope Felix V (1439-1449), Duke Amadeus of Savoy, to replace Eugenius.³²⁶

Eugenius responded in September 1439 by issuing a bull against the council of Basel entitled *Moyses vir dei*, Moses a man of God. Here Eugenius tells the members of Basel to leave the council and go to him. He uses Moses as an example to follow by stating:

“Moses, the man of God, full of zeal for salvation of the people entrusted to him and fearing that God's anger would rise up against the people because of the seditious schism of Korah, Dathan and Abiram, if they went after them, at the Lord's command spoke to the whole assembly: ‘Depart from the tents of these wicked men and touch nothing that is there, lest you be consumed in their sins.’ (Num. 16. 26) [...] So we also, to whom, although unworthy, the Lord Jesus Christ has seen fit to entrust his people, are compelled to cry with the same voice, ‘Depart from the tents of these wicked men,’ to the people committed to

³²⁴ Black, 103.

³²⁵ Hefele, 1053.

³²⁶ Black, 49; Hefele, 1076.

us by our Lord Jesus Christ, when we hear of that abominable wickedness which certain forsaken men, continuing at Basel, have plotted in recent days in order to sunder the unity of the holy Church, lest they are seduced by their deceits, unawares, and swallow their poison.”³²⁷

The Pope’s call for Basel to disband and return from their new schismatic policies of supporting Felix V resonated with many princes of Europe. The monarchs now had but two options: to support Eugenius, or to place themselves between pope and council. Most of them chose to side with Eugenius.³²⁸ No monarch supported Felix, and the once avid supporters of Basel, France and Germany, chose to take on a neutral stance. Anti-pope Felix made no traction, but Eugenius, through diplomacy, continued to make inroads.

At a meeting in Bourges in 1440, Juan de Torquemada (1388-1468), a Spanish cardinal, defended papal authority. He argued that the best form of government was, according to Aristotle, a monarchy. Power should reside in one individual, or a select few.³²⁹ Since the Church was a kingdom, this one person must be the pope.³³⁰ The pope remained sovereign of his subjects “whether dispersed or collected in one place.”³³¹ The council of Basel had been debating the authority of one individual for a while and Torquemada used this to his advantage. Utilizing fears of monarchical attacks,

³²⁷ Crowder, 172-173.

³²⁸ Hefele, 1053.

³²⁹ De Torquemada was not the only one to utilize Aristotle’s view of monarchy in the medieval period. Thomas Aquinas also recognized the importance of monarchy both within society and nature. Referencing bees and the way in which their colonies are formed, Aquinas pointed out that beehives had one king bee, today we know this to actually be a female bee. Aquinas takes this analogy further by reflecting on the oneness of God, the sole creator of the universe. Therefore, rulership by one individual is preferential and natural according to Aquinas. Cf. J.G. Dawson, trans. *Aquinas: Selected Political Writings*, ed. A.P. D’Entrèves (Oxford: Basil Blackwell, 1954), 13.

³³⁰ Black, 105.

³³¹ *Ibid.*, 106.

Torquemada argued that if the pope's authority as a sovereign was attacked, would the European monarchs be next?³³² Such an argument fell on deaf ears however. Many in France were Conciliarists, including the University of Paris, so Charles VIII of France could not respond to any fears he may have had and remained neutral.³³³ But Torquemada's argument was registered. When Sigismund died in 1437, Frederick III succeeded him as Holy Roman Emperor. Frederick, unlike the king of France, was not willing to remain neutral forever. The Emperor began slowly to reposition himself in favor of the papacy.

Pope Eugenius died in 1447, and his successor Nicholas V (1447-1455) was an extremely skilled humanist. Through Nicholas' skills, and the foundation laid by Eugenius before him, he managed to sign numerous concordats, treaties between Rome and states, to slowly bring the princes of Europe back to the Roman camp. This culminated with the Concordat of Vienna in 1448.³³⁴ France soon followed suit and changed their neutrality to support Rome in 1449. Felix V recognizing he had no political support, agreed to abdicate his position in 1449. Basel transferred itself to Lausanne, and there decided to elect Nicholas V as pope.³³⁵ The Conciliar movement came to an end in this form, though it will reappear in different ways throughout history.

The Success of Basel

Throughout the entire eighteen years of the council of Basel a large number of individuals were in attendance. This large attendance makes it possible to call Basel

³³² Black, 106.

³³³ Ibid., 107.

³³⁴ Biechler, 5.

³³⁵ Oakley, 51.

universal, since at its peak it did represent the majority. The council managed to reconcile with the Hussites, solving a large and violent problem faced by the Bohemians. It also allowed for a redefinition of both conciliar and papal theories of Church governance.³³⁶

However, Joseph Gill does not support this idea of universality. According to Gill, Basel failed because the Council Fathers thought themselves the only representatives of the Church. Without the pope's support for the council's rulings, they were not the entire Church.³³⁷ Gill seems to be drawing on the thoughts of the Decretists here. A council is supreme because it consists of the pope surrounded by council fathers.³³⁸ Since Eugenius did not attend Basel, or support its decrees, it lacked papal prestige. More specifically, though the Church was given protection against heresy by Christ, this Church was built on the apostles and Peter at its head. Basel had forgotten the "rock" and the promise of guidance by the Spirit for those who have the mission to teach³³⁹ found in John 14:16-17.³⁴⁰

The failure of Basel is also lamented by scholars like Biechler. To him Conciliarism's demise is a sad point in western history. With the signing of the concordats, both Conciliarism and nascent democracy were neutralized.³⁴¹ Biechler's view has its merits. Basel could have represented a new age for the Church, an age where all members had a voice in the governance of Christendom. Basel also represented local communities, resisting the pull held over them by Rome. Roman interference in local and national affairs was rejected. But Basel did not recognise that they needed to maintain the

³³⁶ Crowder, 36.

³³⁷ Gill, 209.

³³⁸ Tierney, 49.

³³⁹ Gill, 209.

³⁴⁰ John 14:16-17 (NRSV) "¹⁶And I will ask the Father, and he will give you another Advocate, to be with you forever. ¹⁷This is the Spirit of truth, whom the world cannot receive, because it neither sees him nor knows him. You know him, because he abides with you, and he will be in you."

³⁴¹ Biechler, 5.

support of the European princes and instead sought to govern and legislate on their own without giving anything to their monarchs. Eugenius and Nicholas V did not miss such an opportunity. They utilized their authority to produce treaties with kings who ensured support for papal authority thus demolishing Basel's promise of democratic and national leaning governance for the Church.

Pope Nicholas V

Under Nicholas V, the papacy was in the hands of a master of diplomacy. Nicholas bargained with secular rulers to gain their support.³⁴² Concordats gave the monarchs an increased role in the governance of ecclesiastical appointments and affairs in their territory. The Pope recognized national sentiments and decided to support such policies. This removed the threat of councils.³⁴³ The Pope dealt directly with princes which ensured their allegiance. "After 1450, the medieval papacy enjoyed an Indian summer..."³⁴⁴ according to A. J. Black, albeit this use of monarchical support over the council was a dangerous alliance, one which fueled the reformation, which was heavily dependent on sovereign support.³⁴⁵

Nicholas V, the first of the Renaissance popes, was left with the task of reconstructing Rome. After years of decay, and lack of leadership to upkeep the city, Nicholas had the large task of rebuilding and cleaning Rome. With Felix V deposed, the Pope's objective was to recentralize Rome in Christendom.³⁴⁶ Nicholas undertook this by

³⁴² Black, 126.

³⁴³ Ibid., 127.

³⁴⁴ Ibid., 129.

³⁴⁵ Ibid., 129.

³⁴⁶ Torgil Magnuson, "The project of Nicholas V for Rebuilding the Borgo Leonino in Rome," *The Art Bulletin* 36, no. 2 (1954): 89.

declaring a Holy Year in 1450 to celebrate the return of the papacy to Rome and the deposition of the Anti-Pope Felix V. More importantly, however, a Holy Year ensured an increase in revenues. Christians were offered indulgences for visiting Rome. Furthermore, once in the city, people would donate money to the Church, as well as provide other forms of income since the Church ran all of the hotels and amenities in the city.³⁴⁷ Such an event led to a monetary source to fund the papal restorations.

After the death of Nicholas, Callistus III (1455-1458) was elected. Callistus was not interested in humanism or architecture like Nicholas and, therefore, spent most of his resources combating the Turks. Constantinople had fallen in 1453 and the Pope was worried about the effects this would have on Europe.³⁴⁸ Upon Callistus' death, however, Pope Pius II (1458-1464) was elected. Pius was a great humanist and perfect case study for the Conciliarist movement.

³⁴⁷ Magnuson, 108.

³⁴⁸ Duffy, 184.

Chapter 5: Aeneas Piccolomini – Conciliarist to Pope

In 1458, Aeneas Sylvius Piccolomini was elected pope. He took the name Pius II, a pun on Virgil's pious Aeneas. His pontificate focused on two major issues: the protection of Christendom from the Turks and the patronage of his family and beloved Siena. Piccolomini's reign was challenged, however, by his youth, which was marked by pornographic literature, sexual liaisons which resulted in children and his strong support for Conciliarism at the council of Basel. The papacy of Pius II was not as successful as it could have been, but his astuteness with regards to religious and political authorities and the choices he made helped him reach the height of Christendom as pope. His justification for his early life can best be summed up from a letter he wrote to his father in 1443. In it he says: "The poet, however, wished to indicate that with the advance of age, the vigor of the soul which is alight in youth flickers, but is inclined more to vices than to virtues. In older people, the soul is purified, seeking only honest things..."³⁴⁹ Pius managed here to encapsulate his own life. As he stated, in his youth he made poor decisions which he regretted in later years when he grew in knowledge and proximity to God and faith. This proximity to God allowed him to see, according to Pius, the errors he made in supporting Conciliarism.

A look at the life of Piccolomini can help shed light on Conciliarism. Like with the case of Nicholas of Cusa, Aeneas began his life as a supporter of the conciliar movement. As he aged and became more acquainted with the workings of Basel he began to see the benefit of Rome, both for his personal career and for his patrons. This chapter

³⁴⁹ Aeneas Sylvius, *Reject Aeneas, Accept Pius: Selected Letters of Aeneas Sylvius Piccolomini (Pope Pius II)* trans. Thomas M. Izbicki, Gerald Christianson, and Philip Kreg (Washington: The Catholic University of America Press, 2006), 162.

will briefly examine the life of Aeneas and his relationship, or lack of relationship, with Conciliarism. Piccolomini's was a very active individual and constantly moving; therefore, the analysis of his many experiences provided here is anything but exhaustive.

Aeneas' Early Life (1405-1431)

Aeneas Sylvius Piccolomini was born in October 1405 to a once wealthy Sieneese family.³⁵⁰ His home town was known as Corsignano, to later be renamed Pienza in his honor. As he grew, the parish priest began to teach him Latin and by the age of eighteen he moved to Siena to further his studies.³⁵¹ He received a humanist education which sparked his love of letters.

Aeneas had two major influences in Siena. Mariano Sozzini, was the first individual who exposed Aeneas to humanism. Piccolomini claims "he absorbed the great heritage of classical literature- the grammarians, poets, orators, historians, moral philosophers and letter writers."³⁵² St. Bernardino of Siena was another influential person. It is said that St. Bernardino's preaching lead Aeneas to consider becoming a priest and joining the Franciscans but that he was dissuaded by his friends and Bernardino himself, who told Aeneas to continue his studies as an academic.³⁵³ Aeneas did continue his studies and focused on civil law. Eventually he lost his taste for legal matters and began to write. His major works included the love poem *Cynthia*, but the majority of his texts did not survive. From 1429 to 1431 Aeneas traveled leaving no

³⁵⁰ Sylvius, *Reject Aeneas*, 9. The former wealth of Aeneas' family is most likely false and propagated by his supporters. There was an attempt to also link the Piccolomini family to Rome, which many scholars reject. Cf. Serge Stolf, *Les Lettres et la Tiare: E.S. Piccolomini, un Humaniste au XV^e siècle*, Études et Essais sur la Renaissance ed. Mireille Huchon (Paris: Classiques Garnier, 2012), 20-21.

³⁵¹ Sylvius, *Reject Aeneas*, 10.

³⁵² *Ibid.*, 12.

³⁵³ *Ibid.*, 13.

evidence of where he went. It is assumed by many scholars that he went to Padua and Ferrara.³⁵⁴

The Council of Basel (1431-1440)

In 1431 Piccolomini took part in the Council of Basel. This council led Aeneas to develop his first ideas of Rome and the papacy. At the council, Aeneas met many members of the clergy and theologians. As a writer, he changed patrons and acted as secretary for those attending Basel. As with most humanists of the day, when the patron could no longer pay, Aeneas would look for new employment. Piccolomini's talents allowed him to work with different bishops and provide service for countries like Germany, Italy and Scotland.³⁵⁵

The Council of Basel was becoming more and more an opposition to Rome and the papacy. But Aeneas, unlike other Cardinals and Clergy, like Cusa and Cesarini, decided he would stay and support the council.³⁵⁶ Looking back on his decisions to remain loyal to Basel, Pope Pius argued that all he heard was "Council! Council!" and that "As the teachers are, so usually are the students."³⁵⁷ The young Aeneas truly believed in the Conciliar cause. When Pope Eugenius was deposed by Basel, and Felix V elected as pope, Aeneas wrote two works in favor of general Councils. The first was entitled *Two Books of Commentaries on the Proceedings of the Council of Basel*³⁵⁸ and the second was called *The Book of Dialogues Concerning the Authority of a General Council*. Both of these works supported councils above the authority of the pope, and would forever haunt

³⁵⁴ Sylvius, *Reject Aeneas*, 14.

³⁵⁵ *Ibid.*, 18.

³⁵⁶ *Ibid.*, 21.

³⁵⁷ *Ibid.*, 398.

³⁵⁸ *Ibid.*, 24.

Pius who experienced difficulty convincing theologians and supporters of councils, especially in Germany, that he was in error.³⁵⁹

Conciliarist to Neutrality (1440-1445)

Aeneas' shift from Conciliarist to a neutral stance, most likely began with the rise of Frederick III as Holy Roman Emperor. Frederick claimed neutrality on the matter of Council versus Pope, and gave Aeneas the title of Poet Laureate. Whether or not Aeneas really changed his mind about the Council is unclear. It would seem that he only chose a position of neutrality because of Frederick. Aeneas even left the Council with Frederick and went to Germany to work in his court.³⁶⁰ Aeneas' change of heart could be seen as a shift for survival. A job in the Royal Court would expose Aeneas to scholars and members of the European hierarchy; it was in his best interest to accept the job. The Emperor's neutrality most likely influenced Piccolomini's new found neutrality, especially since Aeneas' earlier works showed such ardent support for the Conciliarist cause.

It is quite apparent that Aeneas did not like Germany. He was homesick and made many poor personal decisions. In Germany he slept with a woman and got her pregnant. A letter written to his father, addressed Piccolomini's father's rebuke for the sin of having a child outside of marriage. Aeneas shows how his homesickness may have affected his choices. He describes what attracted him to the girl: "I was attracted to her neither because of her beauty nor her age, but rather because she knew Italian very well

³⁵⁹ Sylvius, *Reject Aeneas*, 25.

³⁶⁰ *Ibid.*, 26.

and greeted me in Tuscan.”³⁶¹ Indeed Aeneas was homesick and missed Italy; so much so, that he slept with the first woman to greet him in his dialect. The remainder of the letter argues that the child Piccolomini conceived with the woman was not a sin but a natural act. He scolds his father for his rebuke:

“Father, you write that you are uncertain whether to rejoice or to mourn that the Lord has given me progeny. Although I see the cause for joy, I do not see one for sorrow. What is sweeter for a human being than to beget someone similar to himself, both to extend his bloodline and for you to have someone to leave behind?... If my birth was a joy to you, Father, why should my son not be a joy to me?... But you say I should bewail my crime—that I begot my son in sin. I do not know what opinion you have of me. Certainly, you begot no son of stone or iron being flesh yourself...I do not see why sexual intercourse ought to be condemned so much – it is broadly compatible with nature, which does nothing wrongly. In lovers it arouses this appetite so that the human race will be continued.”³⁶²

His position on sex and having children outside of marriage may have been against Rome and her orthodoxy, but the reality was that many clerics and popes during this time had children and grandchildren. It was a part of the clerical norm, or at least the reality. Many villages would not even accept priests that did not have mistresses for fear that they would seduce and sleep with their wives.

³⁶¹ Sylvius, *Reject Aeneas*, 161.

³⁶² *Ibid.*, 159-160.

While in Germany Aeneas also became close friends with Kaspar Schlick (1396-1449), Chancellor to Emperor Frederick. This friendship facilitated Aeneas' move to the papal camp. Schlick wanted his brother to have a bishopric and Aeneas suggested that Schlick should look to Rome and not the Council.³⁶³ Basel was chaotic and Piccolomini most likely saw the benefits of Roman centralization for this particular case. This, however, did not mean that Aeneas was fully converted into a papist. Kaspar's brother was finally given a Bishopric by Eugenius, not the council or Anti-Pope Felix V, and this shifted the tide for Aeneas. The Emperor now began to support Rome since Eugenius offered benefits. Aeneas did not fully shift to the papal camp, though he began to take steps to heal the rift.³⁶⁴ In his letter to Cardinal Juan de Carvajal, Aeneas degrades the council and its members. "It does not please me that grooms and cooks speak in the assembly...I do not approve when they themselves do not observe the decrees that they make."³⁶⁵ Again, as in previous instances, the change of heart may have occurred out of necessity. If the Chancellor of the Emperor, and Aeneas' chief ally, shifted to the papal camp it was in Aeneas's interest to do the same. If he did not, he may have found himself without employment and would have lost all the prestige and power he had accumulated through his friendship with Kaspar. It may also have been the disarray of the council which irritated Piccolomini. He had not been prepared for the lack of control at Basel, nor the input provided by cooks and other non-educated individuals. Such contributors must have disturbed the Humanist greatly.

³⁶³ Sylvius, *Reject Aeneas*, 34.

³⁶⁴ *Ibid.*, 35.

³⁶⁵ *Ibid.*, 174.

Around the same time as he was suggesting that Schlick should look to Rome, Aeneas wrote another letter to Sigismund of Austria. Aeneas was responding to a request for love poems made by the Duke and replied saying:

“To send you someone’s love letters by which you could persuade a virgin, whom you love, that she should be led to love you. Perhaps another would deny this to you. Fearing lest you fall, I decided to comply. For I know the condition of human life, since whoever does not love in adolescence loves later in old age, in which time he is derided and is a joke to the crowd since that age is inept at love.”³⁶⁶

Can this be seen as a supporter of love, or a lover of patrimony? Although Aeneas was in the service of the Emperor, it could have been seen as a good move to help the Archduke of Austria, Sigismund of Tyrol, who would one day possibly give Aeneas benefits. Piccolomini appears to have been quite interested in the topic of love. He authored *The Two Lovers* during this period as well as other pornographic works, many of which he later attempted to suppress.³⁶⁷

The Two Lovers was an erotic text written in Latin, and had a large readership. Between 1483 and 1500 over thirty editions of the text were printed.³⁶⁸ The tale is concerned with two individuals, Eurialus and Lucretia. Eurialus was in the visiting party of Emperor Sigismund when he went to Siena. There he met Lucretia, who was married. After the exchange of passionate letters Lucretia agreed to allow Eurialus to enter her chambers. The following day, the young lover was to leave for Rome with the Emperor,

³⁶⁶ Sylvius, *Reject Aeneas*, 180.

³⁶⁷ *Ibid.*, 34.

³⁶⁸ Stolf, 153.

but he was first made to promise to Lucretia that he should return to her. Eurialus did not return to the woman and she was heartbroken.³⁶⁹

From erotic literature to a deep Christian faith, Piccolomini's shift was directly associated with his acquisition of a Bible. In 1444, Aeneas wrote to his friend Johann Tuschek asking for the holy book. This request should be seen as one of the final steps for Aeneas' conversion to the papal camp. Not because the Bible itself inspired Piccolomini to support Rome, but because it marks the start of Aeneas' maturity with respect to religion. In his letter to Johann he says:

“Already I have grown old. Worldly literature does not attract me anymore. I wish to plunge into the depths of the gospel and drink there that water which keeps him who imbibes it from tasting eternal death...Since I am a lover of literature, I do not know how to please God other than through literary activity. Since the Bible teaches the rudiments of divine literature. I want to have a Bible.”³⁷⁰

This loss for love of worldly literature can be directly linked to Aeneas's aging. His ideas of what he should read seem to have changed. The Bible was far from his erotic novels but Aeneas seems to have shifted his ideology looking to God and scripture for guidance.

By 1445, Aeneas went to Rome and asked for forgiveness from the Pope. Forgiveness was granted and Aeneas finally sought ordination.³⁷¹ When Eugenius died and Nicholas V was elected as pope, Aeneas made the right political moves and received

³⁶⁹ Sylvius, *Reject Aeneas*, 154.

³⁷⁰ *Ibid.*, 205.

³⁷¹ *Ibid.*, 39.

benefits from Nicholas. He was appointed bishop of Trieste in 1447³⁷² and in 1456 he was created a Cardinal by pope Calixtus III.³⁷³ Upon the death of Calixtus, Aeneas entered the Conclave as a possible successor of Peter.

Aeneas Elected Pius II (1458-1464)

The most descriptive account of the 1458 conclave comes from Aeneas' *Secret Memoirs of a Renaissance Pope*. In it he describes how a French cardinal was trying to make deals to ensure his own election as pope. Aeneas managed to convince the other cardinals that it would be a bad idea to select a Frenchman as pope and used the Avignon papacy as a scare tactic.³⁷⁴ Once Aeneas gained the support of the majority of the conclave, a French Cardinal hoping to become pope realized he was about to lose the Throne of Peter. Fearing this Piccolomini recounts how his opposition tried to remove Cardinal Colonna, who was about to cast the final vote for Aeneas, from the room so that he could not cast his ballot. "When he [Cardinal Prospero Colonna] persisted in his intention, they tried to get him out of the room by force, resorting even to such means to snatch the papacy from Aeneas."³⁷⁵ Whether or not this actually took place cannot be known, but it was accepted that Cardinal Colonna played the role of king-maker and his vote won Aeneas the papacy.

Aeneas chose the name Pius II; the editors of *Reject Aeneas, Accept Pius* explains that the choice of title for their collection of the Pope's letters was a play on the dual nature of his name. "On the Pius side, to represent his spiritual journey from Council to

³⁷² Sylvius, *Reject Aeneas*, 44.

³⁷³ *Ibid.*, 49.

³⁷⁴ Aeneas Sylvius, *Memoirs of a Renaissance Pope: The Commentaries of Pius II* trans. Florence A Gragg (New York: Van Rees Press, 1959), 83.

³⁷⁵ Sylvius, *Memoirs*, 87.

Pope and on the ‘Aeneas’ side, the worldly youth he felt compelled to explain.”³⁷⁶ The election of Pius brought joy to the crowds. According to Pius there were many interpretations of who exactly was elected. Many believed other cardinals to be pope and Pius emphasized that only their personal friends were happy, “but when it was certain Aeneas had been seated on the throne of Peter, there was no one who did not rejoice.”³⁷⁷ Such an assessment most likely has a bias slant to it; however, it is clear that many in Germany, including the Emperor and Chancellor would have been pleased with the election of their old friend. The friendship would allow for peace and a possible ease in the relations between Pope and Emperor, especially after years of conciliar threats and the previous Emperor’s, Sigismund, policies towards Rome.

Pius’ first act as pope was to address the Turks and their growing expansion. He began by writing a letter to Mehmed II. Pius emphasized to the Muslim conqueror of Constantinople that it was not in his interest to turn against Western Europe since they would form a united Christian front against him.³⁷⁸ Instead the Pope argued that Mehmed should accept baptism and be recognized by Muslims and Christians as the emperor of the East.³⁷⁹ It is clear that such a conversion would not occur, and Mehmed rejected the idea.

The Pope next turned to the Congress of Mantua, which was set up to address the issue of Muslim advance into European territory. The choice of Mantua, which is far from Rome, shows the initiative Pius was taking. He was willing to leave his territory to ensure his initiatives were to take shape. Serge Stolf, author of *Les Lettres et la Tiare*,

³⁷⁶ Sylvius, *Reject Aeneas*, 50.

³⁷⁷ Sylvius, *Memoirs*, 88.

³⁷⁸ Stolf, 386.

³⁷⁹ Sylvius, *Reject Aeneas*, 51.

also emphasizes that the Congress was not a council or related to Conciliarism in any respect. It was a meeting of lay princes with the Bishop of Rome to decide on how to address the Turks in the East.³⁸⁰ The Congress had poor attendance. So in 1464, Pius decided to lead Christian forces himself against the Turks. He reached Ancona and waited for a Venetian fleet; the fleet arrived late but just in time for Pius to pass away. He never managed to launch a crusade against the Turks and died trying. This end to Pius' life was in a way foreshadowed by his *Memoirs*. After his election Cardinal Johannes Bessarion (1403-1472) told Pius that he did not receive the votes of all cardinals at the start of Conclave because of his gout and the need for a strong pope to lead a crusade. "The reason we did not vote for you was your infirmity. We thought your gout the one thing against you; for the Church needs an active man who has the physical strength to take long journeys and meet the dangers which we fear threaten us from the Turks."³⁸¹ Could these words have led Pius to pick up the cross and go on crusade? It was likely that he would have wanted to keep Christendom united and fight off the Turks. Since no one was responding to his call for crusade, it was more likely that he thought the princes of Europe would follow his actions if he led the charge. But gone were the days of Urban II (1088-1099). Nationalism and the self-interests of princes no longer lent themselves to the idea of a united Christendom. Instead, as was seen with the council of Basel, focus was being placed on local affairs and a Roman call to arms was not taken as seriously. The papacy after all had been depleted through schism and council.

Although a crusade was Pius' major papal initiative, he also gave his family patronage. He appointed his nephew a Cardinal, who would later become pope Pius III

³⁸⁰ Stolf, 350.

³⁸¹ Sylvius, *Memoirs*, 87.

(1503), though only for a few months. He also gave benefits to Pienza, building a papal palace there and having Rodrigo Borgia and other cardinals make palaces. His objective was to make Pienza a summer residence for the curia. Pius was responsible for the canonization of St. Catherine of Siena who came from his beloved Siena. Though Catherine was canonized by the Pope for patronage to Siena, this does should not remove from the importance of Catherine's work and thoughts in the Church.

Throughout his papacy Pius was plagued by his past. Many in Germany questioned Pius' views and statements on Conciliarism. In an attempt to squelch these critics, Pius promulgated the "retraction bull" in 1463 in defense of his new found piety. In it he argued that he made mistakes in the past and those were made in youthful bliss and misguidance. He proposed that he chose to listen to the council because its members were older and wiser than he was, and that they were also feeding him false information about Eugenius.³⁸² When he changed to the side of Frederick and saw that Frederick was not able to recognize the Anti-pope Felix, the young Aeneas began to question his choices.³⁸³ "As an actor in lesser matters and not in holy orders when we were employed among those at Basel who claimed to make themselves a general council and to represent the universal Church, we wrote to you a certain book...in which we approved those things about the power of a general council..."³⁸⁴ These views he then linked to his conversion, which was reflected by St. Paul. "We sinned waywardly like Paul [cf. Acts 7:55-8:3] and unthinkingly persecuted the Church of God and the Roman See. For this reason, prostrate before the eyes of divine mercy, we pray most humbly, "Remember not

³⁸² Sylvius, *Reject Aeneas*, 398.

³⁸³ *Ibid.*, 399.

³⁸⁴ *Ibid.*, 393.

the sins and offenses of my youth.”³⁸⁵ Pius went on to argue that the Church was a regime that needed a hierarchy. That the Pope was the head of Christendom and all must look to him for guidance. The Pope was “governor and judge of all: the Vicar of Jesus Christ”³⁸⁶ Pius then told his readers that if they looked to his old doctrines and writings which spoke against the Church, they should ignore them. “Follow what we now say. Believe the old man more than the youth; count not the private man of more value than the pontiff. Reject Aeneas; accept Pius!”³⁸⁷

The life of Aeneas Sylvius Piccolomini was one of great change. In youth he lived as a man of the world, he studied humanism and loved letters. He fathered illegitimate children and worked against the See of Rome. As he aged he turned more and more towards the Papacy and finally became pope himself. As pope he attempted to launch a crusade that did not work and brought about his death. Although this should not be held against him because no pope in the Renaissance was able to successfully launch a crusade against the Turks. But more importantly, decisions he made in his youth hurt him as pope. He constantly had to justify his former actions and beliefs and that harmed his papal rule more than it helped. In reality, Pius must be seen as a flip-flop diplomat. He supported the Council of Basel because he was employed there; he then switched to neutrality because he received benefits from the Emperor, who took a neutral stance. Finally, when Rome gave the Chancellor and Emperor what they wanted, a bishopric for Heinrich Schlick, Aeneas had no choice but to follow his patrons into the Roman Camp. This shifting attitude and view worked out well for Aeneas because he managed to work his way right to the seat of Peter. Once there, however, no one would have wanted to give

³⁸⁵ Sylvius, *Reject Aeneas*, 394.

³⁸⁶ *Ibid.*, 395.

³⁸⁷ *Ibid.*, 396.

up authority and even if Pius was still a Conciliarist at heart, it would not have been in his interest, nor would he want to give up his authority to a Council.

Yet, Pius can be seen as perfect example for the fate of Conciliarism. While he remained an avid Conciliarist in his youth, with age and the sometimes chaotic events at Basel over its eighteen year period, Piccolomini found himself changing his views on Church governance. The council was important in solving the schism at Constance, but at Basel it produced another schism in the person of Felix V. Those supporters of the ordered and restrained Constance became dismayed by the ability of cooks and cleaners to vote for pertinent theological matters. Add to this the lack of decision making, like in the case of Greek unification, and it becomes apparent that Roman centralization was looked upon favorably. This was seen in Aeneas' recommendation to Schlick to seek Roman support for his brother's bid to become a bishop. Nicholas of Cusa also shared in this view; shifting his allegiance due to numerous causes, including his own self interest and Basel's inability to produce any results for those seeking its support, while Rome could. This was what broke Basel, it was what led Nicholas, Aeneas and Emperor Frederick to the Roman camp, and such a reality led Aeneas the Conciliarist to become Pius the Pope.

Conclusion

While Conciliarism faded away by the mid-fifteenth century, residue of the movement remained throughout the Reformation. An even greater revival of some of these theories arose in seventeenth century France in the form of Jansenism.³⁸⁸ Nonetheless, there are important ecclesiological and theological implications of this movement that merit consideration. For example, can *Haec Sancta* be applied today? Can Constance and Basel be used as a template for re-unification between the Eastern and Western Church? It is essential that these two issues be briefly examined at this point.

Legacy of Haec Sancta

The 1415 decree from Constance claimed that all of humanity, including the pope, required obedience to a general council.³⁸⁹ The question arises as to whether *Haec Sancta* still holds authority today and is the Catholic Church subject to this decree? According to Helmut Riedlinger, conciliar decrees, even if defined as dogmatic, are not always permanent fixtures within the Church.³⁹⁰ They sometimes represent historical periods and issues facing the Church at that time. This would mean decrees are not perpetual, but limited to certain events and times.

Haec Sancta was quickly written to deal with John XXIII who fled from Constance. Zabarella seems to have opposed the decree, mostly because of the vague language it used. Such language, Zabarella most likely recognized, would give rise to

³⁸⁸ Cf. William Doyle, *Jansenism: Catholic Resistance to Authority from the Reformation to the French Revolution*, Studies of European History. Edited by Richard Overey (London: Macmillan Press LTD., 2000).

³⁸⁹ Brian Tierney, "Hermeneutics and History: The Problem of Haec Sancta" in *Essays in Medieval History Presented to Bertie Wilkinson*, 354-370, eds. T.A. Sandquist and M.R. Powicke (Toronto: Toronto University Press, 1969), 354.

³⁹⁰ Tierney, "Hermeneutics," 355.

issues concerning its interpretation. The Cardinal, out of necessity, however, was forced to accept the wording and pass the decree.³⁹¹

With such vague language and possible hesitation by Zabarella, can we consider *Haec Sancta* valid? According to Joseph Gill it is not. Gill's argument against the decree goes as follows: the Council of Pisa was not a general council since it did not have large representation. Since Pisa elected John XXIII he could not truly have been pope at the time. Constance was summoned by John XXIII and though Gregory XII, the Roman claimant, eventually did convoke Constance as well, this only took place on July 4, 1415. *Haec Sancta* was promulgated on April 6, 1415. Therefore, this could not have been a true decree since Constance was not a general council when it produced the decree. Constance had no authority at that point³⁹² and more specifically, no pope ever confirmed *Haec Sancta* explicitly.³⁹³

To reject Pisa, according to Brian Tierney, is a theological and not a historical proposition. Tierney notes that many lists of popes, for example, list Alexander V as a true pope and he was elected at Pisa. Rodrigo Borgia, Pope Alexander VI (1492-1503), chose his name with a clear recognition of the Pisan elected Pope.³⁹⁴ Tierney also believes that *Haec Sancta* was enacted for immediate ratification and not to be approved later on by a pope. This would mean, even if no pope ever ratified the decree, it was still valid since Constance presented it as such.³⁹⁵ To accept Gill's argument one must also recognize Gregory's resignation and the idea of the unbroken Roman line. Since Gregory resigned and was not deposed by the council, Rome can propose that their papal claims

³⁹¹ Tierney, "Hermeneutics," 357.

³⁹² *Ibid.*, 358.

³⁹³ *Ibid.*, 359.

³⁹⁴ *Ibid.*, 359.

³⁹⁵ *Ibid.*, 360.

were continuous and unbroken. Tierney rejects this theory as unhistorical. The year 1415 is haunted by the uncertainty concerning who was truly pope.³⁹⁶ Therefore, all claimants are questionable.

Haec Sancta was needed to bring order back to the schismatic Church. The general council required authority over the true pope, no matter who claimed such legitimacy. Whether Gregory XII was true pope “in the eyes of God” was not “relevant to the issue”³⁹⁷ according to Tierney. This point must be rebuked. While Tierney presents solid historical analysis of the councils and Conciliarism, his rejection of theological implications is astonishing. *Haec Sancta*, or the councils, should never be separated from theology. The issue of papal legitimacy is extremely relevant. To reject this notion means overlooking the real problem facing the Church. Zabarella, who knew the Church must maintain a head to avoid becoming heretical, would never have separated the decrees of Constance from the theological components of the schism. While it may be difficult to identify the legitimate pope in 1415, it is not an issue which should be rejected due to theological implications. Rome, accepting the rule of Gregory, can continue to claim their line was not broken. Nor was the Roman claimant removed by a council.

Tierney also rejects any theological debate on the validity of the Council of Pisa. Once again, his historical approach fails him. The validity of Pisa, as Gill has pointed out, is essential for the acceptance of Constance and *Haec Sancta*. While the historical approach benefits the understanding of what occurred at the council, it does not do justice to the individuals who partook in Pisa and Constance, nor does it aid in the interpretation of those events in modern theological discourse. We should be wary of separating the

³⁹⁶ Tierney, “Hermeneutics,” 361.

³⁹⁷ *Ibid.*, 362.

theological from historical significance during such a major event in the life of the Western Church. Such rejection would make this a purely political occurrence and that does injustice to the true situation facing those at the council. Zabarella would have had a true fear for the Christian faith; not only a political agenda which should be given value.

There are obviously some theologians who present solid arguments against Gill, like Hans Küng. *Haec Sancta*, to Küng, is a true decree because Constance is universally accepted as bringing an end to the Great Schism which means all conciliar successes and rulings must be valid. Martin V and Eugenius IV also accepted all the decrees put forward.³⁹⁸ The decree, however, is not dogmatic and does not require belief. Instead, it is legal document requiring obedience.³⁹⁹ *Haec Sancta* was not designed to remove all papal power. Instead it wanted “the general council to have a regular role, in association with the pope, in the great task of reforming the Church...”⁴⁰⁰

The Council of Constance, furthermore, was a special situation in the eyes of Tierney. *Haec Sancta* did not intend for general councils to always function independently. Constance had to deal with three papal claimants, but future councils and decrees would have a single legitimate pope working in tandem with the sitting council.⁴⁰¹ “A historian might sum up the position of the fathers of Constance by suggesting that they had reached the same stage of constitutional thought as leaders of the English parliament in 1641...”⁴⁰² *Haec Sancta* envisaged a form of constitutionalism. Tierney’s assessment is here well founded and balanced. Constance sought a relationship

³⁹⁸ Tierney, “Hermeneutics,” 362.

³⁹⁹ Ibid., 363.

⁴⁰⁰ Ibid., 366.

⁴⁰¹ Ibid., 367.

⁴⁰² Ibid., 369.

between pope and council for the governance of the Church, one which would prevent heresy and ensure the success of the Church Christ built on the rock of Peter's faith.

Ecumenical Dialogue: Unification with the Orthodox Churches

The Council of Ferrara-Florence managed to reunify the Latin and Greek Churches, though only for a limited time. While there are many theological differences, especially concerning the Eucharist and the role of the Spirit in the Trinity, general councils may be useful for a rapprochement between the two sides. The Byzantine Church views general councils as superior. Councils hold ultimate doctrinal authority. Matthew 16's "Tu es Petrus" did emphasise Peter's special place, but the Orthodox Church sees it as a shared faith held by all apostles, therefore, all apostles are to be seen as the "rock."⁴⁰³

Who would have authority to summon such a council for both East and West? In the past, the Byzantine emperor was responsible for the call to council, but there no longer exists emperor to do so.⁴⁰⁴ Byzantine canon law also emphasises the emperor's role to summon and publish decrees of the general council. The emperor does not vote; therefore the integrity of the bishops is maintained.⁴⁰⁵ Conciliarists in the West looked to Sigismund, the Holy Roman Emperor, to give validity and support to Constance and Basel.⁴⁰⁶ But a council could indeed be called to by both pope and patriarch of Constantinople, since there lacks an imperial figure to do so today.

⁴⁰³ Geanakopolos, 315.

⁴⁰⁴ Ibid., 315.

⁴⁰⁵ Ibid., 317.

⁴⁰⁶ Ibid., 316.

Overall, Conciliarist ideals may have had some derivation from the east, since similar concepts do exist there.⁴⁰⁷ Crusaders, Franciscans and Dominican missionaries brought back information concerning the governance of the Churches in the East and these ideas could have been adopted by the West.⁴⁰⁸ Since Conciliarism is similar to the Orthodox views of Church governance and mutual respect exists between Catholic and Orthodox concerning their apostolic succession,⁴⁰⁹ the West may look to conciliar ideas of governance to reach a unification of God's Church.

Conclusion

Conciliarism should not be interpreted as a heresy that sprouted up in the fourteenth and fifteenth century due to a power vacuum left by the Great Schism. Instead, it was an ecclesiological response to a crisis within the Church. Conciliar theories derived from historical precedents like the councils of Nicaea (325), Constantinople (381) and Chalcedon (451), canon law, the *Decretum Gratiani* (12th century), the Decretists who interpreted Gratian's work, the Decretalists who supported the papal monarchy and the Canonists studying at the great universities of Bologna and Padua (13th century).

Constance and Basel presented themselves as nascent democratic movements. Their views concerning the governance of the Church were clear. The pope resided at the head of the ecclesiastical hierarchy, but his role was that of a rector or judge, who was to govern within the decrees of general councils. This limitation on the pope, however, was not radical in nature. General councils were not to take place without the true pope. While Constance occurred under dramatic circumstances, including three papal

⁴⁰⁷ Geanakopolos, 316.

⁴⁰⁸ Ibid., 317.

⁴⁰⁹ Ibid., 325.

claimants, future general councils would take place with a single pope at the head of the Catholic Church. This would mean all decrees produced would, in theory, have the pope's input. The papacy was to use the council as a form of parliament, seeking the advice of his bishops in the governance of the universal Church.

Along with this democratic leaning, a form of nationalism is clearly present in the background. With an increased role for bishops, local matters are taken into consideration. Rome may not have always been privy to the plights of local Churches and individuals, therefore, along with the Conciliar idea of greater representation within the Church, a limitation of papal reach was also being proposed. Rome was to be limited in her dealings with local jurisdictional matters and more power given to local Churches in regards to legal and administrative affairs. Such reforms embodied a national sentiment, especially those produced at Basel, where popular voting and evidence of strong support for decentralization originating from the lower echelons of the Church's structure.

Successes of Conciliarism

Conciliarism managed to end the Great Schism and bring unity back to the Western Church, even if just for a few decades.⁴¹⁰ It also tried to reduce papal authority, which had gotten over inflated by the Late Medieval period. Constance and Basel attempted to give power to the people. Such attempts are nothing but admirable. While the medieval Church is generally seen as a monolith with papal hegemony governing every aspect of daily life, Conciliarism shows such an interpretation of the middle ages is backward thinking. The Church was not a single body being governed from Rome, it was

⁴¹⁰ The Reformation will begin in 1521 with the excommunication of Martin Luther. This will cause a split within the Western Church that still exists today.

an amalgamation of different individuals, orders and chapters all working together to maintain the Church founded by Christ. Nonetheless, dissent did exist, democratic and national sentiments did fuel calls for changes in governance. Conciliarism foreshadowed movements in France and England seeking increased representation of the people and a limitation of the powers of the monarch. Without a doubt, nascent democracy and nationalist inclinations can be found in the late middle ages, a time overlooked by many and it is found in the most unlikely of places, in the Catholic Church.

Failures of Conciliarism

While conciliar proponents present great ideas for a new ecclesiology, their theories are difficult to apply in real life. The council of Basel became too radical. The voting method selected caused chaos. Decisions were not able to be made on key issues, such as a meeting place for an attempted unification with the Greek Church. This inability to reach consensus led to the abandonment of the council by key figures like Cardinal Cesarini, Nicholas of Cusa and Aeneas Piccolomini. The radical nature of the council and their election of Felix V also led to a decrease in the support of monarchs who previously propped up Basel. While Germany and France remained neutral, the loss of support from the princes of Europe did nothing to aid in the legitimacy of general councils.

Conciliarism was also faced a stronger and more centralized opponent. The papacy under Martin V, Eugenius IV and Nicholas V was nothing like the divided authority of the three claimants at Constance. Through diplomatic skills these popes managed to act fast and in favor of the princes. Using concordats, the papacy managed to

latch on to national sentiments and hand over benefits to monarchs with regards to local Church governance. The popes also began appeasing the kings of Europe in all matters. This ensured that the nobility were more willing to work with Rome, which produced beneficial results, compared to Basel which lagged in action and caused division.

The great propositions of Constance and the hope for more representative governance of the Church were lost due to Basel's inaction on central issues of importance. The dream was ended. Aristotle was possibly proven right in this case; the best form of government was monarchy. A single ruler at the head of the Church was beneficial for the rulers of Europe who could work with the pope in order to gain all the benefits they needed. Democracy was unreliable and possibly dangerous. Conciliarism was not to be supported over the authority of Rome and the papacy, at least not for now.

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