

THE CONCILIAR MOVEMENT IN RECENT STUDY¹

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TWO years ago at the International Historical Congress in Rome (1955), I heard a well-known professor refer contentedly to the Conciliar Movement as "un petit nuage sur l'horizon". A little cloud the size of a man's hand, it may be recalled, sent Elijah running before Ahab's chariot to the entrance of Jezreel. King and prophet had to make their best paces before the oncoming storm.

It was the king, not the priest, who came off best as the result of the councils. Such is the opinion of Mgr. Hubert Jedin, writing the introductory chapter to a celebrated work. The ultimate beneficiary of the Church councils of the fifteenth century was the modern state.² The failure of the councils to secure any general measure of reform left it to the local monarchs to make, through their own churches, bargains or compacts with the Holy See. The councils, therefore, Dr. Jedin regards as helping to establish the Renaissance monarchy. There are plenty of examples: the concordats made by the Papacy with the several nations at the end of the Council of Constance; the memoranda and discussions at the Diet of Nuremberg in 1444 showing the bargains which the German princes proposed to strike through their policy of neutrality;³ the Pragmatic Sanction of Bourges and the later Concordat of Bologna between Leo X and Francis I (1516);⁴ the Concordat of Vienna between Pope Nicholas V and the Emperor Frederick III in 1448.⁵ Yet to

¹ A lecture delivered in the John Rylands Library on Wednesday, the 11th of December, 1957.

² *A History of the Council of Trent*, trans. A. Graf, i (1957), 21.

³ See especially *Reichstagsakten*, VII, 2, i, nos. 165, 168, 175.

⁴ A. Mercati, *Raccolta di Concordate tra la Santa Sede e le autorità civili* (1919), p. 233.

⁵ Text in Altmann-Bernheim, *Urkunden zur Verfassungsgeschichte Deutschlands*, p. 142. An English version is given in S. Z. Ehler and J. B. Morrall, *Church and State through the Centuries* (1954), pp. 125-31.

view thus in perspective the concordats and agreements made by the various secular powers with the Holy See should not be allowed to belittle the achievement of re-establishing unity in the Church, when it seemed so difficult to convene a council at all, nor the great and prolonged effort at producing measures of reform. The councils, whether they are judged to have failed or not, at least provided a European sounding-board for grievances felt within the Church, while the treatises and schemes they evoked have taken a permanent place in the literature of reforming thought.

Over twenty-five years ago in this same library I attempted to review some of those efforts and treatises from the English point of view.¹ It had long been the custom to undervalue this country's effort in the councils and to misjudge their importance on the grounds that they were a venture of the academic spirit in politics. Certainly, in so far as personnel is concerned, this view finds little support in recent studies. The dissertations of Dr. Christopher Crowder (Oxford, 1953) and Dr. A. N. E. D. Schofield (London, 1957)² on the English delegations at Constance and Basel respectively have shown that in the two carefully balanced and highly distinguished representative groups attending, academics by no means predominated, and that, as far as policy was concerned, the influence of the Crown, when exercised, and of the secular church at large was of much more significance. One may add that university representatives throughout the councils, however important individually, were in a minority in their nations. Active and vocal Paris professors, men like Simon Cramaud, Pierre d'Ailly or Jean Courtecuisse, leaders in the national councils of 1398 and 1406, were churchmen first and foremost, and if they expressed themselves in the terms of the schools, this was because such language was the normal vehicle of serious argument. If, however, it is meant that conciliarism failed because the thinkers of the movement lacked the experience enabling them to

¹ "Some English Documents of the Conciliar Movement", *BULLETIN*, xv (1931), 358 f. Dr. Ullmann has recently added important testimony on the attitude of Cambridge University to the Schism, *Journal of Theological Studies*, new ser., ix. i (April, 1958).

² In doctoral theses so far unpublished.

understand how powerful was the weight of custom and vested interest both in the Roman Curia, in the exempt houses and the greater cathedral chapters, there is something in the contention ; so is there for the view long ago expressed by Dr. Neville Figgis, when he thought that the failure of the Conciliar Movement to restrain the Pope permanently or to further the growth of federalism in the Church provided a justification at once of the reformation and of ultramontaniam :

of ultramontaniam on one side, for there must apparently have been some grounds for absolute monarchy either in the nature of political society or in the condition of the Christian Church, for the Papal monarchy to triumph in so overwhelming a fashion over a movement so reasonable and so respectable, supported by men of such learning as Gerson and Zabarella . . .

We now know more of the theoretical " grounds " ;¹ and more about the weakness and the strength of curial administration which the clergy were always criticizing but could not do without.

What Figgis perhaps did not fully realize was the complexity of the diplomatic situation within which the councils had to work, its far too inveterate character ; account has to be taken of the strength of the alliances formed by the two sides in the Anglo-French war ; the determination of the French kings to support the adventures of their cadets and relations in Italy, and the resolution with which the German monarchy under Sigismund set about asserting its function as advocate and protector of the Church, determined to put the word *sacrum* into *imperium* again.² Given these diplomatic constants, now more familiar through the work of French scholars like Noel Valois, Victor Martin, Edouard

¹ W. Ullmann, *Medieval Papalism* (1949), ch. iv, deals in particular with the plenitude of power. For a realistic assessment cf. its growth, cf. essays of Fr. Stickler and Mgr. Maccarrone in *Sacerdozio e Regno da Gregorio VII a Bonifacio VIII*, ed. F. Kempf (Misc. Hist. Pont. xviii, Rome, 1954). For the canonist contribution, see especially Brian Tierney, " Ockham, the Conciliar Theory and the Canonists ", *Journal of the History of Ideas*, xv (1954), 40-70 and bibliography.

² Egged on by publicists like Dietrich of Niem, whose *Viridarium Imperatorum et Regum Romanorum* (ed. Lhotsky and Pivec, Stuttgart 1956) glorifies on historical grounds the position of the Emperor vis-à-vis the Church. For Dietrich's use of sources, cf. K. Pivec, " Das imperium in den Privilegien und im *Viridarium* ", *Neue Forschungen zu Dietrich von Niem* (with H. Heimpel), (Nachrichten der Akad. d. Wiss. in Göttingen), 1957.

Perroy and Michel de Boüard, we have now a more proportioned picture of these international Councils established to restore the unity of the Head, the purity of the Faith and the reform of the Curia and the Church alike.

First, if they were not always inflamed by charity, the leaders of the council had both faith and hope. They believed that the Church had within itself the power to restore its own life and that that restoration came through an act of sovereignty derived from the consent of the faithful as a whole : and that that consent was conveyed through representatives meeting in a General Council. Of late a Cambridge graduate, Dr. Brian Tierney, has made a notable contribution to the history of Conciliar ideas by arguing that they sprang as much from the lawyers of the Church as from the professed theological publicists.¹ The emergence of the Schism, its long duration and the necessity for ending it, raised fundamental questions about the nature of the Church. Much of this speculation had been anticipated in the twelfth and thirteenth centuries, as Dr. Tierney shows from the glosses on the *Decretum* from Huguccio to Johannes Teutonicus and Bernard of Parma. Was the "Roman Church" to be identified with the whole body of the faithful? Was it *ecclesia totius mundi*? Or was it a particular local church having primacy over the others? To Huguccio for instance it was clear that the Roman Church, understood as the Pope and the Curia, could not be the Church that was to endure for ever "unwavering in faith and unstained by sin". The distinction can be found in Dietrich of Niem's first (1410) edition of his *De modis uniendi et reformandi ecclesiam in concilio universali*.² On the relations of Pope and Council, heresy is the one crime mentioned in the text of the *Decretum* justifying the punishment of the Pope by the Universal Church; but notorious crimes might also go into the category of heresy, and the canonists of the last generation before the Councils treated many crimes as such. But the most interesting problem concerned the Pope and Cardinals; for, as Huguccio

¹ *Foundations of the Conciliar Theory*, Cambridge, 1956. For the early decretist period, cf. John Watt, "The Early Medieval Canonists and the Formation of Conciliar Theory", *Irish Theological Review*, xxiv (January, 1957), 1.

² Dietrich von Niem, *Dialog über Union und Reform der Kirche, 1410*, ed. H. Heimpel (1933), p. 6.

concluded, during the vacancy of the Holy See the Cardinals might act as one, in place of a head.

In certain cases, when the Papacy was vacant, it was maintained that the Cardinals might summon a general council, and the *Glossa Palatina* goes as far as to assert that the Pope alone was actually incompetent to establish a general law for the whole Church, and that such enactments were valid only when approved by the Cardinals. It is important, as Dr. Tierney reminds his readers, to regard the speculations of the early canonists as speculations and as suggested principles for this or that case, not as authoritative opinions altering or modifying the law. And there are times when, perhaps, he may not himself have fully recognized the rather experimental, even exceptional, nature of the glosses. The most characteristic speculation, however, concerned the structure of a medieval ecclesiastical corporation.¹ Can corporations act when the rectors (as in the case of universities) are missing? Or where they are present, have the members as well the right to consent? With an ecclesiastical chapter, should the consent of the canons be required when any vital interest of the whole corporation was involved? Hostiensis thought so: in the matter of alienations, for instance, he pointed out that their special consent was necessary even in the case of property pertaining specially to a bishop, since bishop and chapter together formed a single corporate body which suffered as a whole from any loss.² Naturally the theory of the corporate unity of bishop and chapter raised difficulties. How was the consent to be expressed? Did it require the consent of all or of the *maior et senior pars*—and so forth. From the chapter, it was possible to advance to the theory of the whole Church as a corporation, and indeed the concept of the Church as the Mystical Body of Christ did not frighten the canonists, since the idea of the *Corpus mysticum* had been associated with the definition of the Church as a *universitas fidelium*. In such a body, what should the position of the Pope be? Here one may recollect the view of Hostiensis that the head of a corporation was its principal part, enjoying an authority greater than that of any single member of the corporation, but not greater than that of all the members together.

¹ Tierney, ch. ii.

² Tierney, pp. 122-3.

In the fourteenth century the conflict of figures in Church and State, Boniface VIII and Philip the Fair, Lewis of Bavaria and John XXII aroused speculation about the doctrine of the plenitude of power and the jurisdiction of the supreme pontiff. One subtle and far-seeing publicist, John of Paris, maintained that the jurisdiction of a Pope was conferred by the whole Church, and several times asserted that the Cardinals acted on behalf of the Church. In general, his work, as Dr. Tierney rightly states, "provides by far the most consistent and complete formulation of Conciliar doctrine before the outbreak of the Great Schism".¹

This conclusion and many of the theories found in the Decretalists formed part of a corpus of liberal or "progressive" thought on the subject of authority in the Church which had been built up as the result of study or controversy. It was entirely loyal to the Papacy as an institution, but it was critical and "constitutional", inclined, where reform was concerned, to start everything at the Curia itself, instead of with the chapters and corporations. That it should be used effectively and decisively when the Great Schism, dragging itself out, provided the occasion and the opportunity, is in great part due to the brilliant synthesizing mind of Cardinal Zabarella. It is the achievement of Dr. Walter Ullmann (for which all conciliar historians should be grateful) to have pointed in his book on the *Origins of the Great Schism* (1948), precisely to those passages in Zabarella which seem to have stressed the fundamental point that the Schism is a matter of faith, and that in dealing with such a context, the synod is greater than the Pope. He also calls attention to Zabarella's definition of the Roman Church as *non solus Papa sed ipse Papa cum cardinalibus, qui sunt partes corporis Papae*:² "Not only the Pope, but the Pope with the Cardinals who are part of the Pope's body." And, says Zabarella, "if there arises discord between Pope and Cardinals, it is necessary to convene the Church, i.e. the whole congregation of catholics and the principal ministers of the faith, the prelates, who represent the whole congregation".³ Zabarella, Dr. Tierney concludes, "was able to unite the discordant theories of the

¹ Tierney, p. 177.

² Ullmann, op. cit. p. 203.

³ Ibid. p. 210.

earlier canonists by applying the concepts of corporation law not only to the relations between Pope and Cardinal but between Pope and Council, and also to the status of the Cardinals themselves in relation to the Universal Church". Inspired by the urgent necessities of his own day, Zabarella had clothed the bare framework of Decretalist corporation theory with all the complex details of an integrated theory of Church government.¹

Let us turn to the councils themselves. The printed authorities for the Council of Pisa are normally studied in the large volumes of Mansi (XXVII) and Martène and Durand. They are drawn mainly from epistolary sources and semi-official *Acta*. On the eve of the last war a friend and pupil of Heinrich Finke who like his master had worked long and fruitfully in the Crown archives of Aragon put the study of the council on a secure footing by re-editing, with new source material added, the hitherto unpublished version of the *Acta* made by three scholars, Erler, Finke himself and Schmitz-Kallenberg; and by an analysis of letter-books and registers hitherto unused. Dr. Johannes Vincke's extracts from the letters mainly concern the preliminaries of the Council.² A register of "out" letters was kept by the seceding cardinals of Gregory XII, ever since the time when, wearied with the delays and procrastination of their master, they separated themselves from him and set up their headquarters, first at Livorno and later, with Florentine assent, at Pisa. Besides this register they kept another containing their letters of summons to the European powers and high church dignitaries; a selection of the answers received from the summoned, and of the letters accrediting representatives to the forthcoming council at Pisa; and a group of documents emanating from the Council itself, including a collection of proofs made for the process against Gregory and Benedict. These registers are for the most part preserved in three manuscripts in the Vatican library: Ottobono Codex III, Vatican Codex Latinus 4172 and its derivative 4171. In addition there are new examined registers nearly contemporary, preserved at Berlin, Danzig and at Eichstädt, and the very important

¹ Tierney, pp. 236-7.

² "Acta Concilii Pisani", *Römische Quartalschrift*, 46 (1941), 1-331.

contemporary register of "out" letters from the Signory of Florence preserved in the *Archivio di Stato* there.¹

These documents enable us to trace more clearly than before the resistance of both Gregory XII and Benedict XIII in 1408-9 to the proposed council and their determination, in response to the summons to Pisa issued by the Cardinals, each to hold a General Council on his own, Benedict at Perpignan, Gregory somewhere (though this was left vague) in northern Italy. Both pontiffs had considerable support, Gregory in King Rupert of Germany, in Hungary, in Venice and in Charles Malatesta at Rimini: Benedict in the kingdoms of Aragon and Castile and among certain sections in France; as well as in Scotland. The letters show the cardinals striving to the utmost to convince the European powers that the council was necessary. They even asked the local collectors to finance the representatives of the ecclesiastical provinces in their district who were going to the forthcoming council: *provideatis de necessariis in suis expensis*,² for which sums, they blandly say, when unity has been achieved, we will make the new undoubted pontiff or his chamberlain or other relevant officials responsible. In other words, the local collectors were to put up the money for travelling expenses until the new régime had taken over. Florence, however, when asked to put up a thousand guilders replied that "considering we are in the obedience of Pope Gregory it does not appear honorable to make this innovation at present".³ Meanwhile Cardinal Peter Philargi of Milan pressed the university of Paris to urge upon the French king that Gregory XII must resign. Letters also went out to the doge telling him of the cardinal's vain endeavours to secure an audience with Gregory XII.⁴

Fresh accounts are to be found of the approach to both the Popes by supporters of the Council. Benedict, surrounded by his cardinals, was interviewed at Perpignan on 6 November 1408. Four of the cardinals had originally written to him from Livorno, on 14 July, but no direct reply had been forthcoming. He gave his answer now on a paper document, replying that the letters just

¹ Johannes Vincke, *Briefe zum Pisanerkonzil (Beiträge zur Kirchen- und Rechtsgeschichte*, i, Bonn, 1940), pp. 8-10, 239, and nos. 18, 19.

² Vincke, p. 95-6.

³ *Ibid.* p. 97.

⁴ *Ibid.* pp. 101-2.

presented to him by William Sanhete on the cardinals' behalf contained much that was otherwise in fact. Benedict said that he proposed to answer the cardinals' missive and to deal with "other things pertaining to the unity of the Church" in a general council to be celebrated immediately.¹ The council was, in fact, celebrated. Gregory XII was more polite, but no less obstinate. The register records the visit to him at Rimini on 28 February 1409 of three envoys of Henry IV who were the king's accredited representatives at the Council of Pisa: they were the Abbot of Westminster; Sir John Colville, a king's knight already possessed of considerable diplomatic experience; and the papal auditor, Nicholas Risshton, a Lancashire diplomat much employed by Henry IV. Risshton was a product of Wykeham's school at Winchester, whence he passed to New College. He had been employed on difficult negotiations in the Low Countries in 1400-1.² The envoys were to persuade Gregory to come to the Council of Pisa and there resign. Colville began with an eloquent speech in Italian, a point specially noted by the Pope in his reply. The abbot then taking as his text *coadunate senes et congregare parvulos*, and "proceeding very deliberately and elegantly on the matter of union, exhorted the Lord Gregory to condescend to come to Pisa"; then the auditor, on the text *Audi nos domine*, "used many varieties of persuasive arguments in asking the lord Gregory to come to Pisa to the General Council and there renounce his right as the letters of Henry IV had urged him to do". Gregory thanked the ambassadors for the speeches; after which he gave a long account of what had happened: how he had laboured for union and how he was originally disposed to go to Pisa: but his final resolve was that he would not go, "and this for several reasons which he professed himself ready to expound to the ambassadors orally or in writing". And as regards his resignation or renunciation, he replied that all his intention was to reunite the Church of Christendom; "but because, as he said, God knows that it was not his responsibility that union had not been effected,

¹ Vincke, p. 117.

² For Risshton and Colville, see J. H. Wylie, *History of England under Henry IV*, iii. 369-73.

he therefore declared that a council must be celebrated which should contain all ways in itself (consider all methods of securing unity) and that the ambassadors should deem it a special grace given by God, if the general council to be lawfully summoned by him should take account of all expedients for union".¹ Details of Henry IV's intervention have hitherto been lacking. It would be interesting to know if he or his ambassadors were acquainted with Gregory's discreditable sale of Papal lands to King Ladislas.

The ambassadors, not content with this, pressed him to answer Henry's inquiry: would he go to Pisa and resign? He replied that when he had read the king's letter, he would readily reply. In fact he stalled, just like Benedict. He still had hopes of arousing sympathy. He wrote a letter to Bishops Hallum and Chichele, representatives of the province of Canterbury to the Council of Pisa,² to be received by them on the way. He had heard that they were going to the council, to prevent the Church of God being trodden underfoot by the iniquities of those already gathered at Pisa (i.e. the cardinals who had forsaken him). He asked them to inform themselves of the attitude taken up by the envoys of the king of Hungary, the doge of Venice, the orators of the king Rupert and by Charles Malatesta.³ At the same time Gregory did not cease providing to sees and religious houses, and the cardinals had to inform the chapter of Ratisbon, for instance, that the see must not be filled for the time being.⁴ The register shows that the Viennese representatives at Pisa were assiduous in reporting back to the university: in the end, after Alexander V had been elected, their letter to the University finished by describing

how the said supreme pontiff and the cardinals displayed favour towards the said university. And therefore our representatives have advised that as quickly as possible a roll (of graduates for promotion) should be sent to the Pope.⁵

Back to the old system of rolls and papal provisions! All that can emerge from a council partly dedicated to reform is a return to the practice of petitioning the Curia which Dietrich of Niem was to criticize so severely at Constance.

¹ Vincke, pp. 175-6.

² For their commission, cf. *ibid.* pp. 135-8, which includes the Prior of Christ Church, Canterbury.

³ Vincke, p. 193.

⁴ *Ibid.* p. 199.

⁵ *Ibid.* p. 208.

The publication of a text of the *Acta* from the earliest notaries' materials has given the Council of Pisa a clearer orientation. The Council can now be seen for what it was, a legal process conducted against the *contententes* for the crime of schism which, because of its long duration, had passed into heresy. It is *causa scismatis et fidei*. In the early stages the advocates, the promoters and the notaries are formally nominated and approved for the case. The parties are *legitime requisiti, vocati et provocati ad causam*. The chief advocate, Simon of Perugia, asks, perhaps a little prematurely, *Deest igitur materia heresum?*¹ The promoters get all preliminaries and the documentary evidence together, produce evidence that the parties had been summoned: the envoy who had to present the summons to Gregory XII at Siena alleged that he could not serve it himself for fear of death, so deposited the letter on the high altar of the cathedral church.² At the third session the cardinals who had left Gregory at Lucca and had gone to Pisa presented a report (*relatio*) which was read by the Cardinal of Aquileia.³ Thrice the contending parties were summoned at the entrance of the cathedral of Pisa, and after the third time the certificate of contumacy was affixed to the doors. Meanwhile the Cardinals adhering to the contentents were summoned and proceeded against, as contumacious also. At the fifth session the *libellus* containing an account of the measures taken by the contentents to hinder union was read in the Council.⁴ Already a dissident element had appeared in the persons of the envoys of King Rupert of Germany, who presented a *memoriale* giving a pro-Gregory view, but did not urge that it should be immediately discussed.

It is clear that with the sixth session (30 April 1409) the main phase of the Council opened, introduced by the "notable sermon" of Robert Hallum in the pulpit of the cathedral, on the theme *Justicia et iudicium praeparacio sedis eius*. The text was carefully chosen, Hallum said that he had come

nomine et pro parte dicti domini regis [Henry IV] et eiam dominorum prelatorum denique regni illius [England] et tocius ecclesie Anglicane cum sufficienti

¹ *Römische Quartalschrift* 46, p. 99. The other conciliar advocate appointed was Ardicino de Novara.

² *Ibid.* p. 107.

³ *Ibid.* p. 119.

⁴ *Ibid.* pp. 134-5.

et necessaria potestate ad omnia concernentia factum desiderate unionis et hoc presens concilium.

to do what it or the greater part of it should define and ordain and that the supreme desire of the said lord king is that in this sacred business the council should proceed justly and lawfully and by practical means.¹

Iuste et legitime ac modis utilibus. The next stage (24 April) accordingly was the examination of witnesses, and a large part of the notaries' accounts is given up to the *informaciones et probationes super hiis que proposita et allegata fuerunt*. Various clerks with legal training were appointed for receiving the testimony and examining the witnesses, who are all carefully named. The English envoy of Henry IV, Dr. Nicholas Risshton, was one of those appointed.² He is here described as auditor of the sacred palace, canon of Salisbury. As a witness to the misdeeds of Gregory, Richard Dereham, chancellor of Cambridge, played a considerable part.³ Each of the witnesses was questioned on the thirty-seven articles charged against the two contending popes, to which further articles were added, on 18 May and later.⁴ Dereham testified to the charge of collusion between the two popes in refusing to repair to a common meeting-place: he was also present in the church of Lucca when Gregory created cardinals, but they, Dereham said, *a paucis ut cardinales reputabantur*. The names of the examining and examined are given with great care and only two other Englishmen can be traced as participating in the enquiry; the Abbot of Westminster and Sir John Colville both gave evidence about Gregory's refusal to obey the summons.

The *Acta* are notarial minutes, business-like, with few attempts to judge the actors. Rupert's chief emissary, Ulrich, bishop of Verden, is however alleged to have stated in his address to the Council

aliqua minus vera in facto et in verbo capciosa, frivola, dolosa et scandalosa ad turbandum, impediendum et infamandum, quantum in eo fuit, sacrum concilium.

The bishop, without waiting for the answer which the canonist

¹ *Römische Quartalschrift*, p. 137.

² *Ibid.* pp. 142, 169. He sat with the abbot of Poggibonsi and fr. Thomas de Firmo, O.P.

³ *Ibid.* pp. 231, 248, 257, 262. Risshton examined him on articles 10-17, 19, 20, 22-8.

⁴ *Ibid.* pp. 184-5.

Petrus de Anchorano was about to give on behalf of the Council, "illicentiatus cum suis recessit". The minutes are first and foremost concerned with propounding the legal procedure followed by the Council. Thus the amalgamation of the two colleges and the withdrawal of obedience from either pope had to be declared "canonical and legitimate" ¹ (8th session), by the Patriarch of Alexandria (Simon Cramaud) and Bishop Robert Hallum, standing together in the same pulpit, before the Council could proceed to final verdict and sentence. Reform was relegated to the very end, and the only information given about it here is private and unofficial, from the 21st session on 27 July 1409. This amounted to very little: and it is possible that Henry IV's anxiety on this account may have been perfectly genuine.

The light cast upon the Council of Pisa by these registers is frontal and direct. More oblique a beam, though no less revealing, is thrown from central and eastern Europe upon the great assembly met at Constance from the late autumn of 1414 until the spring of 1418. Constance, famed for its decrees *Sacrosancta* and *Frequens* was the most populous and the most effective of the General Councils: effective not for what was finally concluded, but for the ventilation of grievances as well as of celebrated causes. That a really comprehensive programme of reform was not forthcoming, that in the end most of the *avisamenta* or recommendations of the reforming Committee had to be abbreviated and battered down into the concordats of the individual nations with the newly unified Papacy, are familiar facts: what is less known and hitherto has been less studied is the relation of the Council of Constance to the problems of central and eastern Europe, to the reforming movement which covered more than Bohemia, to the desire of the excluded for closer community with the West. The older Christendom is being looked at with critical eyes from a new angle. This is the position emerging from more recent studies of the intellectual and political agitation in central Europe in the first half of the fifteenth century.

The diplomatic scene is dominated by two great influences, the one familiar, though it has not been fully studied in its

¹ *Römische Quartalschrift* 46, p. 150.

general European bearings, the other little known, but of the highest importance ; the Anglo-French war and the ferment in central and eastern Europe, all the country within or just without the Slavonic border-land. Political changes here are startling enough. The union of Poland and Lithuania under the Jagiellonian dynasty, the resistance offered by Poland to the Teutonic knights, the Hussite movement, the beginnings of the Muscovite kingdom after the defeat of the Tartars, all show that, in spite of internal disagreements between these Slavonic kingdoms, east-central Europe was consolidating itself and arresting the German pressure to the East. Poland and Bohemia were being lost to the Reich. Partly racial, partly religious causes were at work behind these assertions of Slavonic independence. Poland, though in no way disposed to unite with Bohemia, had similar grievances, social, economic and moral, against her existing régime. The administration of governmental affairs by the king and nobles became increasingly difficult as more and more taxes and services were pre-empted by wealthy monasteries and other Church foundations, and in Poland, as elsewhere, the problem of the apportionment of tithe was of great importance.¹ The ferment was not only political. It was a writer originating from Polish Cracow who voiced some of the sharpest criticisms of conditions within the Church before Hus arose in Bohemia. This was Matthew of Cracow who died in 1410 ; a prominent member of the University of Prague, an eminent preacher before Church synods, who wrote a discussion anticipating in certain respects the position of Hus, called *A Conflict of Reason and Conscience*, about the nature and use of the sacrament of the eucharist. More important was his pre-reformation tract (if indeed it was his) *De Squaloribus Romanae Curiae*, which castigates the abuses of simony, laxity of morals, and the introduction of unworthy candidates into the priesthood, raising doubts about the validity of their function as priests. Poland was much affected by the precursor of Hus in Bohemia, Mathias of Janow, who argued for the more frequent communion of the laity and more general direct study of the Bible.

¹ Margaret Schlauch, "A Polish Vernacular Eulogy of Wyclif", *Journal of Ecclesiastical History*, viii, no. 1 (April, 1957), 55.

The orthodox theologians of Prague who were later to attack Hus were also known in Poland, especially at the University of Cracow where the famous Czech theologian Stefan Palecz was Professor (1418-22) and ended his life in Poland. Palecz had originally been an adherent of Hus, but was to pursue him fiercely after 1408. Wyclif's philosophy had a considerable influence in Cracow, especially the *De Universalibus*, which was a counterblast to the nominalism of Ockham. Two manuscripts of the Wyclif text were preserved in the University library at Cracow.¹

Professor Margaret Schlauch of the University of Warsaw has printed a Polish vernacular eulogy of Wyclif by Master Andreas Galka of Dobczyn, an out-and-out Wycliffite in the middle of the fifteenth century. Cracow, Professor Schlauch thinks, was the spot auspicious in the fostering of an iconoclastic thinker. On the one hand there was the knowledge of a successful egalitarian revolution, social and religious, in a neighbouring country by Hus's followers, which had strong ties of kinship with the Wycliffite Lollards and the poor priests; on the other hand consciousness of the division within the Church, the struggle of Pope against Councils. The grievances and the projects for reform discussed at Basel all favoured latitude of criticism in Cracow and elsewhere.² At the Jagiellonian court there was quite exceptional tolerance of religious opinions, yet it is not such influences to which it is worth drawing attention here, but rather a theological plea made in the interests of the Polish people for the struggle of that country against the Teutonic knights.

Among the Polish delegation, incorporated in the German nation at the Council of Constance, were men charged with the duty of presenting the case of Poland against the Teutonic order. The main duty fell upon Paul Wlodkowic of Brudzen, rector of Cracow University, who came to the Council as envoy of the king and representative of the Jagiellonian University.³

¹ Schlauch, *op. cit.* p. 57. ² Schlauch, *op. cit.* p. 60. Cf. K. Morawski, *Histoire de l'Université de Cracovie* (Paris, 1905), esp. pp. 135 f., for the Canon Law at Cracow.

³ He has been specially studied by Mrs. U. Goble, "The Case of Poland against the Teutonic Knights at the Council of Constance" (University of Oxford thesis, 1957) ch. 3, to which I am much indebted. The main monographs are those of T. Brzostowski, *Pawel Wlodkowic* (Warsaw, 1954), and L. Ehrlich, *Pawel Wlodkowic i Stanislaw ze Skarbimierza* (Warsaw, 1954).

Włodkowiec, originally educated at the University of Prague, Master of Arts in 1393, went with his colleague, the theologian Lascaris (also to appear at the Council) to the University of Padua (1404) where he studied law under Zabarella, who had been teaching there since 1391. From Zabarella Włodkowiec must have heard the doctrines of toleration which he applied later to the Polish problem in his own work. Włodkowiec could not afford to be promoted to the Doctorate of Law at Padua and had to return to his own country and take the degree at Cracow. The conflict between Poland and the Teutonic knights involved fundamental questions of principle. Włodkowiec was engaged in the problem from 1411 onwards. When King Jagiello decided to take his protest against the Order to Constance, he sent the rector of Cracow to prepare a rational exposition of Poland's case before the nation, and the result was his first pamphlet *De potestate Papae et imperatoris respectu infidelium* which he offered to the German nation (of which he was a member) on 5 July 1415.¹

Two courses, he said, were open to him; either a judicial process, the decision to be given after the facts had been reported by witnesses, or a doctrinal, where general principles are discussed in the natural light of reason. Włodkowiec chose the latter and showed his keen mind in focusing the attention of his audience on the question: do pagans possess intrinsic rights or are they deprived of all claims to humane treatment, and have Christians the right to pillage them and convert them by fire and blood? Włodkowiec shows that the papal and imperial privileges to which the Order appealed are by their very nature invalid. He then gives a short summary of the history and origin of the conflict, outlining the coming of the Order to Poland and the growth and power of the knights. Even once the subjugated Prussians were quiet, the expeditions of the knights continued. Meanwhile God gave the faith to two pagan princes, one of whom became the ruler of Poland, the other of Lithuania, and the pagans who had once been the terror of Christian people now flocked to be

¹ Text in *Starodawne Prawa Polskiego Pomniki*, v. 161-85. For the date, cf. H. von der Hardt, *Magnum Oecumenicum Constantiense Concilium* (1697-1700), iv. 388.

baptized. Yet the knights attacked them even more fiercely, burning their new churches and killing Christians in their fury.¹ Wlodkowic ends his summary with the defeat of the knights at Grünwald. He now proceeds to the first part of his treatise, examining the power of the Pope in regard to the infidel in the form of eleven questions. The first of these is whether without sin, princes can expel Saracens and Jews from their kingdom and from their goods, which he answers by saying that if they are willing to live quietly with Christians they should not be molested. Especially should Jews be tolerated, since from their writings we establish the truth of our own faith.²

Such reasoning is not unlike that of St. Bernard in his letter to Eugenius III. Wlodkowic brings his argument into relation with the actual problem of the Teutonic knights, when in the second question he asks whether it is lawful for Christians to make war on infidels living peaceably in their own lands and under their own jurisdiction. In answer he quotes the discrepant opinions of Innocent IV and Hostiensis (Henry of Suso), the latter of whom denied pagans any right of ownership or jurisdiction. Innocent, however, would concede such rights, since, after the creation of man, God gave the whole world to him and the Bible contains many instances of the division of land. Jurisdiction may also arise from the law of nature, by which, for instance, a father has jurisdiction over his own family. Innocent held that possession and jurisdiction can lawfully and without sin belong to infidels since such rights are destined not only for the faithful, but for all rational creatures. In consequence it is not lawful for Christians to take these away: "because infidels possess them without sin and by the authority of God."

What then is the Pope's power over unbelievers? Following Innocent, Wlodkowic asserts that the Pope has power over all men, pagans as well as faithful; but for the occasions on which he can use this power the writer turns to the conditions established by Zabarella: if the Gentiles sin against the law of nature or if they worship idols, or, in the case of the Jews, if they raise heresies against their own law, the Pope has power to inflict penalties, and the Pope also may have power over the infidel

¹ *Starodawne Prawa Polskiego Pomniki*, v. 162.

² *Ibid.* p. 164.

ruler of a Christian people: he may command him to treat Christians under his rule well. But infidels "must not be brought by compulsion to the faith", since all men must be left in such free will and "only the grace of God avails in this vocation". Even infidels may have free will and Wlodkowic insists that it must be respected. What then is the extent of the imperial power? Wlodkowic shows that the Pope alone has the power of both swords, while the Emperor is only his minister in temporal matters. Wlodkowic reveals his familiarity with the imperial theory of Dante and of Marsilius of Padua. But the Emperor has no right to claim dominion over infidels. He has no power to occupy the lands of infidels who do not recognize his authority. One therefore infers that the privileges granted by the Emperor to the Order are null and void in so far as they relate to the occupation of the lands of the infidel. Wlodkowic then considers whether the war waged by the Teutonic knights against the heathen can be considered just. He takes the five categories set out by St. Thomas for consideration: the person, the matter, the cause, the intention and the authority involved. The person waging war should be a secular not a clerk, the matter of dispute the recovery of his own goods or the defence of his own country; the cause should be one of necessity to win peace; the intention should be one of desire for correction and justice. Having set out the theory of "just" war, Wlodkowic examines the practice of the Teutonic knights in their campaign against the heathen. Such a war he condemns on three grounds, as being contrary to civil law by which one should not molest those living in peace, to natural law according to which a man should not do to another what he would not wish to have done to himself and finally to divine law, by which one is forbidden to kill. The matter of the war is unjust since to compel infidels to accept faith by arms is against reason and against the teaching of the General Council of Toledo, and in the time chosen for their campaigns the Knights sin, for they are in the habit of beginning an expedition on the feast of Our Lady, whereas one should sanctify the Sabbath by good deeds and abstention from servile work. The interesting point about this treatise presented to the Council on 6 July, along with fifty-two conclusions by which the

audience could the more easily recognize the main principles of the case, is the use Wlodkowic makes of Innocent IV and the teaching of Zabarella.¹ The positive side he developed in the proposition that it is not lawful to attack or subjugate pagans unless for an absolute and immediate cause of faith. Letters supporting a contrary way of preaching the faith contain heresy and are void. They can give no general or special power to attack the infidels; even a religious order founded to fight against the infidel cannot do so for any special reason unless a superior power authorizes them and none appears to present itself in the present case, nor has any special apostolic permission been given. It may be added that Zabarella was a member of the commission appointed by the Council to examine the Polish case against the Teutonic knights, and must have recognized his own doctrines of toleration presented to him by Wlodkowic. The rector's work in clarifying the position of Poland in north west Europe was recognized by the expression of the king himself who called him *regni zelator supremus*, while the Teutonic knights themselves regarded him as their main adversary. But the Emperor had already made his decision before the parties arrived in Constance. Not only did he recognize the Order's right to retain Pomerania, but even enjoined the immediate restitution of Samogitia—King Jagiello was correspondingly indignant and abandoned the hopes hitherto placed in the Emperor, concentrating now on a reversal of Sigismund's sentence. For this the Poles appealed to Martin V, *tanquam ad arbitrium viri boni*.²

This is the voice of an orthodox Pole, trained in the arguments of western thought. The Polish protest against the Teutonic knights is at bottom the claim of a nation to be regarded as part of the European family. In much the same way during 1956 Hungarian intellectuals, asserting their right to believe or disbelieve the official statistics and pronouncements of the Communist party, decided to defy the bureaucratic censorship and compulsion to obey the party rules. In the following passage from Tamas Aczel's poem *Ode to Europe*, published in early September 1956, the idea is expressed :

¹ Goble, *op. cit.* p. 23.

² A. Prochaska, *Na Soborz w Konstancji* (Cracow, 1898), p. 77.

This little nation would also like to live :
 I know that it depends on us—but believe me
 We are now doing what we must.
 Europe, our common mother, we return to Thee
 Set an example, show us how,
 As you have done for centuries,
 We are one, no matter what the sages preach
 Or the priests, whose dark touch caused souls to stiffen.
 Not they but we are living,
 Europe, before whom the barriers are lifted,
 The gates are opened for millions of simple people ;
 Oh homeland, humanity, creative restless life,
 Stay with me and Thee, be with us, Europe,
 Common fate, love, work, future
 Oh, beating heart, pure truth
 To plow, to sow, to harvest, to die and rise again a thousand times.¹

Alongside Wlodkowic we may set a very different character, a Bohemian visionary, the product of the Czech claim to be allowed to obey the divine law embodied in the original Four Articles of Prague, which, in a watered-down form, were proclaimed at Iglau in 1436. About the life of Peter Chelčický very little is known. He was probably born about 1390 in Chelčice, a southern Bohemian village near the small country town of Vodnany, and Professor Bartoš has identified him with a certain Peter Záhorka, a well-to-do squire from nearby Zahorsi who was born about 1379-81. It is most likely, Mr. Brock thinks, that Chelčický was for most of his life a working farmer.² He does not appear till 1419, four years after the burning of Hus, and he may have come to Prague as an adherent of some of the tenets of the Waldensian heresy, widespread in that area. When the Czechs took arms under Žižka and the minor gentry took an important rôle in the direction of the movement he remained a non-militant, a Taborite before Tabor, disbelieving in force and asking even the utraquist theologian Jakoubek of Stríbro what sanction he had in the scriptures for warfare among the Christians. He was a young countryman standing out alone against the opinion universally accepted by his own party, even condemning the revered leader of the whole Hussite movement

¹ The poem is printed in *Soviet Survey*, No. 11 (January, 1957), p. 18.

² Peter Brock, *The Political and Social Doctrines of the Unity of Czech Brethren* ('s-Gravenhage, 1957), p. 26.

for his militant attitude. In southern Bohemia he was to stand in a succession of preachers who had already re-established a tradition of moral protest against social injustice, a fellow feeling for the oppressed, in exaltation of the humble and meek against the proud and rulers of the world. The cult of the little man, of the peasant, reminding one of the English *Piers Plowman*, was connected, in the thought of Hus's predecessors, with the attempt to renew the practice of Christian moral principles. They were primarily moral reformers involved in political questions only incidentally. Konrad Waldhauser (1326-69) inveighing against those lords who oppressed their tenants had proclaimed the moral superiority of the simple peasant; so too Mathias of Janow (1350-94), to whom reference has already been made, carried on this tradition by pointing to the early Church with its community of goods and rule by love alone as a model for contemporaries to follow. Chelčický found Wyclif himself the strongest direct influence: "none of the first doctors", he writes, "did so zealously speak or write against the poison poured into the Holy Church. . . . Wyclif has routed the hosts of Anti-Christ as well as those doctors who introduced cunning rules in the place of the law of Christ."¹ When Tabor took a militant line he broke decisively with the party, but lived on some thirty years in his little village, writing continually and preserving his independence both of Hus and of other Bohemian leaders, though he would quote Hus or Wyclif to illustrate some of his points. How a layman or a working farmer could have evolved a startlingly original social philosophy and have expressed those ideas in a literary style it is difficult to see. As Mr. Brock thinks, it was his comparative ignorance of the theological systems of the past which enabled him to draw directly from the bible, unencumbered with the philosophical and other conceptions of his contemporaries, and endowed him with independence of thought. The kernel of Christ's teaching, Chelčický wrote, the secret of His power, was His law of love; and he proceeded to describe a political Utopia placed on a historic background.² This was the foundation of the movement known as the Unity of the Czech Brethren. Its bases were voluntary and anarchical.

¹ Cited by Brock, *op. cit.* p. 34.

² Described in Brock, *op. cit.* pp. 44 f.

All government for Chelčický would seem an instrument of oppression and legalized robbery. Authority, he says, cannot exist without cruelty. If it ceases to be cruel it will at once perish of itself since none will fear it : therefore authority is far removed from love. Warfare between Christians, too, is an inseparable concomitant to the participations of Christians in the state. For Chelčický the Tolstoyan gospel of non-resistance to evil was the guiding motive. He was the opposite to a direct revolutionary. For the Christian he advised obedience to the civil authority as a matter of conscience, not merely out of fear of the consequences of disobedience ; at the same time as he condemned the whole existing social order, he preached throughout his life its conditional justification. This seeming paradox was, however, a logical development of his first principle. Orthodox medieval political theorists had granted that the institution of the State was a result of sin. Without the Fall, civil government would lose its justification. Chelčický also was ready to assent to the existence of the State, but slightly modifying the accepted view, he restricted its validity to the community of the non-Christians and the false Christians. "The foolish people who neither know God nor are under His yoke." If, however, the non-Christians and the false Christians all truly followed in Christ's footsteps it would wither away. In the meantime the remnant of true Christians must hold to their principles.¹

These relativist views of the State have been interestingly compared to those propounded by Karl Marx. Closely linked with Chelčický's rejection of civil authority was his demand for the complete separation of Church and State. He opposed the whole use of force in spiritual matters and did not agree with the action prescribed for the laity in the Articles of Prague. He was at one with the Hussites in attacking the temporal wealth of the clergy of the mendicant orders, but for him priests should only concern themselves with preaching the Gospel, relying for their safety on the example of a pure life and never calling in the aid of the secular arm. The sort of compulsory virtue which the Prague articles envisaged was worse than useless. The Geneva

¹ Brock, p. 48.

Constitution of John Calvin would have been an abomination to him. He approved conditionally the maintenance of public order by the ruler, but he is most emphatic that no Christian could himself become king. His reason should be against it, his conscience would recoil from doing many things condemned by God, but inseparable from the exercise of kingly power. The Christian has the law of love inscribed in the Gospels as his guide and that is sufficient for all branches of life.

It is not difficult to see how within a sect maintaining these principles a testing time would come. By the end of the 1480s serious disunity appeared under the influence of men like Lukas of Prague who urged compromise in the relations of the Brethren to the civil authorities and the Hussite Church, particularly over the attitude of the unity to the acceptance of authority by its members. Were men who were trying to live out the Christian gospel to permit worldly power among themselves whether actively or passively? This question became more important as the humble and unlettered men, mostly peasants with a sprinkling of artisans, who had at first formed the overwhelming majority of the rank and file brethren, were giving way to the burgess brethren, some of whom had amassed considerable wealth, and to the University-bred leaders like Lukas of Prague.

These two figures, Włodkowiec and Chelčický—and there were others less outstanding—offer some illustration of the ideas liberated in the course of the intellectual ferment in Central Europe during the fifteenth century. The study of the Conciliar movement is incomplete without an understanding of the dynamic forces face to face with the Church from a new quarter. An intellectual and spiritual central, nay even eastern, Europe was in process of formation based on the *studia* of Cracow, Vienna and Prague. Vienna, for example, was the university of Nicholas of Dinkelsbühl, the reformer, and of Peter of Pulka, the conciliar zealot and master of another notable conciliar, Thomas Ebendorfer, of whose career Alphons Lhotsky has recently given an account.¹

¹ *Thomas Ebendorfer: ein österreichischer Geschichtsschreiber, Theologe und Diplomat des 15. Jahrhunderts* (Schriften der Monumenta Germaniae Historica XV, Stuttgart, 1957).

The Bohemian visionaries and warriors, the reformers and Cromwellian saints who came to the Councils of Constance and Basel were a problem of a kind that had not occurred in the Church since the patristic centuries. At Constance the fate of Jan Hus and Jerome of Prague raised only faint interest in the French and Italian nations, though to the English the linking of Hus and Wyclif was both a necessity and a point of national humiliation. It is not surprising therefore to find Hus gaoled in the castle which was the seat of Robert Hallum, the best of the English reforming bishops. Hus was condemned largely on the strength of his *de Ecclesia*. But this treatise, as the new edition by Professor Harrison Thomson makes clear, only recapitulates Wyclif in chapters i-xi, and in chapters xii-xiii constitutes a running commentary on the position put forward by eight doctors of the Faculty of Theology on 6 February 1413. "The Pope is head of the Roman Church and the Cardinals its body" was the *Concilium*, or theological verdict; this was "a serious and cleverly written manifesto of the curial party".¹ If the basic lines of Hus's thought had been determined by 1410, his opinions were now becoming sharpened and clear cut, when, in the later phase after 1413 he was writing, at Kozí Hrádek in southern Bohemia, the treatise read in the Bethlehem Chapel in June 1413. For the Pope and Cardinals who must be obeyed Hus substituted the law of God.² This was the prologue to the military revivalism which after the martyrdom of Hus took the Czech armies into the imperial territory and threatened the structure of the whole Empire. If the Church after the victories of Prokop and Žižka, had continued to rely upon force and had declined to argue with the Hussites, the West would have suffered the greatest military disaster of the Middle Ages. But Cardinal Cesarini saw to it that good sense and solidarity of the Council prevailed over the alarmism of Eugenius IV. The Bohemians were admitted to Basel and allowed to argue their four articles, "evangelical verities" as they called them, on the understanding that the Council would not be the judge, but holy scriptures, the practice of Christ and of the early Church,

¹ *Magistri Johannis Hus Tractatus de Ecclesia* (1956), pp. xiv-xv.

² *Ibid.* pp. 127 f.

along with the councils and doctors which based themselves thereupon.

The investigation by Professor Bartoš, working in the chapter library of Prague cathedral on the collection of speeches and debates at the Council of Matej of Chlumčany, the Taborite commandant of Pisek, made for his own use, has provided new and more complete texts of the Hussite arguments and replies to their opponents. In certain cases, the version corrects or supplements those pointed by Martène and Durand, or by Mansi. In the case of Peter Payne, the Oxford academic, then chief foreign minister of the revolutionary Czech government, it is the only source which has so far come to light.¹ The speeches can now be judged as a whole, and the impression they make is noteworthy : for at Basel four men of very different background, Rockyčany an academic, a Taborite bishop Mikulas, the Taborite commander Prokop and the orphan Ulrich of Znojmo were sinking their differences in an effort to propound a formula which should represent the essential elements of the Bohemian position. These men were inspired by an idea of the Church which, deriving alike from primitive practice and from the more modern treatises of Ockham and Marsilius, departed from the hierarchical conceptions of the last five centuries and sought to restore the laity to their place in the community of the faithful. To Rockyčany and his colleagues *universitas fidelium* was no cant phrase. All these debates were in 1433. Though the Council had defied the Pope and continued in existence against papal prohibition, the testing time came when Eugenius IV had recognized its existence, but was regarded with so much suspicion for his attitude in the past and for sending papal presidents to replace Cesarini, that the anti-papalists got out of hand and passed the decree abolishing Annates (1436); as a result of which moderate conciliars like Nicholas of Cues (who had published the *Concordantia Catholica* in 1433) found that they would have to reconsider their position. What most of all made them do so was the split among the Fathers over the meeting place of an imminent Council of Union between Greeks and Latins. In the

¹ The speeches and the sources for them are discussed by me in *Prague Essays*, ed. R. W. Seton-Watson (1949), p. 92 f.

course of this, Cusanus became convinced that the Holy Spirit had deserted the assembly.

The work and scholarship of the last thirty years upon the life, writings and sermons of this great philosopher and churchman has contributed greatly to an understanding of the Council he attended from 1433-8. This study, associated with the Heidelberg edition of Cusanus and the work of Gerhard Kallen, Ernst Hofmann and Josef Koch, centres upon Cusanus's letters, sermons and treatises bearing upon the Council of Basel and his reforming legation in Germany. Both aspects of Nicholas's statesmanship find expression: the early phase, when he was still a "conciliar", writing a guarded treatise on the admission of the papal presidents at Basel;¹ and the later period (1437 onwards) when, outraged by the extremists, he was becoming the "Hercules of the Eugenians". The first instalment of the letters, published in 1942-4, includes a welcome to Cusanus from Francesco Picolpasso, Archbishop of Milan, in 1438, just after Nicholas had returned from a Papal embassy at Constantinople. The Archbishop, after deploring the tactics of the majority at Basel, congratulates Cusanus on having put up 200 ducats for the expenses of the Greeks going to the Council.² Here also can be read the striking defence by Nicholas of his having forsaken the conciliar majority and having sided with Eugenius, against the politely expressed but subtle and relevant questions put to him by a Carthusian house unspecified.³ This was towards the end of 1439, showing that the Carthusians were still working upon what they took to be the doctrines expressed in the *De Concordantia Catholica*. Nicholas had to extricate himself. He did so by emphasizing unity and general interest as the sign of a true council, whereas *schism* indicated that the Holy Spirit has departed from it. Representatives might indeed be there, but no council so divided could be truly representative of the Church which is one and undivided. By 1439 he was writing to correspondents about the *fatuitas Basiliensium*

¹ The "De auctoritate presidendi in Concilio Generali", ed. G. Kallen (*Sitzungs. d. Heidelberger Akad. d. Wiss., phil. hist. Kl.*, Jg. 1935/6, 3).

² Ed. J. Koch, *Cusanus-Texte IV*, Briefe, erste Sammlung, p. 27. The letter mentions the zeal of Filippo Maria Visconti of Milan for union with the Greeks.

³ Letter 4. *Ibid.* pp. 37-8.

and, if Dr. Koch is right in his identification, he was composing the treatise *Contra Amedistarum errorem*, his reply to the elevation of Amedaeus of Savoy by the conciliar majority as anti-pope.¹

The debates with the Hussites at Basel raised in an acute form the problem of communication: of understanding the arguments put forward by opponents and critics outside the Church. The question was how to meet them on their own ground. Scholastic methods of argument were not everywhere appreciated. Not only was there a gulf in method but one in terminology, between the thinker trained in western *studia* and (to use Bishop Pecock's phrase) the "bible-men" of central Europe. Both difficulties were experienced in the Council of Ferrara-Florence. It is from this Council that the most important recent addition to conciliar study is derived. The publication by the Pontifical Institute of Oriental Studies, under the editorship of Dr. Joseph Gill, S.J., of the Greek Acta of the Council of Florence² comprised in the thirty-four manuscripts submitted for examination is too lengthy and complicated a matter adequately to be noticed here. The complete revaluation of the sources of which I have given a summary account elsewhere³ enables the main body of the discussions at Ferrara and Florence to be seen in the right perspective. It has now become clear of what great importance were the sessions at Ferrara for revealing the fundamental differences of method employed by the two sides. If there was an atmosphere of common study in which the debates between the Greeks and the Latins were conducted, the significance attached by the Emperor's party to traditional theological terms must have been found very difficult by the Latins. On the Greek side much was taken for granted which Latin theologians, with Ockhamist training, versed in nice distinctions of theology, could not willingly accept. Latin canonists and theologians had become accustomed to comment-

¹ "Über eine aus der nächsten Umgebung des Nikolaus von Kues stammende Handschrift der Trierer Stadtbibliothek (1927/1426)", *Aus Mittelalter und Neuzeit* (Festschrift G. Kallen, Bonn, 1957), pp. 117-35.

² *Quae Supersunt Actorum Graecorum Concilii Florentini*, 2 parts (Concilium Florentinum, Documenta et Scriptores, Rome, 1953).

³ *Journal of Theological Studies, New Series*, VII, i (April, 1956), 160.

ing and glossing the acts of their own General Councils in terms that corresponded with the advance of grammatical scholarship and philosophical thought. They looked to their Eastern colleagues for a similar understanding, but they found conservatism of extreme kind. Even in recording the texts of discussions, the Greek notaries did not always understand the Latin argument and must have had great difficulty in reporting the theological discussions.

This is only one of many new points revealed by the publication of the Greek text. Even more clearly than before the predominant position of the Patriarch who died during the Council makes itself apparent and without his leadership it is doubtful whether the discussions would have reached any result.