

THE COUNCIL OF CONSTANCE



Emperor Sigismund

The Council of Constance was convoked at the instance of the Emperor Sigismund by the Anti- Pope John XXIII (one of the three popes between whom Christendom was at the time divided, not to be confused with Giuseppe Angelo Roncalli, who was elected in 1958 as Pope John the XXIII) with the object of putting an end to the Great Schism of the Western Church and bringing about

much needed reforms. This council was opened on the 5th of November 1414 and did not close until the 22nd of April 1418.

In spite of his reluctance to go to Constance, John XXIII, who succeeded Pope Alexander V (the pope elected by the council of



Anti-Pope John XXIII

Pisa), hoped that the new council, while confirming the work of the council of Pisa, would proclaim him the sole legitimate pope and definitely condemn his two rivals, Pope Gregory XII and Benedict XIII. But he was soon forced to renounce this hope.

So urgent was the need of restoring union

at any cost that even prelates who had taken an active part in the work of the Council of Pisa, such as Pierre d'Ailly, cardinal bishop of Cambrai, were forced to admit, in view of the fact that the decisions of that council had been and were still contested, that the only possible course was to reconsider the question of the union *de*

novo, entirely disregarding all previous deliberations on the subject, and treating the claims of John and his two competitors with the strictest impartiality.

Feebly supported by the Italians, by the majority of the cardinals, and by the representatives of the king of France, John soon found himself in danger of being driven to abdicate. With the connivance of the duke of Austria he fled, first to Schaffhausen, then to Laufenburg, Freiburg, and finally to Breisach, in the hope of escaping in Burgundian territory the pressure exerted upon him by the emperor and the fathers of the council.

His flight, however, only precipitated events. Sigismund declared war on the duke of Austria, and the fathers, determined to have their will carried out, drew up in their 4th and 5th sessions (30th of March and 6th of April 1415) a set of decrees with the intention of justifying their attitude and putting the fugitive pope at their mercy.

Interpreted in the most general sense, these decrees, which enacted that the council of Constance derived its power immediately from Jesus Christ, and that every one, even the pope, was bound to obey it and every legitimately assembled ecumenical council in all that concerned faith, reform, and union, were tantamount to the overturning of the constitution of the church by establishing the superiority of the council over the pope.

Their terms, however, could not fail to give rise to some ambiguity, and their validity was especially contested on the ground that the council was not truly ecumenical, since it represented at that date the obedience of only one of three rival popes. Nevertheless, John, who had been abandoned by the duke

of Austria and imprisoned in the castle of Radolfzell, near Constance, was arraigned, suspended and deposed (May 29th), and himself ratified the sentence of the council.

Pope Gregory XII was next required to renounce his rights, and this he did, with as much independence as dignity, through a legate, who previously convoked the council in the name of his master, and thus in some sort gave it the necessary confirmed authority. This was the regular extinction of the line of pontiffs who, if the validity of the election of Urban VI on the 8th of April 1378 be admitted, had held the legitimate papacy for thirty-seven years.

All that remained was to obtain the abdication of Benedict XIII, the successor of the Avignon pope Clement VII, but the combined efforts of the council and the emperor were powerless to overcome the obstinacy of the Aragonese pope. It was in vain that Sigismund journeyed to Perpignan, and that the kings of Aragon, Castile and Navarre ceased to obey the aged pontiff. Abandoned by almost all his adherents Benedict found refuge in the Castle of Peniscola on an impregnable rock overlooking the Mediterranean, and remained intractable.

At that the council proceedings were instituted against him, which ended at last on the 26th of July 1417 in his deposition. In this sentence it is to be noted that the council of Constance was careful not to base itself upon the former decision of the council of Pisa. The details of the action of the Council of Constance in renewing the condemnation of the doctrines of Wycliffe pronounced at Rome in 1413, and in condemning and executing John Huss and Jerome of Prague, is dealt with in other articles. Nor is it possible to mention here all the intrigues and quarrels that arose during three and a half years among the crowd of prelates, monks, doctors, simple clerks, princes and ambassadors

composing this tumultuous assembly, perhaps the greatest congress of people the world up to that time had ever seen.

From the outset, voting by count of heads had been superseded by voting according to nations, *i.e.* all questions were deliberated and settled in four distinct assemblies: the Italian, the French, the German and the English, who had hitherto been considered to form part of the German "nation," were recognized as a separate nation at this council for the first time, the decisions of these nations being merely ratified afterwards *pro forma* by the council in general congregation, and also, if occasion arose, in public session. These four groups, however, were of unequal importance, and thanks to this arrangement the English, although weakest in point of numbers, were able to exercise the same influence in the council as if they had formed a fourth of the voters. - the same influence, for instance, as the Italians, who had an imposing numerical force. This anomaly aroused lively protests, especially in the French group, after the battle of Agincourt had rekindled national animosity on both sides.

With the arrival of the Spaniards at Constance necessitated the formation of a fifth nation. Pierre d'Ailly availed himself of the opportunity to ask either that the English nation might be merged in the German, or that each great nation might be allowed to divide itself into little groups each equivalent to the English nation. It is not difficult to imagine the storms aroused by this indiscreet proposal; and had not the majority of the Frenchmen assembled at Constance had the sagacity to refuse to uphold the cardinal of Cambrai on this point, the upshot would



Pierre d'Ailly

have been a premature dissolution of the Council. The English, who had hitherto been considered to form part of the German "nation," were recognized as a separate nation at this council for the first time.

Another source of trouble was the attitude of the emperor Sigismund, who, not content with protecting by his presence and as far as possible directing the deliberations of the "Universal Church," followed on more than one occasion a policy of violence and threats, a policy all the more irritating since, weary of his previously assumed role of peacemaker between the Christian powers, he had abruptly allied himself with the king of England, and adopted an extremely hostile attitude towards the king of France.

The reform which the Council had set itself to effect was a subject the fathers could not broach without stirring up dissension: some stood out obstinately for preserving the *status quo*, while others contemplated nothing less than the transformation of the monarchical administration of the church into a parliamentary democracy, the subordination of the sovereign pontiff, and the annihilation of the Sacred College. In view of these difficulties, the opinion which tended to assure the success of one at least of the great tasks before the council, viz. the re-establishment of unity by the election of a single pope, finally prevailed in despite of Sigismund.

The general reforms on which the council had failed to come to an understanding had to be adjourned, and the Council contented itself with promulgating, on the 9th of October 1417, the only reforming decrees on which an agreement could be reached. The principle of the periodicity of the councils was admitted; the first was to assemble after the lapse of five years, the second within the next seven years, and subsequent councils were to

meet decennially. In the event of a fresh schism, the council, which bound itself to assemble immediately, even without formal convocation, was to remain sole judge of the conflict.

After his election the pope had to make a profession of the Catholic faith, and give guarantees against arbitrary translations. Finally, the council pronounced in favor of the pope's renunciation of the right to the movable property of deceased prelates (*spolium*) as well as of the right of procurations. The implementation of the surplus of the general reforms of the church in its head and members was left in the hands of the future pope, who had to proceed conjointly with the council, or rather with a commission appointed by the nations - in other words, once the new pope was elected, the fathers, conscious of their impotence, were disinclined to postpone their dispersion until the laborious achievement of the reform. They were weary of the business, and wished to be done with it.

In order to rebuild the see of Saint Peter on a basis now cleared of obstacles, an attempt was made to surround the election of the future pope with all the necessary guarantees. The authority of the cardinals, who were the only persons judicially invested with the right of electing the pope, emerged from the crisis through which the church had just passed in far too feeble and contested a condition to carry by its own weight the general assent. It was therefore decided that with the cardinals each nation should associate six delegates, and that the successful candidate should be required to poll two-thirds of the voters, not only in the Sacred College, but also in each of these five groups. The advantage of this arrangement was that the choice of the future pope would depend, not only on the vote of the cardinals, thus safeguarding tradition, but at the same time on the



Pope Martin V

unanimous consent of the various nations, by which the adhesion of the whole Catholic world to the election would be guaranteed. There was, indeed, a danger lest the rivalries in the assembly might render it exceedingly difficult, not to say impossible, to obtain such unanimity. But at the end of three days the conclave resulted in the election of Cardinal Otto

Colonna, who took the name of Martin (November 1417), and the *Great Schism*

of the Western Church was at an end. To conform to the decrees of the Council, the new pope drew up a project of reform with the concurrence of the fathers still remaining at Constance, and subsequently made various reforming treaties or concordats with the nations of the Council, which finally broke up after the 45th session, held on the 22nd of April 1418. To all seeming the pope had admitted the canonicity of several of the decrees of Constance - for instance, he had submitted to the necessity of the periodical convocation of other councils; but from his reticence on some points, as well as from his general attitude and some of his constitutions, it appeared that the whole of the decrees of Constance did not receive his unqualified approval, and without any definite pronouncement he made some reservations in the case of decrees which were detrimental to the rights and pre-eminence of the Holy See.