

Reform at the Council of Constance

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The Council of Constance assembled in the early fifteenth century at a time of supreme crisis in Western Christendom. The Great Schism had continued for almost forty years, and the one recent attempt to end the Schism, The Council of Pisa in 1409, had succeeded only in adding a third line of popes to the two existing ones at Rome and Avignon. Constance tackled and solved that problem, by judging and deposing two of the rival claimants and accepting the resignation of the third, then by electing a new pope, the first man in forty years to be recognized as pope by the whole church.

Today we have had several centuries to grow accustomed to a divided Christendom: many separate Christian churches, each claiming its own kind and degree of authenticity. It is therefore difficult for us to appreciate the extent to which the Schism was felt to be a tragedy. Certainly it was a great and universal scandal. All of Western Christendom was painfully aware of the division within the church and was willing to seek any effective and proper means to resolve the scandal. The details of this work of the Council need not concern us here, however, Constance has usually been studied to shed light on conciliarism, or the balance of power within the church, but in the light of later developments, the movement for reform at the Council and the problems it

encountered are at least equally worthy of attention.

Somewhat surprisingly, there has been relatively little attention to this topic of reform in the literature on Constance. The major work on it, that of B. Hübler,<sup>1</sup> was done more than one hundred years ago, well before the good critical work on Constance by Finke and others beginning around the end of the nineteenth century.<sup>2</sup> The only modern work to devote much attention to it is the volume by Delaruelle, Labande, and Ourliac in the Fliche-Martin series.<sup>3</sup> The Franzen and Muller anniversary volume on Constance from 1964<sup>4</sup> has no article in it dealing with reform as such.<sup>4</sup> The purpose of this paper is not to fill the gap but simply to survey the movement for reform at the Council and set out the chief problems it encountered.

Some preliminary comments are in order on what is meant by "reform" in the context of this paper.<sup>5</sup> There are probably as many different understandings of reform as there are persons interested in it, because each person seems to have his own notion of what Christianity is or should be. But for the purpose of this investigation, one need only examine the actual discussion of reform in the late Middle Ages. The reformers, or would-be reformers, were reasonably clear on what they meant by reform, and what they hoped to achieve.

Their chief complaint at this time was against an over-institutionalized church, one top-heavy with administration, encroaching on traditional local rights. The frequent calls for reform were calls to return to an earlier, simpler kind of church. The movement for reform included reforms on the personal level and certainly in the area of clerical morality, but it primarily focused on reforms of the system: the legal, the financial, especially the papal administrative and fiscal systems. To some extent, it

included biblical and liturgical reforms as well. But if personal salvation was seen as the ultimate end in life, thoroughgoing reform of the ecclesiastical system was seen as a necessary and prerequisite means to achieving that end, doubtlessly because the policies and practices in the church for which the papal courts were responsible were felt to be among the major frustrations on the path to salvation.

#### The Reform Movement at Constance

The Council of Constance, which met in the small imperial town on Lake Constance from 1414 to 1418, was assembled because practically everyone in Western Christendom, except possibly the three popes themselves, knew that it had to be. In a sense, it was an "all-or-nothing" attempt that simply had to be successful. Pisa had failed, and hopefully the leaders of the church had learned by their mistakes on that occasion, because Constance could not be allowed to fail. A whole generation of Christians had grown up in a Christianity that was disunited--a contradiction in terms.

The restoration of unity through restoration of the papacy was therefore the most urgent and the most important task facing the Council. But the very idea of calling a general council to settle the problems caused by the Schism had developed only slowly, meeting some reluctance at first. It was only when rival popes seemed destined to continue through their successors indefinitely, with apparently little or no intention of either reforming the Church or ending the Schism that the reform movement adopted conciliarism; the theory of ecclesiastical government which stressed the importance of the general council as a corrective to papal power or the abuse of it. And once the via concilii gained acceptance, around 1400 or shortly thereafter, it was no longer possible to imagine reform taking place

through any means other than a council. The reform movement no longer thought it was possible to have reform without a council; even Luther, 100 years later, thinks of them together. The problem was, as Constance shows, that it was possible to have a council without reform.

When the Council assembled, its purpose was seen as three-fold; three closely related goals: union, reform, and faith, i.e., the curtailment of heresy. The document from the Council of Paris in 1414 dealing with the appointment of the French deputies to the Council of Constance explicitly sees the purpose as union and reform, even though the purpose was not so stated in the bulls of convocation issued jointly by the Emperor Sigismund and Pope John XXIII. It needed no stating, for everyone who would be at the Council knew it.

So well accepted are these goals that they are explicitly stated in Haec sancta, one of the most important decrees of the Council of Constance, issued at the end of March, 1415 and promulgated on April 6:

This holy synod of Constance, constituting a general council in order to uproot the schism and to unite and reform God's church in its head and members for the praise of almighty God and in the Holy Spirit, legitimately gathered together, and to achieve more securely and freely the union and reform of the church of God, orders, decides and declares as follows:

First, it declares that being lawfully assembled in the Holy Spirit, constituting a general council and representing the catholic church militant, it has its power directly from Christ, and that all persons of whatever rank or dignity, even a pope, are bound to obey it in matters relating to faith and the end of the schism and the general reformation of the church of God in head and members....

This text, closely linking reform with the power of the council, shows who the chief spokesmen for reform were: essentially the same as the leading conciliarists. This linking of council and reform will prove to be one of the tragedies of this period.

In order to understand what happened to the reform movement at Constance, we have to look very briefly at the structure and operations of the council. What turned into the greatest assembly of the Middle Ages actually got off to a slow start. Some participants were simply delayed in arriving by the hazards of travel or other legitimate excuses, like Sigismund, being crowned, and typically in need of funds, but some were skeptical of the whole venture and waited to see if there really would be a council. Pope John XXIII had been one of the first to arrive at the end of October, 1414 and solemnly opened the council on November 5. Sigismund arrived at Christmas, and in January 1415, the number grew rapidly. Along with all the cardinals, archbishops, bishops, abbots, and leaders of religious orders and military orders that you would expect, there was strong lay representation, especially German princes and nobility, and strong representation from the universities in many professors of theology and canon law. At its largest, the Council included: 3 patriarchs, 29 cardinals, 33 archbishops, 150 bishops, more than 100 abbots, 300 to 400 lesser prelates and doctors of theology and law, all as active participants. Altogether, in the three and one-half years the Council met, thousands of persons gathered there, including so many of the influential leaders of the time.

In all there were 45 solemn sessions which were largely ceremonial and liturgical events for promulgating decrees and other decisions, and hundreds of general congregations and meetings of the nations and various committees.

From the spring of 1415, voting in the general sessions was by nations. At first there were four "nations": English, French, Germans, and Italians, then with the addition of the Spanish supporters of Benedict in 1416 and

1417 there were five. For some purposes the cardinals counted as another "nation". The nations did most of the discussing and debating ahead of time, and seemed to have the power to decide who could or could not vote in their own groups.

Much of the real work, however, was done in the many special committees established during the Council. Several committees were required to deal with Popes John and Benedict who had to be deposed. Other committees were set up to examine the cases of those accused of heresy, like Hus, and Jerome of Prague and others. Similarly, there were three committees to deal with reform.

#### The Reform Commissions

Much of the real discussion of reform took place in these committees or commissions, and of course the actual reform decrees of the Council were hammered out in these committees. It is probably fair to say that at one point or another in the course of the Council, practically all of the areas felt to be in need of reform and practically all the proposed solutions, even the more radical ones, were discussed. Why then, were not more positive results achieved? The answer to that question lies partly in how the committees worked--or didn't work. The first reform committee was set up at the end of July, 1415, following the request of the Emperor Sigismund and an offer by the cardinals to work with deputies from each of the nations, so as to continue their influence. Composed of eight members from each of the four nations and three cardinals, it met regularly for the next six months or so, but is hardly mentioned the following year.

Concern for reform was felt to be inappropriate in Sigismund's absence and only reappeared in 1417 after his return in January. Reform then played a central role in the great debate over priorities that summer, i.e., over the question of whether the Council should first

finish the work of reform, or, alternatively, elect a pope first, then handle the reform question. The cardinals, backed by most of the Italian, Spanish and many of the French nations, led the drive to have a pope elected first. The cardinals and the rest of the papalist party, ever in favor of a strong papacy, argued that it would be improper for anyone but the pope himself to carry out reform "of the head"--in capite, so a pope was necessary before reform could proceed.<sup>6</sup> Sigismund was pressing strongly for control of the papacy, and saw reform of the papacy before filling the vacancy<sup>7</sup> as one of the best ways to obtain that control. The German nation obviously supported this view, as did the English--at first.

The second reform committee, composed of five delegates from each of the five nations, with the cardinals excluded on the insistence of the Germans, was named shortly after the deposition of Benedict XIII on July 26, and worked until late September, when pressure for a papal election could no longer be resisted. Only a fragment of this committee's work has survived. The English nation, on explicit orders from King Henry, had just ceased supporting the Germans. They must have known their change of position would not only move the Council beyond its impasse, but would also effectively kill the reform movement at the Council, and it did. The motivation for the English action depended in all likelihood on political and military factors, but at the Council, in any case, the English shift to the majority position cleared the way for the election.<sup>8</sup>

According to a compromise agreement arrived at in September, the fruits of the second reform committee (and the first) were to be published by a conciliar decree and put into effect before the election coming up in November, 1417. This agreement covered all the reform decrees already approved by all the nations. These were published in the 39th Solemn



session on October 9, 1417. There were a total of five decrees on as many main points. One of them was the famous Frequens, calling for the frequent holding of a general council, at first after 5 years, then after 7, and thereafter every 10 years. In this decree the influence of the conciliarist theory as part of the reform movement is obvious:

The frequent holding of general councils is the best method of cultivating the field of the Lord, for they root out the briars, thorns, and thistles of heresies, errors, and schisms, correct abuses, make crooked things straight, and prepare the Lord's vineyard for fruitfulness and rich fertility. Neglect of general councils sows the seeds of these evils and encourages their growth. This truth is borne in upon us as we recall times past and survey the present.

Therefore by perpetual edict we affirm, enact, decree, and ordain that henceforth general councils be held as follows: the first within the five years immediately following the end of the present council, the second within seven years from the end of the council next after this, and subsequently every ten years forever, in places which the supreme pontiff a month before the close of the previous council, with the council's approval and consent, shall name or failing him, the council itself shall appoint and designate. Thus there will be a certain continuity. Either a council will be in session or one will be expected at the end of a fixed period. This period the supreme pontiff, on the advice of his brethern, the cardinals of the Holy Roman Church, may shorten in case of emergency but on no account prolong. Nor may he change the place set for the meeting of the approaching council, except for reasons of obvious necessity....

The other decrees dealt with: precautions against future occurrence of Schism; the making of a profession of faith by newly elected pope; non-transferability of higher clergy; and the suppression of spolia and procurations and reservations.<sup>9</sup>

The compromise agreement also attempted to bind the coming pope to carry out reform of "the head and members" before the council closed. In the next session, the 40th on October 30, 1417, a solemn decree covered this reform of papacy and curia by listing 18 areas needing reform.<sup>10</sup> At the same session, the decree on election procedure was published.

The third and final reform committee was appointed in November after the election of the pope, Martin V, and there is unfortunately no written record of its deliberations. It was made up of six representatives of each of the five nations, plus six cardinals, and reported a month before the Council closed, in March 1418. The work of the third committee was obviously different since it had the pope to deal with as well. In conformity to the obligation imposed on him, the new pope cooperated with the committee and individual nations. In January, 1418, e.g., he suggested several reform proposals which were sent to the Council from the committee. The pressure was on this committee to produce, but there were fantastic internal pressures and strains too. The biggest difficulty apparently was conflicting national interests. Martin V effectively hindered the committee by insisting on unanimity in its report. Finally, the reform articles which met with general acceptance were promulgated by the Council in the Pope's name in one of the last general sessions, the 43rd on March 21, 1418. Those decrees covered seven areas: exemptions; unions and incorporations; revenues; simony; dispensations; tithes and other taxes; and the life and dignity of the clergy (on dress and haircuts).<sup>11</sup>

In addition, reform measures that had not been agreed on among the nations, but which individual nations favored, were concluded separately, as concordats, between the Pope and that nation. All the concordats, except the one with the English, were for a period of 5 years, i.e., until the next council, which would continue the reform. The English concordat was to be permanent.

While not all the hopes for reform were realized in these few decrees and concordats, still the Council of Constance did some good work; it was simply not enough. And very much, or perhaps everything, would depend on the attitude and actions of the new Pope.

Martin V

What kind of man was the new Pope? He was a Colonna. The Colonnas were one of Italy's strongest families; they had been for centuries and would be down to modern times. They had produced many cardinals, including two of Martin's relatives quite recently, yet he was the first (and only) one ever to become pope.

Born in 1368, he had been a cardinal since 1405, of the Roman obedience, so he had worked with three popes until Constance. Very familiar with political and ecclesiastical life in all its current confusion, he had nevertheless avoided entanglements, although he had worked very hard to make the Council of Pisa successful. He had friendly contacts with both Gregory XII and John XXIII, whom he accompanied to Constance. He was at the Council, busy on many committees, not widely known, and had no enemies, and was therefore a genuine compromise candidate. Cardinal Zabarella might have been another good choice, if he were still alive.

Once elected, what were his priorities? Not the same as the Council, and not the same as reform movement. His chief task was to strengthen the position of the papacy, obviously enough. To reestablish the papacy solidly, he needed to return to Rome, or the Papal States, because he needed money and his territories provided him with his most secure revenue especially since the few reforms actually passed at Constance had the effect of cutting down somewhat on papal revenues. He also needed a certain independence in political and ecclesiastical matters.

He began right after his election by constructing a Curia who would carry out his work. He had enough talent from the three reunited obediences, and drew most heavily from the Avignon group, since they had

the most experience. In compliance with the reform decree, he reduced the number of officials. By some very skillfully maneuvering on the reform issues, and with introduction of concordats which diffused the reform movement, Martin V preserved some of his traditional rights and revenues, but still needed more money. He left Constance in May, 1418, a month after the Council closed, but because of the political and military situation in Italy, it took him until September, 1420, more than two years, to reach Rome. There he began reorganizing the Papal States and his financial situation. He was quite successful at that task, but he gained his success by no small effort. A fair amount of his time and energy went to reestablishing the papacy in Italy in this way.<sup>12</sup>

In the meantime, he showed a great knack for diplomacy. He carried out an extensive correspondence with all European sovereigns. He sent many embassies on peace missions, especially to England and France. He paid special attention to the campaign against the Hussites in Bohemia. He was in constant touch with the Eastern Church in Constantinople, with prospects of reunion and a council there.

How he did on reform is best seen in terms of his following Council of Constance decrees. He did reasonably well in the Council-ordered reform of the Curia. Especially significant is that he followed Frequens to the letter and called two more councils: Pavia-Siena, 1423, and Basle, 1431 (Ferrara-Florence). When the five year concordats lapsed, he returned as much as possible to the old system of revenues and appointments, but did so legally, since the concordats were not renewed.

Both Pavia and Basle were failures as reform councils, and Pavia dismally. But if Martin V did nothing to make that council a success, neither is he responsible for its failure. He did not prevent its assembly, nor did he flatly oppose the Council, but he did work hard through his

legates to control it. Political problems, like the war between Milan and Florence, presented more immediate obstacles to frustrate the hopes of the reformers.<sup>13</sup>

Overall, there has to be a kind of grudging admiration for Martin V, who was quite a talented politician. The misfortune lay not in what he failed to do so much as in the very fact of his returning to Italy and restoring the Papal States where the Renaissance would soon catch up his successors. His strong point, then--his successful rebuilding of the Papal States--is also the aspect of his work with such unfortunate results. That task had to have a high priority for him, because without the strong base of his territory he would never have been strong enough to carry through any reforms; but it had so high a priority for him that it displaced any concern for reform he might earlier have felt.

It should, however, be noted that Martin's apparent opposition to reform was really an opposition to conciliarism which he clearly saw as a threat to a strong papacy. Unfortunately, for him as for almost everyone else, reform and conciliarism were inseparable, so in trying to crush conciliarism he also crushed any hope of reform.

#### Conclusion

The question of why the reform movement failed at Constance, after so much discussion and so much apparent interest, should now be considered. Those who put most of the blame on politics and rising national interests are surely correct. This has been the commonest explanation advanced, and it is certain that no other area of the Council's activity suffered as much from the general political situation. For example, Sigismund's strong call for the "reform of the head" could easily be seen as only the latest chapter in the long struggle between Empire and Church. It was easy to

call for reforms which were aimed at others, but when their proposals began to strike close to home, it was only natural to want to subject such proposals to very long and careful scrutiny. Yet, this explanation is not completely satisfactory. France and England had protected themselves pretty well from papal encroachment and crippling taxation, but why should they object to other people's doing the same? Furthermore, despite the organization of the Council by nations, the delegates were primarily churchmen, not politicians; they were prelates, canonists and theologians.

There may be two additional reasons why the reform movement failed. The first reason goes back to the close link between conciliarism and reform mentioned earlier. The clearest aim of conciliarism was to reunite Christendom and end the Schism. Once that was done, there was no clear statement of purpose to carry it coherently through the work of reform. The phrase "reform in head and members" was, after all, fairly vague, and as a slogan lacked the content and force of later ones like "Scriptura sola" or "faith, not works". Furthermore, because of the link between conciliarism and reform, the papalists automatically opposed reform in opposing conciliarism.

Another reason for the failure of the reform movement which may be valid had to do with the conciliarist ideology, and its notion of the source of power in the church. In using the council to depose the two popes, the conciliarists stressed the authority of the whole church over that of the pope alone, i.e., the greater power of the universitas fidelium. Was there not possibly some risk therein of idealizing or almost glorifying the community of the faithful in opposition to the holders of the papal office? If there were some of that process at work, then they would naturally tend to stress more the need for reform in the head, rather than

the members. Popular religion, its sacramental system and its contact with the Scriptures, would then be of secondary importance in the reform program.

Finally, what are the implications of the failure of reform for the fifteenth and sixteenth centuries? The Council of Constance or its failure certainly prepared the way for the Reformation in some indirect but very real ways, and perhaps made it inevitable (if it was not already) and even determined to some extent its shape.

In a sense, the Council of Constance caused the kind of Reformation that took place in the sixteenth century by preventing the very strong reform movement from working any kind of effective reform on the papacy. In April, 1415, in Haec Sancta, the majority of participants in the Council approved the phrase reformatio in capite et membris, but by September, 1417, only Sigismund and the Germans still wanted to do it. The failure of will is not hard to understand in such a long Council, but when Constance rejected any limitation of papal power in the normal governing of the Church, it ruled out the likeliest of the two possible peaceful ways of reforming the Church: i.e., through a council over the pope, or externally. The other way, even less likely and less hopeful, was through a reforming pope, and they were rare. Constance was really a last medieval attempt to maintain the influence of the papacy, through imposing a strong pope, and the outcome of that at this time could only be the Renaissance papacy. Ironically, the strong point of Constance was also its weak point.

## Footnotes

1. B. Hubler, Die Constanzer Reformation und die Concordate von 1418 (Leipzig: 1867).
2. Especially his critical edition: Heinrich Finke, et al., eds., Acta Concilii Constanciensis (4 vols.; Münster: 1896-1928).
3. E. Delaruelle, E.-R. Labande, and Paul Ourliac, L'Église au temps du Grand Schisme et de la crise conciliaire 1378-1449, Vol. XIV of Histoire de l'Église, ed. by A. Fliche, V. Martin, J.-B. Duroselle, and E. Jarry (Paris: Bloud and Gay, 1962).
4. August Franzen and Wolfgang Müller, eds., Das Konzil von Konstanz: Beiträge zu seiner Geschichte und Theologie (Freiburg: Herder, 1964). Another good survey of the theological issues with a helpful bibliography is August Franzen, "The Council of Constance: Present State of the Problem", in Historical Problems of Church Renewal, Concilium, Vol. VII (Glen Rock, N.J.: Paulist Press, 1965), pp. 29-68.
5. One obvious background study on this question is the work by Gerhart B. Ladner, The Idea of Reform: Its Impact on Christian Thought and Action in the Age of the Fathers (New York: Harper and Row, 1967). It is an extremely useful work, but does not really extend beyond the very early Middle Ages, and thus has little immediate relevance to our topic. Another work which makes a very worthwhile attempt to bring the question of reform through the late Middle Ages is John P. Dolan, History of the Reformation (New York: Desclee, 1965), especially chapters, 2,3, and 4.
6. This argument was present from the beginning and explains why four of the cardinals absented themselves from the session on April 6, 1415 when Haec sancta was promulgated. It also supports the common interpretation of the Council as basically conservative and of an ad hoc nature.
7. All three rival popes had either resigned (Gregory) or been deposed (John, Benedict) by July, 1417.
8. I am indebted to C.M.D. Crowder for an explanation of the English position at the Council and this critical change that took place. Cf. his "Henry V, Sigismund, and the Council of Constance, a Re-examination," Historical Studies, Vol. IV (Papers Read before the Fifth Irish Conference of Historians), ed. by G.A. Hayes-McCoy (London: Bowes and Bowes, 1963), pp. 93-110.
9. These are given in Louise R. Loomis, trans., The Council of Constance, ed. by J.H. Mundy and K.M. Woody (New York: Columbia University Press, 1961), pp. 407 ff.
10. Ibid., p. 417.
11. Ibid., pp. 438 ff.



12. Martin V had first had to defeat the dangerous condottiere Braccio di Montone, and he did it successfully, although not quickly or easily. Then he had to defeat the attempt of King Alfonso V of Aragon to take Naples, and then in 1429 he had to use force to put down a revolt in Bologna. These examples show what some of the Pope's concerns and financial drains were like in this period.
  
13. For a good recent discussion of this Council, see Walter Brandmüller, Das Konzil von Pavia-Siena, 1423-1424, I: Darstellung (Munster: Aschendorff, 1968).