



**Collected Orations of Pope Pius II. Edited and
translated by Michael von Cotta-Schönberg. Vol. 4:
Orations 14-20 (1450-1452). 4th version**

Michael Von Cotta-Schönberg

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**Collected Orations of Pope Pius II. Edited and translated
by Michael von Cotta-Schönberg**

Vol. 4: Orations 14-20 (1450-1452)

2019

Abstract

Volume 4 of the *Orations of Pope Pius II* contains seven orations from the three year period 1450-1452. Six are orations held in his capacity of imperial ambassador, one to King Alfonso V, three to Pope Nicolaus V, one to a Bohemian diet, and one to the ambassadors of Duke Philippe III of Burgundy. The seventh is a long defense of pope's monitorium against the Austrian rebels against the emperor, probably never held.

Keywords

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Aenas Sylvius Piccolomini; Pope Pius II; Papa Pio II; Renaissance orations; Renaissance oratory; Renaissance rhetorics; 1450-1452; Holy Roman Empire; German Roman Empire, 15th century; Papacy; Crusades against the Turks; Emperor Frederick III (Habsburg); Kaiser Friedrich III (Habsburg); Pope Nicolaus V; Pope Nicholas V; King Alfonso V (Aragon); Austria; Österreich

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Foreword

In 2007, I undertook a project of publishing the Latin texts with English translations of the orations of Pope Pius II. Altogether 80¹ orations (including papal responses to ambassadorial addresses) are extant today, though more may still be held, unrecognized, in libraries and archives.

At a later stage the project was expanded to include ambassadors' orations to the pope, of which about 40 are presently known.

I do not, actually, plan to publish further versions of the present volume, but I do reserve the option in case I – during my future studies - come across other manuscripts containing interesting versions of the oration or if important new research data on the subject matter are published, making it appropriate to modify or expand the present text.

I shall much appreciate to be notified by readers who discover errors and problems in the text and translation or unrecognized quotations.

20 July 2019

MCS

¹ 81 orations, if the "*Cum animadverto*" is counted is a Piccolomini-oration, see oration "*Quam laetus*", Appendix

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(Orations of Pope Pius II; 14)

Oration “*Quamvis grandes materias*” by Enea Silvio Piccolomini (10 December 1450, Naples). Edited and translated by Michael von Cotta-Schönberg

2019

Abstract

In October 1450, Bishop Enea Silvio Piccolomini, high-ranking imperial diplomat and Bishop of Trieste, was sent by Emperor Friederich III to the Court of Naples. His mission was to negotiate the contract of marriage between the emperor and Princess Leonora of Portugal, sister of the King of Portugal, and niece of King Alfonso V of Aragon and Sicily. His oration, in the genre of the classical *epithalamium*, i.e. wedding oration, revived by the Italian Renaissance humanists, praised the two royal personages and their respective houses. Piccolomini also presented a view of women remarkable for its opposition to traditional misogynist views. And, finally, he praised marriage for its dignity as a God-given institution, for its utility for society and for the spouses themselves, and for its joys, including the comfort and love of one's wife, the delights of women, and – remarkably – the pleasures of sex.

Keywords

Enea Silvio Piccolomini; Aeneas Sylvius Piccolomini; Æneas Silvius Piccolomini; Kaiser Friedrich III (Habsburg); Emperor Frederick III (Habsburg); King Alfonso V Aragon; Empress Leonora of Portugal; Empress Eleonora of Portugal; Princely marriages; History of sexuality; History of women; Misogyny; Renaissance orations; Renaissance oratory; Renaissance rhetorics; 1450; 15th century; Wedding orations; Epithalamium; Epithalamia; Pope Pius II; Papa Pio II

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I. INTRODUCTION

1. Context¹

The first decade of the reign of Friedrich III had been passed in extinguishing one conflict after another. By 1450, some of the conflicts had been solved, i.e. the schism in the Church, the Swiss problem, and the Hungarian troubles, and the family problems were somewhat in abeyance.²

The time had come to become crowned in Rome, and to marry. Both projects were politically important in terms of the legitimacy and stability of the dynasty, but at the same they naturally fulfilled intense, personal desires.

The marriage project was initiated in 1449 when Friedrich sent envoys to Portugal to examine the possibilities for a matrimonial alliance with the House of Portugal, closely related to the houses of Castile, Aragon, England and Burgundy, and to report on the beauty of the king's sister, Princess Leonora.

The reports were satisfactory, and it was agreed that the negotiations and the conclusion of the marriage contract should take place under the aegis of Leonora's uncle, Alfonso V the Magnanimous, powerful and much admired King of Aragon and Sicily, who in 1442 had ousted the House of Anjou from the Kingdom of Sicily (Naples) and set up his own court in Naples.

The emperor's expert on Italian affairs, Enea Silvio Piccolomini, Bishop of Trieste, was recalled from a brief period of semi-retirement in Trieste³ and sent to Italy with two missions: one to negotiate the wedding contract in Naples, and the other to obtain an agreement with the pope concerning the emperor's coronation in Rome. Piccolomini would also have to obtain guarantees of the emperor's safety from those territories he would be passing through, since he would not be arriving at the head of an army in order to assert his imperial rights in Italy.

Piccolomini arrived in Naples at the end of October 1450. The negotiations lasted for 40 days and were concluded, successfully, on 10 December 1450, whereupon a religious ceremony of thanksgiving was held. At this occasion, Bishop Piccolomini gave the oration "*Quamvis grandes materias*".

¹ CO, I, 20 (Meserve, I, pp. 94-96); HA / 1. version (Knödler, I, p. 88); Ady, p. 112; Boulting, pp. 184-185; D'Elia; Koller, p. 111, 116-118; Mitchell, pp. 107-108; Paparelli, pp. 131-133; Reinhardt, p. 149; Stolf, p. 243; Voigt, III, pp. 17-18

² Already in his *Pentalogus* of 1443, Piccolomini has given advice to the emperor on his choice of bride, see Piccolomini: *Pentalogus* (Schिंगnitz, p. 130): *Tu ex uxore, quam duces, aliquam domum illustrem tibi conciliabis potentiorque ... fies*

³ This retirement had actually been interrupted in 1449 when the emperor sent Piccolomini on the third imperial mission to Milan to persuade the Milanese to accept direct imperial rule after the death of the last Visconti duke, see the introduction to Piccolomini's oration "*Est mihi non parum*" [13]

No letters of Piccolomini mention this affair. In his *Historia Austriacis* / 1st version (1453), Piccolomini wrote that the marriage contract was signed in the presence of King Alfonso, Cardinal LeJeune, the papal legate, the ambassadors from Venice, Florence, Milan, and other Italian states, the Duke of Cleve and many other nobles, but he did not mention the oration itself.¹

In his *Commentarii* he did mention it, though:

*... in the Jubilee year [1450] the emperor recalled him and sent him together with Gregor Volckenstorf and Michael Pfullendorf on an embassy to King Alfonso of Aragon and Sicily. Their orders were to arrange the marriage between the emperor and the king of Portugal's sister, Leonora. The Portuguese ambassadors were already gathered at Naples, and after 40 days of negotiation, the matter was concluded. Aeneas then delivered an oration in the hall of the Castelnuovo at Naples in the presence of the king, the cardinal of Amiens (who was the apostolic legate), the dukes of Clèves, Calabria, Suessa and Silesia and a great number of prelates and noblemen. The speech treated the nobility and virtues of the contracting parties; afterwards many had copies made of it for themselves.*²

In his biography of the pope, Gianantonio Campano briefly wrote: *Soon he undertook another mission: he was sent to Naples where he concluded the royal marriage between Leonora, the sister of the King of Lusitania, niece of Alfonso, and Friedrich.*³

And in his biography, Bartolomeo Platina, just as briefly wrote: *So, Enea went to Naples where he negotiated, with Alfonso, the marriage between Leonora, the sister of the King of Lusitania and Alfonso's own niece through his sister, and the emperor.*⁴

Though the occasion was the emperor's betrothal to Leonora of Portugal and not the wedding itself, the oration given by Bishop Piccolomini was clearly an *epithalamium*, a literary genre of wedding orations developed in classical antiquity and revived by the Italian Renaissance

¹ HA / 1. version (Knödler, I, p. 90)

² CO, I, 20 (Meserve, I, pp. 94-95): *In anno lubilaei revocatus ad caesarem cum Gregorio de Populosa et Michaelae de Plena Villa, Alfonsum regem Aragonum et Siciliae iussus est petere, matrimonium caesaris nomine cum Leonora, regis Portugalliae sorore, ut ibi contraheret, nam legati Portugallenses eo convenerant. Quam rem diebus quadraginta tractatam denique conclusissent, coram rege, cardinali morinensi, apostolico legato, Clivensi, Calabrie, Suesse, Sclesieque ducibus et magna prelatorum comitumque multitudine in curia Noui Castri neapolitani de nobilitate virtuteque contrahentium orationem habuit, que postmodum a multis conscripta est*

³ Zimolo, p. 18: *Mox legatione altera excipiente, Neapolim missus, auctor fuit regiae affinitatis Leonora, Lusitanorum regis sorore, Alonsi nepte, Federico desponsata*

⁴ Zimolo, p. 102: *Aeneas itaque Neapolim profectus, cum Alphonso egit ut Leonora, Lusitaniae regis soror ac ipsius ex sorore neptis, Caesari in uxorem collocaretur*

humanists.¹ This genre has been studied by Anthony F. D’Elia who, in the introduction to his *The Renaissance of Marriage in Fifteenth-Century Italy*², writes:

In classical antiquity intellectuals debated about whether the philosopher should marry. Whereas Stoics argued that the philosopher should marry since this was living according to nature, the Cynics condemned marriage as a distraction from philosophy. Baptizing the philosopher, the early Christians argued that holiness and marriage were incompatible – celibacy was the best life. The positive reevaluation of marriage and condemnation of the celibate ideal is usually first associated with Martin Luther and the Reformation. In the fifteenth century, however, Italian humanists also promoted marriage as an ideal. They reversed the Cynic commonplace notion and claimed that wives could assist in the pursuit of wisdom. They also revived the ancient wedding oration and delivered these prose epithalamia at elite weddings. In addition to letters and dialogues, humanists used this revived medium to convey a more positive view of marriage and to reach a broader audience.

The oration shows that Piccolomini was quite familiar with the developments in humanist literature, and that he knew of this new oratorical genre, which was cultivated by a number of Italian humanists, including Leonardo Bruni, whom he much admired, Francesco Filelfo with whom he had some kind of amical relationship, and his Sienese friend Agostino Dati.

The stay in Naples was quite important for Piccolomini since it gave him the opportunity to establish friendly relations with King Alfonso and his humanist court something which was to become greatly useful to him later in his career.

During his voyage, Piccolomini received the news that Pope Nicolaus V, by a bull dated 23 September 1450, had transferred him from the See of Trieste to the See of Siena, where he made a triumphal entry on 12 January 1451.³

¹ One of the humanists who wrote a wedding oration is Poggio Bracciolini. His *Oratio in laudem matrimonii* of ca. 1458 (Poggio Bracciolini: *Opera*, II, pp. 907-915), written after Galeotto Manfredi had sent him a collection of wedding orations (p. 905), may to some extent have been inspired by Piccolomini’s “*Quamvis grandes materias*” from eight years before. Poggio’s oration is divided into sections on the *vetustas*, *dignitas*, and *utilitas* of matrimony, all major themes of Piccolomini’s oration. Moreover, Poggio – like Piccolomini had done – praises the authority of antiquity, has God as the author of the marriage institution, and he uses the same quote from Gellius on Metellus’ conception of marriage. These themes may have been commonplaces of humanist marriage oratory, but Poggio did consider Piccolomini to be a *vir eloquentia praeclarus* (op. cit., p. 792) and might conceivably have known and used his orations

² D’Elia: *The Renaissance*, p. 1

³ Zimolo, p. 19, n. 1

2. Themes

The oration has three themes:

- Praise of the royal houses of the spouses
- Praise of women
- Praise of marriage

All three themes belong the epithalamium genre as revived by the Italian Renaissance humanists.

To these may be added the subtheme of sexuality, which forms part of the theme of marriage.

2.1. Praise of the two royal houses

Piccolomini uses the rhetorical ploy of letting Leonora and Friedrich personally describe the glory of their respective houses. He had used a similar ploy in his oration "*Audivi*" [1] of 1436, where he let the Church speak,¹ and in his oration "*Si putarem*" [5] of 1444,² where he let God Himself speak, in a hearing before the imperial court where God naturally supported the cause defended by Piccolomini!

The praise of the two royal houses was quite conventional, not lacking in extravagance, though supported by historical fact.³

2.2. Women

Much more interesting was the praise of women, presented by Piccolomini as a compliment to the future empress, and possibly also to Lucrezia d'Alagno with whom King Alphonso was quite infatuated and who had almost queenly status at his court, while the queen herself resided in Spain.

Other Renaissance humanists had praised women, like Boccaccio, but in Boccaccio's case the praise went to extraordinary women whose virtue almost made them men.⁴ In the preface to his *De mulieribus claris* (*On Famous Women*), he wrote:

¹ Oration "*Audivi*" [1], sect. 18

² Oration "*Si putarem*" [5], sect. 21-2

³ D'Elia: *Renaissance*, p. 52: *Wedding orations functioned as panegyrics for rulers and elites in Italian courts*

⁴ Boccaccio, p. 9

*If we grant that men deserve praise whenever they perform great deeds with the strength bestowed upon them, how much more should women be extolled – almost all of whom are endowed by nature with soft, frail bodies and sluggish minds – when they take on a manly spirit, show remarkable intelligence and bravery, and dare to execute deeds that would be extremely difficult even for men.*¹

In other words, women are by nature inferior to men, and the best ones of them are those who have or develop masculine qualities. Boccaccio's editor/translator, Virginia Brown, has this comment:

*It should be remembered, however, that this condescending manner of praising with faint damns is characteristic of the cultural legacy inherited by Boccaccio from Antiquity and the Middle Ages. If such attitudes are Boccaccio's they are also attitudes common to the men of his time and education. In Boccaccio's defense it may be said that in certain respects he succeeds in escaping the prejudices of his sex and his sources. In general, he is much more expansive than his sources in praising women's intellectual powers or their literary accomplishments or their moral virtues or their artistic creations.*²

Piccolomini echoed this conception when in his *De Europa* from 1458, he wrote about queen Margaret the I of Denmark and Norway and her conflict with King Albrecht of Sweden in 1389:

*Albert felt contempt for the government of his female neighbour and began to provoke war with Denmark and Norway. Margaret mustered her troops and came to meet him, and on a wide open plain they fought a battle which made it seem as if she had donned the spirit of a man and her enemy that of a woman*³. *Defeated, taken prisoner, and led in a triumphal procession, Albert lost his kingdom.*⁴

In general, Piccolomini undoubtedly shared a cultural conception of women as the weaker sex, dependent on men. In his first oration, the "*Audivi*" [1] from 1436 he quoted Homer, saying that *silence makes a woman beautiful, but this does not apply to a man*.⁵ And in the moral dissertation/oration "*Non est apud me dubium*" [6], written in 1445 or 1446, some months before

¹ Boccaccio, p. 6

² Boccaccio, p. xix

³ *tamquam ipsa viri, hostis feminae animum induisset*, cf. Piccolomini: *De Europa*, 33 (Opera omnia, p. 406). This is probably an indirect quote from Cicero, e.g. *De officiis*, 1, 61: *vos enim juvenes geritis muliebre, illa virgo viri*

⁴ Piccolomini: *De Europa*, 33 (Brown, pp. 168-169)

⁵ This is a direct quote from Leonardi Bruni: *De Militia*, 1422, p. 384: *Mulier inquit Homerus taciturnitas decus affert, sed non item viro*. The quote refers to Homer: *Odyssey*, 1, 356-359, and is found directly in Sophocles, *Ajax*, 293: *Gynaïksi kósmon è sigé phèrei*. St. Paul alludes to this passage in 1. Corinthians 14, 34. Also quoted by Aristotle, in *Politica*

Piccolomini became a priest, he said that men were the superiors of women, quoting the Bible in support:

It only remains to say something about women: they have their husbands as superiors. Therefore, listen, good women, for this part concerns you closely: be submissive to your husbands; do not oppose their demands; avoid disagreements, quarrels, and disputes. For thus writes Paul to the Colossians: Wives, be subject to your husbands, as it behooveth in the Lord. When he says 'in the Lord', he banishes all that is disgraceful. And again he says to the Corinthians: A woman is bound by the law as long as her husband liveth: but if her husband die, she is at liberty from the law of the husband. And again to Timothy: But I suffer not a woman to teach nor to use authority over the man: but to be in silence. [Sect. 119]

And later, in the same oration:

Concerning wives, my command to you is the same as Paul's to the Ephesians: Husbands, love your wives, as Christ also loved the church and delivered himself up for it. This is a very important saying, beloved, for although it is proper that your wives be subject to you, it is not right for you to rage and be violent against them, but, as Paul commands, you ought to love them as your own bodies. He that loveth his wife loveth himself.

And if your wife is shrewish, garrulous, and headstrong, you should not drive her away, but rather imitate Socrates. When he was asked by his friends to drive his quarrelsome wife, Xantippe, from his home, he replied: No, at home I learn how to behave in public. For as I suffer and learn to tolerate such a woman at home, I practice how better to bear up with other people's boisterous aggressiveness and abuse in public. [Sect. 135]

And later again, with remarkable insistence upon the sexual equality (or mutual superiority) of the spouses:

Moreover, beloved, Paul says to the Corinthians: Because of fornication, let every man have his own wife: and let every woman have her own husband. Let the husband render the debt to his wife: and the wife also in like manner to the husband. The wife hath not power of her own body: but the husband. And in like manner the husband also hath not power of his own body: but the wife. [Sect. 137]

These passages reflect traditional cultural and religious conceptions of women's lower status in relation to men, but they are not misogynistic.

Indeed, in this oration from 1450 – inspired by other humanists - Piccolomini directly attacked the misogynistic view of women, handed down from philosophers of Antiquity and – mistakenly, he argues - from the Bible, and from the Fathers and Doctors of the Church.

His argument falls in three parts:

The philosophers of Antiquity simply spoke foolishly and hypocritically for they did not themselves follow their own philosophical advice, men were generally worse than women, and the responsibility of marital failure was usually that of the man.

As for the Bible, the negative statements on women do not concern women in general, but certain evil women. Otherwise, the Bible contains many examples of excellent women.

As for the church fathers, their negative statements usually have the purpose of exhorting men who had promised to live in chastity, e.g. monks, to beware of seductive women, and – as was the case for the Bible - do not concern women in general. And the chastity problem works both ways: celibate women, too, should beware of the temptations of the opposite sex.

In this text, Piccolomini was the spokesman for a new view of woman, in complete contrast to the traditional, misogynistic view, which he actually seems to have shared in his younger days, especially concerning their fickleness and infidelity.¹

2.3. Marriage

Marriage is treated under three headings: its dignity, its benefits, and its joys.

Its dignity is derived from its having been created and honoured by God. Its benefits consist in its being the institution that keeps society and families together and ensures the preservation and the propagation of the human race. And its joys are the comforts and the love offered by one's wife, the delightful children, and the sexual pleasures.

¹ See e.g. Piccolomini's letter to Johann Vront of 20 November 1445 (Epistolarium, pp. 495)

2.4. Sexuality

Before he became a priest, Piccolomini had a free and uninhibited conception of sexuality, strongly at variance with church doctrine, and indeed he himself had extensive sexual experiences with women, married and unmarried, as reflected in his numerous erotical writings from that period.

A summary of his views is given in a letter he wrote to his father in Siena in 1443, at the age of 38:

Certainly, you begot no son of stone or iron, being flesh yourself. You know what kind of rooster you were. I am no eunuch, nor one of the frigid. Nor am I a hypocrite, wishing to seem, rather than to be, good. I will admit my error freely because I am neither more holy than David, nor wiser than Solomon. This fault is ancient and entrenched, but I do not know anyone who lacks it. It is quite clear that this plague, if it is a plague to use nature's¹ gifts – although I do not see why sexual intercourse ought to be condemned so much – is broadly compatible with nature, which does nothing wrongly. In all lovers it arouses this appetite so that the human race will be continued.^{2 3}

In his early 40's, Piccolomini experienced a gradual waning or rather failing of his sexual powers and desires, which was on the one hand quite painful to him, but on the other hand freed him of the happy, licentious ways of his youth, made it possible for him to sincerely embrace the deeper religious sentiments of his mature years, and opened the path to priesthood and a religious career. At that time his thoughts on sexuality were dark and bitter as witnessed in a letter to his friend Johann Vrungt in 1446:

What is fornication other than death? ... How brief is the pleasure which is experienced with women? What momentary joy! Is he not a fool enough who, for the sake of temporary and momentary things, squanders things eternal? ... Dearest brother, I am full, stuffed. Venus makes me nauseous! It is also true that my powers have declined. I am sprinkled with gray hairs; the muscles are withered; the bones, rotten; the body is shrivelled with wrinkles. Neither am I able to bring pleasure to a woman; nor is a woman able to bring pleasure to me. ... To me, by Hercules, there is too little merit in chastity. For in truth, I might declare that

¹ In other contexts, Piccolomini equalled nature with God in the sense that nature was God's own creation, but he did not dare to do so in the present context, since that would be to directly negate the Church's view of sexual morality

² Reject, p. 160

³ See D'Elia: *Renaissance*, p. 103: *The future pope thought sexual passion to be natural and good even outside marriage*

*Venus more has run away from me than I from her. But I carry, on, by God's grace, because there remains no more appetite than power to sate it.*¹

This dark mood is completely absent from his oration in Naples: one might conjecture that he now fondly remembers his former lovers as partners in delights offered by nature for the propagation of humankind, and not as the revulsive seductresses of innocent young men: *It as great, powerful pleasure and a great, exultant joy that unites two bodies in one flesh.* [Sect. 13]

As for the sexual pleasures in marriage, a similar development seems to have taken place. In the sermon written shortly before his becoming ordained, the "*Non est apud me dubium*" [6], Piccolomini told his future parishioners that

... when the spouse cannot be continent, then the debt must be rendered. Not without reason does he say 'debt', which means that it cannot be avoided. But if anybody uses marriage for pleasure and not for necessity, then he certainly does not avoid fornication, but actually commits it. [Sect. 137]

Sex must not be enjoyable – even between married people.

Four years afterwards, in Naples, he had returned to his youthful conception of sexuality as legitimately pleasant – though now, bishop of Holy Church, he considered it as limited to marriage²:

But why quote human witnesses, where divine authority has spoken: the oracle of Genesis says that therefore a man shall leave father and mother, and shall cleave to his wife: and they shall be two in one flesh. It as great, powerful pleasure and a great, exultant joy that unites two bodies in one flesh. Aristophanes even thought that there was one soul in the two bodies. [Sect. 13]

¹ Reject, pp. 236-237

² D'Elia: *Renaissance*, p. 108: *Humanists, however, differ from this literature [medieval chivalric romances] in that the passion that they praised was not adulterous, but can and should be found within marriage*

3. Date, place, audience and format

The marriage negotiations in Naples ended on 10 December 1450, and Piccolomini delivered his oration on the same day.¹ The place was the great hall of Castelnuovo, and the audience was King Alfonso V, the royal court, and the ambassadors present. The format was an ambassadorial address to a princely audience.

4. Text²

The oration "*Quamvis grandes materias*" was not included in the Collected Orations of Pius II, compiled in 1462 under his own supervision. It is not known why not, since he would probably be quite proud of having delivered an oration in the presence of King Alfonso and of his mission to Naples in the name of the emperor, and he even mentions that afterwards it was copied by many. Maybe the conception of sexuality expressed in the oration was – at that time - too positive to fit an official collection of papal orations. Or the oration may simply not have been available at the time of the preparation of the anthology; maybe Piccolomini had lost his own copy while travelling.

4.1. Manuscripts³

The text is presently known to be extant in the following three manuscripts:

- **Firenze / Biblioteca Riccardiana**
346, ff. 10r-20v (R)*⁴
- **Roma / Biblioteca Apostolica Vaticana**
Pal. lat. 598, ff. 154v-158v (P)*⁵

¹ Voigt, III, 1, p. 17

² Concerning the textual transmission of Pius II's orations, see *Collected orations of Pope Pius*, vol. 1, ch. 5

³ Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

⁴ For a description of the manuscript, see Helmrath, p. 305

⁵ BAV Dig

- **Trento / Biblioteca Capitolare**
86, ff. 146r-150v **(T)*¹**

4.2. Editions

The oration was edited by M. Freher in his *Rerum germanicarum scriptores varii*, first published in 1600, and reedited a couple of times later, including 1727:

- Freher, M. (ed.): *Germanicarum scriptores varii* ... Frankfurt: Typis Wecheliani, 1602 / II, pp. 18-21 **(FR)**
- Freher, M. & B.G. Struvius (eds.): *Rerum germanicarum scriptores varii* ... Argentorati: Dulssecker, 1727 / II, pp. 27-31

Freher did not indicate which manuscript he had used. The later edition has some divergences from the first edition, presumably due to typesetting errors.

Fifty years later, Mansi reedited Freher's text in his collection of Pius' orations:

- Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759 / I, pp. 128-139

4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

Text:

The present edition is based on both the manuscripts listed and the text published by Freher in the edition of 1602, with the Palatinus as the lead text.

¹ Cf. description of ms. in: *I manoscritti medievali di Trento e provincia. A cura di A. Paolini. Firenze, 2010*

Pagination:

Pagination is from the Trento manuscript.

5. Sources¹

In this oration, altogether 20 direct and indirect quotations from various sources have been identified:

Biblical: 7

Classical: 12

Patristic and medieval: 1

Contemporary: 0

All: 20

The classical quotations dominate heavily, which would probably have been appreciated by the humanist oriented Neapolitan Court.

Biblical sources: 7

Old Testament: 6

- Genesis: 2
- Daniel: 1
- Ecclesiastes: 1
- Proverbs: 1
- Psalms: 1

New Testament: 1

- Matthew: 1

¹ For an analysis of Piccolomini's use of sources, see *Collected Orations Pope Pius II*, ch. 8

Classical sources: 12

- Aristotle: 1
- Gellius: 2
- Horatius: 1¹
- Juvenalis: 3
- Laërtius: 2
- Plato: 1
- Valerius Maximus: 1
- Vergilius: 1

Patristic and medieval sources: 1

- Jeronimus: 1²

Contemporary sources: 0

It is quite probable that Piccolomini's wedding oration, including his praise of marriage and of sexual pleasure in marriage,³ was inspired by other humanist cultivating this oratory genre, but to determine which authors and which orations would be the subject for further study.

6 Bibliography

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¹ Ars poetica

² Epistolae: 1

³ See the studies of D'Elia

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7. Sigla and abbreviations

P = Roma / Biblioteca Apostolica Vatican / Pal. lat. 598

R = Firenze / Biblioteca Riccardiana / 346

T = Trento / Biblioteca Capitolare / 86

FR = Freher, M. (ed.): *Germanicarum scriptores varii ...* Frankfurt: Typis Wecheliani, 1602

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austrialis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

HB = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

MA = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

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Epistolarium = Enee Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007

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II. TEXT AND TRANSLATION

Aeneae Sylvii Ad Alfonsum, Sapientem Siciliae Regem, super connubio Friderici et Eleonorae oratio gratulatoria¹

[1] {146r} Quamvis *grandes materias* - ut inquit Jeronimus - *ingenia parva non sufferant*, conandum tamen est² mihi, serenissime princeps rexque victoriosissime, quae per hos dies tuae majestatis auctoritate sponsalia sunt conclusa, his, qui adsunt, exponere, cum de rebus ad imperatoriam sublimitatem pertinentibus loqui nulli magis incumbat³ quam legatis imperatoriis. Audiat⁴ igitur tua serenitas, oro, audiant et circumstantes, precor, etsi non mihi - neque enim mereor - rei saltem, de qua sermo fiet, aures accomodent, quae magna est, admirabilis, rara, honestissima. De nobilissimo namque matrimonio loquar, altissimo, potentissimo, incomparabili.

[2] Regia virgo Romano imperatori promissa, Leonora infans Portugalliae, excellentissima nobilium⁵ puellarum, neptis tua clarissima⁶, divo Caesari Friderico, Romanorum regi, Augusto, pio, felici atque triumphatori desponsata est. Ingens affinitas, potentissima parentela, generosissima conjunctio, ob quam causam divina res agitur, Deo nostro gratias reddimus, festam⁷ haud injuria ducimus diem, exultamus, hilares omnes sumus, nec tantam amicitiam sine magno Christianae⁸ religionis fructu conflata esse putamus, in qua non solum res ipsa⁹ matrimonii commendanda est, sed personae quoque¹⁰ contrahentes ingentibus extollendae laudibus sese offerunt. De his ergo duobus dicendum est mihi, etsi rerum dignitatem mea magis attenuabit, quam explicabit oratio.

¹ Aeneae ... gratulatoria : Oratio eiusdem oratoris ad sacram maiestatem Aragonum incipit R; *No title* T

² tamen est : est tamen T

³ incumbit T

⁴ audiet T

⁵ nobilis T

⁶ charissima FR

⁷ festum P, T

⁸ Christianitatis R

⁹ res ipsa : ipsa res R

¹⁰ quam T

Enea Silvio's congratulatory oration to Alfonso, wise King of Sicily, on the marriage between Friedrich and Leonora

1. Introduction

[1] Most Serene Prince and Victorious King, *small wits cannot grasp great matters*, says Jerome.¹ Nonetheless - since it is primarily the responsibility of the imperial legates to speak on matters concerning His Imperial Highness - I shall attempt to address those present on the marriage contract concluded these days, on the authority of Your Majesty. So please listen, Serene Highness, and all you who are present lend ear to my speech, for though I do not myself deserve it, the matter on which I shall speak definitely merits it, as it is a great matter, wonderful, rare and most honourable. For I shall be speaking about a most noble, most high, most powerful and incomparable marriage.

[2] The royal maid, betrothed to the Roman Emperor, Leonora, Infanta of Portugal, most excellent of noble maidens, your noble niece, has been engaged to Holy Caesar Friederich, august, pious, happy and triumphant King of the Romans. This immensely important marriage bond, this most mighty kinship, and this most noble union are the reason that we are celebrating this holy service, that we are giving thanks to Our God, and that we are justly having this festivity, that we are all rejoicing and being happy. And we think that this great [bond] of friendship has the greatest importance for the whole Christian religion, and that not only the marriage itself, but also the persons contracting it should be extolled with immense praises.

So, these are the two subjects I shall be speaking on, though my oration may not be equal to the exalted matter at hand.

¹ Jeronimus: *Epistola ad Heliodorus* (60), 1. MPL, XXII, col. 589

[3] Dicturus autem {146v} de bono conjugii necessarium arbitror eos prius refellere, qui genus omne feminarum maledictis compellationibusque probrosis insectari non desinunt. Namque cum matrimonium ex maris atque feminae conjugatione consistat, quae poterit laus illi competere, si una ex parte mancum claudumque fuerit? Non est haec¹ Danielis statua, cujus pedum pars quaedam² ferrea, pars fictilis³ erat, nec bestiam contuemur Horatii, quae *mulier formosa superne* in *atrum* fingitur *piscem desinere*, sed rem veluti sacram sic ex partibus suis integram ac perfectam prosequimur. Audiamus tamen, quid adversus feminas afferatur, postea judicemus.

¹ hic T

² quidem T

³ fidelis T

2. Against misogyny

2.1. Marriage is a perfect union of male and female

[3] As I am going to speak on the benefits of marriage, it is necessary – I think – first to refute those who consistently abuse the whole female gender with insults and disgraceful reproaches. For as marriage consists in the union of male and female, how could it be praiseworthy if one of its parts were defective and imperfect? Marriage is not like Daniel's¹ statue, whose feet were made partly of iron and partly of clay.² Nor do we see it as that creature of Horace³ *whose upper part was that of a lovely woman and its lower part that of a fish*.⁴ No, we consider marriage to be sacred, complete, and perfect in its [two] parts. But let us hear what is being said against women and afterwards we shall judge the truth of the matter.

¹ Prophet Daniel: (Bibl.) Main person of the Book of David. Probably never existed

² Daniel, 2, 33: The statue is the statue that King Nabuchodonosor saw in a dream which Daniel interpreted

³ Horatius Flaccus, Quintus (65-8 BC): Roman poet

⁴ Horatius: *Ars poetica*, 3-4

[4] Ajunt equidem in sacris eloquiis complurima¹ esse testimonia, quae mulieribus adversantur, rugire contra feminas Augustinum, Ambrosium, Jeronimum, Gregorium ceterosque doctores ecclesiae duos² in eas³. Vergilius, Juvenalis, totusque poetarum cuneus⁴ asper, Cato saevissimus commemoratur: avaras⁵, instabiles, crudeles feminas esse affirmant. Adducunt exempla malarum, atque ab his clades exortas in medio proponunt. Post haec⁶ philosophos citant,⁷ ⁸ qui de uxore ducenda consulti aut⁹ dissuaserunt aut¹⁰ suadere non¹¹ praesumpserunt, cum huic¹² orbi tantas¹³ inde¹⁴ molestias formidarent. Metelli quoque Numidici mentionem efficiunt, qui - ut est apud Gellium¹⁵ *de noctibus Atticis* -

Si¹⁶ sine¹⁷, inquit uxoribus¹⁸ possemus, Quirites, esse, omnes ea molestia careremus¹⁹; sed quoniam ita natura tradidit, ut neque²⁰ cum illis satis commode, neque²¹ sine²² illis ullo modo vivi possit, saluti perpetuae potius, quam brevi voluptati consulendum.

Atque haec fere sunt, quae contra femineum sexum, contra²³ matrimonium, non justis aestimatores adducere consueverunt²⁴.

¹ cum plurima R

² durus R, T

³ ea R

⁴ Enneus R

⁵ auras R

⁶ omit. T

⁷ ostendant T

⁸ atque ab his ... citant omit. R

⁹ alit R; alii FR

¹⁰ alii ... aut omit. FR

¹¹ omit. T

¹² hinc R

¹³ orbi tantam : orbitatem T

¹⁴ huic ... inde : hinc orbitatem mole R

¹⁵ Gellum R; Gelus T

¹⁶ sed T

¹⁷ si sine : sisene R

¹⁸ inquit uxoribus : uxoribus inquit R, T

¹⁹ omit. P

²⁰ nec FR

²¹ nec FR

²² sinem R

²³ contraque T

²⁴ consueverunt P

2.2. Traditional negative views on women

[4] These people say that in the Holy Scriptures there are many negative statements on women, and that Augustine,¹ Ambrose,² Jerome³ and Gregory⁴ as well as other Doctors of the Church revile women and are harsh against them. They also point to Virgil,⁵ Juvenal⁶ and the whole fierce troop of poets, and especially to the relentless Cato,⁷ claiming that women are greedy, fickle and cruel. They mention examples of bad women and describe disasters caused by them. Then they go on to quote the philosophers who when they were consulted on marriage dissuaded it or would not dare to recommend it since they feared the resulting calamities for the world. They also mention Metellus Numidicus⁸ who - according to Gellius⁹ in his *De noctibus Atticis* - said that

*If we could get on without a wife, Romans, we would all avoid that annoyance; but since nature has ordained that we can neither live very comfortably with them nor at all without them, we must take thought for our lasting well-being rather than for the pleasure of the moment.*¹⁰

And this is more or less what those mistaken censors usually have to say against the female gender and against marriage.

¹ Augustinus, Aurelius (354-430): Bishop of Hippo. Theologian. Doctor of the Church. Saint

² Ambrosius, Aurelius (ca. 340-397): Archbishop of Milan. Doctor of the Church. Saint

³ Jeronimus, Eusebius Sophronius (ca. 347-420): Cardinal. Doctor of the Church. Saint

⁴ Gregorius I (ca. 540-604): Pope 590 to his death in 604

⁵ Vergilius Maro, Publius (70-19 BC): Roman poet

⁶ Juvenalis, Decimus Junius (late 1st and early 2nd c. AD). Roman poet. Juvenal was one of Piccolomini's favourite classical authors

⁷ Cato, Marcus Porcius [Cato Cato the Elder] (234-149 BC): Roman statesman and censor

⁸ Metellus Numidicus, Quintus Caecilius (ca. 160-91 BC): Roman politician, enemy of Gaius Marius. Consul in 109 BC. Later condemned to exile

⁹ Aulus Gellius (ca. 125-after 180 AD): Roman author and grammarian

¹⁰ Gellius: *Noctes Atticae*, 1.6.1-2. This same passage from Gellius was used by Poggio Bracciolini in his *Oratio in laudem matrimonii* (ca. 1458) Bracciolini: *Opera*, II, p. 911

[5] Sed sunt haec omnia - nisi fallor - confutatu facilia. In primis enim, quod in sacris litteris adversus feminas traditur, de quibusdam¹ perversis accipimus. Fatemur enim et² in sexu³ femineo malitiam reperiri, nihil⁴ universaliter recipimus, alioquin et viros omnes damnare oporteret⁵. Nam etsi⁶ de feminis scriptum est⁷: *Unam in millibus non inveniri*, de viris quoque in Psalmis legimus: *Non est, qui faciat bonum, non est usque ad unum*.

Et apud Satyricum⁸:

*Rari quippe boni, vix sunt numero totidem⁹, quot
Thebarum portae vel¹⁰ divitis ostia Nili.*

Et amplius sese cohaerens:

*Egregium - ait¹¹ - sanctumque virum, si cerno bimembri
Hoc¹² monstrum puero, et miranti jam¹³ sub aratro
Piscibus inventis, et¹⁴ foetae comparo mulae.*

¹ quibus P

² ut FR

³ sessu R

⁴ videlicet FR

⁵ oportet R

⁶ si R

⁷ omit. R

⁸ satirum P; satiarum R; sitirum T

⁹ boni ... totidem : numero vix totidem sunt R, T

¹⁰ aut R, T

¹¹ aut T

¹² aut R; ut T

¹³ omit. R, T

¹⁴ ac R

2.3. Arguments against the traditional view

[5] But unless I am mistaken, all these opinions can easily be refuted. Firstly, that which is written against women in Holy Scripture only concerns certain wicked women. We admit that evil may indeed also be found in the female sex, but we do not, therefore, hold that all women are evil. Otherwise we should also have to blame all men.¹ For though it is written about women that *you cannot find one among thousands*,² in the Psalms we also read about men that *there is none that doth good: no not one*.³

And in the Satyrical Poet:⁴

*For honest men are scarce; hardly so numerous
As the gates of Thebes, or the mouths of the enriching Nile.*⁵

And later he says, in the same vein:

*If I discover an upright and blameless man,
I liken him to a boy born half beast,
Or to fishes found by a marvelling rustic
Under the plough, or to a pregnant mule.*⁶

¹ Since some men are evil, too

² Ecclesiastes, 7, 29

³ Psalms, 13, 3

⁴ Juvenal

⁵ Juvenalis: *Saturae*, 13, 26-27

⁶ Juvenalis: *Saturae*, 13, 64-66

[6] Sancti vero doctores, dum feminas detestantur¹, aut malas quasdam jure condemnant, aut castitatis promissores alloquuntur, quos² fugere mulieres abhorrereque suadent. Idem virginibus sacris Deo dicatis atque nuptis de virili sexu et saepe dictum est et saepius esset³ dicendum. Continentiam namque professis viris feminae, et⁴ feminis viri formidandi sunt hostes. Poetas nihil mirum est in feminas⁵ debacchari⁶, nam viris quoque non⁷ parcunt. Catoni magno satis apud Livium respondit Lucius Valerius, qui Legem Oppiam⁸ iniquam⁹ mulieribus obtinuit abrogari¹⁰. De criminibus nihil attinet disputare, quando haec eadem et multo¹¹ pejora in nostro sexu reperiuntur¹². Nec malarum exempla me movent aut antiquae clades¹³ humano generi per mulieres illatae. Namque si mulierum virorumque¹⁴ turpia facta repetere, et a primo proditore Cain¹⁵ usque ad sceleratissimum Judam, et in¹⁶ hanc usque diem sceleratas¹⁷ utriusque sexus actiones comparare voluerimus, innocentes respectu virorum feminas ostendemus¹⁸. Sed obstant angustiae temporis, indulgeo brevitati.

¹ testantur T

² quo R

³ esse T

⁴ omit. R

⁵ feminis P

⁶ et add. R

⁷ omit. T

⁸ optimam T

⁹ in quam R

¹⁰ obrogari P; obrigari R

¹¹ multa T

¹² reperiantur FR

¹³ classes R

¹⁴ mulierum virorumque : virorum mulierumque T

¹⁵ tam R

¹⁶ omit. R

¹⁷ sceleratus R

¹⁸ ostendimus R

[6] As for the holy Doctors, when they express loathing of women or justly condemn some of them, they do so because they are addressing men who have promised to live in chastity,¹ urging them to flee and to abhor women. The same they say about men² to women consecrated to God and to married women. Indeed, it has been said often, and it must be said even more often! For men who have promised continence should fear women as enemies, and in the same way women [who have made the same promise] should fear men.

As for the poets, it is not strange that they attack women, for neither do they spare men. In Livy,³ Lucius Valerius⁴ answered the great Cato⁵ quite properly - when he obtained the annulment of the *Lex Oppia*⁶ - that it was very unfair to women. Concerning the crimes [of women] there is really nothing to discuss, for we men commit the same crimes, but much worse. Nor I am moved by the examples of wicked women or by the old disasters inflicted upon the human race by women. For if we should want to examine the evil deeds of women and men, from Cain, the first betrayer, to Judas, that heinous criminal, and compare the wicked acts of the two sexes done until this day, we would see that women are quite innocent compared with men. But as I am pressed for time, I shall be brief.

¹ E.g. monks

² I.e. that they should be fled

³ Livius, Titus (59 BC-AD 17): Roman historian

⁴ Lucius Valerius Flaccus (d. 180 BC): Consul of the Roman Republic in 195 BC. Censor in 183 BC

⁵ Cato the Elder

⁶ The *Lex Oppia* was a law passed in ancient Rome in 215 BC, at the height of the Second Punic War during the days of national catastrophe after the Battle of Cannae. It forbade any woman to possess more than half an ounce of gold, to wear a multi-colored garment or to ride in an animal-drawn vehicle in the city or any town or within a mile thereof, except in the case of public religious festivals. It was repealed by the Senate in 195 BC after a debate which had Lucius Valerius and Cato the Elder as protagonists

[7] Ad philosophos venio, quorum nullus - teste Lactantio - sic vixit, ut scripsit. Quis fontem¹ eorum² ac verticem, ex³ Apollinis testimonio sapientissimum, Socratem conjugio detrahentem aequis auribus audiet⁴, cum is⁵ non contentus una, duabus sese uxoribus commiscuerit? Melius quippe - me iudice - silerent obtrectatores feminarum, quam sine fundamento loquerentur, qui, dum Metelli auctoritate se juvant, nesciunt illum doctorum virorum iudicio damnatum⁶, ut qui nec⁷ vere nec ad suadendum apte sit orsus. Existimaverunt enim prudentiores, *contra potius orationem debuisse sumi*⁸, *ut nullas plerumque esse in matrimoniis molestias*⁹ *asseveraret*¹⁰. *Et si quae*¹¹ *tamen accidere*¹² *nonnumquam*¹³ *viderentur*¹⁴, *parvas ac*¹⁵ *leves, facilesque esse toleratu diceret*¹⁶, *majoribusque eas emolumentis et*¹⁷ *voluptatibus obliterari, easque*¹⁸ *ipsas neque omnibus neque naturae*¹⁹ *vitio, sed quorundam maritorum culpa et injustitia evenire. Sed facio verbis modum*²⁰, quando res nota est, et viros bonos et mulieres²¹ {147v} inveniri probas, ex quibus esse justa, sancta et honestissima conjugia possunt²².

¹ frontes R; frontem P, T

² omit. T

³ et P, R, FR

⁴ audiat T

⁵ his T; Xantippe P, FR

⁶ reprehensum T

⁷ ne P

⁸ summi R

⁹ molestas R

¹⁰ asseverarent R

¹¹ omit. P, FR

¹² accedere FR

¹³ numquam T

¹⁴ videretur R

¹⁵ et R

¹⁶ dicerent R

¹⁷ ac FR

¹⁸ easdemque FR

¹⁹ animae R

²⁰ modo T

²¹ mulieribus P

²² possint FR

[7] I now come to the philosophers of whom, according to Lactantius,¹ no one lived as he wrote. Who can calmly hear that Socrates,² the source and summit of philosophers, and according to Apollo the wisest them,³ failed in his marriage and had two wives, not being content with one?⁴ In my opinion, the maligners of women should remain silent rather than speak foolishly. And those who rely on the authority of Metellus do not know that he himself was condemned by learned men⁶ as one whose advice was neither truthful nor appropriate. And wiser men have *thought his speech ought rather to have taken just the opposite tone, insisting that as a rule there were no annoyances in matrimony, and if after all they seemed sometimes to arise, they were slight, insignificant and easily endured, and were completely forgotten in its greater pleasures and advantages; furthermore, that even these annoyances did not fall to the lot of all or from any fault natural to matrimony, but as the result of the misconduct and injustice of some husbands and wives.*⁷ But I shall say no more about this, since it is well known that there are decent men and good women who can have fair, holy, and honourable marriages.

¹ Lactantius (ca. 240-ca. 320): early Christian author

² Socrates (ca. 469-399 BC): Greek philosopher

³ Diogenes Laertius: *The lives of eminent philosophers* / Socrates: *These and the like were his words and deeds, to which the Pythian priestess bore testimony when she gave Chaerephon the famous response: Of all men living Socrates is most wise.* Piccolomini may not have known the text of Laertius directly

⁴ Diogenes Laertius: *The lives of eminent philosophers* / Socrates: *Aristotle says that he married two wives; his first wife was Xanthippe, by whom he had a son, Lamprocles; his second wife was Myrto, the daughter of Aristides the Just, whom he took without a dowry. By her he had Sophroniscus and Menexenus. Others make Myrto his first wife; while some writers, including Satyrus and Hieronymus of Rhodes, affirm that they were both his wives at the same time. For they say that the Athenians were short of men and, wishing to increase the population, passed a decree permitting a citizen to marry one Athenian woman and have children by another; and that Socrates accordingly did so*

⁵ The theme of Socrates' marriage situation was frequently used in humanist wedding orations, cf. D'Elia: *Renaissance*, p. 83

⁶ Metellus was condemned to exile not for a crime, but as an opponent of Marius

⁷ Gellius, 1.6.3. Here, Piccolomini might have remembered a case of wife beating leading to the breakdown of the marriage, which he came across early in his ecclesiastical career, occasioning a letter to Heinrich Stotter, in October 1446, in which he wrote: *Verum mariti quidam adeo duri, asperi, crudeles ferique reperiuntur, ut non sociam divine et humane domus uxorem suam putent, sed etiam tanquam servam et vile quoddam mancipium teneant, nunc injuriantes verbis nunc factis. Caedunt pauperulas feminas, lacerant, cruciant mortemque minantur. Hinc plures viros suos deserunt, cumque victu careant, aliorum virorum, a quibus commercia suscipiunt. Que res non tantum ipsis mulieribus – nam leves sunt, fragiles, timide – quantum ipsis viris imputandum est* (Wolkan, II, III, pp. 42-43)

[8] Nunc de bono matrimonii perpauca libanda sunt, in quo mihi tria¹ praecipue² commendanda videntur: honesta dignitas, grandis utilitas, dulcis jucunditas. Insunt enim haec omnia matrimonio: quaeramus haec tria.

[9] Illa³ meo iudicio digniora videntur, quae sunt antiquiora, quaeque praestantiores inveniuntur auctores habere. Matrimonium vero et⁴ antiquissimum est, quippe quod in primis parentibus coepit, et⁵ nobilissimum habet auctorem, Deum patrem omnipotentem totamque trinitatem, cum - teste Jeronimo - tunc matrimonium⁶ sit institutum, cum dominus ait⁷: *Crescite, et multiplicamini, et replete terram.*

¹ mihi tria : tria mihi P

² tria praecipue : precipue tria T

³ tria P; *omit.* R, T

⁴ *omit.* T

⁵ ac FR

⁶ tunc matrimonium : matrimonium tunc FR

⁷ *omit.* R

3. Marriage

[8] Now we must say a little about the benefits of marriage. It seems to me that there are three things to recommend in marriage: the honourable dignity, the great benefits¹, and the sweet joy. All these are to be found in marriage. Let us now examine them individually.

3.1. Dignity of marriage

[9] It seems to me that the most valuable things are those which are found to be the oldest² and have the most eminent authors. Marriage is indeed a very old institution since it began with our first forefathers. It also has the noblest possible author, God, the Omnipotent Father, and the whole Trinity. For, according to Jerome, marriage was instituted when the Lord said:

*Increase and multiply, and fill the earth.*³

¹ "utilitas"

² The authority of antiquity is probably a central tenet of Italian Renaissance humanism. It is certainly shared with Poggio Bracciolini who in his *Oratio in laudem matrimonii* (ca. 1458) wrote: ... *quanta sit antiquitatis auctoritas, quantum illi ab omnibus tribuatur, nemo sanae mentis ignorat. Respicimus enim res antiquas et ditutina vetustate notas non mediocri veneratione, et in summam admirationem trahimur ob earum contemplationem. Multum honoris certe concedimus antiquitati. ... trahuntur omnes in laudem venerationemque rerum antiquarum et eas suspensis animis admirantur, praecipue quae maxime vetustatem representare videantur* (Poggio Bracciolini: *Opera*, II, p. 908)

³ Genesis, 1, 28

[10] Neque enim, ut Athenienses arbitrari sunt, eorum vetustissimum regem inventorem nuptiarum dicimus esse Cecropem, quem propterea bimembrem figuravit antiquitas, quia primus omnium mare¹ feminae legitime conjunxit. Longe ante conditas Athenas, in ipso mundi nascentis initio non homo, sed Deus, non creatura, sed creator, rector et conditor orbis² matrimonium consecravit³, cujus tanta dignitas est, ut semel contractum⁴ dirimi nequeat, dicente scriptura: *Quod Deus conjunxit, homo non separet*. Coniuncti namque divino nutu creduntur, quicumque matrimonium rite contraxerunt. Hinc mater ecclesia, dux morum, magistra vitæ, nuntia⁵ veritatis⁶, inter maxima sacramenta, quibus utitur veluti divinitus revelatis, matrimonium annumeravit⁷. Hinc dominus et⁸ salvator noster⁹, Deus homo, Christus¹⁰ Jesus¹¹, et nasci ex nupta et interesse nuptiis¹² voluit, ac primo, quod fertur patrasse, miraculo conjugium honorare.

[11] Dignitatem tenemus, investigemus utilitatem, sed haec intellectu quam dictu facilius. Nam quae res est, quae domos, quae civitates, quae provincias, quae regna, quae genus humanum conservat nisi matrimonium? Quid sunt aliud nuptiae¹³ nisi seminarium reipublicae? Quid¹⁴ familias jungit¹⁵? Quid¹⁶ gentes propagat¹⁷? Quid¹⁸ populis aeternitatem nisi matrimonia largiuntur? Quae pax, quae fides, quae caritas inter mortales esset, si more Platonis¹⁹ absque legitimis nuptiis viveremus passim feminis²⁰ abutentes²¹? Omitto infinitas utilitates, quas privata domus ex matrimonio elicit.

¹ mare R

² *omit.* T

³ consecrat T

⁴ conjunctum FR

⁵ nuptia P, R

⁶ veritas R

⁷ revelavit FR

⁸ ac R

⁹ *omit.* P, FR

¹⁰ et *add.* T

¹¹ *omit.* T

¹² nupte R

¹³ quid sunt ... nuptiae *omit.* R

¹⁴ quis P, R, FR

¹⁵ jungitur R

¹⁶ quis P, R, FR

¹⁷ propagatur R

¹⁸ *em.*; quis R, T, FR

¹⁹ Platonico T

²⁰ feminas P

²¹ abeuntes R

[10] For, contrary to the opinion of the Athenians, we do not say that Cecrops,¹ their king in very old times, was the one who instituted marriage (which is why, in Antiquity, he was depicted as having two parts²), being the first who joined male to female in a legitimate union. Indeed it was long before the foundation of Athens, in the very beginning of the world, that God himself and not a man, the creator and not someone created, the ruler and founder of the earth, consecrated marriage whose dignity is so great that once it has been made, it cannot be unmade, as Scripture says: *What God hath joined together, let no man put asunder*.³ Those who are legitimately joined in marriage are considered to be united with God's assent. Therefore, our Mother the Church, governor of morals, teacher of life, messenger of truth, considers marriage as one of the greatest of the divinely revealed sacraments that she dispenses. And therefore Jesus Christ, Our Lord and Saviour, Man and God, desired to be born of a married woman and to participate in weddings as well as to honour marriage with the first miracle he is said to have performed.

3.2. Benefits of marriage

[11] Having heard about the dignity of marriage, let us now examine its benefits, though these are easier to understand than to state. For what is it that sustains homes, cities, provinces, kingdoms, and even the human race itself, if not marriage? What is marriage other than the seedbed of human society? What unites families? What makes peoples grow? What permanence will peoples have if they do not have marriage? What peace, what faith, what love would there be among humans⁴, if we lived without legitimate weddings - as Plato⁵ wanted to, abusing women all the time?⁶ I shall not even mention the countless benefits that the private household gains from marriage.

¹ Cecrops: mythical King of Athens

² i.e. the upper part male and the lower part fish or snake

³ Matthew, 19, 6

⁴ "mortals"

⁵ Plato (428/427 or 424/423 BC-348/347 BC): Greek philosopher. Student of Socrates

⁶ Plato on having women in common, see Plato: *Republic*, 5.449c ff., 457d ff., 461e ff., 464b ff. See also: Aristotle: *Politica*, 2.1.(1261a): *For example, it is possible for the citizens in Plato's communistic Republic to have children, wives and possessions in common with each other, as in Plato's Republic, in which Socrates says that there must be community of children, women and possessions*

[12] Ad jucunditatem festino. Numquid jucunditas in matrimonio reperitur¹? Aristoteles, philosophorum acutissimus, non solum in *Politicis*, sed in² *Ethicis* quoque jucundam inter conjuges amicitiam {147r} esse testatur. *Ab urbe condita usque ad* D³ sive – ut Tertullianus ait – usque ad DC⁴ fere⁵ annos *nullum* divortium *intercessit*, tanta conjugiorum jucunditas fuit. An suavius quidquid⁶, dulcius, jucundius esse potest illius vita, qui morigeram ac fecundam sortitus uxorem, si quando ex fori rumoribus, ex curiae taediis, ex reipublicae laboribus domum se confert, veram consolationem reperit, veram amatorem, divinae domus humanaeque sociam reperit, dulces liberos sibi matrique⁷ blandientes videt, quibus laborat, quibus congregat, quibus⁸ vivit, in quibus etiam post mortem victurus est⁹?

[13] Non citabo¹⁰ testes humanos, ubi divina intonat¹¹ auctoritas: *Propter hoc*, inquit oraculum Genesis *relinquet vir patrem et matrem suam, et adhaerebit uxori suae, et erunt duo in*¹² *carne una*. Magna vis delectationis¹³, magna jucunditas, quae duobus ex corporibus unam carnem facit. Aristophanes in duobus corporibus unam esse animam consensit¹⁴. Sed sint¹⁵ haec satis de bono matrimonii dicta.

¹ queritur P

² omit. R

³ quingentos P, R, T

⁴ sexcentos P, R, T

⁵ vero T

⁶ quidquam P, R, FR

⁷ sibi matrique : sibique matri R

⁸ omit. R

⁹ sit P, R, FR

¹⁰ curabo FR

¹¹ intonuit FR

¹² omit. T

¹³ dilectionis T

¹⁴ censuisset R, T

¹⁵ omit. P, T, FR

3.3. Joys of marriage

[12] I pass quickly to the joys of marriage. May joy be found in marriage? [Indeed!] Both in his *Politics* and in his *Ethics*, Aristotle,¹ the most brilliant of philosophers, writes that there is joyful friendship between spouses. *From the founding of Rome until 500 or - according to Tertullian² - 600 years afterwards, no divorce occurred,³* so great was the joy in marriages. Can there be anything sweeter, more delightful, and more joyous than the life of the man who has got an obliging and fertile wife? When he comes home, leaving the buzz of the marketplace, the wearisome business of the court and the labours of state, he finds true comfort and a true lover in his companion in a divine and human household, and he sees sweet children, a delight to himself and their mother: is it not for them that he toils, and gathers, and lives, and in whom he will live on after death?

[13] But why quote human witnesses, where divine authority has spoken: the oracle of Genesis says that therefore *a man shall leave father and mother, and shall cleave to his wife: and they shall be two in one flesh.*⁴ It is great, powerful pleasure and a great, exultant joy that unites two bodies in one flesh. Aristophanes⁵ even thought that there was one soul in the two bodies.

I have now said enough about the benefits⁶ of marriage.

¹ Aristotle (384-322 BC): Greek philosopher

² Tertullianus, Quintus Septimius Florens (ca. 160-ca. 225 AD): early Christian author from Carthage. Quotation not identified

³ Valerius Maximus, 2.1.4: *Repudium inter uxorem et virum a condita urbe usque ad vicesimum et quingentesimum³ annum nullum intercessit* (From the founding of the city down to its five hundred and twentieth year there was no case of divorce between man and wife)

⁴ Genesis 2, 24

⁵ Aristophanes (446-ca. 386 BC): Greek playwright from ancient Athens. Quotation not identified

⁶ "bono"

[14] Jam postremo loco quales quantaque sint personae contrahentes intuendum¹ est praesentique contioni brevissime referendum². Neque enim de plebe sunt, neque de communi³ fortuna, sed de sublimi celsoque statu, quae contrahunt. Regius sanguis et imperatorius in conjugium venit. Attenuabitur rerum dignitas, si meis verbis personarum excellentiam conabor explicare. Longe melius eas ipsas audiemus de se suisque meritis disserentes. Fingamus igitur⁴ praesentes esse⁵, qui nuptias celebraturi sunt: loquatur⁶ de se regia virgo, loquatur et Caesar, suasque dignitates enumerent.

[15] Dic tu, Leonora, quae nubis, quid⁷ dotis⁸ affers, quid expetibile tuum narras, quo pacto divo Caesari placuisti⁹? Audire te cupimus. Non sine causa tantus te princeps adamavit¹⁰: audite, procures, audite, omnes: jam virgo loquitur. "Ego" - inquit Leonora - "ex alta Portugalliae domo sum nata, ex antiquissima regum stirpe, patre rege, regina matre¹¹". Clarissimum genus est meum, sive temporis vetustatem, sive majorum gesta requiris: infinitis jam saeculis sanguis meus regnat; invicti¹² virtute progenitores fuere belli domique. Testis victoriarum est Hispania tota, in qua nullus est angulus, {148r} quem nostri¹³ majores¹⁴ armis non penetraverunt¹⁵, sive dum barbaros insequuntur, sive dum Christianos domo propulsant injusta bella moventes.

¹ induendum T

² referendum FR

³ *omit.* FR

⁴ enim P, FR

⁵ *omit.* FR

⁶ loquar R

⁷ qui R

⁸ taces T

⁹ complacuisti P, FR

¹⁰ amavit T

¹¹ regina matre : matre regina FR

¹² invicta FR

¹³ *omit.* T

¹⁴ *omit.* T

¹⁵ penetraverint R, FR

4. The royal spouses

[14] And now, in the last place, we shall see of what kind and how great are the personages contracting this marriage, as I shall briefly relate to the present assembly.

The two people who enter this marriage are neither of the common people nor of common destiny. No, they are born to a high and exalted state. Royal and imperial blood will become united in this marriage. If I attempt to describe in my own words the excellence of these two persons, I shall not be able to do justice to their lofty status. It will be far better to hear themselves speak about their own and their family's merits. So let us imagine that the two betrothed are present: the royal maid will speak about herself and describe her exalted status, and so will the emperor.

4.1. Leonora

[15] And first you, Leonora, now that you are getting married, tell us what gifts and desirable [qualities] you bring to this marriage and how you have pleased the emperor. We wish to hear you. Not without reason does this great prince love you. So listen, nobles, and hear, all of you, for now the maiden speaks.

"I," Leonora says, "am born to the exalted House of Portugal, an ancient line of kings. My father was a king¹ and my mother a queen,² and my family was illustrious both if you consider its age and the deeds of our forefathers. My family³ has ruled for countless centuries, and my forebears were never defeated abroad or at home. The whole of Spain⁴ is witness to our victories for our forefathers have reached its every corner with their armies whether they pursued the barbarians or drove Christians waging unjust wars from their homes.

¹ Duarte (1391-1438): King from 1433 until his death

² Leonora of Aragon (1402-1445)

³ "sanguis"

⁴ By Spain is here meant the Iberian peninsula of which Portugal is part

[16] Recens est adhuc¹ memoria classis illius, cum qua meus avus in Africam transiens² felici magnoque proelio Saracenos exturbavit³, urbem Ceptam⁴ expugnavit⁵, ac nostris fidelibus coloniam deduxit, ubi adhuc invitis freudentibusque barbaris salutiferae crucis objecta sunt signa. Haec est paterna haereditas omni patrimonio praestantior, si *melius est*, ut inquit Sapiens, *nomen bonum, quam divitiae multae*. Fuerunt et genitori meo cum potentissimis Castellae atque Angliae regibus consanguinitatis strictissima vincula. Idem⁶, ut erat fama potens, virtute potentior, amitam meam cordatissimam et sapientissimam principi⁷ famosissimo, Burgundiorum duci, in matrimonium collocavit.

[17] Sed accipe nunc maternam gloriam. Duo mihi ex⁸ matre sunt⁹ avunculi, reges ambo. Sed qui reges? Alter Navarrae praesidet, virtute ac nomine clarus. Alterum archiregem melius appellaverim, cum non solum apud Hispanos, sed apud Italos, Siculos, Sardos, Majoricos, Minoricos¹⁰ regna possideat. Praetereo vetustos domus Aragonum¹¹ proceres in omne saeculum fama¹² colendos. Unus nobis ad gloriam satis Alfonsus erit, cujus invicta virtus, insuperabilis¹³ constantia, novercantem sibi fortunam non solum vicit, sed amicam blandientemque reddidit.

¹ est adhuc : adhuc est FR

² tractens R

³ Saracenos exturbavit : exturbavit Saracenos P, FR

⁴ captam FR

⁵ expugnant R

⁶ isdem R

⁷ *em.*; principem codd.

⁸ et R

⁹ mihi ex matre sunt : sunt ex matre T

¹⁰ *omit.* R; Minoricosque T

¹¹ Arroganum P

¹² varie T

¹³ insuperabilisque T

[16] Still the memory lives of the fleet with which my grandfather,¹ crossing the sea to Africa, destroyed the Saracens in a great and victorious battle, took the city of Ceuta, and gave it as a colony to the Christians, where still today the banners of the lifegiving crucifix stand in front of the hostile barbarians, gnashing their teeth. This is my paternal inheritance, a better one than all others, if, as the Wise One says, *a good name is better than great riches*.²

As for my father, he had the closest family ties with the mighty Kings of Castile³ and England.⁴ And as he was great in name, and even greater in virtue, he gave my prudent and wise aunt⁵ in marriage to that famous prince, the Duke of Burgundy.⁶

[17] But hear now about the glory of my maternal line. I have two maternal uncles, both kings. But what kings? The one rules Navarra,⁷ famous for his virtue and name. The other I could better call an archking since he possesses kingdoms in Spain, Italy, Sicily, Sardinia, Majorca and Minorca.⁸ I pass over the noble scions of the ancient House of Aragon whose fame should be admired in every age. One man is enough for us to demonstrate the glory of this house: Alfonso whose unvanquished courage and undefeatable steadfastness not only overcame fickle fortune, but made it smile at him and favour him.

¹ Joao I of Portugal (1358-1433). King from 1485 until his death. Conquered the African city of Ceuta in 1415

² Proverbs, 22, 1

³ Leonora's sister, princess Isabella, married Juan II of Castile in 1447

⁴ Joao I married Philippa of Lancaster in 1385

⁵ Infanta Isabella (1397-1441)

⁶ Philippe III le Bon (1396-1469): Duke of Burgundy from 1419 to his death

⁷ Juan II (1398-1479): King of Navarra from 1425 and of Aragon from 1458 until his death. Brother of Alfonso V of Aragon

⁸ Alfonso V the Magnanimous (1396-1458): King of Aragon, Valencia, Majorca, Sardinia and Corsica, Sicily and Count of Barcelona from 1416, and King of Naples (as Alfonso I) from 1442 until his death

[18] Quos portus, quas insulas, quas terras¹, quas maris oras hic non armatus, non victor adiit²? Quae regio in terris Alfonsi nomen ignorat? Quis belli, quis pacis artes melius novit? Quis civibus, quis peregrinis³ dilectior est⁴? Quis nostro saeculo praeter hunc unum⁵ favet ingeniis? Quis justior, quis liberalior, quis animo majori regnat? An solus hic ex principantibus est, qui neque secundis rebus intumescit, neque destituitur adversis? Verus fortunae domitor et nostri gloria saeculi⁶, qui non minori perseverantia Neapolim cepit, quam Graeci duces⁷ Trojam⁸ expugnaverunt⁹. Ostendi tibi dotem¹⁰ meam ex paterna maternaque domo non parvam gloriam.

[19] Quod si meam formam meosque mores nosse cupis, malim¹¹ alios de me loqui. Qua sum¹² tamen¹³ facie, qua¹⁴ statura, quibus¹⁵ lineamentis¹⁶, oratores Caesarei, qui ante biennium me¹⁷ viderunt, non est putandum suo principi reticuisse¹⁸: nisi placuissem, non essem prorogata. Ego inter matronas¹⁹, modestia et auctoritate graves, sum nutrita, nec puto me {149r} ulla ex parte vel a majoribus degenerasse, vel magistris displicuisse. Quibus ex rebus²⁰, sicut²¹ mihi videtur, ad nuptias venio²² minime contemnenda²³, quae paternis maternisque titulis illustrata, pudicitiam, virginitatem²⁴, formam egregiam, probos mores cum ingenti gloria mecum affero nobilitatissimae domus."

¹ *em.*; terrae codd.

² *adivit* T

³ *perregrinus* R

⁴ *omit.* T

⁵ hunc unum : unum hunc R, T

⁶ gloria saeculi : seculi gloria T

⁷ duce R

⁸ Troiani P, R

⁹ expugnaverint P, R

¹⁰ domine FR

¹¹ mallet T

¹² *sim* R

¹³ *tum* FR

¹⁴ quae FR

¹⁵ quis P, R, FR

¹⁶ *sim add.* T

¹⁷ ante biennium me : me ante biennium T

¹⁸ *retinuisse* FR

¹⁹ *omit.* R

²⁰ *sum add.* P, FR

²¹ *omit.* P, FR

²² *nemo* P, FR

²³ *condempnenda* P

²⁴ *virginis* FR

[18] Which harbours, which islands, which countries, which coasts has he not gone to, in arms and victorious? Where in the world is the name of Alfonso unknown? Who has greater knowledge of the arts of war and peace? Who is more beloved by his own subjects as well as by foreigners? Who in this century has greater intellect? Who is more just, and more generous, and who reigns more magnanimously? Isn't he the only prince who does not become arrogant in good times and depressed in bad times? Truly, he has tamed Fortune and is the glory of our time, he who conquered Naples with a tenacity that was just as great as that of the Greek leaders when they conquered Troy.

I have now shown you the bridal gifts I bring with me from my paternal House and the great glory of my maternal House.

[19] If you wish to know about my appearance and my character, I prefer others to speak about me. Surely, the imperial ambassadors, who saw me two years ago, will have reported back to their prince about my face, stature and features. If I had not pleased them, they would not have proposed me. I have grown up among women of great modesty and authority, and I do not think that I am in any way inferior to my ancestors or that I have displeased my teachers. Therefore, I believe that I come to this marriage as a highly suitable [bride], distinguished by my paternal and maternal titles, and with my maiden chastity, my exquisite beauty, my good character, and the immense glory of my illustrious House."

[20] Audivimus regiam virginem - ut mea fert¹ opinion - dotes egregias afferentem. Audiamus², si placet, et³ sponsum. Dic tu, Friderice, quibus rebus has⁴ nuptias exornabis, unde tibi regiam virginem postulas, tam generosam, tam formosam, tot dotibus eminentem? Magnum esse oportet, quem tali matrimonio⁵ dignemur. Attendite, praesules, adhibete aures, viri praestantes. Jam, Caesar, respondet⁶: "Fateor" – inquit - "vera esse, quae sponsa narravit, majoraque⁷ mihi de suo genere persuadeo, quam dicta sint⁸, formam ejus, quantum⁹ relatu didici, complector et amo, mores ejus accepi regios esse dignosque sanguine suo. Ceterum nec ego inglorius uxorem ducam. De meis moribus aliorum esse, non¹⁰ meum iudicium¹¹ volo. Vixisse tamen me¹² sic¹³ hactenus arbitror¹⁴, ut meis progenitoribus inferior videri non debeam¹⁵, sed malo de illis quam de me verba facere.

¹ fecit R

² et *add.* T

³ *omit.* P, R, FR

⁴ *omit.* P, FR

⁵ tali matrimonio : matrimonio tali T

⁶ responde R; *omit.* FR

⁷ maiora quam T

⁸ sunt R

⁹ quanto P

¹⁰ *omit.* T

¹¹ ~~non~~ *add.* T

¹² tamen me : me tamen R

¹³ me sic : sic me T

¹⁴ hactenus arbitror : arbitror hactenus R

¹⁵ debear R

4.2. Friedrich

[20] We have now heard how the royal maid brings - as I believe - outstanding gifts [to the marriage]. So now, if you please, let us hear the bridegroom. Tell us, Friedrich, about the distinction you bring to this marriage, and why you claim this royal maiden, so noble, so beautiful, and so eminently gifted. It must be something great to be worthy of such a marriage. Listen, prelates, and lend your ear, nobles!

Now, the emperor answers:

"I confirm the truth of what my bride has said, though I believe she has understated the exalted position of her family. I embrace and love her beauty that I have heard so much about, and I know that her manners are royal and worthy of her blood.

I, too, am not a spouse without glory. I will not judge my own character, I leave that to others. But I believe that until now I have lived in such a way that I would not appear to be inferior to my ancestors; but I would rather speak about them than about myself.

[21] Stirps mea vetustior est quam repeti possit, ducalis, regia, imperatoria, ex qua viri fortes¹ quamplurimi, bellicosi duces, justissimi reges, magnanimi caesares prodierunt. His Austria paruit, florentissima regio, cujus principatus et² a Sabaudia in Pannoniam et ab Illyrico in Burgundiam protenduntur. His Bohemiae nobilissimum, ditissimum³ et aureum olim regnum oboedivit, et⁴ ab his ferox virosa⁵que Polonia regnata est. Ab his septem illa populosa, latissima, et opulentissima Hungariae regna diutius gubernata⁶ fuerunt. Ab his Romanum imperium non sine magna {158r} nostrae familiae laude multis saeculis⁷ administratum est. Ab his Ottacarus, rex praedives⁸ ac potentissimus, qui ab Adriatico sinu usque in⁹ oceanum septentrionalem, quidquid medium¹⁰ fuerat, suae ditioni¹¹ contra¹² jus fasque subegerat, ac Romano imperio insultabat, Deo atque hominibus¹³ infestus, magno proelio victus¹⁴, profligatus, atque occisus est.

¹ de me verba ... fortes omit. T

² omit. T

³ dignissimum P, FR

⁴ omit. P, T, FR

⁵ ferosaque T

⁶ illa populosa ... gubernata : illae populosae, latissimae, et opulentissimae Hungariae ditiones gubernatae FR

⁷ multis saeculis : seculo P, FR

⁸ dives FR

⁹ ad P, FR

¹⁰ obvium FR

¹¹ ditioni R, T

¹² omit. P, FR

¹³ omnibus R

¹⁴ fictus P

[21] My ducal, royal, and imperial lineage is so old that it defies description. From it have issued many strong men, warlike dukes, just kings, and magnanimous emperors. They ruled the flourishing region of Austria, a principality stretching from Savoy to Hungary and from Illyricum to Burgundy. They also, for a time, ruled Bohemia, once a noble, prosperous, and golden kingdom. Also savage and uncouth¹ Poland was for a time governed by them. And the seven populous, large, and wealthy regions² of Hungary were under their sway. Finally, they also governed for many centuries the Roman Empire, with great distinction to our family. And in a great battle they defeated,³ routed, and killed the enormously rich and mighty King Ottokar,⁴ hateful to God and men, who against law and justice had conquered all the lands from the Adriatic Bay to the Northern Sea and mocked the Roman Empire.

¹ "virosa" = smelly

² "ditiones"

³ 1278

⁴ Ottokar II (c. 1233 – 1278): King of Bohemia from 1253 until his death

[22] Rudolfus nostrae domus princeps, qui primus in possessionem Austriae venit¹, tantae moderationis famaеque fuit, ut Romanorum creatus imperator, solo suae virtutis nomine fregerit, quicumque per Germaniam² adversus imperium res novas moliebatur³. Nec minor ei⁴ fuit Albertus prior, qui cum plerique {149v} Germaniae principes Adolfum ex domo de Nassau⁵ imperare vellent, nostramque domum calumniose praeterirent, non est passus extra familiam imperium esse, sed bello indicto ad⁶ constitutam diem armatus venit, collatisque signis in aciem prodiit, et⁷ atroci⁸ pugna usurpatorem imperii vicit, fudit, occidit ac domum Austriae pristinae dignitati⁹ restituit. Transeo Fridericum Caesarem et avum meum Leopoldum, *duo fulmina belli*. Ernestum, qui me genuit, non laudabo, quamvis subditis dilectissimus esset, inimicis formidatissimus. Patruus meus Albertus Caesar, qui Bohemiam Hungariamque¹⁰ regnavit, non solum Hussitas afflixit¹¹ haereticos, sed Turcorum rabiem Christianis cervicibus imminentem magna virtute compescuit. Non est otium modo referre, quae mei majores nunc pro catholica fide, nunc pro Romano imperio tuendo propagandoque¹² terra marique gesserunt¹³, nec narranti mihi dies sufficeret.

¹ novit R

² Germanias R

³ moliebantur T

⁴ eo P

⁵ Nassano R

⁶ omit. T

⁷ omit. T

⁸ atrocique T

⁹ dignitate R

¹⁰ Hungariam P, R, FR

¹¹ inflixit P, FR

¹² propagando FR

¹³ gesserit R; gesserint P, FR

[22] Rudolf¹ was the first prince of our House who came into possession of Austria. His leadership and fame were so great that he was elected Roman Emperor, and his reputation for strength and courage was sufficient to subdue anybody in Germany plotting rebellion against the empire. Just as great was Albrecht I.² When many German princes wanted Adolf of the House of Nassau³ to rule and shamefully pass over our house, he did not suffer imperial rule to pass to another family, but declared war. On the appointed day he arrived with his army, he had the standards brought forward, and in a ferocious battle he defeated, vanquished and killed the usurper of the empire, and restored the House of Austria to its former dignity. I pass over Emperor Friedrich⁴ and my grandsire, Leopold,⁵ *two thunderbolts of war*.⁶ I shall not praise my own father, Ernest,⁷ though he was greatly beloved by his subjects and greatly feared by his enemies. My uncle, Emperor Albrecht,⁸ ruled Bohemia and Hungary. He not only defeated the Hussite heretics, but also valiantly overcame the Turkish frenzy threatening the necks of the Christians. I do not have time now to relate all that my forefathers have done for the protection and propagation of the Catholic Faith and the Roman Empire by land and sea: a day would not be enough.

¹ Rudolf I (1218-1291): Originally a Swabian count. King of the Romans (Germany) from 1273 until his death. Raised the Habsburg dynasty to a leading position. The first Habsburg to acquire the duchies of Austria and Styria

² Albrecht I (1255-1308): Duke of Austria. King of the Romans (Germany) from 1298 until his death

³ Adolf of Nassau (ca. 1255-1298): King of the Romans (Germany) from 1292 until his death in battle 1298

⁴ Friedrich of Habsburg (ca. 1289-1330): Duke of Austria and Styria from 1308 as Friedrich I as well as King of Germany (King of the Romans) from 1314 (anti-king until 1325)

⁵ Leopold III (1351-1386): Duke of Austria from 1365 to 1379, and Duke of Styria and Carinthia (Inner Austria) in 1365–1386

⁶ Vergilius: *Aeneis*, 6.842

⁷ Ernest (1377-1424): Duke of Styria, Carinthia and Carniola (collectively Inner Austria) from 1406 until his death

⁸ Albrecht II (1397-1439): Archduke of Austria. King of Hungary and Croatia from 1437. Uncrowned King of Bohemia. Elected King of the Romans

[23] Cum Romanae reipublicae curam ab annis jam trecentis nostra domus habuerit, forsitan degenerasse nos hodie, solisque titulis et imaginibus niti majorum quispiam¹ existimaverit. Scimus, quam miserum est

*alienae incumbere famae,
ne collapsa ruant subductis tecta columnis.*

Dabimus igitur et aliquid nostrum. Quattuor hodie sumus in Austriae domo: me natu majorem principes electores Romano imperio praefecerunt, cui annis jam undecim laetantibus subditis praefui: parco de me plura dicere. Ladislaum patruelem, Alberti filium, Sigismundique Caesaris ex filia nepotem, quem propter impuberem aetatem domi nostrae gubernamus, et Bohemorum et Hungarorum cum² plebs tum³ optimates suum regem esse fatentur. Albertus frater invictus⁴ armis Sueviam Alsatiamque gubernat, Suicensis⁵ populi frenum metusque. Sigismundus, alter patruelis, expectatae indolis adolescens, Enum atque Athesim regit, cujus aetatem quamvis facies prodit, tamen virtus ementitur. Nostra sunt haec sine majoribus laudanda. Quis consanguineos affinesque nostros enumeret⁶? Nulla Germaniae domus illustris est, quae nostram familiam sanguine non attingit⁷.

¹ quis iam T

² dum T

³ dum T; cum P, FR

⁴ invictis R

⁵ Switensis P, T, FR

⁶ emeretur P

⁷ attingat P, R, FR

[23] Since, today, our House has been in charge of the Roman state for more than 300 years, one might think that it might now have grown weak, only relying on the titles and images of our forefathers. We know that

*It is a poor thing to lean upon the fame of others,
Lest the pillars give way and the house fall down in ruin.¹*

So let us say something about our own [generation]. Today the House of Austria consists of four men: I myself am the oldest and was elected Roman Emperor by the Prince Electors, and I have ruled my contented subjects for eleven years. I shall say no more about myself. Ladislaus,² my cousin, is the son of Emperor Albrecht and the grandson of Emperor Sigismund³ through his daughter. Because he is still underage, he is brought up in our own home, and the Bohemians and the Hungarians (both the people and the nobles) have proclaimed him king. Albrecht,⁴ our unvanquished brother, rules Swabia and Alsatia and is the bridle and terror of the Swiss people. Sigismund,⁵ my other cousin, is a promising young man who rules Inn and Etsch⁶: his face reveals his age, but belies his virtue. All this is praiseworthy in itself, without having recourse to our forefathers. Who can enumerate our relatives and family? No distinguished House of Germany is unrelated to ours by blood.

¹ Juvenal: *Saturae*, 8.76-77

² Ladislaus the Posthumous of Habsburg (1440-1457): Archduke of Austria from 1440, King of Hungary from 1444 and King of Bohemia from 1453 to his death

³ Sigismund of Luxemburg (1368-1437): King of Hungary and Croatia from 1387, King of Bohemia from 1419, and Holy Roman Emperor for four years from 1433 to his death

⁴ Albrecht VI of Habsburg (1418-1463): Archduke of Inner Austria (i.e. the duchies of Styria, Carinthia and Carniola) from 1424 and of Austria from 1457 to his death

⁵ Sigismund of Habsburg (1427-1496): Archduke of Austria, and Duke of Tirol from 1446 to 1490

⁶ Tyrol

[24] Majores nostri ex Francia, ex Aragonia, ex Hungaria, ex Neapoli, ex Anglia, ex Polonia, ex omnibus Christiani populi celsis domibus uxores duxere¹. Cum his ego praerogativis nuptiarum sacris initiandus prodeo, qui cum domo Portugalliae atque Aragonum matrimonium contrahens non unum² regnum aut unam provinciam, sed Alamaniam, ingenti populorum, principum, praelatorum multitudine redundantem, quin et Germaniam totam, regnis gravidam, quae Christianitatis³ plus media parte complectitur, dives⁴ viris et armis, in affinitatem mecum adduco.”

[25] Accepisti, rex amplissime, quae sponsus et sponsa dixerunt. Intellexerunt - ut arbitror - omnes, qui adsunt praesentes, matrimonii dignitatem, quo⁵ certe neque nobilius neque potentius neque honorabilius⁶ neque Christianitati utilius inter mortales ullum contrahi potest, quando et virtus virtuti et nobilitas nobilitati et⁷ potentia potentiae et magna magnis et summa summis adduntur. Hinc Germanis principibus, Hispanis inde proceribus in affinitatem, benevolentiam amicitiamque⁸ concurrentibus. Ob quas res nihil aliud modo restat agendum, nisi ut de tanto bono – sicut facimus – divinae pietati, quae omnia movet, et tuae majestati, quae hujus rei auctrix est, immortales gratias referamus, superos omnes orantes, ut hoc matrimonium et contrahentibus jucundum⁹ diuturnumque sit et Christianae reipublicae felix.¹⁰

¹ ducere R

² parvum P, R, FR

³ Christianitatem T

⁴ divis R

⁵ que R

⁶ neque potentius . honorabilius *omit.* FR

⁷ ac FR

⁸ amicitiam P, FR

⁹ fecundum P; secundum FR

¹⁰ Laus Deo Jesu Christo. Finis *add.* P; Laus Deo Jesu Christo *add.* FR

[24] Our forefathers married women from the exalted Houses of France, Aragon, Hungary, Naples, England, Poland, and all the other Christian nations. Following this marriage tradition, I am now contracting a marriage with the House of Portugal and Aragon. It is not just one realm or just one province that I am bringing with me into that relationship, but Germany, overflowing with an immense multitude of peoples, princes, and prelates. Indeed, the whole of Germany comprises more than half of the Christian world and is rich in dominions, men and military power.”

5. Conclusion

[25] Great King, you have now heard the words of the bridegroom and the bride. I believe that all those who are present understand the high dignity of this marriage: indeed it is the most noble, the most powerful, the most honourable marriage, and the most beneficial to Christendom that can be arranged, if you add virtue to virtue, nobility to nobility, power to power, greatness to greatness, and highness to highness. From the one side the German princes and from the other side the Spanish nobles join each other in this bond of marriage, sympathy and friendship.

It now only remains to give eternal thanks - as we are doing now - to Merciful God, the mover of all, and to Your Majesty, who is the author of this matter. We all pray to Heaven that this may be a happy and enduring marriage for the spouses and a blessing for the Christian Commonwealth. Praise be to Jesus Christ, our God.

[26]

*Vivere¹ te cupimus longos, Alphonse, per annos,
Aurea quo nobis saecula rege patent.*

*Victus abest hostis, et facta miserrima secum
Omnia sunt², pacis te duce tempus adest.*

*Vincere fortunam magis est quam monstra³ domare.
Herculeo majus nomine nomen habes.*

*Felix Parthenope, dum te domus alta tenebit
Aragonum: vis te laedere nulla potest.⁴*

¹ In P, these verses are placed on f. 161f, after the oration “*Moses vir Dei*” [19]

² In *add.* P

³ monstrum FR

⁴ Vivere ... potest *omit.* F, P

6. Verses in praise of King Alphonso

[26]

*We wish you will live, Alfonso, for many years.
Under your kingship a golden age lies open to us.*

*Far away is the conquered enemy and all his miserable deeds.
Under your governance the time of peace has come.*

*To conquer fortune is greater than to tame a monster.
Your name surpasses Hercules'.*

*Happy are you, Parthenope:¹ as long as you are in the keep of
the exalted House of Aragon no power can hurt you.*

¹ Parthenope: Figure from Greek mythology and name of the early Greek colony that later developed into Neapolis (Naples)

(Orations of Enea Silvio Piccolomini / Pope Pius II; 15)

Oration “*Fateor*” of Enea Silvio Piccolomini (28 December 1450, Rome). Edited and translated by Michael von Cotta-Schönberg

8th version

2019

Abstract

At Christmas 1450, Enea Silvio Piccolomini, senior imperial diplomat and Bishop of Trieste, arrived in Rome on his way back from successful negotiations concerning the contract of marriage between Emperor Friedrich III and Princess Leonora of the House of Portugal. In Rome, his mission was to negotiate the imperial coronation that was to take place in 1452. Piccolomini was received by Pope Nicolaus during a papal consistory where he delivered the oration "*Fateor*". The main subjects of the oration were the imperial coronation, the imperial marriage, and an ecumenical council. Concerning the coronation, Piccolomini answered three questions: why the emperor wanted to be crowned; why the matter had been delayed for 10 years; and what the emperor required of the pope. Concerning the marriage, Piccolomini simply quoted some high-sounding passages from his oration given at the conclusion of the marriage negotiations, the "*Quamvis grandes materias*" [14]. Concerning the ecumenical council, Piccolomini informed the pope that the emperor required such a council to be held in Germany and not to be summoned before the coronation had been held. These imperial requirements in reality put a stop to the plans for holding a new council, to the relief of the pope who was understandably averse to holding another council so soon after the council of Basel which had proven disastrous for the Papacy.

Keywords

Enea Silvio Piccolomini; Aeneas Sylvius Piccolomini; Æneas Silvius Piccolomini; Pope Pius II; Papa Pio II; Emperor Friedrich III Habsburg; Emperor Frederick III Habsburg; Pope Nicholas V; Pope Nicolaus V; Papa Niccolò V; Ecumenical Councils; Imperial coronation, 1452; Pope Eugene IV; Pope Eugenius IV; German Neutrality; Renaissance orations; Renaissance rhetorics; Renaissance Oratory; 1450; 15th century

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I. INTRODUCTION

1. Context¹

In October 1450, Emperor Friederich III sent a seasoned diplomat and specialist in Italian affairs, Enea Silvio Piccolomini, Bishop of Trieste,² to Italy with a double mission: one was to negotiate the contract of marriage between the emperor and Princess Leonora of Portugal in Naples,³ and the other was to reach an agreement with the pope concerning the emperor's coronation in Rome - and to obtain guarantees of the emperor's safety from those states he would be passing through. Obtaining such guarantees was not necessarily an easy task: many Italian states, nominally under the empire, had over the centuries achieved effective independence and were ruled by their own princes and oligarchs. In view of past events, all Italian powers, including the pope, grew extremely nervous whenever a German emperor planned to visit his Italian realm.

The papacy itself was undergoing a period of restoration after the end of the rump council in Basel and the abdication of its antipope, Felix V, in 1449. By 1450, the situation had stabilized to such an extent that the pope could celebrate a Jubilee Year which attracted many thousands of the faithful to Rome to obtain the generous indulgences connected with a jubilee and to venerate the saints.

While things were brightening up for the papacy, there was, however, one dark cloud on the horizon. As part of the agreements leading to the abdication of the antipope and the end of the schism, Pope Nicolaus had promised the French King, Charles VII, to hold an ecumenical council on French territory, possibly in Toulouse. In his *De rebus Basiliae gestis commentarii*, from the same year as the oration "*Fateor*", Piccolomini had written that as part of the negotiations on ending the Basilean schism, *Nicholas would call a council in the Kingdom of France a year after the Jubilee,⁴ if the other princes agreed.⁵*

If such a council were to take place, the pope would undoubtedly come under pressure to grant important concessions such as recognizing the Pragmatic Sanction of Bourges.⁶ And in view of what had happened at the two former councils, in Konstanz (1414-1418) and Basel (1431-1439), which had both deposed the reigning popes, the papacy was really not inclined to repeat the conciliar experience at that time.

¹ Ady, p. 112; Baldi, pp. 175-177; Boulting, p. 185-186; Mitchell, p. 108; Pastor, I, pp. 368; Stolf, p. 243; Voigt, III, pp. 18-21;

² While travelling, Piccolomini was transferred by Pope Nicolaus V from the See of Trieste to the See of Siena, his home city

³ See oration "*Quamvis grandes materias*" [14]

⁴ I.e. in 1452-1453

⁵ Piccolomini: *De rebus* (Reject, p. 386)

⁶ In practice, the Pragmatic Sanction of Bourges, approved by King Charles VII in 1438, in many ways – and especially financially – made the French Church free of the pope

When the marriage negotiations in Naples marriage were concluded on 10 December 1450, Piccolomini proceeded to Rome where he arrived before Christmas, in time to witness the presentation of the apostolic sword to the emperor's brother, Duke Albrecht of Austria.

He was received by Pope Nicolaus V, an old colleague and friend, during a papal consistory at which occasion he gave the oration "*Fateor*".

The main subject of the oration was a formal request of the emperor to be crowned in Rome by the pope, presented by Piccolomini in his capacity as imperial ambassador. To this was added a brief announcement of the conclusion of the imperial marriage contract in Naples, and – more importantly – a request on behalf of the emperor to postpone the promised council until after his own coronation and to hold it in a German city.

The day after meeting in the papal consistory, the Milanese ambassador in Rome reported to his master, Duke Francesco Sforza of Milan:

Per lo duca Alberto fratello de l'imperatore, quale venne ad li dì passati qui al iubileo, et per messer Enea ambasciatore del prefato imperatore, che novamente è ritornato dal re de Ragona, heri fuo sollenemente denanzi ad la sanctità de nostro signore et collegio de cardinali et alcuni altri prelate exposto per parte del predicto imperatore effettualmente come la maestà soa dispone questo anno subsequente venire in Italia et ad Roma per assumere la corona come rechiedo lo debito et consuetudine, allegando alcune excuse se fine adesso non ha cerchata questa incoronazione, et maxime per le turbationi che sono state in li Paesi de Lá et etiam in Italia, et inferendo che etiam intende volersi incoronare fra le altre cagioni per potere cum maggiore auctoridade attendere insieme cum la sanctità de nostro signore ad la reformatione et quietatione de tutta la christianidade et per potere similiter comparere et intervenire per reformacione et bene de la Chyesa al future concilio. Secundo, richieseno che a nostro signore piacesse volere dechiarare et pronuntiare lo concilio per questo anno sequente dove fosse la sancità soa et etiam dove deliberava volere essere presente luy, ma che 'l dicto concilio non se facesse finché luy non havesse presa la corona. Tertio, domandarono che 'l dicto concilio se dovesse celebrare in una terra de Germania, allegando certe rasoni perché nostro signore dovesse farlo più tosto in quello Paese che in altre parti. Postremo, dicti ambasciatori notificarono ad nostro signore come novamente era conclusa parentela fra la maestà de l'imperatore et re de Ragona in questo modo, che 'l prefato imperatore havia tolta per moglie la sorella del re de Portugallo, quale è nepote del prefato re de Ragona. Nostro signore¹ conclusive gli rispose gratiosissimamente ad tutte le parti, et non solo accettò e monstrò essere contento de la venuta de l'imperatore ad incoronarsi et de volere celebrare lo concilio ma summamente lo comandò et affermò cum juramento

¹ Pope Nicolaus

desiderare cordialissimamente che dicto concilio se facesse, solo del loco disse non potere ancora rispondere chiaro, perché lo re de Franza instantissimamente domandava se facesse in Franza et altri signori et potentie ricercavano altri lochi, sì che era necessario, considerato che 'l dicto concilio se dovia procurare et fare per universal bene de tutta la Chyesa et de christiani, che primo de communi Concordia se elegesse questo loco. Unde parendomi che queste siano cose digne de sapere et importanti ne ho voluto dare notitia ad la illustre signoria vostra.¹

The report of the ambassador clearly confirms that Piccolomini delivered the oration “*Fateor*”, that it was the Early Version of the oration (including the sections on the council and on the imperial marriage, omitted in the Final Version) which was delivered by him, and that the Milanese ambassador considered the imperial ambassadorial message to be highly important.

In his *Historia Austrialis* (finished in 1458²) Piccolomini wrote about the event, without mentioning the oration as such:

The legates³ then went to the Roman Pontiff. Having informed His Apostolic Piety of the Emperor's intentions concerning the contracted marriage and his desire to be crowned, they asked for the pope's advice about the time and route for the emperor's travel to Rome.⁴

And in his *Commentarii* he later wrote, in 1463-1464:

Leaving Naples around the end of the jubilee year, he returned to the pope. At a public consistory he announced that the marriage had been arranged and that the emperor would come the next year to be crowned; he also argued against granting the request of the French for a council in France. Present on this occasion was the emperor's brother, Duke Albert of Austria, who on Christmas night was presented with the apostolic sword.⁵

Of Piccolomini's contemporary biographers Campano does not mention the event, but Platina wrote: *Having returned to Rome, he spoke with [Pope] Nicolaus about matters pertaining to the coronation of the Emperor.⁶*

¹ Letter from Vincenzo Amidani to Francesco Sforza, of 29 December 1450. In: *Carteggio*, I, I, p. 307

² HA / Version 2 (Wagendorfer, pp. xvii-xxi)

³ i.e. Piccolomini and his ambassadorial colleagues

⁴ HA / Version 2 (Wagendorfer, II, p. 430): *[Legati] ... postquam de contracto matrimonio deque coronationis celebrandae, quae caesar haberet, desiderio pietatem apostolicam certiores reddiderunt, quo tempore quove itinere veniendum caesari foret, consilium petivere*

⁵ CO, I, 20, 2 (Meserve, I, p. 94-95)

⁶ Zimolo, p. 102: *Romam ad Nicholaum pontificem reversus, cum eo his de rebus loquitur, quae ad coronam imperatoris pertinere videbantur*

It is remarkable that neither Pius himself in the *Historia Austriale* and the *Commentarii* nor his contemporary biographers directly mention the oration even though it was in itself a highly important diplomatic oration, delivered to the pope on behalf of an emperor. Probably the matter of the council was still rather sensitive during Pius' pontificate and prudence prevailed (see below).

Having delivered his oration, Piccolomini returned to the emperor with the pope's consent to the coronation. Soon afterwards, the preparations for an imperial voyage through Austria and Italy to Rome were set in motion.

2. Themes

The oration has three themes:

- The imperial coronation
- The imperial marriage
- The ecumenical council

2.1. Imperial coronation

The main theme of the oration is the imperial coronation.

Piccolomini here develops three subthemes:

- The emperor's desire to be crowned
- Reasons for the delay
- Specific requirements in connection with the coronation

In the Early Version of the oration, Piccolomini states four reasons for the emperor's wish to be crowned.

His first motive is piety and devotion (*devotio*): the act of being anointed and consecrated as ruler is pleasing to God, just as it was during the times of the Old Testament when the kings of Israel were anointed by prophets and high priests.

The second motive is custom (*consuetudo*): The Christian emperors of the East were crowned by the patriarchs of Constantinople, and after Charlemagne was crowned in Rome in 800 the Holy Roman emperors of the West were crowned by the pope in Rome, at least those of them who managed to be crowned at all.

The third motive is obligation (*debitum*): Being crowned by the pope was a gesture of gratitude towards the papacy which had, as it claimed, bestowed the emperorship upon the German nation.

To these three motives, Piccolomini adds a fourth: benefit (*utilitas*). The coronation would make it possible for the political and the religious head of Christendom to meet and negotiate the common affairs of the Christian World.

2.2. Imperial marriage

The part of the oration concerning the imperial marriage is only a brief paragraph, mostly consisting in an ornamental rhetorical passage from the oration "*Quamvis grandes materias*" [14], delivered by Piccolomini at the celebration following the conclusion of the marriage contract.

2.3. Ecumenical council

As explained above, the pope was in the awkward position of having promised a council to the French king, Charles VII, seemingly with the understanding that it should be held on French territory. It was a council which the pope himself definitely did not want as he dreaded the negative consequences for the papacy. The emperor did not really want it either, though out of consideration for the German princes and for the sake of consistency and politeness the fiction of the need for a council was still officially maintained.

Wisely, and following historical precedent, the pope had given his assent to the French with a significant proviso, viz. that the other princes should agree to the plan of a council on French territory.

In his oration, Piccolomini provided the solution to the pope's dilemma: referring to urgent letters recently received from the imperial court, he announced the emperor's support for a new council, but on three vital conditions: firstly, the pope was to have full control over it, secondly it should be postponed until after the imperial coronation, and thirdly it should take place on German territory.

Everybody got the message: there would not be another council and if there was one, it would be the pope's council, and not a council of the French king nor a council of conciliarist rebels against the papacy, as the Council in Basel had eventually become.

Concerning the issue of pope's promise to the King of France, Piccolomini in 1452, only two years afterwards, wrote, in the oration "*Sentio*" [20]:

The promise to the king of a council was not given unconditionally; no, it was given on the condition that the other kings and princes would agree. But these mostly rejected the idea. The kings of Aragon, England and Portugal do not want a council to be held in France. I myself, at the command of the emperor, in a public consistory in Rome at the end of the Jubilee Year,¹ argued against holding this council – and with good reason! [Sect. 111]

This text clearly shows that the real message in Piccolomini's oration was not that the emperor wanted a council and that it should be held under certain conditions, no, it was that the emperor did not want another council. Moreover, Piccolomini asserts that this message was given at the emperor's command.

Toews had this commentary to this whole maneuver:

The pope's new authority was still overshadowed by the prospect of the general council which he had promised the French King. The French ambassadors in Rome urged the fulfillment of this promise. Aeneas cleverly eliminated this threat to the happiness of the pope. In a speech before the Pope and Cardinals, he announced the betrothal of Frederick and his approaching coronation. He then went on to demand, in Frederick's name, that any prospective Council should be held in Germany. Thus Nicholas could answer the French ambassadors that the princes of Europe were not unanimous in consenting to a Council in France. This action stalled the conciliar threat indefinitely and allowed the Pope to engage in other interests.²

The papal/imperial maneuver to avoid a council proved to be quite effective: it took approximately another 50 years before a new ecumenical council took place, and in the meantime the papacy had been restored to such a degree that it did not have to fear a council since it would take place under its own control.

¹ I.e. in the oration "*Fateor*"

² Toews, pp. 224-225

Voigt claimed that the urgent letters Piccolomini referred to in the Early Version of the oration, were a pure invention, proving his immoral and duplicitious character.¹ Voigt does not document his claim, though, which he made quite gratuitously and in line with his generally very negative assessment of Piccolomini's character. The important issue in this regard is whether or not Piccolomini's contribution to the matter was in keeping with his imperial master's policy. It actually was, and if there really were no letters, they were simply a diplomatic pretext of the kind necessary in times of slow communications. If the problem had not been foreseen in the instructions of the imperial ambassador and came to the fore only when Piccolomini returned to Rome from Naples, he could not very well wait a month or two before receiving specific instructions in the matter.

Catherine Fletcher makes this observation concerning the flexibility of Renaissance ambassadors in the exercise of their function:

While representatives of republics were often tied closely to instructions, a royal diplomat who enjoyed the confidence of his sovereign might well have more latitude (in terms of tactics, at least) so long as that confidence lasted. As Daniela Frigo has argued, in the fifteenth and early sixteenth centuries, there was a 'marked distinction' between the ambassadors of princes and those of republics: in the principalities diplomacy lacked clear rules and instead relied on the reciprocal relationship of fidelity (fidelitas) from the ambassador and grace (gratia) from the prince. The republics, on the other hand, had much more formalised systems: their statute books contain numerous injunctions relating to the conduct of ambassadors. Although diplomacy was an international system and required international norms, there was sufficient flexibility to accommodate a range of local practices. Ambassadors were expected to be aware of their limits and to exercise their judgement appropriately.²

So, given that Piccolomini was negotiating about the imperial coronation with a pope fearing the spectre of a council, it may be reasonably held that his diplomatic move making it possible for the pope to politely deny the French claims for such a council was within the general scope of his diplomatic mandate, which was to ensure the coronation. Voigt's claims of personal immorality and duplicity therefore appear to be unjustified.

¹ Voigt, III, pp. 20-21

² Fletcher, p. 54

3. Date, place, audience and format

On the basis of a report by the procurator of the German Order in Rome, Laurentius Blumenau, of 15 January 1451, Voigt concluded that the consistory in which Piccolomini delivered his oration was probably held on 26 December 1450.¹ However, already the day after the consistory, on 29 December, the Milanese ambassador reported to his duke that the oration had been delivered the day before,² i.e. the 28, and this is the date retained in the present edition.

The place was probably the apostolic palace in the Vatican, and the audience consisted of the participants in a papal consistory held on that day, cardinals, prelates, and curials.

The format was that of a formal ambassadorial address, on behalf of the emperor, delivered in the papal consistory.

4. Text³

The text of the oration is extant in two versions: the Early Version is close to or identical with the oration as delivered by Piccolomini.⁴ The Final Version is the one included in the papal collection of Piccolomini/Pius' orations, prepared during the last years of his pontificate (1462-1464).

4.1. Early Version (EV)

4.1.1. Manuscripts⁵

The early version is contained in a two manuscripts:

¹ Voigt, III, 1, p. 19

² "heri", cf. *Carteggio*, I, I, p. 306

³ Concerning the textual transmission of Pius II's orations, see *Collected orations of Pope Pius*, vol. 1, ch. 5

⁴ Reports from the Milanese ambassador of 29 December 1450 and from the procurator of the German order of 15 January 1451 confirm that it was indeed the First Version, containing the formal request for a council, to be held in Germany, that was delivered by Piccolomini, see *Carteggio*, I, I, p. 306-307, and Voigt, III, pp. 19-20

⁵ Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

- **Firenze / Biblioteca Riccardiana**
346, ff. 1r-10r **(R)***
- **Roma / Biblioteca Apostolica Vaticana**
Pal. lat. 598, ff. 148v-153r **(P) ***

4.1.2. Editions

The Early Version has been published three times:

- Freher, Marquard (ed.): *Germanicarum rerum scriptores varii*. Frankfurt, 1602 / t. II, pp. 21-25
- Freher, M. & B.G. Struvius (eds.): *Rerum germanicarum scriptores varii*. Argentorati: Dulssecker, 1727 / II, pp. 34-38 **(FR)**
- Pius II: *Orationes*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759 / t. I, pp. 152-160

Freher does not indicate the manuscript on which his edition is based, and Mansi simply reproduces the text in Freher.¹

4.2. Final version

4.2.1. Manuscripts

The “*Fateor*” is included in all seven manuscripts containing the collection of Pius’ orations, produced under his own supervision in 1462:

- **Lucca / Biblioteca Capitolare Feliniana**
544, ff. 54r-58v **(G)***

¹ Note that in the edition by Freher, the initial word *Fateor* has fallen out, so that the incipit of the oration in his edition is *Beatissime pater*, cf. below

- **Mantova / Biblioteca Comunale**
100, ff. 74r-81r *
- **Milano / Biblioteca Ambrosiana**
97 inf., ff. 48r-52v *
- **Rome / Biblioteca Apostolica Vaticana**
Chis. J.VI.211, ff. 50r-54v **(D)***
Chis. J.VIII.284, ff. 86v-90r **(A)***
Chis. J. VIII.286, ff. 71r-78r **(C)***
Vat. lat 1788, ff. 123r-128r **(B)***

4.2.2. Editions

The final version was published twice:

- Pius II: *Orationes*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759 / I, pp. 140-149 [*based on the Lucca manuscript (G)*]
- Müller, Johann Joachim: *Des Heil. Römischen Reichs Teutscher Nation ReichsTags Theatrum wie selbiges unter Keyser Friedrichs V. Allerhöchsten Regierung von Anno MCCCCXL bis MCCCCXCIII gestanden ...* Jena, 1713 / Theil I, pp. 376-380

4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations Pope Pius II*, vol. 1, ch. 9-10.

Text:

The Early Version is based on the two manuscripts listed above and the edition by Freher **(FR)**.

The Final Version is based on the four manuscripts from the BAV **(A, B, C, D)** and the manuscript in Lucca **(G)**.

The lead text of the Early Version is the Riccardiana 346 **(R)** , and the lead text of the Final Version is the BAV Chis. J.VIII 284 **(A)**.

Pagination:

Early Version: Pagination is from Riccardiana the Palatinus.

Final Version: Pagination from Chis. J.VIII.284.

Textual apparatus:

The parts of the text occurring in both versions (Early and Final Version) - but with no regard to differences in grammatical form and word order - are marked in bold types.

References:

References to sources and other notes occurring in the First Version are not repeated in the Second Version.

4.4. Differences between the Early Version and the Final Version

The Final Version was thoroughly revised in connection with its inclusion in the papal compilation, indeed it is the oration most extensively revised in connection with the papal edition of Pius' orations.

The revision concerns basic subject matter, structure and content as well as the style of the oration.

4.4.1. Subject matter

The subjects of the imperial marriage and the ecumenical council were excluded from the Final Version.

As for the imperial marriage, it may have been removed simply because it contained nothing of substance, consisting mostly of a paragraph quoted from Piccolomini's speech at the end of the negotiations in Naples, the "*Quamvis grandes materias*" [10].

As for the ecumenical council, it may reasonably be conjectured that the relevant sections were removed from the "papal" edition of the orations because they did not fit the politics of Pius II. When he became pope (under this name), Piccolomini was quite as averse to holding a new ecumenical council as his predecessors had been. The risks to the Papacy were simply too great. But in the Early Version of the oration, Piccolomini, had listed a number of excellent reasons for holding a new council:

Though the Church is now united under you as its head and as true Vicar of Christ, there are still a number of outstanding issues that would seem to require a general meeting of bishops. Many Christian princes are in open conflict: concord must be sought. The morals of both clergy and laity are rapidly deteriorating: morals must be restored. Many oppress the Church: its liberty must be regained. Though your own authority is sufficient for dealing with these issues, the implementation of [any measures] is not easy without a meeting of prelates and the agreement of the princes. Therefore the emperor wishes for a general council to facilitate matters. [Sect. 23c]

Even though these motives were not meant seriously at the time of delivery, they were still highly relevant during the pontificate of Pius II, so it would be politically embarrassing for him to republish them while pope. Moreover, the perspective of strong imperial support for a papally controlled council, also described in the oration, was by now obviously and sadly fictitious, given the emperor's personality and policies.¹

4.4.2. Structure

The structure of the Final Version differs from the structure of the Early Version in at least two ways:

Firstly, the section on the history of imperial coronations was moved from the section on the emperor's motives for the coronation to the introduction, and secondly the triple division of the section into motives (devotion, custom, obligation) was abandoned.

¹ O'Brien: *Pope*, pp. 70-71, seems to believe that Piccolomini's position on the ecumenical council was at odds with Nicolaus Vs and his own later position on councils, but this is probably not a correct interpretation of his diplomatic message. But she is quite right in pointing out that the oration's formal assertion of the need for a council was an embarrassment to him as pope

4.4.3. Style

Presumably, the young humanists in Pius' entourage and especially Gianantonio Campano were given quite a free hand in proposing changes of a stylistic nature, resulting in a more classical style. Indeed, such changes may have provided the pope and his humanist staff with much interesting matter for discussion – in the pope's leisure time - concerning classical Latin language and style, as, presumably, the changes to the text would have been approved by the author himself.

Finally, it may be mentioned that the use of biblical and classical sources is extended in the Final Version.

5. Sources¹

In this oration, altogether 39 direct and indirect quotations from various sources have been identified:

Biblical: 18

Classical: 19

Patristic and medieval: 2

Contemporary: 0

All: 39

The classical quotations equal the biblical in number. Speaking to a humanistically oriented pope like Nicolaus V, Piccolomini evidently felt more free to quote the classics than he had when speaking to Eugenius IV, cf. his oration "*Non habet me dubium [11]*".

Biblical sources: 22

Old Testament: 8

- Isaiah: 1
- 1. Kings: 1
- 2. Kings: 1
- 4. Kings: 1

¹ For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

- Proverbs: 2
- Psalms: 1
- Wisdom: 1

New Testament: 10

- Matthew: 1
- John: 2
- Luke: 1
- Acts: 1
- Colossians: 1
- 2. Corinthians: 2
- Romans: 1

Classical sources: 19

- Cicero: 4¹
- Gellius: 2
- Homer: 1
- Horatius: 1²
- Juvenalis: 2
- Statius: 1³
- Valerius Maximus: 2
- Vergilius: 6⁴

Patristic and medieval sources: 2

- Augustinus: 1⁵
- Jeronimus: 1⁶

¹ De fato: 1; De officiis: 1; In Pisonem: 1; Tusculanae disputationes 1

² Odes

³ Thebais

⁴ Aeneis: 4; Eclogae: 2

⁵ De civitate Dei: 1

⁶ Epistolae: 1

Contemporary sources: 0

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¹ <http://www.synaxis.org/cf/volume29/>

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6. Sigla and abbreviations

A = Rome: Biblioteca Apostolica Vaticana / Chis. J.VIII 284

B = Rome: Biblioteca Apostolica Vaticana / Vat. lat. 1788

C = Rome: Biblioteca Apostolica Vaticana / Chis. J.VIII 286

D = Rome: Biblioteca Apostolica Vaticana / Chis. J.VI.211

G = Lucca / Biblioteca Capitolare Feliniana / 544

P = Roma / Biblioteca Apostolica Vaticana / Pal. lat. 598

R = Firenze: Bibl. Riccardiana / 346

FR = Freher, M. & B.G. Struvius (eds.): *Rerum germanicarum scriptores varii*. Argentorati, 1727

¹ <http://www.pseudoisidor.mgh.de/>

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austriasis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

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MA = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

Decretum = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

Epistolarium = Enee Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007

Rainaldus = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

Reject = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*. Intr. and transl. by T.M. Izbicki et al. Washington, D.C., 2006

II. TEXT AND TRANSLATION / EARLY VERSION

Oratio Aeneae episcopi Senensis serenissimi imperatoris Friderici eloquentissimi oratoris ad summum pontificem Nicolaum P.P. quintum¹

[1] {149r} **Fateor**², pater beatissime, maxime pontifex, eum qui coram tua sanctitate loquitur non immerito commoveri, cum propter celsitudinem throni tui, quo nullus est in terris altior, tum propter ingenium tuum divino dono aureum et omni doctrinarum genere fecundum. In cujus praesentia, qui verba facit, nisi juxta praeceptum apostoli sermonem habuerit sale conditum, illius notam Pisonis incurrat³, de quo scribit Jeronymus, qui⁴ *cum loqui nesciret, tacere non potuit*. In hoc enim orbis terrae primo maximoque auditorio non fuitiles et importuni locutores, sed facundi oratores audiendi sunt, *Ulyssi pares, quem sapienti facundia praeditum vocem, ait Homerus, non ex ore mittere, sed ex pectore*⁵.

¹ Oratio ... Quintum: Sequitur oratio cujusdam legati ad papam pro coronatione regis (sed domini Pii Papae II) et petitione ad eundem pro concilio congregando generali P; Romanorum Aeneae Sylvii oratio pro coronatione Friderici Regis Romanorum, ad Nicolaum V. PP. cum petitione ad eundem pro congregando Concilio generali FR

² omit. P, FR [The sentence structure with the accusative with infinitive "eum commoveri" seems to support version R with Fateor as governing verb]

³ incurret R

⁴ quia R

⁵ Gellius l.o p.o c.o XIV. in marg. R

Oration of Bishop Enea of Siena, eloquent ambassador of His Serene Highness, Emperor Friedrich to the Supreme Pontiff, Nicholas V

0. Introduction¹

0.1. Captatio benevolentiae

[1] Holy Father, Supreme Pontiff, I declare² that anyone who speaks before Your Holiness ought justly be anxious because of the exaltedness of your throne – indeed, there is no higher on earth – and because God has granted you personally a golden intellect, rich in all kinds of learning. Unless he who speaks in your presence follows the precept of the apostle and seasons his speech with salt,³ he incurs the blame of Piso, who – as Jerome writes – *did not know how to be silent, even though he did not know how to speak*.⁴ In this assembly,⁵ the first and greatest on earth, incompetent and unsuitable speakers should not be heard, but only eloquent orators like *Odysseus*,⁶ about whom *Homer*⁷ says that he was a man gifted with sagacious eloquence who spoke not from his lips, but from his heart.⁸

¹ In his oration to the newly elected Pope Calixtus III, in 1455, the ambassador of Florence, Archbishop Antonino, made heavy use of the introduction to Piccolomini's oration "*Fateor*", even to the point of quoting it directly, see Rainaldus, ad ann. 1455, nr. 21

² Piccolomini may have borrowed this opening, "*Fateor*", from Leonardo Bruni's *De re militari*, which he knew and had used in his first oration, the "*Audivi*" [1]

³ Colossians, 4, 6: *Let your speech be always in grace seasoned with salt: that you may know how you ought to answer every man (sermo vester semper in gratia sale sit conditus ut sciatis quomodo oporteat vos unicuique respondere)*

⁴ Jeronimus: *Epistola ad Oceanum*, (69), 2: *Primum spinosulus noster obmutuit; postea vero Pisoniano vitio, cum loqui nesciret, tacere non potuit*. MPL, XXII, col. 655. This is a reference to Cicero: *In Pisonem Oratio*, where Cicero criticizes Piso for his lack of eloquence

⁵ "auditorium"

⁶ *Odysseus* (Roman name *Ulysses*): a legendary Greek king of Ithaca and a hero of Homer's epic poem the *Odyssey*. *Odysseus* also plays a key role in Homer's *Iliad*

⁷ *Homer*: In the Western classical tradition, *Homer* is the author of the *Iliad* and the *Odyssey*. Most modern researchers place *Homer* in the 7th or 8th centuries BC

⁸ Gellius, 1.15.3: *Ulixen contra Homerus, virum sapienti facundia praeditum, vocem mittere ait non ex ore, sed ex pectore*. See *Homer: Iliad*, 3.221

[2] Quibus ex rebus nihil mirandum¹ esset, si nunc ego, cui nec sententiae² suppetunt³, nec verba, quibus adiri tanta majestas debeat, sic turbarer ac pallerem, ut olim *Lugdunensem*⁴ *rheto* *dicturus ad aram*. Sed adjicit animum mihi tuae sanctitatis immensa benignitas atque indicibilis⁵ humanitas, quae non solum magnos disertosque⁶ viros, sed humiles et⁷ indoctos aure inoffensa audire consuevit, morisque semper hujus sacri consistorii fuit non tantum verba loquentis quantum mittentis personam existimare. His accedit nobilis orationis materia, quae dubium est petenti utilior an concedenti gratior sit futura, *cujus tanta honestas est, tanta utilitas, ut absque oratoris adminiculo persuadere se ipsam facile queat.*

¹ mirandum R

² sine R

³ suppetant R

⁴ Lugdunensem R

⁵ indicibilis R

⁶ discretosque FR

⁷ ac FR

[2] For these reasons, it would not be strange at all if I, lacking both the thoughts and words appropriate for addressing such majesty, were now confused and as pale as *a man who awaits his turn to orate before the altar at Lugdunum*.¹ But I am encouraged by the immense benevolence and the indescribable kindness of Your Holiness who is used to hearing not only great and eloquent men, but also – and with unoffended ears – the lowly and unlearned. Moreover, it has always been the custom of this Holy Consistory to respect the person of the sender even more than the words of the speaker. To this should be added the noble subject of my oration - I really do not know what will be greatest: its benefits to the one making the request, or the pleasure to the one who grants it. For the honourableness and the usefulness of the matter are so great that it can easily speak for itself and does not require rhetorical ploys.

¹ Juvenalis: *Saturae*, 1.44. The reference is to a speaking contest in Lyons, instituted by the Emperor Caligula, where the losersis underwent humiliating punishments

[3] **De coronatione¹ namque Caesarea futurus est sermo, quae res semper maxima et honestissima fuit, postquam sancta sedes apostolica imperatoriam dignitatem ex Graecorum gente in persona magnifici Caroli Magni transtulit ad Germanos.** Cupiens enim serenissimus et² invictissimus princeps, divus³ Caesar Fridericus, Romanorum rex Augustus, tuae sanctitati obsequentissimus filius, more majorum in hac urbe Roma suae coronationis sollemnia celebrare, hos praestabiles viros et me pusillum tuam clementiam jussit accedere, rogatuos atque obsecratuos, ut {149v} ingenti ejus desiderio pio, justo atque honestissimo mos geratur.

[4] Namque si tua sanctitas ejus coronationi navare operas voluerit, nihil morabitur Caesari, sed Alpibus⁴ sine dilatione superatis tuam praesentiam festinus⁵ adibit⁶, quae sunt⁷ consuetudinis faciet⁸, imperiales infulas ex tua sacra manu recipiet, festos dies laetamque sollemnitatem tecum aget, de rebus ecclesiae atque imperii salubriter dirigendis tuis consiliis auscultabit, teque sequetur faventibusque⁹ denique superis¹⁰ coronatus, alacer ac tibi plurimum obligatus in patriam revertetur.

¹ oratione R

² atque R

³ divinus R

⁴ a hominibus P; aliis omnibus FR

⁵ festivus R

⁶ adhibet R

⁷ sim R

⁸ facit R

⁹ faventibus et R

¹⁰ super his R

0.2. Subject of oration

[3] For we shall be speaking about the imperial coronation. The coronation of emperors has always been a very important and most honourable matter ever since the Holy Apostolic See transferred the imperial office¹ from the Greek people to the Germans, in the person of glorious Charlemagne.² For the Most Serene and Unvanquished Prince, Holy Caesar Friederich, August King of the Romans,³ the obedient son of Your Holiness, desires to celebrate – in the way of his forefathers and in this city of Rome – the solemn rites of his coronation. Therefore he has sent these eminent men and my humble self to Your Clemency to ask and beg you to fulfill his immense, pious, just and honourable wish.

[4] For if Your Holiness is willing to undertake this coronation, the emperor will not hesitate, but will cross the Alps without delay and speedily come to you and, abiding by custom, accept the imperial crown from your holy hands, celebrate feast days and the joyful solemn rites with you, listen to your counsels concerning the beneficial government of the affairs of Church and Empire, follow you. And finally, having been crowned with the blessing of Heaven, he will return to his own country, happy and deeply indebted to you.

¹ “dignitas”

² Charlemagne (742/747/748-814): also known as Charles the Great. King of the Franks from 768, King of Italy from 774. In 800 crowned by the pope as the first emperor in Western Europe since the collapse of the Western Roman Empire three centuries earlier. This coronation was the basis for the spurious claim of the medieval papacy to have transferred the empire from the Greeks to the Franks, through its plenitude of power, thus manifesting (and partly proving) papal supremacy in all worldly affairs

³ Friederich III of Habsburg (1415-1493): Duke of Austria (as Friederich V) from 1424. Elected King of Germany and Holy Roman Emperor in 1440, crowned in Rome in 1452

[5] Haec est¹ nostrae legationis summa ac totius orationis materia, circa quam tria nobis videntur altius attingenda declarandaque esse, non ut tuae sanctitatis mentem instruamus, cui nihil est dubii², sed ut plerisque satisfaciamus, qui nostris expeditionibus³ admirari⁴ possent, si nihil amplius dicemus⁵. **Primum**⁶ est, cur tantopere majestas imperatoria coronam cupiat. Alterum **cur tam diu** hanc rem distulit. **Tertium** concedendumne sit, quod de coronatione requiritur. Quibus absolutis oratio modum haberet, nisi pauca referre oporteret, quae apud Neapolim nuper egimus. Sed illis breviter enarratis, et unica petiuncula⁷ pro concilio generali subjecta, finem dicendi faciemus⁸.

[6] Aggrediamur igitur quod primo quaesitum est: cur tam propense regia majestas⁹ coronationem efflagitat¹⁰. Quid urget? Quid est, quod tantum principem exire paternam domum, magnis et ambiguis itineribus se committere, graves¹¹ subire sumptus coronationis causa compellit? Tria sunt, beatissime pater, quae Caesarem movent: devotio, consuetudo, debitum.

¹ *omit.* R

² *dubii corr. ex dubium* P; *dubium* FR

³ *expeditionibus* FR

⁴ *amirari* R

⁵ *diceremus* R

⁶ *primus* R

⁷ *precatiuncula* FR

⁸ *facimus* R

⁹ *regia majestas : majestas regia* R

¹⁰ *afflagitatur* R

¹¹ *grave* R

0.3. Structure of oration

[5] This is the main purpose of our mission and the whole subject of our oration. We shall be speaking about three issues, not in order to inform Your Holiness, who is quite well aware of them, but to put those many people at their ease who might be concerned about our intentions if we did not explain them more fully.

The first is: why His Imperial Majesty so greatly desires to receive the imperial crown. The second is why he has delayed the matter for so long. And the third whether the petition for the coronation should be granted.

When these issues have been dealt with, the oration would be finished if I did not have to report, summarily, on our recent activities in Naples.¹ And having done so, briefly, we shall add a short request concerning a general council, and then we shall end our oration.

1. Coronation of the Emperor

1.1. Why the Emperor wishes to be crowned

[6] We begin with the first question: why does His Royal Majesty so ardently desire to be crowned? What is the need? What compels this great prince to leave his ancestral residence, to undertake a long and risky journey, and to incur the heavy costs of a coronation? Holy Father, the emperor's motives are three: devotion, custom, and obligation.

¹ The negotiations of the contract of marriage between the emperor and Princess Leonora of Portugal, the future empress, see Piccolomini's oration "*Quamvis grandes materias*" [14]

[7] **Possem** complura¹ in medium afferre, quibus religio nostri principis, et pietas ac devotio in² tuam sanctitatem tuumque praedecessorem hactenus non vulgariter patuerunt. Sed **scienti** omnia beatitudini tuae superfluo narrarentur³, et regio culmini⁴ ea vulgari non placet, **quae pro sui animi magnitudine minima censet. Nam etsi omni officio ac potius pietate erga Romanam ecclesiam** tuamque sanctitatem **omnibus** satisfaciatur, devotioni **tamen** suae **numquam satisfacit**⁵. Ex hoc pietatis devotionisque fonte prorumpit tam propensa coronationis cupido {150r} atque petitio. **Arbitratur enim regia sublimitas opus esse divinae pietati acceptum, si quemadmodum in veteri testamento nunc prophetae, nunc summi sacerdotes**⁶, **nunc simul ambo reges**⁷ **ungebant**⁸, qui **regerent**⁹ Israel et Judam, et sic¹⁰ in tempore gratiae novaque lege Romani pontifices Christianos **imperatores inungant**¹¹ atque his diademata largiantur, **qui plebem catholicam legibus tueantur et armis.** Cujus rei non parvum signum esse videtur, **quod ex Germanis Caesaribus, qui per manus**¹² **primi pastoris inuncti**¹³ **Romae coronatique sunt**¹⁴, **nullum comperimus violenta morte periisse,** cum tamen ex Italia et¹⁵ Graecis imperatoribus maxima pars sic mortem¹⁶ obierint¹⁷, ut verum esse firmaverint, quod Satyrico carmine expressum est:

Ad generum Cereris¹⁸ ***sine caede et sanguine***^{19 20} ***pauci***
Descendunt reges et sicca morte tyranni.

Est itaque devotio Caesaris non parvis instructa firmataque rationibus, quae coronationis insignia²¹ poscit.

¹ cum plura P; cum plurima R

² et R

³ narentur R

⁴ columini R

⁵ devotioni ... satisfacit *omit.* R

⁶ sacerdote R

⁷ *omit.* P, FR

⁸ inungebant P, FR

⁹ regeret P, FR

¹⁰ et sic : sic et R

¹¹ in Ungarie R

¹² manibus R

¹³ juncti R

¹⁴ sint R

¹⁵ ac R

¹⁶ in orbem P, FR

¹⁷ obierunt R

¹⁸ ceteris P; caeteris R

¹⁹ vulnere P

²⁰ et sanguine : evulnere R

²¹ insignia R

1.1.1. Devotion

[7] I could mention several reasons why the religiosity of our prince, his piety and his devotion towards Your Holiness and your predecessor are not commonly known. But it would be superfluous to explain them to Your Holiness who knows them quite well, and His Royal Highness does not want them to be publicized since to his elevated mind they do not seem be extraordinary at all. For though he satisfies everybody else with regard to his piety and sense of obligation towards the Roman Church and Your Holiness, he never satisfies his own devout self. From this fountain of piety and devotion spring his strong desire and petition to be crowned. For His Royal Highness considers it pleasing to Merciful God that just as in the Old Testament sometimes prophets, sometimes high priests and sometimes both, anointed kings to rule Israel and Juda, similarly in the time of grace and of the new law¹ the Romans Pontiffs should anoint Christian emperors and crown them to protect the Catholic people with laws and arms. A notable confirmation of this is the fact that among the German emperors who were anointed and crowned in Rome by the hands of the First Shepherd no one suffered a violent death, whereas most of the Italian and Greek emperors died in a way that proves the truth of the Satyrical Poem:

*Few kings go down to Ceres' son-in-law save by sword and slaughter
– few the tyrants that perish by a bloodless death.²*

Thus, the emperor's devotion is supported and reinforced by strong reasons for requesting the insignia of a coronation.

¹ i.e. the Christian era

² Juvenalis: *Saturae*, 10.113. Ceres' son-in-law is Pluto

[8] Sed hanc devotionem vetus¹ quoque² consuetudo praemunivit. **Tria sunt enim Romani³ imperii tempora, ex quo Julius Caesar rem populi vertit ad unum,** Italorum, Graecorum Germanorumque⁴. Praetereo **Berengarium et alios, qui apud Longobardos imperitarunt, neque enim** tantum ditionis habuerunt tantumque juris, ut⁵ imperatoriae⁶ **dignitatis⁷ deberent titulis illustrari. Priores⁸ quidem⁹ imperatores** contenti purpura perraro **diadematibus** utebantur, **habentesque regiae potestatis arbitrium** invisae **dignitatis nomen et insignia¹⁰** postponebant, **ne¹¹ cum corona simul et Tarquinii¹² superbiam,** quasi jure postliminii, in urbem reducere **viderentur.** Ex **Graecis** vero Caesaribus non est dubium, quin plerosque **Constantinopolitani praesules** coronis ornaverint. **Ex qua re, sicut¹³ scribit Otto Frisingensis antistes,** non futilis **auctor,** usque adeo **Constantinopolitana sedes** intumuit, ut **non solum Alexandrinam¹⁴,** sed **Romanam quoque** cathedram usque ad Phocam Caesarem et Bonifatium {150v} papam contenderit antecedere.

¹ vetus quoque : vetusque P

² *omit.* FR

³ Roma R

⁴ Germanorum P, R

⁵ *omit.* R

⁶ imperatoris R

⁷ dignitate R

⁸ prioresque P

⁹ *omit.* P, FR

¹⁰ insignia R

¹¹ nunc R

¹² Tarquini et P; Tarquini R

¹³ sic P

¹⁴ *em.*; Alexandriam P, R, FR

1.1.2. Custom

[8] But this devotion is also bolstered by ancient custom. After Julius Caesar¹ united the people under one ruler, the Roman Empire has passed through three phases, the Italian, the Greek and the German. I pass over Berengarius² and the other Lombard rulers as they did not govern so large a territory nor have such legitimacy as to make them worthy of being distinguished with the titles of imperial office.

The first emperors were content with the purple and only very rarely did they use diadems³: though having the fullness⁴ of royal power, they deferred to use the name and the insignia of that hated office⁵ so that they would not seem to be bringing Tarquin's⁶ arrogant rule back to Rome together with the crown, as a reclaimed right. Of the Greek emperors many were crowned by the bishops of Constantinople. For this reason, as writes that excellent author, Bishop Otto von Freising,⁷ the See of Constantinople⁸ became so arrogant that until the time of Emperor Phocas⁹ and Pope Bonifatius¹⁰ it was not ashamed to take precedence not just over the Alexandrian,¹¹ but even over the Roman See.

¹ Julius Caesar, Gaius (100-44 BC): Roman general and statesman

² Berengar I (c. 845-924): King of Italy from 887, and Holy Roman Emperor after 915, until his death. Of the Frankish Unruoching family

³ i.e. crowns

⁴ "arbitrium"

⁵ "dignitas"

⁶ Tarquinius Superbus, Lucius (535-495 BC): the legendary seventh and final king of Rome, reigning from 535 BC until the uprising in 509 BC that led to the establishment of the Roman Republic

⁷ Otto of Freising (ca. 1114-1158): German churchman and chronicler. Bishop of Freising from 1138

⁸ After Emperor Constantine I transferred the capital of the Roman Empire to Byzantium (324-330), the bishop of that city became an important ecclesiastical figure and eventually one of the patriarchs of the Christian Church

⁹ Nikephoros II Phokas (ca. 912-969): Byzantine Emperor from 963 to 969. His brilliant military exploits contributed to the resurgence of Byzantine Empire in the 10th century.

¹⁰ Presumably Bonifatius VII (Franco Ferrucci (d. 985): antipope (974, 984-985)

¹¹ The Patriarchate of Alexandria

[9] At postquam **Germani principes, victis ac domitis Longobardis, qui Romanam ecclesiam** lacescebant, imperare coeperunt, irrefragabilis consuetudo coronationis inolevit, quam servare nunc Caesarem permaxime decet. Cumque Germana nobilitas¹ ex Apostolicae sedis beneficentia suaque diligentia et humilitate² imperatoriam dignitatem obtinuerit, quam Graeci superbia et ignavia ac forsitan haeresi perdiderunt, non solum debitum, sed necessarium esse videtur a Romano pontifice coronam expetere, **ut illi perpetua reddatur reverentia, a quo praecipua** recepta est **eminentia**, cum nihil ex tota philosophia magis³ sit debitum quam gratitudo. Ex quo fit, ut non solum devotione, sed consuetudine ac jure debito majestas imperatoria coronam deposcat.

[10] Conjungitur et⁴ hisce causis⁵ publicae utilitatis ratio. Multa enim inter vos⁶ simul convenientes tractari concludique poterunt Christiano populo salubria, quae per legatos inter absentes difficile peragerentur. Absoluta est jam⁷ prima quaestio, et quid Caesarem moveat diadema poscere⁸, satis intelligimus.

¹ et *add.* R

² humilitatem R

³ *omit.* P, FR

⁴ *omit.* R

⁵ *omit.* R

⁶ nos P, FR

⁷ est jam : jam est R

⁸ poposcere P, R

1.1.3. Obligation

[9] But later, when the German princes had conquered and tamed the Lombards,¹ who molested the Roman Church, and began to rule as emperors, the unbreakable custom of coronation emerged, a custom which the emperor now absolutely wants to follow. For since the German nobility, through the benevolence, diligence and humility of the Apostolic See, acquired the imperial dignity, which the Greeks had lost through arrogance, weakness and possibly heresy, it seems not only to be a duty, but also a necessity [for the emperors] to request the crown from the Roman Pontiff. Thus, they would always show reverence to him from whom they had received their preeminent position. And all philosophy [teaches] that gratitude is owed as a matter of debt.

Therefore, His Imperial Majesty requests the crown not only out of devotion, but also as a matter of custom and of obligation.

1.1.4. Benefit

[10] To these [three] reasons should be added the benefit to the commonweal². For if you meet personally, you may negotiate and decide many things of great benefit to the Christian people which may not readily be dealt with through legates, in your mutual absence.

Now the first question has been answered, and we know the emperor's motives for requesting the crown.

¹ By late 572 the Lombard tribes had conquered all the principal cities north of the Po River. They established a Lombard Kingdom in Italy which was conquered in by the Frankish King Charlemagne and integrated into his Empire

² "publicae"

[11] Videamus modo quamobrem coronatio tam diu protelata sit. Duorum hic temporum, postquam Caesar acceptavit imperium, habenda est ratio¹: alterum sub Eugenio lapsum est, alterum te pontifice. Optavit Caesar coronam sub Eugenio² recipere, **nec Eugenius erat aversus**, namque qui³ **Sigismundi** caput ornat, **Friderici quoque** verticem gemmis et auro redimere percupidus erat, **ut sic duorum Caesarum pater** maximus **coronatorque**⁴ **diceretur, quod hactenus contigisse reperio nemini**. Sed viguit illius tempore ecclesiastica divisio, **neutralitatisque** novitas Germaniam occupavit. Nec Caesari, nec papae ex usu fuit nisi deposita neutralitate de coronatione transigere. Difficile fuit⁵ - ut nosti - rem jam vetustam ac multis quaestuosam {151r} relinquere. Sed cum vicisset perseverantia Caesaris - quid enim perseveranti non demum paret? – cumque restituta fuisset oboedientia Romanae ecclesiae⁶, jamque tractandum de coronatione videretur, mox Eugenius diem clausit, speratamque Caesari coronationis sollemnitatem⁷ ademit. Atque sic primum tempus sine culpa defluxit⁸.

¹ oratio P

² coronam sub Eugenio : sub Eugenio coronam R

³ *omit.* R

⁴ *omit.* P, FR

⁵ nisi ... fuit *omit.* P, FR

⁶ Romanae ecclesiae : ecclesiae Romanae P, FR

⁷ coronationis sollemnitatem : coronationem P, FR

⁸ refluxit FR

1.2. Why the coronation has been delayed for so long

[11] Now, let us see why the coronation was postponed for such a long time. After the emperor took over the imperial office, two periods should be considered: the first one is the period of Eugenius' pontificate, the second is the period of your own.

Already during Eugenius'¹ [pontificate], the emperor desired to receive the crown, and Eugenius was not averse:² he had already crowned Sigismund,³ and he also very much wanted to adorn Friedrich's head with gems and gold so that he would be called the Great Father who had crowned two emperors – which to my knowledge has happened to no one before. But at that time the division in the Church still reigned,⁴ and novel Neutrality⁵ kept Germany occupied. It was expedient neither to the emperor nor to the pope to deal with the matter of the coronation before Neutrality had been abandoned, and - as you know - it was difficult to end this old state of affairs, profitable to many people.⁶ Eventually the emperor's perseverance was successful - what does not in the end give in to perseverance? - and [German] obedience to the Roman Church was restored. Then it was time to take up the matter of the coronation, but very soon afterwards Eugenius died, and the emperor was deprived of the coronation he had hoped for. Thus, the first period went by without any fault on the emperor's part.

¹ Eugenius IV (Gabriele Condulmer): 1383-1447): Pope from 1431 to his death

² Hufnagel, p. 320

³ Sigismund of Luxemburg (1368-1437): King of Hungary and Croatia from 1387, King of Bohemia from 1419, and crowned Holy Roman Emperor in 1433

⁴ I.e. the schism that arose when the Council of Basel refused to be transferred to Italy by Pope Eugenius IV and elected its own antipope in 1439. The schism lasted until 1449

⁵ In 1438 the German Nation declared its neutrality between Pope Eugenius IV and the Council of Basel. The state of Neutrality ended when the German Nation recognized Eugenius IV as Pope in 1447

⁶ "quaestuosus"

[12] Neque secundum arguendum est, namque, ut primum tua sanctitas¹ divi² Petri cathedram ascendit, missi sunt oratores, qui te jussu Caesaris more³ Christiano pontificem maximum salutarent, oboedientiam tibi praeberent, ac tecum de coronatione peragerent⁴. Sed cum spes esset te suadente quam celerrime Caesarem adventare, exorta extemplo est⁵ saeva belli tempestas, quae non solum divites **Austriae principatus, sed Bavariam, Sueviam, Franconiam Rhenique florentissimas regiones atque ipsum Christianitatis cor**, caedibus, rapinis, incendiis atque omni calamitatis⁶ genere vexavit, **nobilissimosque⁷ principes et potentissimas civitates** dira, **nova** et⁸ **inaudita discordiarum** feritate concussit. Ad quas res sedandas **necessarium** fuit imperatoriam **majestatem in partibus Alamaniae** remanere, quia non **tam dispendiosa coronationis, quam pacis dilatio videbatur**. Atque sic coronationis sollemnitas necessario⁹ dilata est, cui jam dari opera potest, quando, qui dissidebant omnes, arbitrio Caesaris pace facta se commiserunt. Atque hoc satis de coronationis dilatione sit dictum.

¹ sanctitatis R

² divini R

³ in orbe FR

⁴ ac tecum ... peragerent *omit.* P, FR

⁵ *omit.* P, FR

⁶ calamitate R

⁷ nobilissimos P, FR

⁸ *omit.* P, FR

⁹ *omit.* FR

[12] Neither can the emperor be criticized with regard to the second period, for as soon as Your Holiness ascended to Saint Peter's See,¹ he – as the Christians usually do - sent ambassadors to salute you as Supreme Pontiff, to declare his obedience to you, and take up the issue of the coronation with you. But as – at your own advice – hope was rising that the emperor would come quickly, suddenly a savage storm of war arose which through slaughter, plunder, fire and all kinds of disaster ravaged not just the rich principality of Austria, but also Bavaria, Swabia, Franconia and the flourishing regions of the Rhine, the very heart of Christendom. It struck both noble princes and powerful cities with a terrible, novel and extraordinary violence. In order to calm matters, it was necessary for His Imperial Majesty to stay in the regions of Germany, for delaying the coronation did not seem as costly as delaying peace. And thus the solemn coronation had to be postponed. Now that peace has been restored and all who were fighting have entrusted their cause to the emperor's judgment, it is time to take up the matter of coronation again.

This must suffice concerning the postponement of the coronation.

¹ In 1447

[13] Nunc **tertio** loco pensandum est, quod Caesar exquirat, tuaene sit sanctitatis annuere. **Plerique mortales, si rem hanc suasuri¹ venissent, omnes orationis nervos circa gloriam collocassent. Dixissent enim, ut arbitror: “Cum divisam ecclesiam, pater sanctissime, multis magnisque curis ad unionem redegeris, cum plurimas haereses extirpaveris, cum pacem inter Christifideles summo studio servaveris, cum fana et urbis disiecta moenia grandi sumptu reparaveris, cum patrimonium ecclesiae undique direptum dissipatumque vindicaveris², {151v} cum remissionis annum Christiano populo dulcissimum expectatissimumque concesseris, quid amplius ad cumulum³ tuae gloriae quaerendum est, quam ut Caesareo capiti coronam imponas?** Tua est haec gloria magis quam Caesaris. Apostolicae sedis hic honor est, et⁴ beato Petro haec dignitas reservatur. Audi Caesarem, fac quod petitur, sic

Semper honos nomenque tuum laudesque manebunt.”

¹ suasum P, FR

² vindicaveris R

³ tumulum P

⁴ omit. P, FR

1.3. Why should the pope crown the emperor?

[13] Now, thirdly, we must address the issue of whether you should grant the emperor's petition.

1.3.1. Glory

Many men,¹ had they come here to argue this matter, would have focused their entire oration on glory. They would have said - I think: "Holy Father, you have now with much labour reunited the divided Church. You have uprooted several heresies and with much zeal made peace between Christians. At great cost you have repaired the temples and crumbling walls of the City, and regained the Patrimony² of the Church that had been robbed and scattered all over. Finally, you have given the Christian people a sweet and longed for year of forgiveness.³ Now, what more remains for enhancing your glory than placing the crown on the emperor's head? This is your glory more than the emperor's. This is the honour of the Apostolic See. This dignity has been reserved to Saint Peter. Heed the emperor, do what he asks. Thus

*Ever shall your honour, your name, and your praises abide."*⁴

¹ In this and the following sections, Piccolomin uses the rhetorical ploy of downplaying the motives of glory, utility and justice while at the same time describing them quite vividly, and thus making use of them

² "patrimonium". In times of weakened papal government, princes in the papal state set themselves up as independent rulers, and neighbouring states would occupy parts of the papal domains

³ Jubilee Year in 1450

⁴ Vergilius: *Aeneis*, 1.609

[14] Alii ad utilitatem conversi – quae plurimum suadet – ex omnibus rebus dicerent, sanctissime pater, quas¹ fecisti quasque facturus es, nulla potest utilior esse coronatione Caesarea. Veniet² ad te divus³ Caesar, primus omnium principum, te patrem appellabit, tibi filium se praebebit⁴, tuis manibus coronabitur, jusjurandum praestabit, Germaniam regnis⁵ gravidam et⁶ ingenti populorum, principum ac praelatorum multitudine abundantem⁷, tibi et apostolicae sedi benivolam parentemque retinebit. **Contemnat quicumque velit coronas⁸, gemmas, aurum, purpuras, pomum, gladium, unctionem, consecrationem, ceremonias, pompas. Is certe, quamvis** subagrestis est, inficiari **tamen non potest⁹, quin** tuae sanctitati et apostolicae majestati conducat coronatum Caesarem in amicitias foedusque tuum esse receptum. Namque si vetera meminerimus, tunc ecclesiam floruisse, tunc imperium viguisse constabit, cum **Romani pontifices** atque **Caesares** unanimes extiterunt. Essent¹⁰ fortasse nonnulli, qui diverso calle procedentes soliusque boni et aequi juribus utentes, minime negandum dicerent moderno principi, quod priscis Caesaribus ultro fuisset oblatum; servandas esse consuetudines; quod semel promissum esset rebus immutatis minime violandum; benemeritum de Romana ecclesia Caesarem omnibus beneficiis atque honoribus cumulandum.

¹ sanctissime pater quas : quas sanctissime pater FR

² venit R

³ divinus R

⁴ praebit R

⁵ regis R

⁶ *omit.* P, FR

⁷ redundantem P, R

⁸ coronam R

⁹ poterit R

¹⁰ et *add.* R

1.3.2. Benefit

[14] Others, being more concerned with the benefit – which is actually highly important - will tell you, Holy Father, that among all the things you have done and will be doing nothing can be more profitable than the coronation of the emperor. The Holy Emperor, first among princes, will come to you, call you Father, present himself to you as your son, be crowned by your hands and take the oath. And he will see to it that Germany, comprising many realms and overflowing with peoples, princes and prelates, stays kindly disposed and obedient to yourself and the Apostolic See. Anyone may disdain the crowns, the jewels, the gold, the purple cloth, the apple, the sword, the anointment, the consecration, the ceremonies and the pomp. But even he, though he be rude and primitive, cannot deny that it benefits Your Holiness and Apostolic Majesty to receive a crowned emperor in friendship and alliance. For if we think of former times, we see that the Church flourished and the Empire was strong when there was harmony between the Roman pontiffs and the emperors.¹

1.3.3. Justice

Others again, following a different path, are only concerned with what is right and lawful. They would say that you cannot deny the present emperor what was granted to the former emperors; that customs must be observed; that a promise once made should not be unmade if the circumstances have not changed; and that an emperor who deserves so much of the Roman Church should be covered with favours and honours.

¹ See Baldi, p. 175, on the imperial coronation and wedding as an occasion for furthering the alliance between pope and emperor

[15] **At¹ nos** qua via incedemus? Illosne sequi libet, qui² gloriae cupiditatem ingerunt? Nihil minus. {152r} Absit a nobis vitium³ **gentilitatis**, quae ut⁴ **laudis animal⁵ ac ventosae gloriae mancipium** nisi ad **populares auras et inanes rumusculos recte** facere nihil novit. Nos, qui **Christiani sumus ac non solum apud Christianos agimus, sed coram omnium Christianorum capite, duce**, magistro rectoreque stamus, non oratorem, qui dixit: *“Honos alit artes, omnesque incendimur⁶ ad studia gloria,”* sed apostolum potius imitari debemus, qui ait: *“Gloria nostra haec est testimonium conscientiae nostrae.”* Nec nos latet tuam sanctitatem divina sapientia praeditam, bonum solum non populari rumore, sed conscientiae veritate⁷ metiri.

[16] Quid igitur ab utilitate arguemus? An ex debito, quia consuetum, justum, promissum? Equidem licet his potentissimis⁸ fundamentis suadere⁹ res soleat¹⁰, mihi¹¹ tamen haec omnia relinquenda videntur. Frustra enim suasibus utitur, qui supplicat sapienti. Novit suapte ingenio sapiens concessu an refutatu digna sint¹², quae¹³ petuntur¹⁴, nec verborum falli lenocinio potest. Nos¹⁵ igitur, qui coram sapientissimo principe, coram prudentissimo orbis terrae senatu, coram luminibus et intellectu mundi, coram tanta majestate, tanta doctrina, tanta rerum peritia sermonem habemus, satis esse putamus nudis verbis imperatoriae sublimitatis petitionem exposuisse. Scimus enim, si recta¹⁶ petimus, nihil nobis negatum iri; sin¹⁷ minus, fascinare¹⁸ verbis summae prudentiae oculos aut oratione verum pervertere non valemus. In hac igitur parte, quae tuae sanctitatis examinanda iudicio est, nullas suasiones adjicimus¹⁹, sed arbitrio tuo totum relinquimus, ex quo nec justa diffidimus obtinere, nec speramus injusta.

¹ ac P

² quam R

³ initium P, FR

⁴ ait R

⁵ animalis P, FR

⁶ incedimur R

⁷ veritati R

⁸ potissime R

⁹ suaderi R

¹⁰ soleant R

¹¹ non FR

¹² fuit R

¹³ omit. R

¹⁴ potuntur R

¹⁵ hos P

¹⁶ recte R

¹⁷ si P

¹⁸ festinare P

¹⁹ adhibemus FR

1.3.4. Rejection of the arguments of glory, benefit and justice

[15] So, what road should we take? Should we follow those who desire glory? Absolutely not. Far be from us the erroneous ways of the gentile world where only popularity and empty gossip mattered, since [at that time] people were absurdly dependent on public acclaim and vain glory. No, we who are Christian and not only have to do with ordinary Christians, but stand before the head, the leader, the teacher, and the governor of all Christians, should not imitate the Orator who said: *Public esteem is the nurse of the arts, and all men are fired to application by fame*,¹ but the Apostle who says: *Our glory is this: the testimony of our conscience*.² ³And we know that Your Holiness is endowed with divine wisdom and does not measure himself with popularity, but with the truth of conscience.

[16] Should we then argue on the basis of benefit? Or on the basis of obligation, custom, right and promise? Though it would be quite customary to use such strong arguments, I shall not do so under the present circumstances. For persuasive arguments are in vain when you request something from someone who is wise: the intellect of a wise man shows him whether a request should be met or not, and he cannot be persuaded with honeyed words. Therefore, we who are speaking before the wisest prince of all, before the most enlightened senate on Earth, before the lights and the intellect of the world, before such great majesty, such great learning, and such great experience, consider it to be enough to have set forth the petition of His Imperial Highness in simple and plain words. For we know that if what we ask for is right, nothing will be denied. And if it is not right, then we shall not be able to bedazzle high wisdom by words nor to turn truth on its head by an oration.

So, in this part of our oration, we shall not present persuasive arguments for something that it is up to Your Holiness to judge: we leave the whole matter to your judgment, not doubting that we shall be given what is just, and not expecting to obtain what is unjust.

¹ Cicero: *Tusculanae disputationes*, 1.2.4

² 2. Corinthians, 1, 12

³ Note here the contraposition of a pagan author (Cicero) and a Christian

[17] Esset jam peroratum, beatissime pater, nisi duo¹ – ut ante diximus – in calce verborum jussi essemus adjungere. Alterum est, ut Neapoli quomodo gessimus tua beatitudo cognoscat. Alterum² ut de concilio generali, quod³ sit regiae majestatis⁴ ⁵ desiderium, intelligas. Ambo haec paucis absolvemus.

[18] Apud Neapolim convenimus victoriossimum principem {152v} Aragonum⁶ atque Siciliae regem et cum eo nepotis sui, serenissimi Portugalliae regis, legatum. Cum hisce diebus plusculis in tractatu fuimus, ac demum inter majestatem Caesaream et illustrem virginem Leonoram, infantem Portugalliae, regiam⁷ sororem, sponsaliorum foedera percussimus matrimoniumque conclusimus, quo nec nobilius, nec potentius, nec honorabilius, nec Christianitati utilius inter Christianos ullum⁸ contrahi potest, quando et nobilitas nobilitati et virtus⁹ virtuti et potentia potentiae et magna magnis et summa summis addita sunt. Hinc Germanis principibus, inde Hispanis proceribus in affinitatem¹⁰, benevolentiam amicitiamque concurrentibus. Quod idcirco tuae sanctitati narramus, ut qui contrahendum esse¹¹ conjugium hoc sciebas, jam contractum esse, ut patrem decet cum filio laeteris¹². [cont.]

¹ *omit.* P, FR

² Neapoli ... alterum *omit.* P, FR

³ quid P

⁴ regiae majestati : regis inde P, FR

⁵ majestati R

⁶ Arroganum P

⁷ regina P; reginae FR

⁸ nullum P

⁹ virtutis R

¹⁰ finitatem R

¹¹ *omit.* P, FR

¹² letoris R

[17] We should now have finished speaking, Holy Father, if we had not - as we said in the beginning - been requested to add two things in the end. One is to inform Your Holiness about the negotiations in Naples. The other is to inform you about the wishes of His Royal Majesty concerning a general council. We shall deal with both issues very briefly.

2. Imperial wedding

[18] In Naples we have met with the Unvanquished Prince, the King of Aragon and Sicily,¹ and with the legate of his nephew, His Serene Highness the King of Portugal.² After many days of negotiations, we finally concluded a contract of marriage between His Imperial Majesty and the illustrious maid, Leonora, Infanta of Portugal,³ the sister of the King. Indeed, it is the most noble, powerful and honourable marriage and the most advantageous to Christendom that can be arranged, if you add virtue to virtue, nobility to nobility, power to power, greatness to greatness and highness to highness. From the one side the German princes and from the other the Spanish nobles have joined each other in this bond of marriage, in sympathy and in friendship.⁴ We report this to Your Holiness so that, like a father, you may rejoice with your son⁵ that the marriage which you knew was to be negotiated⁶ has now been contracted.

¹ Alfonso V the Magnanimous (1396-1458): King of Aragon, Valencia, Majorca, Sardinia and Corsica, Sicily and Count of Barcelona from 1416, and King of Naples (as Alfonso I) from 1442 until his death

² Afonso V the African (1432-1481): King of Portugal and the Algarves. His sobriquet refers to his conquests in Northern Africa.

³ Leonora of Portugal (1434-1467): Empress of the Holy Roman Empire. Portuguese infanta (princess), daughter of King Duarte of Portugal and his wife Leonor of Aragon. She was the consort of the Holy Roman Emperor, Friedrich III and mother of Emperor Maximilian I

⁴ This passage is lifted from Piccolomini's oration, "*Quamvis grandes materias*" [14], sect. 25, held earlier in December, in Naples, at the conclusion of the marriage negotiations

⁵ i.e. the emperor

⁶ The pope was actually represented at the negotiations by an apostolic legate

[19] Sed venio ad secundum, quod addere promisi¹, idque finem orationi² praebebit. Quae hactenus dicta sunt³, beatissime pater, commisit nobis imperatoria majestas, priusquam suo ex conspectu recederemus. Quae nunc dicturi sumus, per novas et urgentes litteras in mandatis accepimus. Ea nec parva nec contemnenda sunt, sed digna tuis auribus et hoc sacerrimo coetu. De concilio namque generali deque⁴ loco conventus habendi dicendum est nobis, ex quibus rebus magna potest utilitas redundare. Licet enim sub te vero capite veroque Jesu Christi vicario unita sit ecclesia, plurima tamen sunt, propter quae necessaria videtur conventio episcoporum⁵ generalis. Dissident Christiani principes quammulti: concordia quaerenda est. Labascunt et⁶ cleri⁷ et populi mores: investiganda modestia. Oppressam ecclesiam quamplurimi lacescunt⁸: recuperanda libertas. Ad quas res licet tua satis sit⁹ auctoritas, non tamen executio sine conventu praelatorum consensuque¹⁰ principum facile potest haberi. Cupit igitur generale concilium Caesar, {153r} ut haec fiant.

¹ promissi R

² *omit.* R

³ dicta sunt : sunt dicta R

⁴ de quo R

⁵ conventio episcoporum : episcoporum conventio R

⁶ *omit.* P, FR

⁷ clerici R

⁸ lacescunt et R

⁹ satis sit : sit satis R

¹⁰ consensusque P, FR

3. Ecumenical council

[19] And now , as promised, I come to the second added issue and with this I shall conclude my oration. What I have said so far, Holy Father, was by direct instruction of His Imperial Majesty given to me before we left his presence. What we are coming to now, we have been instructed to say by new and urgent letters. They are neither small nor unimportant matters, but worthy of your ears and of this holy assembly. For we must now speak of the general council and about its venue, matters that may be of great benefit. Though the Church is now united under you as its head and as true Vicar of Christ, there are still a number of outstanding issues that would seem to require a general meeting of bishops. Many Christian princes are in open conflict: concord must be sought. The morals of both clergy and laity are rapidly deteriorating: morals must be restored. Many oppress the Church: its liberty must be regained. Though your own authority is sufficient for dealing with these issues, the implementation of [any measures] is not easy without a meeting of prelates and the agreement of the princes. Therefore, the emperor wishes for a general council to facilitate matters.

[20] Sed quod generale concilium? Verum generale concilium, non abortivum, non adulterinum, non contentiosum, non ambitiosum; concilium, in quo minora membra majoribus pareant, in quo nullum sit membrum, quod suo capiti non consentiat; concilium, inquam, quod non¹ de clavibus summi pastoris disputet², sed pro communi utilitate invigilet. Summa est Romani praesulis auctoritas: quid attinet disputare? Omnis potestas ecclesiae³ a Christo principe per Romanum pontificem veluti⁴ caput in cetera mystici⁵ corporis membra derivatur atque diffunditur. Haec professio Caesaris, haec fides est. Evangelio credit et oraculis Jesu Christi. Scit⁶ Petro et successoribus suis⁷ dictum esse a domino: *Tu es Petrus, et super hanc petram aedificabo ecclesiam meam, et portae inferi non⁸ praevallebunt adversus eam: et tibi dabo claves regni caelorum, et quodcumque⁹ ligaveris super terram, erit ligatum et in caelis; et tu vocaberis Cephas; et¹⁰ pasce oves meas; et duc in altum rete, et cetera ejusmodi¹¹*, quibus referti sunt evangeliorum codices. Ultraque¹² quisquis aliud¹³ quaerit, tenebras et¹⁴ non lucem quaerit¹⁵, stultitor eo, qui sub¹⁶ aperto ferventique sole commentitium¹⁷ lumen accendit. Ceterum quia¹⁸ majestas imperatoria non ad potentiam exercendam, sed ad fidem tuendam communeque bonum¹⁹ promovendum²⁰ tibi assistendum interesse concilio²¹ decrevit, coronam prius accipere²² cupit, quam concilium convocetur; iudici²³ antequam coronetur, neque petit, neque suadet, neque gratum haberet. Expedit enim admodum rebus agendis coronatum Caesarem ac tibi juratum in concilio penes te sedere, tibi²⁴ assistere, tuisque decretis favorem impendere.

¹ omit. R

² disputat P

³ omit. R

⁴ velut R

⁵ mystica P, FR

⁶ sit R

⁷ vel ejus R

⁸ omit. R

⁹ quocumque R

¹⁰ omit. FR

¹¹ hujusmodi R

¹² ultra quem FR

¹³ alium FR

¹⁴ omit. P

¹⁵ et non lucem quaerit : quaerit non lucem FR

¹⁶ omit. P, FR

¹⁷ commenticum P; comenticum R

¹⁸ ceterum quia : ceterumque R

¹⁹ communeque bonum : commune bonumque P, FR

²⁰ promovendi R

²¹ omit. P, FR

²² recipere R

²³ iudici R

²⁴ tibi P, R

[20] But what kind of general council? A general council that is not abortive, illegitimate, controversial, or ambitious; a council in which the minor members obey the major members¹, and in which no member is in disagreement with its head;² a council - I say - that does not dispute the keys of the Supreme Shepherd,³ but which has its focus on the common good. The authority of the Bishop of Rome is supreme: why discuss it? All power in the Church derives from Christ, its prince, and it is distributed through the Roman Pontiff, as its head, to the other members of the mystical body.⁴ This is the declaration and the faith of the emperor. He believes in the Gospel and in the oracles of Jesus Christ. He knows that the Lord said to Peter and his successors: ***Thou art Peter; and upon this rock I will build my church, and the gates of hell shall not prevail against it. And I will give to thee the keys of the kingdom of heaven. And whatsoever thou shalt bind upon earth, it shall be bound also in heaven: and whatsoever thou shalt loose on earth, it shall be loosed also in heaven;***⁵ ***Thou shalt be called Cephas;***⁶ ***Feed my lambs;***⁷ ***Launch out into the deep and let down your nets,***⁸ and other pronouncements of this kind which fill the books of the Gospels. If anyone searches for something more, he will find darkness, and not light, and he will be more foolish than he who lights a candle in open and glaring sunshine.

Moreover, since His Imperial Majesty does not intend to exercise his power, but to protect the Faith, to uphold the common good,⁹ and to assist you by participating in the council, he wishes to receive the crown before the council is convened. Moreover, he does not request or advise or wish the council to be summoned before he has been crowned, since it would greatly facilitate matters if he could participate in the council as a crowned emperor, sworn to you, and to assist you and support your decisions.

¹ E.g. the papal presidents of the council

² I.e. the pope

³ i.e. the Keys of Saint Peter, symbol of papal supremacy

⁴ I.e. of the Church

⁵ Matthew, 16, 18-19

⁶ John, 1, 42

⁷ John, 21, 15

⁸ Luke 5, 4

⁹ On the medieval notion of the common good, see Black, pp. 24 ff

[21] Cumque sit Caesar advocatus ecclesiae, protector¹, defensor, adiutor, ac nullibi melius officium suum quam in provincia sibi² parente valeat exercere, locum celebrandi synodi in Alania sub Romano imperio petit; in alia provincia nec potest, nec intendit consensum³ {154v} praebere. Est enim Alania locus ex tota Christianitate commodior atque communior⁴, in qua, si quis recte prospexerit⁵, intra Rhenum et Austriam Christianitatis umbilicum ac centrum reperiet: ubi extremi⁶ ad occidentem sunt Hispani; ad orientem Graeci; ad septentrionem Norwegii⁷; ad meridiem ultimi Siciliae populi. Cumque jam Graeci in⁸ his, quae fidei sunt, cum Latina ecclesia sapiant, oportet et his locum concilii convenientem nominare, fovendi enim jam sunt et omni favore amplexandi. At hi ad Alaniae partes per Hungariam brevem habent et facilem transitum. Urbes praeterea in Alania sunt amplissimae et splendidissimae, mansiones accomodae, victui necessaria comparatu facilia, pax optima, pulcherrima quies, dulcissima libertas, saluberrimus aer, principes et⁹ populi promissorum ac¹⁰ iusti tenaces, mori quam deierare aut fallere malunt. Nemo est, qui de loco Alaniae jure conqueri possit. Nam qui medium Christianitatis et tot commoditates Alaniae dedit Deus¹¹, is quoque velle videtur¹², ut ibi nostro tempore generale concilium celebretur. Habes, sanctissime pater, quae sit petitio Caesaris. Nobis et¹³ admodum iusta videtur et utilis. Namque si pacem¹⁴ inter Christifideles¹⁵ componere, si frugalitatem¹⁶ bonosque mores serere, si libertatem ecclesiasticam vindicare, si partem unionem servare cupis – ut certissimi sumus – generale concilium non alibi convocabis, quam eo in loco, in quo tibi Caesar et possit et velit assistere.

[22] Pleraque alia, cum tuae **Sanctitati** libuerit, semotis arbitris referemus.

¹ et *add.* R

² tibi R

³ consensu R

⁴ atque communior *omit.* P, FR

⁵ prospiceret R

⁶ exivi P; exivit FR

⁷ Novergii P, R

⁸ *omit.* P

⁹ ac P, FR

¹⁰ et P

¹¹ decus R

¹² videretur R

¹³ *omit.* R

¹⁴ pater R

¹⁵ Christi fides P

¹⁶ fragilitatem P, R

[21] The emperor is the champion of the Church, its protector, its defender, and its helper, and nowhere can he fulfill this office better than in the region subject to him. Therefore, he requests that the council be held in Germany which belongs to the Roman Empire, and therefore he neither can nor will give his consent to any other venue. Germany is the most convenient and accessible location in all Christendom, for there - if you look at it rightly - you will find the navel and the center of Christianity, between the Rhine and Austria. To the West it reaches to Spain, to the East to Greece, to the North to Norway, and to the South to the farthest peoples of Sicily. And since, today, the Greeks agree in matters of faith with the Latin Church, we should select a place for the council that is also convenient for them, for they should be given every possible assistance and favour. But they have a short route and easy travel through Hungary to Germany. Moreover, in Germany there are large and splendid cities with commodious houses, provisions that are easy to buy, excellent peace, wonderful quiet, sweet liberty, healthy climate, princes and peoples who keep their promises and observe justice, and who would rather die than use tricks and deception. Nobody can complain about the German sense of justice. God has granted Germany to be the center of Christendom, with so many advantages, and thus it seems that he wants the general council to be held there, at this time.

You have now heard, Holy Father, the emperor's request. To us it seems highly just and beneficial. For if you desire, as we are sure you will, to restore peace between the Christians, to sow frugality and good morals, to reclaim ecclesiastical liberty, and to safeguard the union [of the Church] now achieved, you will not summon a council in any other place than one where the emperor can and will be of assistance to you.

4. Conclusion

[22] If it pleases Your Clemency, there are a number of other matters which we would take up you in private.¹

¹ Humanist diplomatic speakers would sometimes end their oration to a ruler with a polite request for further meetings, cf. *Collected Orations of Pope Pius II*, ch. 7.8

III. TEXT AND TRANSLATION: FINAL VERSION

Oratio Aeneae Silvii Picolominei Senensis qui postea pontificatum maximum adeptus Pius II. appellatus est de coronatione Caesaris habita Romae¹ coram Nicolao V. pontifice maximo²

[23] {86v} Fateor, maxime pontifex, eum qui coram tua sanctitate loquatur non immerito commoveri, cum propter celsitudinem throni tui, quo nullus est in terris altior, tum propter ingenium tuum divino dono aureum, et omni doctrinarum genere fecundum. In cujus praesentia qui verba facit, nisi juxta praeceptum apostoli sermonem habuerit sale conditum, notam Pisonis incurrit, de quo scribit Jeronimus, quia *cum loqui nesciret, tacere non potuit*. In hoc enim orbis terrae primo maximoque auditorio non fuitiles et inanes locutores, sed facundi oratores audiendi sunt Ulixique pares, quem *sapienti facundia praeditum vocem*, ait Homerus, *non ex ore mittere, sed ex pectore*.

¹ *omit.* C

² Oratio ... maximo : Enee Silvii episcopi Senensis legati Caesaris oratio ad Nicolaum V. pontificem de coronatione Caesaris statuenda D, G

Oration of Enea Silvio Piccolomini of Siena, who later became Supreme Pontiff under the name of Pius II, on the coronation of the Emperor, held in Rome before Supreme Pontiff Nicholas V

1. Introduction

1.1. Captatio benevolentiae

[23] Supreme Pontiff, I do declare that anyone who speaks before Your Holiness ought justly be anxious because of the exaltedness of your throne – indeed, there is no higher throne on earth – and because God has granted you personally a golden intellect, rich in all kinds of learning. Unless he who speaks in your presence follows the precept of the apostle and seasons his speech with salt, he incurs the blame of Piso, who – as Jerome writes – did not know how to be silent, even though he did not know how to speak. In this assembly, the first and greatest on earth, incompetent and unsuitable speakers should not be heard, but only eloquent orators like Odysseus, about whom Homer says that *he was a man gifted with sagacious eloquence who spoke not from his lips, but from his heart.*

[24] Quibus ex rebus nihil mirum esset, si nunc ego, cui nec sententiae, nec verba suppetunt, quibus adiri tanta *majestas* debeat, sic turbarer *ac pallerem, ut nudis pressit, qui calcibus anguem, aut Lugdunensem*¹ *rhētor dicturus ad aram*. Sed adjicit animum mihi tuae sanctitatis² immensa benignitas atque indicibilis humanitas, quae non solum magnos disertosque viros, sed humiles et indoctos aure inoffensa audire consuevit. Morisque semper hujus sacri consistorii fuit, non tantum verba loquentis, quantum mittentis personam existimare. His accedit nobilis orationis materia, quae ut dicenti facilis erit, sic audienti se gratam suavemque praebebit, *cujus* tanta honestas est, tanta utilitas, ut absque oratoris adminiculo facile persuadere se ipsam queat.

¹ Lugdunensis C

² sanctitati C

[24] For these reasons, it would not be strange at all if I, lacking both the thoughts and words appropriate for addressing such majesty, were now confused and as pale as *a man who has trodden on a snake bare-footed or as a man who awaits his turn to orate before the altar at Lugdunum*. But I am encouraged by the immense benevolence and the indescribable kindness of Your Holiness who are used to hearing not only great and eloquent men, but also – and with unoffended ears – the lowly and unlearned. Moreover, it has always been the custom of this Holy Consistory to respect the person of the sender even more than the words of the speaker. To this should be added the noble subject of my oration that not only makes it easy for the speaker, but will also prove welcome and sweet to the listener. For the honourableness and the usefulness of the matter are so great that it can easily speak for itself and it does not require rhetorical ploys.

[25] **De coronatione namque** divi Caesaris Friderici, Romanorum {87r} **regis** Augusti, invicti, atque triumphatoris, filii tui non minus devoti quam dilecti, **futurus est sermo**. Coronatio vero Caesarum¹ **semper maxima et**² **honestissima** iudicata³ est, **postquam sancta sedes apostolica imperatoriam dignitatem ex Graecorum gente in personam magnifici Caroli magni transtulit ad Germanos**. Secus autem prius fuerat.

[26] **Tria sunt enim Romani Imperii tempora, ex quo Julius Caesar rem populi vertit ad unum**. Primum est ab Augusto usque ad Constantinum superiorem, quando imperium apud Italos mansit annis⁴, ut quidam tradunt, undecim et trecentis. Alterum est a Constantino usque ad Carolum Magnum, cum X et quingentis annis apud Graecos⁵ imperatum est. Tertium tempus est de Carolo Magno usque ad Fridericum praesentem⁶, in quo supputantur anni XXXVII et sexcenti⁷, quibus Romanum imperium penes Germanos administratum est. Omitto **Berengarium et alios, qui apud Longobardos imperitarunt, neque enim** digni fuerunt, qui tantae **dignitatis deberent titulis illustrari**. [cont.]

¹ Caesaris G

² atque G

³ indicata C

⁴ Imperium apud Italos *in marg.* D, G

⁵ Apud Grecos *in marg.* D, G

⁶ presentem *corr. ex* modernum C

⁷ Apud Germanos *in marg.* D, G

1.2. Subject of oration

[25] For we shall be speaking about the coronation of Holy Emperor Friedrich, August King, unvanquished and triumphant, your son who is both devoted to you and loved by you. The coronation of emperors has been considered a very important and exceedingly honourable matter ever since the Holy Apostolic See transferred the imperial dignity from the Greek to the German people, in the person of glorious Charlemagne. Before, it was otherwise.

1.3. History of imperial coronations

[26] After Julius Caesar united the state under one ruler, the Roman Empire has gone through three phases. The first one began with Augustus and ended with the first Constantine, when the Empire was in the hands of the Italians for, as some report, for 311 years. The second one began with Constantine and ended with Charlemagne, lasting for 510 years during which the Greeks ruled. And the third one began with Charlemagne and has lasted until Friedrich, the present emperor, calculated as 637 years, during which the Empire has been ruled by the Germans. It continued from Charlemagne to the present Emperor Friedrich. I pass over Berengarius and the other Lombard rulers as they were not worthy of being distinguished with the titles of this great office. *[cont.]*

[27] **Priores quidem imperatores diadematis abstinere, habentesque¹ regiae potestatis arbitrium, dignitatis nomen et insignia postponebant, ne cum corona simul et Tarquinii² superbiam quasi jure postliminii in urbem reducere viderentur.** At postquam Graecis imperare permissum est, sollemnitas coronationis irrepit³ ⁴. Diadema tamen Caesaribus non Romani pontifices, sed **Constantinopolitani praesules** conferebant. **Ex qua re - sicut scribit Otto Frisingensis antistes, non futilis auctor - in tantum sedes Constantinopolitana sese extulit, ut non solum Alexandrinam, sed Romanam quoque usque ad Focam Caesarem et Bonifacium papam praecedere non erubuerit.** Verum cum **Germani principes, victis ac domitis Longobardis, qui Romanae ecclesiae** insultabant, saepius summis pontificibus auxilia praebuissent, atque idcirco per apostolicam sedem potestate Caesarea et imperii fascibus ceteris gentibus praelati fuissent, ut sicut jure merito imperium adepti fuerant, sic retinere dignissime viderentur, post largas ac magnificas donationes Romanae ecclesiae factas, non solum coronari, sed inungi quoque, consecrarique Romae per Christi vicarium voluerunt⁵, **ut illi perpetuam redderent reverentiam, a quo praecipuam susceperant eminentiam.** Hinc Caroli, Ludovici, Lotharii, Ottones, Henrici, Friderici, et alii complures frequenter, superatis alpibus, Italiam ingressi, non sine grandi devotione in basilica principis apostolorum imperatorias infulas susceperunt.

[28] **Quorum vestigia modo subsequens Caesarea sublimitas hos collegas, fratresque meos, et me servum tuum ad tuam beatitudinem destinavit, tria dumtaxat exposituros: primo, quod fuerit hactenus ejus desiderium circa coronationis negotium; secundo, cur tam {87v} diu dilatum fuerit; tertio, quid⁶ nunc ex tua sanctitate petatur, quas res tanto brevius referemus quanto beatitudini tuae notiores esse confidimus.**

¹ habentisque G

² Tarquini i A; Tarquini B, C, D

³ irrepsit D, G

⁴ Solemnitas coronationis apud Grecos *in marg.* D, G

⁵ Germani in urbe coronari voluerunt *in marg.* D, G

⁶ quod D

[27] The first emperors did not use diadems, but having the fullness of royal power, they deferred using the name and the insignia of that office so that they would not seem to be bringing Tarquin's arrogant rule back to Rome together with the crown, as a reclaimed right. But after the Greeks were granted permission to reign, the solemn coronation was introduced. However, it was not the Roman Pontiffs, but the bishops of Constantinople who conferred the diadem on the emperors. For this reason, as writes that excellent author, Bishop Otto of Freising, the See of Constantinople became so arrogant that, until the time of Emperor Phocas and Pope Bonifatius, it was not ashamed to take precedence not just over the Alexandrian, but even the Roman See.

[The German princes conquered and tamed the Lombards, who molested the Roman Church, and they often gave assistance to the Supreme Pontiffs. Therefore the Apostolic See raised them above the other peoples through the imperial power and the symbols¹ of empire. And so that they might be seen to worthily retain the empire they had acquired legitimately, the emperors made great and magnificent donations to the Roman Church, and they desired not only to be crowned, but also to be anointed and consecrated in Rome by the Vicar of Christ. Thus they would always show reverence to him from whom they had received their preeminent position. Since then emperors named Charles, Ludwig, Otto, Heinrich, Friederich, and many others, have often crossed the Alps, entered Italy, and with great devotion received the imperial crown in the Basilica of the Prince of the Apostles.

1.4. Structure of oration

[28] Following in their footsteps, His Imperial Highness has now sent me, your servant, and my colleagues and brothers to Your Holiness in order to set forth three things: firstly, what has been his intention concerning the coronation until now; secondly, why it has been delayed for so long time; and thirdly, what he now asks from Your Holiness. These things we shall relate only briefly since we trust that they are well-known to Your Holiness.

¹ "fasces"

[29] **Atque, ut primum quam paucis absolvamus: Non expedit tuae sanctitati referre qua virtute, quibus dotibus regia majestas praedita sit, nosti enim quia juste imperat; quia non extollitur aut sanguinis nobilitate aut dignitatis sublimitate; quia non magis terrenum quam caeleste regnum diligit; quia imperium suum tanto futurum altius putat, quanto circa sacerdotium submissius sese habet, nec felicius sibi quidquam arbitratur quam Deo, quam fidei, quam sedi apostolicae famulari. Ob quam causam nullos labores hactenus, nullos sumptus effugit, ut antecessori tuo sanctae recordationis Eugenio tuaeque sanctitati, quando necessitas incubuit¹, subveniret. Namque cum Sabaudiensibus procellis divi Petri navicula quateretur, Basiliensibusque fluctibus² inundaretur Ecclesia, neutralitatis quoque tempestatis malum apostolicae navis impelleret, quis alius Romano pontifici suffragatus est, quam regiae sublimitatis inconcussa devotio, quae neutralitatem extinxit, Romanae sedi Germanos conciliavit, Basilienses ex Alamania pepulit, nidum schismatis evulsit, viamque facilem praebuit, qua demum integra posset unio reperiri? Possem multa referre regiae sublimitatis egregia laudandaque facinora, quibus et religio nostri Caesaris, et pietas, et zelus maximus erga Romanam sedem hactenus patuere, quae scienti supervacuo narrarentur, nec regia majestas ea vulgari cupit, quae pro sui animi magnitudine minima censet. Nam etsi omni officio ac potius pietate erga sanctam Romanam ecclesiam divinumque cultum omnibus satisfacit, sibi tamen ipsi numquam satisfacit.**

¹ succubuit G

² fluctus A, C

2. Coronation of the Emperor

2.1. Why the Emperor wishes to be crowned

[29] We shall deal with the first matter briefly for it is unnecessary to tell Your Holiness about the virtues and gifts with which His Royal Majesty is endowed: you already know that he reigns justly; that he has not become arrogant because of his noble blood or his exalted office; that he does not love his earthly realm more than the Heavenly Kingdom; and that he believes that the more respectful he is towards to the priesthood, the higher his empire will stand; and that nothing can be more blessed than serving God, Faith and the Apostolic See. Therefore he has, until now, spared no effort and no expense in order to assist Eugenius, your predecessor of holy memory, and Your Holiness, whenever the necessity arose.

For when the ship of Saint Peter was floundering in the gale from Savoy,¹ and the stormy waves from Basel were overflowing the Church,² and the evil storm of Neutrality³ threatened to wreck the Apostolic Ship, what other support did the Roman Pontiff have than His Royal Highness' unshaken devotion? He it was who ended the Neutrality, who reconciled the Germans with the Roman See,⁴ who expelled the Basilians from Germany, who emptied the nest of schism, and who prepared the road to complete union. I could say much about the grand and praiseworthy deeds of His Royal Highness which revealed our emperor's devotion, piety, and great zeal for the Roman See, but it would be useless to relate them to someone who knows them already. Moreover, His Royal Majesty does not want them to be talked about publicly, since to his elevated mind they seem not to be extraordinary at all. Indeed, in his endeavours for and his devotion to the Holy Roman Church and the worship of God he satisfies all but himself.

¹ As duke of Savoy Amédée VIII, who became antipope as Felix V, had flooded the Council of Basel with bishops from his own territories and managed to be elected (anti-)pope by the council

² The schism between Pope Eugenius IV on one side and the Council of Basel with its antipope on the other

³ German Neutrality in relation to Pope and Council from 1438 to 1447

⁴ 1447, see *Oration "Non habet me dubium" [11]*

[30] At cum menti suae semper insederit ea totis conatibus prosequi, quae Deo placeant, inter alia, quae post accepta Caesareae dignitatis gubernacula ferventi animo desideravit, illud non in postremis fuit, ut ex vicario Jesu Christi veroque piscatoris successore augustale diadema referret. Quam rem Deo placitam et acceptissimam esse ex eo maxime colligi potest, **quod ex Germanis Caesaribus, qui per manus primi pastoris inuncti¹ Romae coronatique sunt**, usque in hanc diem **nullum** reperimus **violenta morte perisse**. At ex primis imperatoribus, quibus neque fides, neque unctio, neque coronatio cordi fuit, media pars gladio periit. Ex Graecis vero, quamvis Christiani² plerumque fuerunt, Romae tamen minime coronati alii suspendio, alii incendio, alii gladio vitam finierunt, aliis oculis eruti sunt, alii sibi manus consciverunt, verumque illud in se monstrarunt, quod

***Ad generum Cereris sine caede, et vulnere pauci
Descendunt reges, et sicca morte tyranni.***

¹ invicti B

² Christianis B

[30] In his heart he has always wanted to make every effort to please God, and among those things that he fervently desired, when he had accepted the imperial office, one of the most important ones was to receive the imperial crown from the Vicar of Jesus Christ and the true Successor of the Fisherman. That such is pleasing and acceptable to God can easily be seen from the fact that, to this day, none of the German emperors who were anointed and crowned in Rome by the hands of the First Shepherd has suffered a violent death. But half of the first emperors, who neither cared for the Faith, nor for anointment, nor for coronation, died by the sword. And of the Greek Emperors, of whom most were Christians, though not crowned in Rome, some ended their life by hanging, some by fire, and some by the sword, whereas others had their eyes plucked out or their hands cut off, thus proving the truth of the verse, that few are indeed the

*kings who go down to Ceres' son-in-law save by sword and slaughter –
few the tyrants that perish by a bloodless death.*

[31] **Arbitrata est igitur regia sublimitas opus esse divinae pietati {88r} acceptum, si quemadmodum in veteri testamento nunc prophetae, nunc summi sacerdotes, nunc simul ambo reges ungebant, qui regerent Israel et Judam, sic et in tempore gratiae novaque lege Romani pontifices Christianos imperatores inungant, qui plebem catholicam legibus tueantur et armis.** Atque idcirco summum sibi desiderium fuit, quam citius posset juxta morem Germanorum principum Romanae coronationis insignibus illustrari, eoque modo et apostolicam sedem et imperium sacrum condignis honoribus prosecui. Habes jam regiae sublimitatis desiderium.

[32] Nunc cur tam diu dilatum sit docendum arbitror, ne sibi plerique blandiantur, qui ubi loquendum est tacent, ubi tacendum est, clamant. Sunt enim nonnulli, qui postquam de coronatione incoepit sermo: "Cur," inquit, "non primo lustro imperiales infulas accepturus venit, si tanta cupido inerat? Aut si voluntas defuit, unde hic novus appetitus post duo lustra? Unde nova isthaec¹ religio?" Paulus apostolus apud Festum detentus, cum causam suam dicere jussus esset, beatum se dicebat, quod apud Agrippam loqueretur, suarum consuetudinum et ceremoniarum non ignarum. Noverat enim tantum oratoris verba proficere, quantum judicis providentia cognovisset. Atque hoc est, quod Isaías² ait: *Beatus, qui in aures loquitur audientis*. Erit igitur et mihi pars felicitatis, quoniam omnia nota sunt tuae sanctitati, quae referam.

¹ istec D, G

² Isaías *in marg.* D; Esaias *in marg.* G

[31] His Royal Highness therefore considered it pleasing to Merciful God that – just as in the Old Testament - sometimes prophets, sometimes high priests, and sometimes both, anointed kings to rule Israel and Juda, similarly in the time of grace and of the new law, the Roman pontiffs should anoint Christian emperors to protect the Catholic people by means of laws and arms. Therefore, he most earnestly desired the honour of receiving, as soon as possible and according to the custom of the German princes, the [imperial] insignia in a coronation in Rome and thus to distinguish both the Apostolic See and the Holy Empire with equal honours.

You have now heard what His Royal Highness desires.

2.2. Why the coronation has been delayed for so long

[32] Now I shall explain why the matter has been delayed for so long, so that we may put an end to the blatherings¹ of some who remain silent when they should speak, and speak when they should remain silent. For when the talk falls on the coronation there are many who say: “If he desires the imperial crown so much, why did he not come during the first five years to receive it? And if he lacked the will at that time, why this new desire now after 10 years? Whence comes this sudden religious fervour?” When the Apostle Paul was detained by Festus and was ordered to state his case, he declared that he was only too happy to speak before Agrippa since Agrippa knew the customs and the ceremonies of his people.² For he knew that the words of a speaker are only effective if the judge is knowledgeable about the matter in question. Isaiah says the same: *Happy is he who speaks to the ears of one who listens.*³ So my task will be a happy one since all that I shall be saying is already known to Your Holiness.

¹ “blandiantur”

² Acts, 26, 2-3

³ Isaias, 32, 3

[33] Fateor, sanctissime pater, optasse regiam majestatem in ipso regni principio Romam petere, inungi coronarique. **Nec Eugenius** alienus **erat**, nam qui **Sigismundo** Caesari diadema imposuerat, **Friderico** quoque imponere cupiebat, **ut duorum Caesarum pater coronatorque diceretur, quod hactenus nemini reperio contigisse.** Sed *sunt cogitationes mortalium timidae et incertae providentiae nostrae.* Obstabat coronationi **neutralitas**, qua propter divisionem ecclesiae Germani principes tenebantur, ad cujus sublationem antiquius videbatur regiae sapientiae prius navare operas, quam diadema reciperetur imperiale, non immemori¹ legis illius, quam tradit Aristoteles, in hunc modum sanxisse Solonem²: *Qui in eo tempore in eoque casu civilis discordiae non alterutra parte sese adjunxerit, sed solitarius separatusque a communi malo civitatis secesserit, is domo, patria, fortunisque omnibus careto, exul extorrisque esto.*

[34] Sed abolita neutralitate et **oboedientia** sedi apostolicae **restituta**, adduxit mox dominus urentem ventum de deserto, qui pontificem nobis illum eripuit celsumque caput morte involvit, ac spem datam coronationis novo genere calamitatis abduxit. Diceret hic gentilis: obstitit *fortuna omnipotens et ineluctabile fatum.* Nec ego abnuerim, si omissa Chrysippi diffinitione, {88v} fatum³ recte praescripserimus, atque ordinem esse dixerimus inevitabili connexionem procedentem, qui de providentiae divinae fonte descendens, cuncta suis locis temporibusque disponit. Deus enim, qui omnia creavit, nullo pacto credendus est, quae faciant homines a suae providentiae legibus alienasse, sed tuae sanctitati potius hanc coronationis gloriam reservasse. Ex quo fit, ut Eugenio vivente nihil sit, quod per regiam majestatem possit videri neglectum.

¹ immemor C

² Lex Solonis *in marg.* D, G

³ Fatum *in marg.* G

[33] I declare, Holy Father that from the very beginning of his reign His Royal Majesty has wished to come to Rome to be anointed and crowned. And Eugenius was certainly not averse to this since he had already crowned Emperor Sigismund and would like to crown Friederich, too, for then he would be called the Father who crowned two emperors, which I find has happened to no one before. But *the thoughts of mortal men are fearful, and our counsels uncertain*.¹ The coronation was prevented by the issue of the Neutrality to which the German princes had bound themselves because of the division in the Church. In his wisdom, the king considered that he had to put an end to German Neutrality before he could receive the imperial crown. Indeed, he remembered the law which according to Aristotle was sanctioned by Solon: ... *if anyone at that time, and in such a condition of civil discord, shall not ally himself with one or the other faction, but by himself and apart shall hold aloof from the common calamity of the State, let him be deprived of his home, his country, and all his property, and be an exile and an outlaw*.²

[34] But immediately after the Neutrality had been abolished and obedience to the Apostolic See restored, the Lord sent a burning wind from the desert that, robbing us of this pontiff, brought death to the exalted head of the Church,³ and took away any hope for the coronation through a new kind of disaster. Here the gentile would say: *Allmighty fortune and inevitable fate*⁴ came in the way. However, passing over the opinion of Chrysippus,⁵ I declare that we may rightly understand fate as the inevitable consequence of something that descends from the fountain of divine providence and disposes everything in the right place and time. For we cannot believe that God, who created all things, has exempted men's actions from the laws of his providence. It is therefore God himself who has reserved the honour of this coronation to Your Holiness.

Thus, as long as Eugenius was alive, the Emperor certainly did not neglect this whole matter.

¹ Wisdom, 9, 14

² Gellius: 2.12.1: *In legibus Solonis illis antiquissimis quae Athenis axibus ligneis incisae sunt quasque latas ab eo Athenienses, ut sempiternae manerent, poenis et religionibus sanxerunt, legem esse Aristoteles refert scriptam ad hanc sententiam: "Si ob discordiam dissensionemque seditio atque discessio populi in duas partes fiet et ob eam causam irritatis animis utrimque arma capientur pugnabiturque, tum qui in eo tempore in eoque casu civilis discordiae non alterutrae parti sese adiunxerit, sed solitarius separatusque a communi malo civitatis secesserit, is domo, patria fortunisque omnibus careto, exul extorrisque esto."*

³ In 1447

⁴ Vergilius: Aeneis, 8.334

⁵ Cicero: De fato, 18.41, and 20.21

[35] Sed sunt, qui tuo quoque in pontificatu commissam negligentiam arbitrantur, qui jam quartum geris summi pontificatus annum. Quos tanto facilius refellemus, quanto recentiora sunt, quae objiciuntur. Sane ut assumptionem tuam regia serenitas accepit, cujus rei ex me primo certitudinem habuit, mox cunctos populos, quos suae clementiae regit imperium, te patrem habere, summum venerari pontificem, te Christi verum et indubitatum vicarium recognoscere voluit. Cumque omnes ad tuam conversi oboedientiam forent, cum pacem vicini tenerent, cum tranquilla Germania videretur, de coronatione cum tua sanctitate¹ nunc per oratores, nunc per litteras egit, nunc patri gravissimo atque modestissimo, cardinali sancti Angeli, apostolicae sedis legato, commissum negotium fuit.

¹ *corr. D; sanctitas G*

[35] Some, however, claim that the matter has also been neglected during your own pontificate, which is now in its fourth year. Since these reproaches concern recent events, we can refute them even more easily. Indeed, as soon as His Serene Highness heard about your accession – he actually had his first sure information from me - he immediately decided that all the peoples under his benevolent imperial rule should consider you as their Father, revere you as Supreme Pontiff, and recognize you as the true and undoubted Vicar of Christ. And when all had turned to you in obedience, when the neighbours kept the peace, and when Germany appeared to be tranquil, he began to negotiate about the coronation with Your Holiness through orators and through letters, and the whole matter was entrusted to that earnest and modest father, the Cardinal of Sant'Angelo, legate of the Apostolic See.¹

¹ Juan Carvajal

[36] At *cor hominis*, ut inquit sapiens¹, *disponit viam, sed domini est dirigere gressus ejus*. Emerserunt e vestigio novi tumultus, qui **principatus Austriae** miris modis infestaverunt tamque² multiplices et variae novitates inundarunt, ut in modum Hydrae amputata discidiorum capita septuplicari viderentur. Nec solum in Austria turbulentae res proruerunt, **sed in Svevia, Franconia, Bavaria, Rhenique florentissimis regionibus atque in ipso Christianitatis corde nova, inaudita, inexcogitata, intolerabilia discordiarum incendia sunt exorta**, quae **nobilissimos principes ac potentissimas civitates** in bellum traxere. *Forsitan corruptos hominum mores*, ut Augustinus ait, *bellorum fulminibus emendare divina providentia voluit*. Sic enim per prophetam minatur dominus: *Visitabo in virga ferrea iniquitates eorum, et in flagellis peccata eorum*.

[37] Quae res **necessario majestatem regiam in partibus Alamaniae**³ tenuerunt, ut pacem prius componeret inter subditos, quam nationis terminos egrederetur. Ob quam rem mirari neminem decet, si tanto tempore coronatio suspensionem accepit, nec enim tam **dispendiosa coronationis** quam communis **pacis dilatio videbatur**. Instant tamen adhuc adversantes, Romanumque principem non solum praesentia, sed futura quoque pensiculate et enucleate praemeditari oportere contendunt, nec imperanti fas putant dicere: *Non putaram*. Sed non est hominis futura praenoscere. *Nescia mens hominum fati sortisque futurae*. Et iterum: *quid crastina voverit aetas scire*⁴ *nefas homini*.

¹ Sapiens in marg. D, G

² tanquam C

³ em. [following the Early Version]

⁴ scires B; sciri C

[36] But as the Wise One says: *The heart of man disposeth his way: but the Lord must direct his steps.*¹ Suddenly new tumults arose, disturbing the Austrian principalities most astonishingly, and overwhelming them with so many and various political problems that, like the Hydra, every time one revolting head was cut off, it was replaced by seven others. And not only did uprisings break out in Austria, but new, unheard of, unthinkable and intolerable fires of discord broke out also in Swabia, Franconia, Bavaria, the flourishing regions of the Rhine, the very heart of Christendom. These disorders pushed noble princes and powerful cities into war. Maybe, as Augustine says, *Divine Providence decided to correct the ways of men with the thunderbolts of war.*² For thus threatens the Lord through the Prophets: *I will visit their iniquities with a rod and their sins with stripes.*³

[37] These matters made it necessary for His Royal Majesty to stay in the regions of Germany in order to make peace between his subjects before he left the nation.⁴ Therefore nobody should wonder that the coronation was postponed for some time, since delaying the coronation did not seem as costly as delaying the common peace. However, there are still some opponents who insist that the Prince of the Romans should consider carefully⁵ not only the present, but also the future, and that it does not behoove a ruler to say: *I had not thought of that!*⁶ But it is not given to men to know the future. *O mind of man, knowing not fate or coming doom.*⁷ And again: *What the morrow's years might bring, 'twas sin for man to know.*⁸

¹ Proverbs, 16, 9: *cor hominis disponet viam suam sed Domini est dirigere gressus eius*

² Quotation not identified

³ Psalms, 88, 33: *visitabo in virga scelera eorum et in plagis iniquitatem eorum*

⁴ Note that the *termini nationis* refer to the German nation as not including Italy

⁵ "pensiculate et enucleate"

⁶ Cicero: *De officiis*, 1.23.81. Cf. Valerius Maximus, 7.2.2, where this maxim is attributed to Scipio Africanus

⁷ Vergilius: *Aeneis*, 10, 501

⁸ Statius: *Thebais*, 3, 562-563: *Quid crastina volveret aetas scire nefas homini*

[38] Quid mirum, si futuri {89r} temporis statum regia majestas ignoravit, quando nec prophetae ventura noverint, nisi specialiter revelata? Nam neque Samuel¹ novit quem ungere regem deberet ex filiis Jesse, nisi quando ad ultimum venit. Neque Nathan² scivit aedificationem templi regi David esse prohibitam, cum diceret³: *Omne quod est in corde tuo vade, fac, quia dominus tecum est*. Nec Eliseus⁴ defunctum Sunamitis filium intellexit, nisi postquam mulier ad se venit. In tantum quippe obscura est caligo futuri, ut dubitet Augustinus Hieronymique sententiam praestoletur: Utrum angeli⁵, qui Luciferum sunt secuti, prius casum sciverunt suum, quam ceciderint. Quibus ex rebus liquido patet, nec dum vixit Eugenius, nec hactenus in tuae sanctitatis pontificatu facultatem habuisse majestatem regiam, ut ad coronationem profisceretur tot, ut praediximus, impedimentis obstantibus.

[39] Sed tempus jam est, ut ad **tertiam** et ultimam nostrae commissionis particulam transeamus, ac quid regia majestas ex tua sanctitate deposcat, breviter aperiamus. Fidelibus quidem ac piis principibus nihil accidere mali potest, quod non cedat⁶ utiliter. *Scimus enim, quia diligentibus Deum omnia cooperantur in bonum*. Placuit divinae pietati coronationem regiam hucusque differre, ut quietior et honoratior haberetur. *Cum placuerint domino viae hominis*, inquit sapiens, *etiam inimicos ejus vertet ad pacem*. Ecce composita sunt in Austriae principatibus, quaecumque turbulenta fuerunt. Expiata est latronibus provincia. Vicini pacem observant. Germani principes, qui cum civitatibus contendebant, reconditis armis et odio seposito super litibus, quas habebant, regiae sublimitatis arbitrium praestolantur.

¹ Samuel *in marg.* D, G

² Nathan *in marg.* G

³ dicet G

⁴ Heliseus *in marg.* G

⁵ Utrum angeli *in marg.* D, G

⁶ caedat B

[38] Why should it surprise anybody that His Royal Majesty did not know what the future would bring when the prophets did not know future events either, unless they had been specially revealed? Samuel did not know which one of the sons of Jesse to anoint as king until he came to the last one.¹ Nor did Nathan know that King David had been forbidden to build a temple when he said to him: *Go, do all that is in thy heart: because the Lord is with thee.*² Nor did Elisha know that the son of the Sunamite had died before that woman came to him.³ So dark is the cloud of the future⁴ that Augustine, borrowing⁵ a sentence from Jerome, may doubt whether the angels who followed Lucifer had foreknowledge of their fall.⁶ For these reasons it is quite clear His Royal Highness was not free to depart for his coronation while Eugenius lived nor before now, during the pontificate of Your Holiness.

2.3. What the emperor requires of the pope

[39] But now it is time to pass on to the third and last part of our commission and to briefly state what His Royal Highness requests from Your Holiness. For when evil befalls faithful and pious princes, it will always turn out well. *And we know that to them that love God all things work together unto good.*⁷ It has pleased Merciful God to delay the royal coronation until now so that it may be conducted more tranquilly and honourably. As the Wise One says: *When the ways of man shall please the Lord, he will convert even his enemies to peace.*⁸ Now the turmoil in the Austrian principalities has been settled. The region has been freed of robbers. The neighbours keep peace. The German princes who fought with the cities have laid down their arms, put their enmities aside, and referred their disputes to the arbitration of His Royal Highness.

¹ 1. Kings, 16, 12

² 2. Kings, 7, 3

³ 4. Kings, 4, 8-34

⁴ Horatius: *Carmina*, 3.29.30: *prudens futuri temporis exitum caliginosa nocte premit deus*

⁵ "praestoletur"

⁶ Quotation not identified

⁷ Romans, 8, 28

⁸ Proverbs, 16, 7

[40] Quapropter, cum rursus coronationis offeratur facultas, cupit imperatoria majestas tuaeque sanctitati enixissime supplicat, quae sunt ad coronationem necessaria ex parte tua ut quantocius parentur, ut dies celebrandae sollemnitatis in urbe dicatur, ut in oppidis atque provinciis tuae sanctitati¹ parentibus tutus facilisque transitus pateat, ut sint hospitia non solum multitudinis capacia, sed etiam digna nobilitatis. Ne desint ementibus victui necessaria, ne sint vectigalia toleratu graviora, ne quid injuriarum curialibus irrogetur. Nam et regia sublimitas proceres suos cunctamque familiam modestissime transire jubebit. Hisce petitionibus, quamvis alias tua sanctitas caute, sollicite, religiose, clementer annuerit, quia tamen ex causis antedictis inveteratae res sunt, haud indignum visum est rursus eadem postulare.

¹ sanctitatis G

[40] Therefore, as a new opportunity for the coronation presents itself, His Imperial Majesty desires and earnestly begs Your Holiness to speedily make the necessary preparations for his coronation, to announce a date for the celebration in the City,¹ to arrange safe and easy passage through the towns and regions that obey Your Holiness as well as lodgings that may hold many people and are suitable for noblemen. It should be easy to buy provisons, and tolls should be reasonable so that the courtiers will not be burdened unduly, for His Royal Highness will order his nobles and his whole retinue to travel simply. Your Holiness has already agreed to these petitions, circumspectly, solicitously, conscientiously and gracefully, but since, for the abovementioned reasons, it is now some time ago, it seems appropriate to present them again.

¹ i.e. Rome

[41] Plerique mortales, si rem hanc suasuri venissent, omnes orationis nervos circa gloriam collocassent. Dixissent enim, ut arbitror: “Cum divisam ecclesiam, pater sanctissime, multis curis ad unionem reduceris, cum plurimas haereses extirpaveris, cum fidei nostrae cultum ampliaveris, cum pacem inter {89v} Christifideles summo studio seminaveris, cum fana et urbis disjecta moenia reparaveris, cum patrimonium ecclesiae undique direptum dissipatumque vendicaveris, cum remissionis annum Christiano populo dulcissimum expectatissimumque concesseris, quid amplius ad cumulum gloriae tuae restat, nisi ut Caesareo capiti coronam imponas? Audi Caesarem, fac quod petitur.

*Stat sua cuique dies, breve et irreparabile tempus
omnibus est vitæ, sed famam extendere factis
hoc virtutis opus.*

Sic semper honos nomenque tuum laudesque manebunt.”

Sed fuit haec gentilitatis detestanda consuetudo, quae nisi ad populares auras et inanes rumusculos recte quidquam agere nescivit¹, laudis animal et ventosae gloriae mancipium.

[42] At nos qui Christiani dogmatis sectatores sumus, et non solum apud Christianos agimus, sed coram omnium Christianorum capite, rectore, duceque stamus, non oratorem, qui dixit *Honos alit artes, omnesque incendimur ad studia gloria*², sed apostolum potius imitari debemus, qui ait: *Gloria nostra haec est testimonium conscientiae nostrae*. Nec nos latet sanctitatem tuam singulari sapientia praeditam bonum suum non populari rumore, sed conscientiae veritate metiri. Relinquimus igitur vana laudis nomina, remquem nudam coram tua sanctitate ponentes non ambigimus, quin ejus honestatem utilitatemque pensites multumque Christiane reipublicae conducere videas, si regia majestas ad tuam praesentiam proficiscatur deque rebus ecclesiae atque imperii resarciendis cum tua sanctitate conveniat.

¹ nesciunt B

² glorie G

[41] Many men, had they come here to argue this matter, would have focused their entire oration on glory. They would have said - I think: "Holy Father, now that you have, with much labour, reunited the divided Church, uprooted several heresies, extended our religion, with great energy made peace between Christians, at great costs repaired the temples and crumbling walls of the City, regained the possessions of the Church that had been robbed and scattered everywhere, given the Christian people a sweet and longed for year of forgiveness,¹ what more remains for augmenting your glory than to place the crown on the head of the emperor? Heed the emperor, do what he asks.

*Each has his day appointed; short and irretrievable is the span of life for all:
but to lengthen fame by deeds – that is valour's task.*²

Thus

Ever shall your honour, your name, and your praises abide."

But this was the detestable custom of the gentile world that could only act with an eye to popularity and vain gossip, since it was a creature of praise and a slave of *puffed up glory*.³

[42] No, we who follow the Christian teachings and not only have to do with ordinary Christians, but stand before the head, the leader, the teacher and the governor of all Christians, should not imitate the Orator who said: *Public esteem is the nurse of the arts, and all men are fired to application by fame*, but the Apostle who says: *Our glory is this: the testimony of our conscience*. And we know that Your Holiness is endowed with singular wisdom and does not measure himself by popularity, but by the truth of conscience. So, leaving aside the vain titles of praise and placing the matter simply before Your Holiness, we do not doubt that you will carefully consider how honourable and advantageous it is and see how greatly it will benefit the Christian world⁴ if his Royal Majesty comes to your presence and meets with Your Holiness to mend the affairs of the Church and the Empire.

¹ The Jubilee Year of 1450

² Vergilius: *Aeneis*, 10.467-469

³ Augustinus: *De civitate Dei*, 5, 20

⁴ "Christianae reipublicae"

[43] Quod si nonnullorum planetarum conjunctiones humano generi salubres existimantur, cur non duorum luminarium maximorum conventum¹ Christianitati judicaverimus salutarem? **Contemnat quicumque velit coronationem, aurum, gemmas, purpuras, pomum, gladium, unctionem, consecrationem, ceremonias, pompas. Is certe, quamvis** agrestis est et ingenio duro, negare **tamen non poterit, quin** usui sit Christiano populo multumque commoditatis adducat utriusque gladii concursus, et **Romani pontificis ac Caesaris** unitas, quae tunc solida certissimaque habetur, quando per coronationis sollemnitatem alter alteri individua caritatis affectione connectitur.

[44] Ceterum, quia non est opus verbis, ubi se res ipsa suadet, ac prius concessa quam petita videtur, satis esse censemus, et quod fuerit regium desiderium, et cur dilationes intercesserint, et quid tandem petatur strictim cursimque narravisse. In quibus rebus, si tua sanctitas, ut spem gerimus indubiam, sublimitati regiae morem gesserit, memori et gratissimo principi complacebit. Merita quamvis erga sedem apostolicam maxima sint, tamen majora sequentur, et *ante Ararim Parthus bibet aut² Germania Tigrim*, {90r} quam tuae sanctitatis imago tuaque virtus ex suo pectore dilabatur.

[45] **Pleraque alia, cum tuae clementiae libuerit, semotis arbitris referemus.**

¹ conventum *corr. ex* conventus A, C

² *omit.* G

[43] If the conjunctions of many planets are thought to be wholesome for humankind, then why should we not believe that the meeting of the two greatest luminaries is salutary for Christianity? Anyone may disdain the crowns, the jewels, the gold, the purple cloth, the apple, the sword, the anointment, the consecration, the ceremonies and the pomp. But even he, though he be rude and thick-headed, cannot deny that it profits the Christian people and brings great benefit when the two swords meet¹ and there is harmony between the Roman Pontiff and the Emperor, which is most solid and firm when they are bound by mutual affection through the solemnity of the coronation.

3. Conclusion

[44] However, there is no need for many words when the matter itself is evident and appears to be granted even before being requested. So, we consider it sufficient to have explained, summarily and briefly, what is the king's desire, why there have been delays, and what is now being requested. We firmly trust that if Your holiness will accommodate His Royal Highness in these matters, you will please a prince who is both mindful and grateful. For though his meritorious actions with regard to the Apostolic See are already very great, even greater ones will follow. *Sooner shall the Parthian drink from the Ararat and Germany the Tigris,*² *than the image of Your Holiness and your virtue shall fade from his heart.*³

[45] When it pleases Your Clemency, there are a number of other matters which we would take up with you in private.

¹ I.e. the sword of political authority (the Empire) and the sword of religious authority (the Papacy)

² Vergilius: *Eclogae*, 1, 62

³ Vergilius: *Eclogae*, 1, 63

(Orations of Enea Silvio Piccolomini / Pope Pius II; 16)

**Oration “*Petivistis ex Caesare*” of Enea Silvio Piccolomini
(22 July 1451, Beneschau). Edited and translated by
Michael von Cotta-Schönberg**

5th version

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Abstract

In 1451, Emperor Friedrich III sent Bishop Enea Silvio Piccolomini, high-ranking imperial diplomat, to attend a meeting of the Bohemian estates Beneschau (Benesov). Piccolomini's mission was to communicate the emperor's refusal to accept the Bohemian demands for the person of their king, Ladislaus the Posthumous, a boy of 11 years, then in the emperor's wardship. In his oration, the "*Petivistis ex Caesare*", Piccolomini told the Bohemians why fulfilment of their demands would not be in their own best interests, and why it was advantageous for them that Ladislaus stay in the emperor's wardship. He also assured them that when Ladislaus came of age, the emperor would favour the Bohemian claims over those of the Hungarians. And finally, he told the Bohemians, to their faces, that their threat to choose another king could not be taken in earnest. While on this mission, Piccolomini also had occasion to visit the Hussite community at Tabor, and to have a lengthy discussion with the governor of Bohemia, Georg Podiebrad, on political and religious matters.

Keywords

Enea Silvio Piccolomini; Aeneas Sylvius Piccolomini; Æneas Silvius Piccolomini; Pope Pius II; Papa Pio II; Emperor Frederick III (Habsburg); Kaiser Friedrich III (Habsburg); King Ladislaus the Posthumous; King Ladislav the Posthumous; King Ladislav the Posthumous; Bohemia; Hungary; Austria; 15th century; 1451; Renaissance orations; Renaissance oratory; Renaissance rhetorics

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I. INTRODUCTION

1. Context¹

Emperor Friedrich's decision to have his ward, Ladislaus the Posthumous, accompany him on his coronation journey to Rome in 1452 caused a flurry of political activity in Bohemia, Hungary and Austria. As the only male heir of his father, Albrecht II, Ladislaus was Archduke of Austria and had been recognized as King of Hungary and King of Bohemia. At the time, he was only 11 years old and the ward of his uncle, the emperor – who himself had been the ward of one of his Habsburg uncles during the time of his minority, as stipulated by the house rules of the House of Habsburg. In Ladislaus' countries there was uneasiness and even outright dissatisfaction about their king and prince being in the emperor's wardship, and indeed the Hungarians had earlier, by military means, tried to force the emperor to surrender their boy-king and had even petitioned for the pope's support in the matter.²

In March 1451, ambassadors from Bohemia came to the imperial court in Wiener Neustadt to request of the emperor that the boy-king be released to them.³ Afterwards an imperial embassy was dispatched to Prague to announce the refusal of the Bohemian petition. Among the ambassadors was the emperor's top diplomat, Enea Silvio Piccolomini.⁴ The meeting was to be held in Prague, but had to be moved to Beneschau (Benesov) because of an outbreak of the plague in the capital. During their journey, the imperial ambassadors took the opportunity to visit the Hussite centre in Tabor, and in this context Piccolomini formed an understanding of the Hussite movement and its cause which would be useful to him on later occasions.⁵ He also had a long conversation with the Bohemian governor, Georg Podiebrad.⁶ The governor impressed him as an intelligent politician with whom it might be possible to reach an understanding for the improvement of relations between Bohemia and the papacy, and specifically regarding the thorny question of communion under both species.

Piccolomini gave a vivid description of his contacts with Podiebrad and the Hussites in a long letter to Cardinal Juan Carvajal of 21 August 1451.⁷ In the letter, he wrote only briefly about the main business of the imperial embassy, stating that when it arrived in Beneschau, he had - over three days - meetings with various personalities and groups from the Bohemian nobility. The nobles

¹ CO, I, 21 (Meserve, I, pp. 100-101); WO, II, III, 1, pp. 26-30; Boulting, 188-189; Papaparelli, pp. 132-136; Reinhardt, pp. 150-155; Stolf, pp. 244-247

² Oration "*Tritum est sermone*". See also HA, I, pp. 482-486

³ Palacky: *Geschichte*, IV, 1, p. 264; *Würdigung*, p. 244

⁴ Palacky: *Geschichte*, IV, 1, p. 265 ff.; Heymann, pp. 50-52

⁵ See the oration "*Res Bohemicas*" [28], where Piccolomi, as imperial diplomat, argued for a papal concession to Bohemia of the use of communion under both species. See also the oration "*Superioribus diebus*" [66], where, as pope, he refused it. See also the relevant parts of his *Historia Bohemica*

⁶ With Prokop von Rabstein as interpreter, WO, III, I, p. 28

⁷ WO, III, 1, pp. 22-57

were persuaded to have a later meeting with an apostolic legate, Cardinal Nikolaus of Kues, concerning religious issues, viz. the Hussite schism. Concerning Ladislaus, Piccolomini did not mention his own oration, but only wrote that the meeting was held for the sake of the embassy and so that each party, i.e. the Bohemians and the emperor, would understand the position of the other.¹

In the first version of his *Historia Austriacalis* from late 1453/beginning of 1454,² i.e. two or three years later, Piccolomini wrote about the events in Beneschau:

In the meantime, the Bohemians, as is their custom when they have to act in common, summoned a meeting in Prague, but when the plague broke out they moved it to Beneschau. It was rumoured that they would petition the emperor to send Ladislaus to their kingdom and that they would elect another king if their request was refused. The emperor sent legates to soften their agitated minds. We ourselves were among the legates. ... There, the imperial legates were heard and with kind words they put an end to all the excitement.^{3 4}

In the second/third version of the *Historia Austriacalis* from 1455-1458⁵ Piccolomini wrote:

In the meantime, the Bohemians, as is their custom when they have to act in common, summoned a meeting in Prague, but when the plague broke out they convened in Beneschau. It was rumoured that they would petition the emperor for their king and that they would elect another king if their request was refused. As this would be an impediment to the emperor's journey to Italy, ambassadors⁶ were sent. They were Enea, Bishop of Siena, Prokop,⁷ a Bohemian knight, and two noblemen from Austria. Their task was to soften the agitated minds of the Bohemians so that they would not prematurely ask for the boy who could not at the time be of any profit to the kingdom. There, the imperial legates were heard, and with kind words they put an end to all the excitement. The Bohemians should wait

¹ WO, III, I, p. 28: *Quia vero conventus ille nostri causa tenebatur, ut videret quae cesar ad petitiones regni responderet, fuimus tribus diebus in tractatu cum eis quartaque demum die et illi nostram intentionem ad ultimum intellexerunt et nos illorum propositum cognovimus dimissumque concilium est*

² HA, I, p. xvii

³ *Dum haec aguntur, Bohemi suo more de verbis [rebus] acturi communibus conventum apud Pragam indixere, sed cum ibi pestis crassaretur, ad Villam, quam Benedicti appellant, convenere. Fama erat eos Ladislaum petituros ad regnum mitti; nisi obtinerent, alium regem quesituros. Eo missi legati a cesare sunt, qui feroces eorum animos lenirent. Nos quoque inter eos fuimus... Ibi legati caesaris auditi benigne omnem turbam amoverunt.*

⁴ HA, I, pp. 99-100. The editors point out that according to the acts of the diet, the estates were not satisfied with Piccolomini's vague promises on the emperor's behalf, but sent new petitions to the emperor, cf. also Palacky: *Geschichte*, 4, 1, p. 267 ff, 500

⁵ HA, I, p. xx

⁶ Heinrich Truchses and Albrecht von Ebersdorf, cf. Palacky: *Würdigung*, p. 244

⁷ Prokop von Rabstein, friend and former colleague of Piccolomini

until Ladislaus attained his majority and not doubt that he would come to them first¹ when he was released from the wardship. The mission won the favour of the Bohemians who asked for the king more out of a sense of duty than because they really wanted it.²

In another work, the *Historia Bohemica*, which he finished in the summer 1458, shortly prior to his election as pope,³ Piccolomini wrote:

But when Friedrich had decided to travel to Italy to receive the imperial crown, the Bohemians, the Hungarians, and the Austrians again sent embassies to the emperor, putting pressure on him and demanding Ladislaus. All their demands were denied. The Bohemians were to hold an assembly on this question in Prague, and they appeared to be very upset and wanting to elect another king unless their demands were met. The emperor decided to send legates to them, adding us to their number. The representatives from the provinces had been summoned to Prague, but as the plague broke out there, they met in Beneschau. Georg Podiebrad presided over their numerous assembly. We addressed them as follows: "You have requested of the emperor ... [here follows the text of the oration as given below]". The oration inspired confidence and was accepted favourably. Our colleague, Prokop made it even more acceptable as he translated it into their language for the benefit of those who did not understand Latin. Then we were asked to leave the assembly, but shortly afterwards we were called back and given this answer: "Thank the emperor for sending this embassy and for having stated his preference for the Bohemians over the others when the king will be released." They accepted the good counsel received. They would send young noblemen to join and serve the emperor on his journey to Italy. They would await his return peacefully, and wished happiness, prosperity and the favour of Heaven on him.^{4 1}

¹ And not to the Hungarians who had rival claims on Ladislaus who was their king, too

² HA, II, pp. 443-444: *Inter haec Bohemi suo more de rebus acturi communibus conventum regni apud Pragam indicunt. Sed cum pestifera lues eo supervenisset, apud Villam quam Benedicti appellant, convenere. Fama fuit eos regem repetituros; nisi obtinerent, alium quesituros. Id caesaris iter in Italiam remorari videbatur. Mittuntur erga ad eos legati Aeneas episcopus Senensis, Procopius eques Bohemus et duo ex Austria viri nobiles, qui feroces lenirent animos, ne pupillum ante annos expeterent, dum nullo usui regno esse posset. Expectarent pubertatem neque dubitarent illum, cum dimitteretur, ad eos imprimis venturum. Grata hec legatio Bohemis fuit, quippe qui magis ex debito quam ex animo regem petebant*

³ HB, I, p. 02

⁴ *At cum Fridericus imperialis coronae suscipiende gratia Italiam petere statuisset, rursus Bohemi, Hungari et Austriales legationibus seorsum missis imperatorem fatigavere Ladislaum reposcentes. Postulata omnibus negata sunt. Ad Bohemos, qui ea de re conventum Prage habituri erant ac ferocius agere videbantur regem alium electuri, nisi mos eis gereretur, legatos mittere placuit, quibus et nos additi sumus. Provinciales, quibus apud Pragam dies statuta fuerat, crassante illic peste, in Beneschavia convenere. Quos in frequenti conventu presidente Georgio Pogiebratio in hunc modum allocuti sumus: "Petivistis ex Caesare [here follows the oration as given below]." Vero similis oratio visa neque sine favore excepta est. Acceptiorem Procopius, noster collega, reddidit, qui patrio sermone latine lingue ignaris verba nostra interpretatus est. Iussi sumus ex conventu paululum abire. Mox revocatis responsum datum: Reddite imperatori gratiae, qui eam legationem misisset atque in dimittendo rege Bohemos preferre ceteris. Accipere se bene consulta*

Some years later, Piccolomini, now Pope Pius II, wrote in his *Commentarii*:

Meanwhile the Bohemians, after many vain efforts to get Ladislas for their king, convened a national council at Prague to discuss their affairs. They declared that unless Albert's son, the heir to the kingdom, was sent to them, they would choose another king for themselves. Aeneas was therefore despatched, together with several other noblemen, to meet with them. A terrible plague was then raging through Prague, so the council was transferred to the village of Beneschau. There Aeneas addressed a public assembly where he delivered a message from the emperor. He explained that the boy-king needed a guardian; he could be in no better hands than the emperor's; moreover, it would not be long before they saw their wishes fulfilled. This speech soothed their anger and they promised not to call anyone else to the throne.²

One of Pius' two contemporary biographers, Campano wrote:

Immediately after his return to Friedrich he was sent to the Bohemians who would have taken up arms if he did not hurry. Ladislaus, King of Hungary and Bohemia, was still a young boy, being the son of Friedrich's brother.³ Fear of plots as well as the fact that the boy was too young to govern and at risk of coming to harm caused Friedrich to keep him at court and to give him guards so that he would not be abducted. However, the Bohemians thought that it was an unworthy treatment of the boy to guard him and keep him away from his paternal kingdom. Therefore they threatened to gather troops and go to war unless they were given a proper explanation why the emperor did as he did. [In his oration Aeneas] especially referred to the danger of poison which actually, due to a Bohemian plot, killed the boy some years after when he had been sent off by his uncle.^{4 1}

consilia. Missuros ex nobilitate sua primarios juvenes, qui cesarem Italiam petentem sequantur eique ministrant. Expectaturos quiete reditum, quem felicem faustumque superum benignitate futurum exoptent

¹ HB, I, pp. 486-496

² CO, I, 21, 2 (Meserve, I, p. 101)

³ He was not the son of Friedrich's brother, but of his cousin, Albrecht II

⁴ Zimolo, pp. 19-20: *Extemplo ubi ad Federicum pervenit, ad Boemos mittitur, arma sumpturos nisi properasset. Cum enim Ladislaum Pannoniae ac Boemia regem admodum puerum fratris filium Federicus metu insidiarum et quod regno immaturo adhuc esset atque injuriae obnoxius apud se educaret, adhibitis custodibus ne clam subduceretur, Boemi indignum rati custodiri accersiriue a regno patrio regem, coactis copiis bellum, nisi dimitteret, comminabantur. Horum conatus statim compescuit, ratione adhibita cur ita fieri oporteret, maxime iniecto metu veneni, quo paucis post annis dimissus a patruo puer fraude boemica absumptus est*

And Platina, the other contemporary biographer, wrote: *When he returned to the emperor, he was immediately sent as ambassador to Bohemia to settle a conflict which had arisen between him and the Bohemians. When the Bohemians had been pacified...*²

In his *Würdigung der alten böhmischen Geschichtschreiber* from 1830, Franz Palacky examined the oration on the basis of documents kept in the Wittingauer Archive.³ One of the documents was a translation (in his own hand) of the oration into Bohemian by Prokop von Rabstein who acted as Piccolomini's interpreter at the assembly. This translated version differs significantly from the text of the oration as given by Piccolomini, see below. It begins with a praise of peace in general, based on a quotation from Isaiah,⁴ and continues with a praise of the willingness of the estates to recognize Ladislaus as their king. Then it communicates the emperor's refusal to hand over Ladislaus, justifying it with the boy's tender age. Finally, it promises that the emperor's wardship over the boy-king will only last some years more, and that the emperor will send him to Bohemia first, before Austria and Hungary.

According to Palacky the estates were dissatisfied with this vague answer and demanded a written statement concerning the length of the wardship and guarantees that it would not be extended.

In his written reply, Piccolomini referred to the rules of the House of Habsburg concerning wardship over princes in their minority. As for a guarantee that the prince would be sent first to Bohemia, he could only point to the emperor's own promise.

Upon this, the estates sent a new petition to the emperor, demanding a more precise answer, and threatening with violence if their demands were not met.

Palacky concluded that the divergence between the documents examined by him and Piccolomini's own reports from the meeting undermines Piccolomini's credibility: his arguments concerning the financial state of the kingdom, the political problems connected with the appointment of a regent during the king's minority, and the threats to elect another king were irrelevant in view of earlier promises and guarantees made by the Bohemians to the emperor. Also Piccolomini's remarks concerning the success of his mission were evidently untrue.⁵

¹ The causes of Ladislaus's death in Prague, at the age of 18 are not known except that he died of a sudden illness. Pius certainly thought –and wrote – that he had died by poisoning, suspecting the regent, Georg Podiebrad, of the deed

² Zimolo, p. 102: *Ad Caesarem tandem reversus, ab eo statim orator in Bohemiam mictitur, ad tollendam omnem controversiam, que inter eum et Bohemos orta erat. Pacata Bohemia ...*

³ Archiv Cesky, II, 303-309; Palacky: *Würdigung*, p. 244; *Geschichte*, p. 268

⁴ Isaiah, 32, 8. Cf. Palacky: *Geschichte*, p. 267, i.e. peace. Interestingly, Piccolomini himself re-used this quotation from Isaiah 9 months afterwards, in the oration "*Moyses vir Dei*" [19], to Pope Nicolaus V

⁵ Palacky: *Würdigung*, pp. 244-246

In his *Geschichte von Böhmen*, from 1857, Palacky gave a similar, but more measured account of the events in Beneschau.¹

Georg Voigt (1862) based his description of the imperial embassy to the Bohemians on the studies of Palacky and concluded that Piccolomini's own report was a lie and that the text of his oration inserted in the *Historia Bohemica* was pure phantasy,² and he repeated Palacky's contention that the text of the oration as reported by Piccolomini himself was both unsuitable and insulting to the Bohemians.

The observations of Palacky, as taken up by Voigt, raise the question which version of the oration, the one in the *Historia Bohemica* or the one as translated by Prokop von Rabstein is the correct one.

Concerning this issue, the following observations may be made:

Firstly, Piccolomini usually revised the texts of his orations after they had been delivered. Mostly, the changes were of vocabulary and style, and rarely of substance. There is no doubt that Piccolomini himself thought he had an author's right to make such revisions and that he considered the last, revised version as the final *literary product* – notwithstanding the fact that the text of the original version would be the proper *historical document*. If he had revised the text of the "*Petivistis*" before inserting it into the *Historia Bohemica* he would simply be following his own pattern of literary production, and only if he had changed it substantially would he really merit any criticisms by historians.

Secondly, since it is clear and well documented that Piccolomini gave an oration – or at least made some kind of address - in Beneschau in 1451, the text of this oration or address must have existed before the writing of the *Historia Bohemica* in 1458. Indeed, the text of the oration is extant individually and outside the context of the *Historia* in a humanist collective manuscript, the Cod. 3471 of the Österreichische Nationalbibliothek, ff. 13f-13v. There are only very small discrepancies between that text and the text in the *Historia*, but they are there and indicate a very slight revision of the text before its publication as part of the *Historia*. Theoretically, it may have been the other way round: the text in the collective manuscript may have been copied from the *Historia* with some minute changes of style, but this is less credible, for why would Piccolomini revise the text after it had been published in the *Historia Bohemica*?

¹ Palacky: *Geschichte*, IV, 1, pp. 266 ff.

² Voigt, II, p. 27: *Nun hat Enea in seine böhmische Geschichte eine Rede hineinphantasiert*, and later: *Dieser Bericht wäre also eine Lüge*

Thirdly, Piccolomini himself stated, in the *Historia*, that in translating his text Prokop had revised it so that it would be more palatable, suitable and pleasing to Bohemian ears: *Prokop, our colleague, made it even more acceptable when he translated it into their language for the benefit of those who did not understand Latin.*¹ It is not easy to understand why Palacky and Voigt disregarded this remark by Piccolomini, as it clearly documents Piccolomini's awareness – and indeed his acceptance – that the text as translated by Prokop not only differed somewhat from his own, but that it was also more acceptable to the Bohemians.

Fourthly, the assertions of Palacky and Voigt that Piccolomini's mission was not the success that he himself claimed it to be also merit consideration. The fact that the Bohemians sent a new petition to the emperor asking for guarantees concerning the length of his wardship may be considered as the sign of a not unmitigated success. But Piccolomini's satisfaction with the results of his mission would probably not be caused by the immediate effects of his oration with regard to the wardship, but by the general results of his negotiations with Georg Podiebrad and others. Indeed, it is quite reasonable to assume that these negotiations were essential to the establishment of an understanding between Podiebrad and the emperor which would result in the emperor's acceptance of Podiebrad's appointment as full regent, *gubernator*, of the Kingdom of Bohemia in 1452² and in Podiebrad's support of the emperor in his conflict with the Austrians in that same year – though events then moved so fast and were handled so ineptly by the emperor that Podiebrad could not reach Wiener Neustadt in time to aid the emperor militarily, had he really wanted to.³

This view is supported by later historians.

In 1905, Adolf Bachman wrote:

*Jetzt in Beneschau suchte er [Piccolomini] in klug berechnender Darlegung und mit dringenden Vorstellungen die böhmischen Stände zu weiterem geduldigen Zuwarten, bis der junge Ladislaus mündig wäre, zu bewegen, und sonst den römischen König, seinen Herrn, gegen alle die verschiedenen Anklagen zu verteidigen, die auf dem Landtage erhoben wurden.*⁴ *Unverkennbar hatte er sich dabei der indirekten Förderung Podiebrads zu erfreuen. Die Stände wiederholten ihren Wunsch, den jungen König bald in ihrer Mitte zu haben, ohne die gewohnten Drohungen. ... Man darf es wohl in gewissem Masse dem Berichte Enea's, freilich auch dem Drange der Sachlage zuschreiben, wenn König Friedrich, im Begriffe seine Romfahrt zu unternehmen, bald darauf selbst die böhmischen Stände aufforderte, Georg von Podiebrad, den er mit der Verwaltung des Königreichs betraut habe, in dieser Würde*

¹ HB, I, pp. 486-496: *Acceptiorem Procopius, noster college, reddidit, qui patrio sermon latine lingue ignaris verba nostra interpretatus est*

² Hoensch, p. 157

³ See Palacky's own observation in *eschichte*, IV, 1, pp. 265, 288-289, 302, 305, 311

⁴ In a note Bachmann here refers, i.a., to Piccolomini's "angebliche Rede"

*anzuerkennen, so wie er schon vordem die oberste Gewalt im Königreiche Ungarn dem Kriegshelden Johannes Hunyadi überlassen hatte.*¹

In his *Geschichte Böhmens*, the modern historian, Jörg K. Hoensch wrote, in 1987:

*Zu den im Juli 1451 in Beneschau (Benesov) geführten Verhandlungen wurde auch der päpstliche legat Eneas Silvius Piccolomini² (Verfasser einer Historia Bohemiae und als Pius II. von 1458 – 1464 Papst) hinzugezogen; sie erbrachten immerhin eine gewisse Annäherung der Positionen, so dass sich Friedrich III. zur Anerkennung Georgs als "Gubernator Böhmens" bis zur Regierungsfähigkeit Ladislavs bereit erklärte."*³

Georg Podiebrad's modern historian, Frederick G. Heymann, in his description of Piccolomini's mission to Bohemia and his negotiations at the meeting in Beneschau, states that Piccolomini

*could inform the King that his refusal to release Ladislav before the boy's having come of age, reiterated in an elaborate address which he, Aeneas, had presented to the Czech diet, had met with little serious protest, owing essentially to the help given by George. Probably he had emphasized his impression that George was a man of growing strength, and not a fanatic but one with whom it would be possible to negotiate. Thus the King was now more ready than before to grant George's factual leadership of the Czech nation his recognition.*⁴

In conclusion, the text of the "*Petivistis*" may quite reasonably be assumed to be identical with or or very similar to the text as delivered by Piccolomini in Latin at the meeting in Beneschau, and his mission may quite well be considered successful in as much it as it contributed to strengthening the understanding - or alliance – between the Bohemian regent and the emperor.

¹ Bachmann, II, p. 423

² At this conference Piccolomini represented the emperor, not the pope

³ Hoensch, p. 157. See also Seibt, p. 540-541

⁴ Heymann, p. 53

2. Themes

The main theme of the orations was the Bohemian demand for King Ladislaus' person and the emperor's refusal.

In his argumentation for the emperor's decision Piccolomini brings forward two sets of reasons: Sending the boy-king to Bohemia would not profit the Bohemians because, since he could not govern effectively,

- it would be necessary to set up of tutelary government with a number of political complications and rivalries as consequences.
- Moreover, the cost of establishing a royal court would be high and would have to be paid for by the Bohemians.

On the other hand, keeping the boy in the emperor's wardship was a quite reasonable course of action, since

- Ladislaus was still a very young boy,
- the emperor was his uncle and closest relative, and
- the emperor's preeminent position made him the most suitable guardian for an underage king.¹

Finally, Piccolomini explicitly stated that the Bohemian threat to elect another king if Ladislaus was not sent to them was not credible and would therefore not impact on the emperor's decision. It must be kept in mind that Piccolomini had actually had political consultations with leaders and groups of the Bohemian nobility, including Georg Podiebrad, for three day before the session where he delivered his oration. It is difficult to believe that this highly experienced diplomat would not have good reasons for making such a statement publicly.

3. Date, place, audience and format

According to Palacky, the oration was delivered in the beginning of August, at Beneschau.²

¹ These arguments were developed further by Piccolomini in his oration against the Austrian insurgents against the emperor, the oration "*Sentio*" [20]

² Palacky: *Würdigung*, p. 244

Piccolomini arrived in Beneschau on 18 July¹ and had three days of negotiations before delivering the oration. Therefore, the date of 22 July is probably more correct.

The audience was an assembly of Bohemian nobles, including Georg Poediebrad.

The format was an ambassadorial address on behalf of Emperor Friedrich III.

4. Text²

The oration "*Petivistis ex Caesare*" was not included in the Collected Orations of Pius II, compiled in 1462 under his direct supervision. It is therefore not extant in the seven manuscripts containing that collection.

The text, however, is extant

- individually in a humanist *Sammelhandschrift* in Vienna, and
- as part of the *Historica Bohemica*.

4.1. Individually

- **Wien / Österreichische Nationalbibliothek**
3471, ff. 13r-13v (**W**)

The text was not published by Mansi in his collection of Pius' orations, presumably because he did not have access to any manuscript containing the text.

It has been edited at least once, in

- Müller, Johann Joachim: *Des Heil. Römischen Reichs Teutscher Nation ReichsTags Theatrum wie selbiges unter Keyser Friedrichs V. Allerhöchsten Regierung von Anno MCCCCXL bis MCCCCXCIII gestanden ...* Theil I. Jena, 1713, pp. 517-518

¹ Heymann, p. 50

² Concerning the textual transmission of Pius II's orations, see *Collected orations of Pope Pius*, vol. 1, ch. 5

4.2. As part of the *Historia Bohemica*

Piccolomini also included the oration in his *Historia Bohemica* (HA), the standard edition of which will be undoubtedly be the edition by Hejnic and Rothe:

- Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005 [*with a parallel translation into German*]

In this edition are listed the manuscripts and former editions of the HA, cf. I, pp. 486-494

4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

Text:

The edition is based on the manuscript in Vienna and the *Historia Bohemica* as edited by Hejnic & Rothe, with collation of Müller's edition.

Pagination

Pagination is from the manuscript in Vienna **(W)**.

5. Sources

This oration is devoid of references to biblical, classical and other authors. Piccolomini may have considered that such oratorical embellishments would be lost on his audience.

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7. Sigla and abbreviations

W = Wien / Österreichische Nationalbibliothek / 3471

HB = *Historia Bohemica*, as edited by Hejnic and Rothe

MU = Müller, Johann Joachim: *Des Heil. Römischen Reichs Teutscher Nation ReichsTags Theatrum wie selbiges unter Keyser Friedrichs V. Allerhöchsten Regierung von Anno MCCCCXL bis MCCCCXCIII gestanden ...* Theil I. Jena, 1713

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austriasis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

HB = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

MA = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

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II. TEXT AND TRANSLATION

Oratio Aeneae, episcopi Senensis, jussu Friderici Caesaris, ad Bohemos Ladislaum regem postulantes¹

[1] {13r} Petivistis ex Caesare, viri Bohemi, Ladislaum, quondam regis² vestri filium, ad vos mitti. Idem Hungari, idem Austriales importunis precibus exigunt. Si vobis mos geritur, illos offendere necesse est. Si preces aliorum audiantur, contemnere vestras oportet. Si necessarium sit alterum ex duobus, vestram amicitiam praeferret³ imperator. Vetus est enim majorum suorum cum Bohemica gente foedus. Et acceptorum ultro citroque beneficiorum memoria recens. Sin virtus claritasque pensitanda est, quis Bohemico nomini non invideat, cujus victorias tempestate nostra plures numerare licet, quam reliquae gentes omnibus saeculis comparare potuerint. Verum Caesari hoc tempore in hanc electionem haudquaquam necessarium descendendum⁴ videtur, quando ea pueri aetas est, quae neque vobis neque Hungaris usui esse potest.

¹ Oratio ... postulantes : Æneæ Sylvii Oratio ad Bohemos MU

² quondam regis : regis quondam HB, MU

³ praeferet HB

⁴ haudquaquam ... descendendum : descendere haudquaquam necessarium HB, MU

Oration of Enea Silvio, Bishop of Siena, at the command of Emperor Friderich, to the Bohemians requesting King Ladislaus

1. Emperor's¹ refusal to release the boy king Ladislaus from his wardship

[1] Men of Bohemia, you have requested of the emperor that Ladislaus,² son of your former king,³ be sent to you. But the Hungarians and the Austrians make the same insistent requests. So, if the emperor agrees to your request, he must of necessity offend the others. And if the emperor agrees to the requests of the others, he must set aside yours. Should he have to choose between these alternatives, the emperor would prefer his friendship with you because of the old alliance between his ancestors and the people of Bohemia, and because of the memory of mutual services in recent times. And if we look at courage strength, and fame, all must envy the Bohemians who in our time have won more victories than other peoples have ever done. But the emperor considers that it is not necessary to make such a choice at this time since the boy is too young to be useful to you as well as to the Hungarians.

¹ Friedrich III (Habsburg) (1415-1493): Duke of Austria (as Friedrich V) from 1424. Elected King of Germany and Holy Roman Emperor in 1440, crowned in Rome in 1452

² Ladislaus the Posthumous (Habsburg) (1440 -1457): Archduke of Austria from 1440, King of Hungary from 1444 and King of Bohemia from 1453 until his death

³ Albrecht II of Habsburg (Habsburg) (1397-1439): Archduke of Austria. King of Hungary and Croatia from 1437. Uncrowned King of Bohemia. Elected Emperor of the Holy Roman Empire in 1438, but died the next year

[2] Esto, veniat in Bohemiam Ladislaus: quod inde regno emolumentum cedit? Illene jus litigantibus dicet? Statum reipublicae reformabit? Adversus hostes copias ducet? Belli pacisque munera obibit? Nihil horum praestare potest, cui rectore¹ opus est. Illud in primis ejus adventus faciet: regis pompa ducenda est, ornanda regia, adhibendi ministri, curia more progenitorum apparanda. Ad haec grandi pecunia opus. Vobis nullum aerarium esse audio, nullos census, nulla vectigalia publica. Ad vestras igitur opes recurrendum. Vos praestare sumptus; vos regem alere; vos inexplebilem curiam et insatiabiles ministros explere oportebit.

¹ recte tutela MU

2. Disadvantages to the Bohemians had the request been accepted

[2] But let us imagine, for a moment, that Ladislaus were to come to Bohemia now: how would that benefit the kingdom? Would he dispense justice to litigants? Would he reform the state? Would he lead armies against the enemies? Would he be able to carry out the duties of war and peace? No, such things cannot be achieved by someone who himself requires a governor. If he came, this is what would happen first of all: royal splendour would be restored, the palace would be lavishly refurbished, court officers would be appointed, and a royal court would be established after the pattern of the king's ancestors. For this, huge sums would be needed. But I hear that you have no treasury, and that there is no income from taxes and customs. So, you would have to rely on your own resources: you would have to pay the costs yourselves; you would have to ensure the upkeep of the king and satiate the insatiable court and ministers.

[3] Video praetera inter vos non paucos esse procures consilio, auctoritate, atque opibus paene pares. Cura regis uni committenda erit, non omnibus. Ille dominus, ille rex vester iudicabitur, qui regis corpus in potestate habebit. Et quis vestrum est, qui non eum sibi honorem¹ quam alteri malit? Seminarium² inter vos discordiarum petitis, nisi prius in unum conveneritis, qui regis curae praesit. Vos his incommodis Fridericus liberat, qui suo sumptu pupillum regium gubernans dissensionum fomitem vobis³ aufert.

[4] Nec vos latet, quandoquidem tenera regis aetas est, corpus ejus in potestate Caesaris rectius quam⁴ alterius cuiuspiam. Ille enim consanguineus est ex eadem familia natus et imperator⁵. Quis pupillo regi convenientius tutor detur quam princeps principum?

[5] Si sit inter vos {13v} et⁶ Hungaros contentio coram extraneo iudice de custodia corporis regis, par causa vestra atque illorum iudicabitur. Utrique regem petitis, utrique fidelitatis documenta praestabitis. Verum⁷ hoc illi superiores erunt⁸, qui⁹ natum apud se regem coronatumque dicent. Apud Caesarem vestra causa longe iustior est quam Hungarorum. Se ipsum tamen in cura patruelis vobis praefert. Curate regnum. Pupillum sibi dimittite¹⁰, quem, postquam pubes fuerit, vobis in primis credet.

¹ sibi honorem : honorem sibi MU

² semina MU

³ fomitem vobis : vobis fomitem HB, MU

⁴ in *add.* MU

⁵ et *add.* HB, MU

⁶ *omit.* MU

⁷ in *add.* MU

⁸ erant HB

⁹ quia MU

¹⁰ mittite W

[3] Moreover, I see that among you there are many noblemen who are almost equal in sagacity, authority and wealth. But the care of the king must be entrusted to one among them, not to all. The one who has the king's person in his power will himself be like your lord and king. Who among you will not want this honour for himself rather than for someone else? Your request will sow discord among you unless you first agree on who should be responsible for the care of the king. Friedrich frees you from these troubles: by governing the boy-king at his own cost, he removes a cause of conflict from you.

3. Why it is better for Ladislaus to remain in the emperor's wardship

3.1. Friedrich III is both emperor and Ladislaus' close relative

[4] Moreover, you must be quite aware that because of the king's tender age it is better for him to be in Caesar's power than in anybody else's. For he is his relative, being of the same family, and moreover he is the emperor. To whom could this orphan be entrusted more fittingly than to the prince of princes?

3.2. Hungarian legal claims on Ladislaus better than those of the Bohemians

[5] If a conflict between you and the Hungarians concerning the custody of the king's person be brought before an outside judge, he would judge yours and their cause to have equal weight. You both demand the king, and you will both provide proof of your loyalty. But the Hungarians will have one advantage: they can say that the king was born and crowned in their country. Though the emperor considers your cause to have much greater merit than the Hungarians', he prefers that he himself should be his cousin's guardian rather than you. So, look after your kingdom, but leave the orphan boy to the emperor who will hand him over to you as soon as he comes of age.

[6] Quod vero oratores vestri dixere alium regem accersendum a vobis¹ esse, id magis terroris incutiendi causa dictum imperator existimat, quam quod animo vestro ea sententia sedeat. Neque enim vestra fides incorrupta prius hoc repromittit neque progenitorum Ladislai in vos collata beneficia hoc exigunt nec innocens ejus aetas quicquam demeruit. Ceterum volvite animo prius, ut sapientes decet, quemnam Ladislao praeferre possitis, cujus sanguinem, si matris originem tenetis memoriae², quattuor Romanorum imperatores produxere. Si paternam prosapiam exquiritis, quinquies imperatoria dignitas in Australi³ domo resedit. Obscuritatem quaerat necesse est, cui tanta claritas non satisfacit. Addite potentiam, amicitias, clientelas. Austriam vobis vicinam possidet. Moravia, Slesia⁴ illi paret⁵. Hungari, etsi novas res moliri videantur, ab officio tamen non recedent. Imperator, a quo vestrum regnum⁶ dependet, sanguini suo non deerit nec jus familiae suae negliget. Baioariae Saxoniaeque duces, marchiones quoque⁷ Brandenburgenses, omnes ferme Germaniae principes Ladislaum propinqua necessitudine attingunt. Non potest hic pupillus offendi, nisi et tota Germania laedetur⁸.

[7] Haec superfluo⁹ vobis commemorari non ambigo: verum ita jussit imperator. Ille pupillum in Italiam¹⁰ secum ducit¹¹. Reductum puberemque factum, si perstiteritis in fide, ad vos primum mittet. Vos interea pro gravitate integritate¹² vestra, quod in rem Bohemici regni pupillique sit, consulere admonet.

¹ nobis MU

² tenetis memoriae : memoria tenetis HB, MU

³ Austriali HB

⁴ Sclesia HB; Silesia MU

⁵ parent MU

⁶ vestrum regnum : regnum vestrum MU

⁷ marchiones quoque : marchionesque MU

⁸ laedatur HB, MU

⁹ superflue MU

¹⁰ pupillum in Italiam : in Italiam pupillum MU

¹¹ adducit HB; abducet MU

¹² integritateque MU

4. Bohemian threats to elect another king not taken seriously

[6] Your ambassadors have talked about finding another king.¹ The emperor considers that this was said in order to scare him, not because you really mean it: your unbroken loyalty until now makes that course very unlikely. It would also be quite inappropriate in view of the benefits bestowed upon you by Ladislaus' ancestors, and quite unmerited by someone of his innocent age. Besides you should, as wise men, carefully consider whom you would prefer to Ladislaus. As you are aware, his mother's family has produced four Roman emperors. And if you look at his father's family, the House of Austria has held the imperial dignity five times. Anybody who is not satisfied by such fame and nobility must of necessity seek out obscurity. To this must be added the power, the friendships and the clienteles. He has Austria, your neighbour. Moravia and Silesia obey him. And though the Hungarians may be considering a change of regime, they will remain loyal. The emperor, on whom your kingdom depends, will support his own blood and defend the rights of his own family. The dukes of Bavaria and Saxony, the margraves of Brandenburg and almost all the princes of Germany are closely related to Ladislaus. If this orphan boy is molested, all of Germany is molested, too.

5. Conclusion

[7] I do not doubt that it is quite superfluous to remind you of these things, but this is what the emperor has commanded me to say. He will bring his ward with him to Italy. When Ladislaus comes back and attains his majority, the emperor will send him to you first - if you remain loyal to him. In the meantime, he admonishes you to gravely and sincerely look after the interests of the Kingdom of Bohemia and its orphan king.

¹ If the emperor would not hand over Ladislaus

(Orations of Enea Silvio Piccolomini / Pope Pius II; 17)

Oration “*Quamvis in hoc senatu*” of Enea Silvio Piccolomini (23 August 1451, Wiener Neustadt). Edited and translated by Michael von Cotta-Schönberg

5th version

2019

Abstract

In 1451, the Duke of Burgundy's crusade had matured to the extent that he would attempt to make it a joint European project. Among others he sent an embassy to the Imperial Court, at the time residing in Wiener Neustadt, where it was given a polite, but not enthusiastic reception. In the name of the emperor, his top diplomat, Bishop Piccolomini of Siena, replied to the Burgundian ambassadors with the oration "*Quamvis in hoc senatu*". In this oration, he touched upon a number of themes which he would re-use in his future Turkish orations, and ended with the emperor's promise to take up the matter with the pope when he went to Rome for his coronation the next year.

Keywords

Enea Silvio Piccolomini; Aeneas Sylvius Piccolomini; Æneas Silvius Piccolomini; Pope Pius II; Papa Pio II; Responses to ambassadors; 15th century; Crusades against the Turks; Emperor Frederick III (Habsburg); Kaiser Friedrich III (Habsburg); Duke Philip III the Good of Burgundy; Duc Philippe III le Bon de Bourgogne; Bourgogne; 1451; Renaissance oratory; Renaissance rhetorics; Renaissance orations

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I. INTRODUCTION

1. Context

The French dynasty had undoubtedly played an important role in the medieval crusades, but whether the House of Burgundy as such had a strong attachment to the crusading idea remains for scholars to determine.¹ There can be no doubt, however, that Philippe III le Bon of Burgundy actually did support a number of crusading initiatives before 1450, and that in 1451 – two years before the Fall of Constantinople – he decidedly took up the cause of the crusade against the Turks.² Paviot says: *Dans les années 1449-1451, Philippe le Bon a complètement modifié son regard sur la croisade. Non que son intérêt ait changé, mais il choisit de prendre une autre voie pour arriver à ses buts.*³ In his later years, his passion for the crusade cooled somewhat due to a combination of old age and the political and military realities of the day, but there is no reason to doubt his authentic desire to go to war against the Turks and his regret at not being able to.⁴ That the Burgundian crusade project was combined with other, political, projects, seems most likely, see Enea Silvio Piccolomini's report to the emperor on the Diet of Regensburg.⁵

By 1451, it had become quite clear that the Burgundians could not undertake a military expedition against the Turks alone, and that a broader European campaign would be necessary. Since King Charles VII of France was highly skeptical about any Turkish project,⁶ Burgundian diplomacy began to move towards a crusade alliance with the Holy Roman Empire, Aragon and Portugal. Such an alliance would also have the geopolitical advantage of “encircling” France and relieving French pressure on Burgundy, besides favouring Burgundy's broader political aims.⁷

So, in May 1451, Duke Philippe dispatched embassies to Rome and Naples.⁸ The embassy to the pope was tasked with presenting a request for the pope to arrange a meeting of Christian princes to discuss and plan for a joint crusade against the Turks.⁹ Several weeks later, in July, he sent the knight Pedro Vasquez Saavedra and the Dominican Nicolas Jacquier on a diplomatic mission to the emperor and to the kings of Hungary and Poland.¹⁰

¹ Jacques Paviot's careful research seems to document that the dukes before Philippe III, apart from and possibly because of the disastrous crusade in 1396, actually had a rather limited enthusiasm for the crusading idea, see Paviot: *Les ducs*, pp. 17-116, cf. especially p. 56-57; and Paviot: *Burgundy*, pp. 70-71

² Paviot: *Les ducs*, ch. 2

³ Paviot, *Les ducs*, p. 117

⁴ Müller, ch. 1; RTA, 19, 1, p. 143

⁵ MA, III, pp. 22. See also Paviot: *Les ducs*, p. 61-62, 117-118; RTA, 19, 1, p. 343-345

⁶ Erlanger, p. 365 on Charles' skepticism towards the crusade: *Or Charles tenait à son repos et demeurait inaccessible aux chimères. Jamais le vieux bon sens capétien n'apparut si prosaïque que chez l'héritier du Roi fou. Que le duc de Bourgogne conservât seul les traditions aventureuses de la famille et jouât les peux à son aise.* See also Müller, p. 51

⁷ Müller, cf. 5

⁸ RTA, 19, 1, p. 143, n. 5

⁹ RTA, 19, 1, p. 143

¹⁰ Müller, p. 54; RTA, 19, 1, p. 104, n. 1; Paviot: *Les ducs*, pp. 125-127; Paviot: *Burgundy*, p. 72, 76

The Burgundian ambassadors were received at the imperial court in Wiener Neustadt on 21 August 1451. In the presence of the King of the Romans, Friedrich III, and his court, Pedro Vasquez delivered an oration¹, probably authored by Jacquier on the basis of a crusade sermon to the Burgundian court by the Bishop of Chalons-sur Saône, Jean Germain, on 3 May 1451.² In the oration, Jacquier spoke on:

- the Turkish attacks against Christianity,
- the readiness of some princes, including the Duke of Burgundy, to undertake a military response to Turkish aggression, and
- previous undertakings in the matter

He concluded with

- an exhortation to the emperor to take up the defense of Christianity against the Turks, and specifically to
- discuss the whole matter with the pope during his coming voyage to Rome.

The emperor's reply to the Burgundian ambassadors was delivered by his senior diplomat, Bishop Enea Silvio Piccolomini, see below.

When next year, in March 1452, Friedrich came to Rome for his coronation, he did take up the crusade with the pope, and in this context Piccolomini gave the famous oration "*Moses vir dei*" [19] on a European crusade against the Turks.

A year later, in May 1453, Constantinople fell to the Turks, and the emperor – with the Pope's assent and support – summoned a German/European diet to be held in Regensburg in April/May 1454.

In the Emperor's invitation to the Duke of Burgundy, also written by Piccolomini, reference was made to the Burgundian mission to the Emperor two years before:

We remember that some years ago you sent your ambassadors to us who lamented the terrible and horrible injuries which the Saracens and Turks in the East daily inflicted upon the worshippers of Christ. You reminded us of our special obligation, as Prince of the Romans, to

¹ In a manuscript in Budapest containing the oration, it carries the title: *Ad serenissimum Romanorum regem Fridericum etc. pro subsidio fidei catholicae propositio domini Petri Visques militis et fratris Nicolai Jaqueri ord. pred. inquisitoris heretice pravitatis, ambasiatorum illustrissimi principis Philippi ducis Burgundie anno etc. 51. Die 21. Mensis Augusti in opido Nove Civitatis in Austria etc.* RTA, 19, 1, p. 104, n. 1; p. 144

² Paviot: *Les ducs*, pp. 120-122

care for the welfare of the Christian people, and you urgently asked of Us to undertake this expedition against the enemies of the Cross and to request the other kings and princes to contribute. You also offered to participate personally in this pious and necessary venture. We commended your proposal, and since We intended to go to Rome very soon afterwards, and since the matter set forth by your ambassadors was highly important, We answered – as was reasonable – that We would discuss this matter with the Supreme Pontiff and follow his advice and instructions. And so We did when short time afterwards We had come to Rome: We ordered an oration on this matter to be given in a public consistory, and We found the pontiff to be very positive, answering publicly that the importance of the matter required him to also ask the other kings and princes about their views on this serious issue.¹

In 1451, the crusade project would not have seemed an important matter to the imperial court, and the ambassador's delivery of a crusade oration as well as Piccolomini's reply were a matter of court routine. Though Piccolomini referred to the Burgundian embassy in his report on the Diet of Regensburg,² he did not mention it in his *Commentarii*, nor did his biographer Georg Voigt.

The Fall of Constantinople two years later and the continuing Turkish expansion into Europe would radically alter the situation: themes from the Burgundian diplomats' oration as well as from Piccolomini's own response would reappear in his later orations.³ And – very importantly – the notion of a Christian crusade against the Turks as a project dear to the Duke of Burgundy and of the duke as a leader of the crusade would be firmly planted in Piccolomini's mind. This notion was confirmed by his meeting and conversations with the duke three years later, at the Diet of Regensburg. It would decisively influence his own crusade project when he became pope – and also cause him bitter disappointment when, in the end, the duke had to pull out. Indeed, the meeting with the Burgundian ambassadors in 1451 and the exchange of Turkish orations, leading

¹ RTA, 19, 1, p. 104: *Memores sumus te ante nonnullos annos oratores tuos ad nos mississe, per quos diras et acerbissimas molestias, quas in orientis partibus tam Sarraceni quam Turchi cultoribus Christi dietim inferebant, commemorando et condelendo nos veluti Romanorum principem, ad quem potissimum de salute Christiani populi cogitare incumberebat, magnis precibus adhortabare, ut ad passagium contra inimicos crucis instituendum nostras operas impartientes ceteros reges et principes ad id ipsum requisitos redderemus, ad quod tam pium et necessarium opus in propria persona profecturum te offerebas. Nos tunc propositum tuum commendatum, cum Romam propediem petere intenderemus cumque res grandis esset per tuos oratores nobis exposita et fidem concerneret, respondimus de tali negotio velle nos, ut par erat, cum summo pontifice verbum facere suaeque sanctitatis et consilium et directionem sequi quemadmodum Paulo post Romam venientes in publico consistorio de hoc ipso negotio sermonem nostro nomine fieri iussimus, ad quam rem non parum inclinatum eundem invenimus pontificem, qui publice nobis respondit etiam aliorum se regum et principum, ut rei magnitudo videbatur exposcere, mentes perquisiturus ad opus ingens*

² MA, III, p. 15: *Legatos ergo ad summum pontificem misit, ad imperatorem, ad plerosque reges, ad Hungariam, ad Bohemos, seque in eam militiam iturum promisit, adjutores si Christianos reliquos inveniret. Quod si monitis ejus auscultatum fuisset, haud modo Constantinopolitana jactura nos angeret, et fortasse jam Turcorum truculentum genus trans Helespontum fugavissemus*

³ Müller, p. 57

up to the delivery of the important oration "*Moyses vir Dei*" [19] in Rome the year after, may reasonably be considered as the beginning of Pius' great Turkish enterprise, ending only with his death in Ancona 13 years later.

In his oration, Piccolomini does not mention the congress of princes, proposed by Burgundy to deal with the Turkish issue.¹ This proposal, however, would be implemented when in 1454, after the Fall of Constantinople, the emperor summoned an imperial diet in Regensburg on the crusade, inviting the kings and princes of Europe to participate. And even more importantly, it would later inspire Piccolomini, as Pope Pius II, to summon a congress of the European powers, the Congress of Mantua, held in 1459.

2. Themes

The themes are well known from medieval and early humanist Turkish orations:

- The Islamic/Turkish war of aggression against Christian lands
- The sadistic cruelty of the enemies and of their leaders
- The trial of Christians' permitted by God as punishment of the sins of the Christians

It should be noted that Piccolomini's description of Islamic atrocities consists in a quotation from the early Christian author, Cyprian, who lived from ca. 200 to 258 AD, and was not writing about the Arabs and the Turks, but about the Roman Emperor Valerian's persecution of the Christians, which he experienced personally.²

What is significant in this oration, is the acknowledgement of the Burgundian crusade initiative and the emperor's promise to raise the matter directly with the pope when he went to Rome for his coronation.

Piccolomini also introduces the theme of the emperor's personal knowledge of the miserable situation of the Eastern Christians, derived from the pilgrimage to Jerusalem which he made as a very young man.

¹ RTA, 19, 1, p. 143

² On Pius II's use of Turkish atrocities, see Smith

And finally, Piccolomini re-uses the notion of the battle against the Turks as necessitating a joint effort of the European powers which he had already presented in his very first oration, the “*Audivi*” [1] of 1436.

All in all, the oration may be seen as a polite, but not enthusiastic imperial response to the Burgundian initiative. The cautious and unwarlike emperor, Friedrich III, was just as little inclined to indulge in enthusiastic, chivalric, and medieval war projects against the infidels as his colleague, King Charles VII of France, and like Charles he had quite more urgent affairs and conflicts to deal with at home.¹

But the Burgundian project was acknowledged, and the promise to negotiate with the Pope was given – and fulfilled the year afterwards, the next phase in the laborious process of preparing a crusade.

3. Authorship

In the title in the manuscripts containing the oration, Piccolomini is not named as the orator, and previous research has apparently not considered the authorship of the oration.

However, a number of indications make it altogether probable, if not certain, that the oration was actually given by Piccolomini.

First of all, Piccolomini was the natural choice for the task. In the preceeding year, he had successfully performed three diplomatic mission for the emperor: negotiations with king Alfonso V on the emperor’s marriage to Eleonora of Portugal; negotiations with the pope on the emperor’s coronation; and finally, Piccolomini’s mission to a Bohemian diet in Beneschau on the status of King Ladislaus, with the very important result of creating an understanding or even alliance between the Bohemian regent and the emperor. At his return from Italy, in the beginning of the year, Piccolomini had been appointed prince of the Empire² and given a seat on the emperor’s council. So, he would be a most suitable choice for replying to the Burgundian ambassadors on behalf of the emperor.

¹ The Burgundian embassies met similar responses at the other European courts visited by the ambassadors, cf. Paviot: *Les ducs*, p. 127: *Philippe le Bon n’a donc pas réussi à soulever l’enthousiasme dans l’Europe latine pour l’accompagner dans son voeu qui n’avait de but précis et qui, surtout, ne répondait à aucune nécessité politique, mais à ses propres convictions personnelles*

² As Bishop of Siena

Secondly, Piccolomini was at the imperial court on the day of the reception of the ambassadors: his famous letter to Cardinal Juan Carvajal with a report on the Bohemian Hussites is dated 21 August 1451, Wiener Neustadt,¹ and there is no evidence whatsoever of his absence from the imperial court in that period. Such an absence would also have been highly unlikely in view of his important role in the preparation of the emperor's coronation voyage to Italy which began in December.

Thirdly, though the oration is not one of Piccolomini's rhetorical masterpieces, very few if any at the imperial court at the time would have been able to give an oration in the style employed.

Fourthly, the oration contains oratorical features quite well-known from Piccolomini's earlier orations, e.g. the form of the *captatio benevolentiae* in the beginning, the reference to the tranquil life on earth and the blessed life in heaven, developed at length in his oration "*Non est apud me dubium*" [6] of 1446, and the use of one of his favourite church fathers, Cyprian. To these must be added elements which would recur in his later orations, e.g. the description of the emperor's pilgrimage to Jerusalem, and his use of a quotation from Cicero's *Somnium Scipionis* which Piccolomini used in several of his orations.²

In the absence of direct proof, the present author considers that the abovementioned features reasonably and sufficiently document Piccolomini's authorship of the oration "*Quamvis in hoc senatu*."³

4. Date, place, audience and format

In his reply, Piccolomini refers to the Burgundian ambassadors' address to the emperor as having been given a couple of days before [sect. 1]. Since the ambassadors were formally received and delivered their oration on 21 August⁴, the oration "*Quamvis in hoc senatu*" was probably delivered on the 23rd or 24th. For the purpose of the present edition, the date of the 23rd August has been retained.

¹ WO, III, pp. 22-57

² Cicero: *De re publica*, 6.9.13 (*Somnium Scipionis*): *omnibus, qui patriam conservaverint, adiuverint, auxerint, certum esse in caelo definitum locum, ubi beati aevo sempiterno fruuntur*

³ Also the oration "*Si ea quam justa*" [4] from 1438, published by J. Haller, has no indication of author in the manuscript. However, Haller does not hesitate to identify Piccolomini as its author, quoting similar external and internal evidence

⁴ RTA, 19, 1, p. 104, n. 1

The place was the royal castle in Wiener Neustadt.

The audience consisted of the emperor surrounded by his court and the Burgundian embassy.

The format was a diplomatic address to the Burgundian ambassadors on behalf of Emperor Friedrich III.

5. Text¹

5.1. Manuscripts²

According to the RTA, the oration is included in three manuscripts³ (all humanist collective manuscripts):

- **Budapest / National Széchényi Library**
Cod. Lat. 211, ff. 38r-38v
- **Venezia / Biblioteca Marciana**
Lat XI, cod. 80, ff. 308v-309v **(V)** *
- **Wien / Österreichische Nationalbibliothek**
Cod. 3420, ff. 160r-161v **(W)** *

It was not included in the Collected Orations of Pius II, prepared under his own supervision during in 1462.

5.2. Editions

The oration was not included in Mansi's collection, and apparently it has not been otherwise published.

¹ Concerning the textual transmission of Pius II's orations, see *Collected orations of Pope Pius II*, vol. 1, ch. 5

² Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

³ RTA, 19, 1, p. 104, n. 1

5.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

Text:

The present edition is based on the two manuscripts in Venezia and Vienna, with the Vienna manuscript as the lead text.

Pagination:

Pagination is from the lead manuscript.

6. Sources¹

In this oration, altogether 13 direct and indirect quotations from various sources have been identified:

Biblical: 4

Classical: 1

Patristic and medieval: 8

Contemporary: 0

All: 13

The patristic quotations dominate, but only because of eight quotations from Cyprian, one of Piccolomini's favourite patristic authors.

¹ For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

Biblical sources: 4

Old Testament: 1

- Isaiah: 1

New Testament: 3

- John: 1
- 1. Corinthians: 1
- Romans: 1

Classical sources: 1

- Cicero: 1¹

Patristic and medieval sources: 8

- Cyprianus: 8²

Contemporary sources: 0

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¹ De republica: 1

² Epistola ad Fortunatum de exhortatione martyria: 1; De mortalitate: 2; De oratione dominica: 3; De unitate ecclesiae: 1; Liber ad Demetrianum : 1

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8. Sigla and abbreviations

V = Venezia / Biblioteca Marciana / Lat. XI

W = Wien / Österreichische Nationalbibliothek / Cod. 3420

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austriacalis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

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MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

Decretum = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

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II. TEXT AND TRANSLATION

Responsio illustrissimi et invictissimi principis et domini, domini Friderici Romanorum regis data oratoribus illustris principis domini Philippi ducis Burgundiae super passagio contra Turchos impetrando

[1] {160r} Quamvis in hoc senatu regio complures sint doctrina et facundia praecellentes viri, qui me longe melius hoc¹ dicendi munus absolverent, quia tamen serenissimo ac piissimo divo domino nostro Romanorum regi placitum est hoc oneris mihi committere, ut ejus nomine ad ea respondeam, quae vos praestabiles oratores illustrissimi principis domini ducis Burgundiae suae sublimitati proximis diebus exposuistis, neque me decet neque cuique licet tanti fastigii mandata refugere². Pariturus ergo jussibus regiis quae per vos nuper non minus ornate quam prudenter explicata fuerunt breviter ac succincte repetam responsumque regium deinde³ subnectam.

[2] Quattuor orationis expositionisque vestrae partes fuerunt: in prima quam necessaria sit catholica fides, quam utilis, quam gloriosa quantoque studio defendenda et amplianda dixistis, adducentes ad haec tum novi tum veteris testamenti non minus docte quam memoriter plurima testimonia. In secunda narrastis infestationes ac pressuras multiplices, quas soldanus et Turcus impiissimi Mahumeti sectatores veris Christi cultoribus, fratribus nostris, et in Asia inferunt et in Europa. In tertia retulistis quanta sit cura quamque fervens studium domini vestri ducis, ut illorum retundi violentia possit, domari ferocitas, humiliari superbia, ad quas res jam reges et principes magna cum diligentia coeperit excitare. In quarta et ultima parte ferventi supplicatione regiam serenitatem precati fuistis, ut tamquam Christianorum temporale caput primusque princeps et altior rem hanc tam salubrem tamque necessariam curae menti cordique recipiat, Germaniae principes ad hoc invitet, et quia Romam imperiales infulas susceptura brevi transitura putatur cum sanctissimo domino nostro de tali tantoque negotio conferre tractareque velit. Haec per vos in summa, sed ornatius et diffusius dicta fuerunt multis scripturis et auctoritatibus illustrata.

¹ hec W

² refugere V

³ regium deinde : deinde regium V

Reply of the illustrious and unvanquished prince and lord, Lord Friedrich, King of the Romans, to the ambassadors of the illustrious prince, Lord Philippe, Duke of Burgundy, on mobilizing an expedition against the Turks

1. Introduction

[1] In this royal senate there are many men excelling in learning and eloquence who could perform this task of speaking much better than I. But since Our Most Serene and Pious Lord, the King of the Romans,¹ has seen fit to charge me with answering in his name the speech which you, distinguished ambassadors of the Illustrious Lord and Prince, the Duke of Burgundy, made some days ago to His Highness, I ought not and cannot refuse to comply with the wishes of His Highness.² I shall therefore obey the royal command and briefly summarize what you said so elegantly and wisely, and afterwards give the King's reply.

2. Oration of the Burgundian ambassadors

[2] Your oration had four parts: In the first you told how necessary is the Catholic Faith, how beneficial, how glorious, and how greatly it ought to be defended and propagated, quoting extensively and with great learning and excellent memory from both the New and the Old Testament. In the second you spoke about the many attacks and raids which the Sultan and the Turk, impious followers of Muhammad, make on our brothers, true worshippers of Christ, both in Asia and in Europe. In the third you related your lord and duke's fervent desire to counter their violence, to tame their ferocity and to humble their arrogance, for which purpose he has now begun to assiduously solicit princes and kings. In the fourth and last you begged of his Serene Majesty, as secular head of the Christians and as the first and highest-ranking prince, to engage himself in this necessary and salubrious matter and take it to heart; to invite German princes to participate; and, since His Majesty is expected to be going to Rome shortly in order to receive the imperial crown, to take up this great matter with Our Most Holy Lord.³ This is, in sum, what you said so elegantly and copiously with many examples from the scriptures and authoritative writers.

¹ Friedrich III, before his coronation as emperor

² "tanti fastigii"

³ Pope Nicolaus V

[3] {160v} Ad quae majestas regia in hunc modum respondet: Audivit¹ animo laeto, quae primo loco de fide commemorastis. Jucunda est in auribus ejus orthodoxae fidei commendatio. Haec est enim, qua *justi vivunt*. Haec est, sine qua impossibile est Deo placere. Haec nos mystico Christi corpori sociat. Haec participes facit haereditatis aeternae. Haec filios Dei reddit dicente scriptura: *Dedit eis potestatem filios Dei fieri, his qui credunt in nomine ejus*, nam et fundamentum spei est, nutrimentum cordis, directio itineris, praesidium obtinendae salutis. In hac natus est dominus noster rex, in hac nutritus, in hac adolevit, in hac vixit, in hac mori sepeliri que vult, pro cujus defensione ac tutela neque labores ullos neque pericula, cum opus fuerit, recusabit. Neque enim aliud est animi sui propositum nisi *offerre Deo*, dum vivit, *acceptissimum munus, incorruptam fidem mentis, incolumem laudem devotionis illustrem*. Scit enim *omnibus*, qui fidem Christi *juverint, defenderint, auxerint certum esse in caelo diffinitum locum, in quo beati aevo sempiterno fruuntur*.

¹ l.o De fide *in marg.* V

3. Excellence of the Catholic Faith

[3] To this His Royal Highness answers as follows: He gladly heard what you said, in the first place, about our Faith. All praise of the true Faith makes him happy. For *the just man liveth by Faith*.¹ Without Faith one cannot please God. It is Faith which unites us with the mystical body of Christ and makes us share the eternal inheritance. It is Faith which makes us sons of God, as Scripture says: *He gave them power to be made the sons of God, to them that believe in his name*.² Faith is the foundation of hope and sustenance of the heart. It gives direction to the voyage and means to obtain salvation. Our king has been born, raised, grown up, and lived in this Faith. In it he wishes to die and be buried. When needful, he will refuse no labour nor danger for its protection and defense, and he has no other desire than *to offer to God*, as long as he lives, *the most acceptable gift — an uncorrupted faith, and an unyielding virtue of mind, an illustrious praise of devotion*.³ For he knows that *all those who have preserved, aided, or enlarged the Faith of Christ*⁴ *have a special place prepared where they may enjoy an eternal life of happiness*.⁵

¹ Romans, 1, 17: *justus autem ex fide vivit*

² John, 1, 12

³ Cyprianus: *Epistola ad Fortunatum de exhortatione martyrii*, 13. MPL, IV, col. 675. Translation quoted after the New Advent edition

⁴ Cicero has "the fatherland" (*patriam*)

⁵ Cicero: *De re publica*, 6.9.13 (Somnium Scipionis): *omnibus, qui patriam conservaverint, adiuverint, auxerint, certum esse in caelo definitum locum, ubi beati aevo sempiterno fruuntur*. Cicero speaks about those who defend the fatherland, whereas Piccolomini applies the passage to those who protect the Church

[4] Quod¹ vero secundo loco retulistis, novit regia majestas verum esse. Nam et quanta violentia debacchantur in Hungaria et in Graecia Turci frequentibus nuntiis et crebris litteris non sine maerore cordis superioribus annis intellexit, neque soldani blasphemiae ignotae sunt regiae sublimitati, quae magno devotionis fervore accensa cupiens eam terram videre in qua dominus natus et passus est et osculari² loca, ubi fuerunt pedes ejus, non sine magno periculo insulas archipelagi pertransivit, Jerusalem vidit, Syriam perlustravit. Intellexit tunc sublimitas quanta sit illius saevi soldani, magis monstri quam hominis, tyrannica rabies et impietas in Christianos, qui *innorios, justos Deoque caros homines Christianos domo privat, patrimonio spoliatur, catenis premit, carcere includit, bestiis, gladio, ignibus punit, neque contentus dolorum illorum compendio et simplici ac veloxi brevitate poenarum admovet laniandis corporibus longa tormenta, multiplicat lacerandis visceribus numerosa supplicia; neque feritas atque immanitas ejus usitatis potest esse contenta, tormentis excogitat novas poenas ingeniosa crudelitas*. Novit ergo, quid agat soldanus, quid machinetur Turcus. Dolet et miseretur populo Christiano, sed sunt haec permissione Dei³. *Datur autem⁴ adversus nos mala potestas secundum nostra peccata, {161v} sicut scriptum est: Venit Nabuchodonosor, rex Babyloniae, Jerusalem et expugnabat eam et dedit eam dominus in manus ejus. Datur vero potestas mala dupliciter adversus nos, ut inquit Cyprianus, vel ad poenam cum delinquimus, vel ad gloriam cum probamur*. Et de primo dicit scriptura: *Quis dedit in direptionem Jacob et Israel eis, qui depredebatur illum? Nonne Deus, cui peccaverunt et nolebant in viis ejus ambulare*. Et de secundo per Moysen inquit spiritus sanctus: *Dominus Deus tuus vexabit te et famem mittet tibi et cognoscetur in corde tuo, si bene custodieris praecepta ejus sive non, quia fides, si temptata praestiterit, coronatur*. Et Paulus, oportet, inquit, haereses esse, ut probati manifesti sint in vobis. *Sic enim probantur fideles, sic⁵ perfidi deteguntur, sic et ante judicii diem hic quoque jam justorum atque injustorum animae deteguntur et a frumento paleae separantur, quia virtus in adversitate perficitur*. Fiunt ergo haec Dei permissione, ut sic corda et mentes nostras veritatis discrimine Deus examinet.

¹ Il.o De turcho et Soldano *in marg.* V

² obsculari W

³ divina V

⁴ auctoritate V

⁵ *em.*; si V, W

4. Turkish attacks against Christianity

[4] As for what you said in the second place, His Royal Highness knows it to be true for in recent years he has - to his great sorrow - been informed by frequent messages and letters about the Turks laying waste to Hungary and Greece. His Royal Highness also has personal knowledge of the blasphemies perpetrated by the Sultan, for inspired by fervent devotion he desired to see the country where Our Lord was born and suffered, and to kiss the earth trodden by His feet. At great risk, he crossed the archipelago with its islands, visited Jerusalem and travelled through Syria. There His Highness saw the tyrannical frenzy of the savage Sultan, a monster more than a man, and his impious treatment of the Christians: *He robs Christian men, innocent, just, and dear to God, of their home, he plunders their estate, he loads them with chains, shuts them up in prison, and punishes them with wild beasts, swords, and fire. And not content with a brief endurance of their sufferings, and with a simple and swift exhaustion of pains, he sets on foot tedious tortures, by tearing their bodies; he multiplies punishments by lacerating their vitals. Nor can his brutality and fierceness be content with ordinary tortures; his ingenious cruelty devises new sufferings.*¹ So His Royal Highness knows about the doings of the Sultan and the plots of the Turk. He suffers and feels with the Christian people. But these things are done with God's permission² *for because of our sins our adversary has been given power to cause us grief, as it is written:*³ *Nabuchodonosor, king of Babylon came to Jerusalem, and besieged it; and the Lord delivered it into his hand ... Now power is given against us in two modes, as Cyprian says, either for punishment when we sin, or for glory when we are proved.*⁴ *About the first it is written: Who hath given Jacob for a spoil, and Israel to robbers? hath not the Lord himself, against whom we have sinned? And they would not walk in his ways.*⁵ *About the second the Holy Spirit says through Moses: The Lord your God will afflict you and send you hunger that the things that were in thy heart might be made known, whether thou wouldst keep his commandments or no.*⁶ *For faith, if when tried it shall stand fast, is crowned.*⁷ *And Paul says: there must be also heresies: that they also, who are approved, may be made manifest among you.*⁸ *This way the faithful are approved, the wicked detected, and even before the Day of Judgment, the souls of the righteous and of the unrighteous are already divided, and the chaff is separated from the wheat,*⁹ *for virtue is perfected through adversity.*¹⁰ So, these

¹ Cyprianus: *Liber ad Demetrianum*, 12. MPL, IV, cols. 553-554: *innocuos, justos Deoque caros domo privas, patrimonio spoliis, cathenis premis, carcere includis, gladio, bestiis, ignibus punis, nec saltem contentus es dolorum nostrorum compendio et simplici ac veloci brevitate poenarum admoves laniandis corporibus longa tormenta, multiplicas lacerandis visceribus numerosa supplicia; nec feritas atque immanitas tua usitatis potest contenta esse, tormentis excogitat novas poenas ingeniosa crudelitas*

² Cyprianus: *Liber de oratione dominica*, 25. MPL, IV, col. 536

³ Cyprianus: *Liber de oratione dominica*, 25. MPL, IV, col. 537

⁴ Cyprianus: *Liber de oratione dominica*, 26. MPL, IV, col. 537

⁵ Isaiah, 42, 24, quoted in Cyprian: *Liber de oratione dominica*, 25. MPL, IV, col. 537

⁶ Cyprianus: *Liber de mortalitate*, 11. Deuteronomy, 8, 2. MPL, IV, col. 589

⁷ Cyprianus: *Liber de mortalitate*, 13. MPL, IV, col. 591

⁸ 1. Corinthians, 11, 19.

⁹ Cyprianus: *De unitate ecclesiae*, 10. MPL, IV, col. 507

¹⁰ Variant of well-known proverb: *Virtus in arduo posita*, cf. Walther, 5, p. 791

things happen with the permission of God so that He may examine our hearts and minds with the test of truth.

[5] Tertio¹ loco quod sollicitus, quod anxius sit vester dominus dux de tutela protectioneque nominis Christiani, quod suam omnem curam ad fidei defensionem exaltationemque direxerit, hoc magnopere commendat regia sublimitas. Neque enim res ulla est, in qua possint aut fructuosius aut gloriosius magni principes sua studia collocare. Nam et propterea laudatus David Philistinorum malleus, propterea commendata Machabaeorum constantia Antiocho² Jud[aei] resistentes, propterea gloriosus Ezechias, Sennacherib confusor. Sic multi et in veteri et in nova lege placuerunt Deo, dum fidei protectionem receperunt.

[6] Quarto³ autem loco voluntarius est⁴ et suapte⁵ ingenio praeparatus serenissimus dominus rex de re tam necessaria, tam proficua, tam magna, cum sanctissimo domino nostro consilium participare, et quoniam Romam petere mens sua est quam primum facultas assit hoc potissimum summo pontifici exponet et de hac re secum tractabit. Namque cum dudum perpenderet magnam illam soldani et Turchi potentiam graviter et acerbe Christianorum cervicibus imminere, crescere dietim, et crudelius inolescere sedulo cogitavit, si qua via esset, per quam posset illorum audacia conteri, refrenari furor, potentia minui. Sed cum videret illos admodum crevisse, quamvis Deo par sit et in paucis et in multis vincere, tamen humano consilio non videbatur possibile tantas vires, tantos apparatus hostium, tantas {161v} copias deleri posse, nisi Christianitas tota insurgeret et animo ferventi uno proposito unaque mente adversus inimicos fidei procederet. Idcirco super opportunitatem expectavit, quam posset summum pontificem alloqui et de hoc negotio tractare. Et quia sua nunc mens est quantocius fieri possit et commoditas assit Romam petere ac de hoc et pluribus Christianae reipublicae necessitatibus agere et illius sedis consilia sequi et utiles admonitiones, nunc autem quia etiam vestri principis partes accedunt, eo libentius rem ipsam majestas regia aggredietur et promovebit apud papam, nec quidquam omittet ex his, quae possint ad pacem populi Christiani et defensionem fidei pertinere, quia tota voluntas ejus est, tota intentio, ut *offerat Deo acceptissimum munus, incorruptam fidem, virtutem mentis incolumem, laudem devotionis illustrem*, nihil dubitans quia sic agens et vitam habebit in hac vita tranquillam et in altera felicitatem merebitur sempiternam.

¹ III.o in marg. V

² em.; Antiochi V, W

³ IV.o in marg. V

⁴ omit. V

⁵ suapte V

5. Duke Philippe's concern for the defence of Christianity

[5] In the third place you explained how concerned and anxious is your Lord Duke for the protection and defense of the Christian name, and that he has turned all his attention to the defense and exaltation of the Faith. This His Royal Highness greatly commends. For there is no more fruitful and glorious occupation for great princes than that. This is why David was praised as a hammer against the Philistines. This is why the Machabees' constancy in resisting Antiochus is admired. And this is why Ezechias was glorious in his victory over Sennacherib. Thus, many men in both the Old and the New law pleased God when they undertook the protection of the Faith.

6. Joint European military campaign against the Turks

[6] In the fourth place, His Serenity, the Lord King is ready and - out of personal conviction¹ - prepared to take counsel with Our Most Holy Lord concerning this necessary, salubrious and great matter. And since he intends to go to Rome as soon as possible, he will very soon have the opportunity to lay the matter before the Supreme Pontiff and to discuss it with him. Observing - for a long time - how the great power of the Sultan and of the Turk seriously and fatally threatened the necks of the Christians and grew more and more insolent, he has been carefully considering how to contain their audacity, how to tame their fury and how to reduce their power. But seeing how greatly they have grown [in power] - though God may just as well win with few than with many - it did not seem possible to human reason to be able to destroy the enemies' great strength, their large war apparatus and their great forces, unless the whole of Christendom should rise up and go against the enemies with burning courage, common counsel and one mind. Therefore, he is looking forward to the opportunity to speak with the Supreme Pontiff and to discuss this matter. Indeed, he intends to go to Rome as soon as possible and have consultations on this and on many other urgent affairs of the Christian Commonwealth, and to follow the advice and useful counsels of that See. And now that your prince has declared his vital interest in the matter, His Royal Highness will take it up so much more willingly and recommend it to the pope, and he will do all he can for the peace of the Christian people and the defense of the Faith. His whole desire and intent *is to offer to God the most acceptable gift— an uncorrupted faith, and an unyielding virtue of mind, an illustrious praise of devotion*,² for he does not doubt that thus he shall merit a tranquil life in this world and eternal happiness in the next.³

¹ *suapte ingenio*: as opposed to the exhortation of the ambassadors

² Cyprianus: *Epistola ad Fortunatum de exhortatione martyrii*, 13. MPL, IV, col. 675. Translation quoted after the New Advent edition

³ Piccolomini had developed the double theme of a tranquil life in this world and eternal happiness in the next in his oration to the parishioners of Aspach, cf. the oration "*Non est apud me dubium*" [6]

(Orations of Enea Silvio Piccolomini / Pope Pius II; 18)

Oration “*Quam laetus quamque secundus*” of Enea Silvio Piccolomini (9 March 1452, Rome). Edited and translated by Michael von Cotta-Schönberg.

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Abstract

On 8 March 1452 Emperor Friedrich III with his betrothed wife, Princess Leonora of Portugal, and a large and brilliant entourage arrived at the gates of Rome for his imperial coronation. The following day, he entered Rome and paid reverence to Pope Nicolaus V in front of Saint Peter's Basilica. On this occasion, the high-ranking imperial diplomat, Enea Silvio Piccolomini, Bishop of Siena, was commanded to deliver an oration, the "*Quam laetus quamque secundus*". In his speech, Piccolomini saluted the pope in the name of the emperor, spoke on the importance of the occasion, and formally introduced the principal members of the emperor's party.

Keywords

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Aeneas Sylvius Piccolomini; Pope Pius II; Papa Pio II; Pope Nicolaus V; Pope Nicholas V; Papa Niccolò V; Kaiser Friedrich III (Habsburg); Emperor Frederick III (Habsburg); Empress Leonora of Portugal; Holy Roman Empire; Imperial coronations; King Ladislaus the Posthumous; King Ladislaus Postumus; Duke Albert VI of Austria; Duke Albrecht VI of Austria; Renaissance orations; Renaissance oratory; Renaissance rhetorics; 1452; 15th century

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II. TEXT AND TRANSLATION

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I. INTRODUCTION

1. Context¹

In 1452, twelve years after the election of Friedrich, Duke of Austria, as Holy Roman Emperor, the time had finally come for his imperial coronation in Rome.² By no means all elected emperors managed to get crowned as emperor, and the imperial coronation in Rome in 1452 was actually the last one to take place in Rome, and the penultimate one to be performed by a pope.

In 1452, a “proper” imperial coronation – by the pope, in Rome – still conferred a certain degree of legitimacy and authority on the emperor, not to mention the prestige accruing to the pope who crowned him.

It was not a simple or straightforward matter. Any imperial progress in Italy was fraught with danger and risk for the emperor, for the Italians and for the papacy, since frequently an imperial visit took the form of a military expedition aimed at reasserting the rights and power of the German emperors over the Italian part of the Holy Roman Empire. And even in the case of a peaceful imperial progress, the benefits and appointments bestowed by the emperor were likely to affect the delicate balance of power in Italy. So, even if the intentions of Friedrich III were entirely peaceful, Pope Nicolaus had his misgivings about the whole affair.

Moreover, at that time the Austrians were entering into open rebellion against the tutelary government of Friedrich in his capacity as guardian of his cousin Ladislaus, Duke of Austria and King of Bohemia and Hungary. Though Friedrich did not govern these two kingdoms on behalf of his cousin, the Austrians were soliciting their support.

So, during the whole triumphant progress of the emperor through Italy and the coronation festivities, the threat of a political catastrophe at home was rapidly growing, which put rather an awkward complexion on the whole enterprise.

In Rome, the emperor would graciously fulfil the role assigned to him in the rituals developed over the centuries by the Roman Papacy, underscoring the papal claims of supremacy over the religious and secular spheres³ as well as the papal pretensions of approving and creating (and removing) the emperors.

¹ CO, I, 23 (Meserve, I, pp. 112-117); HA, I, pp. 133-186; II, pp. 515-675; Ady, pp. 113-119; Boulting, pp. 190-197; Koller, pp. 115-126; Mitchell, pp. 110-112; Paparelli, pp. 136-145; Pastor, I, III, ch. IV; Reinhardt, pp. 155-161; Stolf, pp. 147-149; Toews, pp. 226-230; Voigt, III, 1, pp. 40-49

² Concerning the motives for the election and the reasons for the delay of 12 years, see the oration “*Fateor*” [15]

³ See the oration “*Sentio*” [20], sect. 19-28

The imperial party reached the gates of Rome on 8 March 1452. According to tradition, it had to remain outside until the next day, although Piccolomini was immediately called to consult with the pope.

On the 9th, the emperor entered Rome in a solemn and splendid procession, and eventually reached the Basilica of Saint Peter's in front of which Pope Nicolaus was waiting, surrounded by his cardinals. The emperor saluted the pope according to the prescribed rituals, kissing his holy feet, and even making the oath that Emperor Sigismund had refused to make at his imperial coronation 15 years before.¹ The emperor then commanded Bishop Piccolomini to make a short oration on his behalf, the "*Quam laetus quamque secundus*".

The Duke of Milan's ambassadors wrote to their duke about the event: "*l'imperatore ... posto sotto lo baldechino et acompagnato con tuto lo clero et li dottori apparati con lor habiti, a piede se conduxe alla chiexa de Sancto Pietro dove lo papa con li cardinali lo expectava, et gionto che li fu smontò da cavallo ... andò al papa qual se levà da sedere et abrazòlo et basòlo, et qui el vescovo de Siena dixè alcune parole. El papa lo rispuosi.*"²

Some years after the event, Piccolomini wrote, in his *Historia Austriacalis* (the first edition from 1453-1454):

*Then he commanded Enea to briefly address the Supreme Pontiff in his name.*³

And in the second/third edition of 1454-1458:

*Then he commanded Bishop Enea to speak briefly in his name, as appropriate to the meeting of the two leaders of the world.*⁴

In his *Commentarii*, Piccolomini – as Pope Pius II – wrote: *The emperor entered the city and kissed the holy feet of the pontiff before the doors of Saint Peter's. At his command, Aeneas then delivered a speech.*⁵

¹ Voigt, III, p. 42

² Letter from Niccolò Arcimboldi et al. to Francesco Sforza, 11 March 1452, in *Carteggio degli oratori sforzeschi*, tomo 2, nr. 602, p. 771. Piccolomini's oration is also attested by a report from the Sienese ambassadors of the same day: ... e dette certe parole appropriate all atto così dal Sommo Pontifice come dal reverend nostro vescovo per parte del Imperatore (Hack, p. 149, n. 345)

³ HA, I, p. 163: *Deinde paucis verbis salutaribus maximum pontificem suo nomine ab Enea iussit*

⁴ HA, II, p. 598: *Deinde pauca verba suo nomine Aeneam episcopum iussit dicere, ut in congressu duorum orbis capitum convenire videbatur*

⁵ CO, I, 23 (Mansueti, I, p. 114-115): *Cum vero caesar Urbem intrasset, atque ante fores basilicae Sancti Petri sacros summi pontificis pedes exoscularetur, Aeneas imperatoris iussu sermonem habuit*

His contemporary biographer, Campano, had this to say: *The day afterwards¹ he gave an oration on the crowning of the emperor.*²

And Voigt, tersely, wrote: *Enea sprach dazu einige Worte im Namen des Königs.*³

Indeed, it was not an important speech, but just a formal politeness shown by the arriving emperor to his host, the pope.⁴

Apart from complications connected with the coronation with the Lombard iron crown and the usual squabbles of precedence among ambassadors, the coronation went brilliantly, and the pope and the emperor afterwards had occasion to settle a numbers of more and less important issues, but most importantly to cement the alliance between the Holy Roman Empire and the Papacy. These were the two only international institutions in Europe, but both had lost the power, the importance and the prestige they had in the Middle Ages and were sorely in need of each other.

One result of their consultations was a pledge from the pope to support the emperor against the Austrian rebels, leading to a papal *monitorium* against these.⁵ Little did it help, however: the spiritual weapon of the Papacy proved as ineffective as was the emperor's own military response to the rebellion which later reached its objective when King Ladislaus was freed from Friedrich's wardship and moved to Vienna.

Thus, the Austrian rebellion became a fatal counterpoint to the whole coronation event, throwing a glaring light of reality over the outmoded political models and papal pretensions connected with the imperial coronation. Voigt justly commented: *Wohl glückte es, einen glänzenden Schein zu gewinnen, aber dieser Schein, ein hohles Schauspiel, sollte nur die Demüthigungen, die ihm folgten, desto greller beleuchten.*⁶

Apparently, the oration "*Quam laetus quamque secundus*" has not been known previously to scholars, e.g. Hack, who wrote (in 1999) that *Über den Inhalt der kurzen Begrüßungsreden, die*

¹ i.e. after the arrival at the gates of Rome

² Zimolo, p. 22: *Postridie orationem habuit de imperatore coronando*

³ Voigt, III, p. 42

⁴ It is probably this oration Manetti refers to in his biography of Pope Nicolaus V, saying: *Atque his et huiusmodi ceremoniis de more habitis, parvam quondam oratiunculam precibus supplicationibusque referctam habuit, grataque et humana responsione recepta, e sancto pontificis conspectus abiit [i.e. the emperor],* Manetti, p. 106

⁵ See the oration "*Sentio*" [20]

⁶ Voigt, III, 45. See also Piccolomini's *Historia Austrialis* (see below), his *Commentarii*, Bk. 1, ch. 6-8, his oration "*Sentio*" [20], sect. 68, for his own version of the events

*Papst Nikolaus V. sowie Enea Silvio im Namen des Kaisers hielten, ist nichts bekannt; die Worte des beteiligten Sieneser Bischofs ... deuten lediglich auf einen Austausch von Höflichkeiten.*¹

2. Themes

Though the oration is just a short, formal address, there are a couple of themes worthy of interest:

2.1. Empire and papacy

The titles used by Piccolomini in addressing the pope, on behalf of the emperor, are traditional, but significant.

The emperor himself is presented with the titles of *Divus Caesar, Romanorum Rex Augustus*, and called *pius, felix ac triumphator*.

The pope is given the titles of *Romanus beatissimus maximus praesul, Petri successor, verus Jesu Christi Vicarius, aeterni regni claviger*, and called *venerandus, pius, sanctus, incorruptus pater*.

The papal titles of “Successor of Peter” and “Vicar of Jesus Christ” are highly important. The first title expresses the papal claim of succeeding to the status and powers of Saint Peter, to whom the Lord himself gave the power to bind and to loose. The second title, Vicar of Christ (i.e. of God), was first used by Pope Innocent III (1198-1216). It signaled the supremacy of the papal office, also in temporal affairs.²

A little later in the oration, Piccolomini describes the meeting between pope and emperor as a meeting of *the two lights, the two eyes of the world, the two supreme swords, the two greatest powers, of which One has charge of mens' bodies and the other of their souls*. Here, it would appear that the two offices, the imperial office and the papal office, are on the same level. However, a year later, in his great oration, “*Sentio*” [20], against the Austrian rebels, Piccolomini wrote: *The pope is greater than a count, superior to a duke, higher than a king, and even more exalted than an emperor.*³ And when he himself became pope, he told the Congress of Mantua that *Our words are the words of God since We – however unworthy - are the Vicar on Earth of His*

¹ Hack, p. 152

² Sayers, pp. 14-16

³ Oration “*Sentio*” [20], sect. 104: *comite major, duce superior, rege excelsior, imperatore sublimior*

son, Jesus Christ. It is Him who bids us speak; it is Him who puts the words into our mouth.¹ Clearly, it is the pope and not the emperor who is God's vicar on Earth, and his office is not limited to spiritual and religious affairs.

Although in general Piccolomini was quite the realist, in this area he had absorbed the - by then - obsolete claims and pretensions of the medieval papacy, so he would be in for quite a disappointment when, six years later, he himself became pope.

2.2. Austrian difficulties

In his oration, Piccolomini does not mention the Austrian rebellion directly, but he does refer to it indirectly when he says that while the emperor *was preparing this voyage, a stepmotherly Fortune changed conditions for him more times than Hydra grew new heads before Hercules*. [Sect. 1]

Subsequently, Piccolomini states that

Caesar's travel here has been difficult and risky. But the greater the difficulty, the greater was his glory, and you can't do anything big or brilliant without risk. It is fitting that our Friedrich should suffer both mental and physical hardships before receiving the imperial crown. But his courage and strength has overcome all the obstacles, vanquished the perils and spurned the difficulties. [Sect. 2]

This statement is in remarkable contrast to the claim made by Piccolomini later that year, in his oration on the Austrian rebellion, where he said about the imperial voyage to Rome that

there was absolutely no danger on the whole route.²

¹ Oration "Cum bellum hodie" [45], sect. 3

² Oration "Sentio" [20], sect. 55

3. Date, place, audience and format

The emperor entered the City and met the pope on 9 March 1452, and the oration was delivered on that occasion.

The place was the piazza before the Basilica of San Pietro.

The audience was the pope, the emperor, their courts and the assembled notabilities and the people.

The format was an ambassadorial address to the pope, on behalf of and in the presence of the emperor.

4. Text¹

Although Pius mentions the speech in his *Commentarii*, it was not included in the Collected Orations of Pius II, compiled in 1462 under his direct supervision. It is therefore not extant in the seven manuscripts containing that collection.

4.1. Manuscripts²

The oration is extant in two manuscripts:

Firenze / Biblioteca Riccardiana

346, fol. 20v- 22v **(R)** *

Krakow / Bibliotheka Jagiellonska

42, fol. 83r - 83v **(K)**

The Krakow manuscript is not complete, as the last lines of the text are missing.

¹ Concerning the textual transmission of Pius II's orations, see *Collected orations of Pope Pius II*, vol. 1, ch. 5

² Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

The analysis of the textual variants shows that the two extant texts cannot have been copied directly from each other, but derive from the original text through different lines of transmission.

4.2. Editions and translations

The oration was not included in Mansi's collection, and apparently it has not been otherwise published or translated.

4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Enea Silvio Piccolomini / Pope Pius II*, vol. 1, ch. 9-10.

Texts:

The edition is based on the two extant manuscripts with the Firenze ms. as the lead text.

Pagination:

The pagination is from the Firenze manuscript.

5. Sources¹

In this very brief oration, only six direct and indirect quotations from various sources have been identified, two biblical and four classical.

Biblical: 2

Classical: 4

Patristic and medieval: 0

Contemporary: 0

¹ For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

All: 6

Biblical sources: 2

Old Testament: 2

- Genesis: 1
- Wisdom: 1

New Testament: 0

Classical sources: 4

- Arrianus: 1¹
- Cicero²
- Terentius: 1³
- Vergilius: 1⁴

Patristic and medieval sources: 0

Contemporary sources: 0

¹ Anabasis Alexandri

² De officiis

³ *Heautontimoroumenos*

⁴ Aeneis

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7. Sigla and abbreviations

K = Krakow / Bibliotheca Jagioellonska / Cod. 42

R = Firenze / Biblioteca Riccardiana / Ms. 346

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austrialis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

HB = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

MA = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

Decretum = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

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II. TEXT AND TRANSLATION

Oratio Aeneae in coronatione Friderici imperatoris ¹

[1] {20v} Quam laetus quamque jucundus sit, Romane beatissime maxime praesul, in tuo conspectu divus² Caesar Fridericus³, Romanorum rex Augustus, pius, felix ac triumphator, tua magis intelligit⁴ sanctitas quam mea potest oratio explicare. Jussus tamen ego dicere, dicam pro re pauca, pro tempore non multa. Gratias agit ingentes⁵ pietati divinae noster Augustus, quod te, Petri successorem, verum Jesu Christi vicarium, aeterni regni clavigerum, venerandum, pium, sanctum, incorruptum patrem, sui amantem facie ad faciem intuetur⁶. Accersitus saepe tuis⁷ litteris et⁸ nuntiis⁹ optavit jam pridem venisse. Sed non totiens Herculi renixit Hydra, quotiens {21r} novercata est Caesari in hac sua profectione fortuna, cujus inextricabiles nodos - ut Alexandrum ferunt¹⁰ in curru Gordii¹¹ fecisse¹² - rescindere magis quam solvere licuit.

¹ Untitled in the manuscript from the Biblioteca Riccardiana

² scimus R

³ Fredericus *et passim* K; Federicus *et passim* R

⁴ *em.*; intelligere codd.

⁵ ingenti R

⁶ intuens K

⁷ cujus R

⁸ ac R

⁹ nuptiis R

¹⁰ ferrunt R

¹¹ Gordei K

¹² factitasse K

Enea's oration at the coronation of Emperor Friedrich

[1] Holy and Supreme Bishop of Rome,¹ Your Holiness knows better than I can describe in an oration how glad and joyful Friederich,² Holy Caesar³, August King of the Romans, pious, happy, and triumphant, is in your presence.⁴ But as I have been commanded to speak, I shall do so – briefly, however, as time does not allow for many words.

Our Augustus gives great thanks to Pious God for being able to see you face to face, Successor of Peter, true Vicar of Christ, Keybearer of the Eternal Kingdom, venerable, pious, holy, and honest father who loves him well.

Often Caesar has been invited through your letters and envoys, and he did wish to come earlier. But while he was preparing this voyage, a stepmotherly Fortune changed conditions for him more times than Hydra⁵ grew new heads⁶ before Hercules⁷. Therefore, he finally had to cut through the inextricable knots of Fortune rather than to untie them – just like they say that Alexander⁸ did with the knot on Gordias' chariot.⁹

¹ Nicolaus V [Tommaso Parentucelli] (1397-1455): Pope from 6 March 1447 to his death

² Friedrich III (Habsburg) (1415-1493): Duke of Austria (as Friedrich V) from 1424. Elected King of Germany and Holy Roman Emperor in 1440, crowned in Rome in 1452

³ As Friedrich had not yet been crowned emperor by the pope, Piccolomini's used the title "Caesar" rather than "Imperator"

⁴ "in conspectu"

⁵ Hydra, the Lernaean : (Greek myth.): an ancient serpent-like water monster. It had many heads and for each head cut off (by Hercules) it grew two more.

⁶ "renixit"

⁷ Hercules: (Greek myth.) the Roman name for the Greek divine hero Heracles, son of Zeus and the woman Alcmene. Famous for his strength and for his adventures.

⁸ Alexander III the Great (356-323 BC): King of the Greek kingdom of Macedon. Created one of the largest empires of the ancient world, stretching from Greece to Egypt and into present-day Pakistan

⁹ Legend of Phrygian Gordium: the chariot of a former king, Gordias, was tied with an intricate knot. When Alexander of Macedonia arrived in 333 BC, he could not unbind the knot and instead he sliced it in half with a stroke of his sword. An important source for Piccolomini's knowledge of Alexander was Arrian: *Anabasis of Alexander*. Piccolomini knew the text of Arrian in the Latin translation by Pier Paolo Vergerio which he had somehow gotten hold of

[2] Laboriosum periculosumque fuit hoc iter Caesari. *Sed quo difficilius, eo praeclarius actum est, neque sine periculo fieri potest magnum facinus et memorabile.* Multa¹ pati triumphaturum oportet, quia non est quietis honor comes. Neque apud² Assyrios neque apud Hebraos³ neque apud Graecos neque apud Carthaginenses⁴ neque apud Romanos neque apud Germanos summus honos umquam⁵ sine labore partus est. Aequum fuit et Fridericum nostrum⁶ imperiales infulas suscepturum et animi simul et corporis tolerasse molestias. Sed repulit omnia fortis animus, quae obstabant impedimenta, superavit pericula, contempsit labores. *Vicit iter⁷ durum pietas. Datur ora tueri.* Ecce tuas⁸ et veras⁹ *audire et reddere voces.*

¹ multi K

² apud et passim K

³ Ebreos K, R

⁴ Cartaginenses K, R

⁵ *em.*; numquam codd.

⁶ meum K

⁷ inter R

⁸ tua K

⁹ vere R

[2] Caesar's travel here has been difficult and risky. *But the greater the difficulty, the greater was his glory,*¹ and *you can't do anything big or brilliant without risk.*² Before a triumph, one has to endure much, for honour is not the companion of peace and quiet. Neither in Assyria, nor in Israel, Greece, Carthage, Rome, and Germany has there ever been supreme honour without labour. So, it is fitting that our Friedrich should suffer both mental and physical hardships before receiving the imperial crown. But his courage and strength has overcome all the obstacles, vanquished the perils and spurned the difficulties. *Piety has vanquished the toilsome way. It is given to see your face and to hear and respond to your words.*³

¹ Cicero: *De officiis*, 1.19.64: *Sed quo difficilior, hoc praeclarius*

² Terentius: *Heautontimoroumenos*, 314

³ Vergilius: *Aeneis*, 6.688-689: *vicit iter durum pietas, datur ora tueri, nate, tua et notas audire et reddere voces?*

Adapted by Piccolomini

[3] O festum, o felicem, o memorabilem diem, in quo simul duo magna luminaria¹ convenerunt, duo orbis oculi, duo summi gladii, {21v} duae maximae potestates, quarum alteri subsunt corpora², alteri parent animae. Quis hujus diei sanctam venerandamque solemnitatem dignis sermonibus explicet? Quid dicam? Nunc laborasse juvat, dulce est meminisse laborum. Magna est laetitia Caesaris, magna voluptas hodie, neque ab re. Legi ego annales imperatorum: nemo³ umquam ex Almania⁴ tam pacificus, tamque honoratus, tam magnificus quam iste venit, qui cum regina et admirabili principum comitatu coronandus⁵ adest. Henricum septimum et⁶ conjunx⁷ in Italiam comitata⁸ est, sed prius diem obiit quam Romam⁹ videre posset. Fuit et apud Carolum quartum uxor¹⁰ ejus, sed Theutonica¹¹, ejus¹² nationis mulier. At¹³ Fridericus ex Austria movens desponsatam sibi Leonoram ex vetusta Portugalliae domo natam, adhuc virgunculam, pulchram¹⁴ facie, moribus pulchriorem ex ultimis Hispaniarum terrarumque finibus intra Italiam ad se profectam huc secum adduxit.

¹ simul ... luminaria : duo luminaria magna simul K

² alteri subsunt corpora *omit.* R

³ neque K

⁴ Almania K

⁵ coronandum R

⁶ *omit.* R

⁷ conjunxit R

⁸ comita R

⁹ reginam K

¹⁰ uxori R

¹¹ Theotonica K

¹² suae K

¹³ ac R

¹⁴ pulcr... *et passim* K

[3] Oh, festive, happy and memorable day when the two great lights are meeting, the two eyes of the world, the two supreme swords, the two greatest powers, of which one has charge of mens' bodies and the other of their souls.¹ Who can adequately describe the holy and venerable solemnity of this day? What shall I say? Now, we can take satisfaction in our labours and with pleasure remember our toils.² Great is Caesar's joy, great his pleasure today - and quite rightly so. I have been reading the annals of the emperors: no emperor has ever come here from Germany so peacefully, so honourably, and so magnificently as this one who has come to be crowned in the company of his queen³ and with an admirable following of princes. Also Heinrich VII⁴ came to Italy accompanied by his spouse⁵, but she died before she could see Rome. Karl IV,⁶ too, had his wife with him,⁷ but she was German, belonging to his own nation.⁸ But coming from Austria, Friedrich has brought with him to this City his betrothed wife, Leonora, of the ancient house of Portugal, still a maiden, beautiful in body and even more beautiful in character⁹, who has travelled to Italy from the furthest regions of Spain and indeed of the world.¹⁰

¹ Note, that here, like in the oration *"Moyses vir Dei"* [19] some weeks afterwards, also delivered in the presence of both pope and emperor, there is not mention of papal supremacy over the emperor in the secular realm

² Piccolomini himself had had the main responsibility for preparing the emperor's journey in Italy, obtaining safeconducts from all the states to be passed through, and calming the general fear, even the pope's

³ Leonora of Portugal (1434-1467): Empress of the Holy Roman Empire. Portuguese infanta (princess), daughter of King Duarte and his wife Leonor of Aragon. She was the consort of Holy Roman Emperor, Friedrich III, and the mother of Emperor Maximilian I

⁴ Heinrich VII (ca. 1275-1313): King of Germany (or Rex Romanorum) from 1308 and Holy Roman Emperor from 1312. He was the first emperor of the House of Luxembourg. Crowned emperor in 1312

⁵ Margaret of Brabant (1276-1311): daughter of Johan I, Duke of Brabant and Margaret of Flanders. Died in Italy before she could be crowned empress in Rome

⁶ Karl IV (Luxembourg) (1316-1378): second King of Bohemia from the House of Luxembourg. Elected King of the Romans and Holy Roman Emperor in 1346

⁷ At his imperial coronation in Rome, 1355

⁸ Anna of Swidnica (1339-1362): third wife of Karl IV

⁹ "mores"

¹⁰ On Leonora, see the oration *"Quamvis grandes materias"* [14], sect. 15-19

[4] Adest et clara soboles {22r} Alberti, Ladislaus, Sigismundi nepos, Bohemiae atque Hungariae rex inclytus, quamvis puer multarum tamen et maximarum spes et¹ expectatio gentium. Adest et Albertus, Austriae dux sublimus, bello fortis, pace modestus, consilio maturus. Assunt et alii complures principes, duces, comites², barones, procures potentes³ atque honestissimi nobiles, qui libentibus animis assistunt famulanturque Caesari. Exultet⁴ igitur *totis praecordiis* Caesar, dum tali caterva cinctum in tua praesentia sese inspicit.

¹ atque K

² et *add.* R

³ potentesque K

⁴ exulta R

[4] Present is also Ladislaus,¹ honourable offspring of Albrecht,² grandson of Sigismund,³ illustrious King of Bohemia and Hungary. Though he is still a boy, he is the hope and *expectation of* many and great *peoples*.⁴ Present is moreover Albrecht,⁵ exalted Duke of Austria, strong in war, modest in peace, mature in counsel. And present are many princes, dukes, counts, barons, mighty nobles and honourable lords who willingly assist and serve Caesar. Thus, let Caesar rejoice *with his whole heart*⁶ as he sees himself surrounded but such company in your presence.

¹ Ladislaus the Posthumous (Habsburg) (1440 -1457): Duke of Austria from 1440, King of Hungary from 1444 and King of Bohemia from 1453 to his death

² Albrecht II (Habsburg) (1397-1439): Duke of Austria. King of Hungary and Croatia from 1437. Uncrowned King of Bohemia. Elected King of the Romans

³ Sigismund (Luxemburg) (1368-1437): King of Hungary and Croatia from 1387, King of Bohemia from 1419, and crowned Holy Roman Emperor in 1433

⁴ Genesis, 49, 10

⁵ Albrecht VI (Habsburg) (1418-1463): Duke of Austria

⁶ Wisdom, 8, 21

[5] Verum ut solidius¹ ac² perfectius sit suum gaudium, sanctitatem tuam obnixè precatur ut³, speratam⁴, promissam debitamque⁵ tum⁶ sibi tum consorti suae coronam imperii largiaris ac, quantocius fieri potest, diem, locum modumque praescribas⁷ coronationis⁸. Nam et ipse, quem Germani procures optaverunt, principes elegerunt, pontifices in⁹ Theutonia¹⁰ coronaverunt¹¹, tuus antecessor Eugenius approbavit, tua sanctitas semper¹² magnopere commendavit, {22r} quae juris sunt, quae moribus conveniunt, quae ceteri sive coronandi sive¹³ coronati Caesares aut promittere aut agere consueverunt, erga te¹⁴ tuamque sacrosanctam sedem ad unguem, ut ajunt, et tota devotione complebit. Laus Deo.

¹ solidus sit R

² et K

³ precatur ut : precatus erat K

⁴ separatam R

⁵ debitam K

⁶ tam K

⁷ diceret K

⁸ coronationis K

⁹ et R

¹⁰ Theotinia K

¹¹ coronarunt K

¹² omit. R

¹³ sunt R

¹⁴ here ends the text in K

[5] Yet, so that his joy may be the firmer and more complete, he urgently asks Your Holiness to bestow the imperial crown, expected, promised and due, both on himself and on his consort and as soon as possible to decide the day, the place and the form of the coronation. For it is him whom the German nobles have wanted, him whom the princes have elected,¹ him whom the bishops have crowned in Germany,² him whom your predecessor Eugenius has approved, and him whom Your Holiness has always and highly commended. With complete diligence³ and devotion he will do for you and your Holy See all that is required by law and custom and that the other Caesars, to be crowned or having been crowned, used to promise or to do. Praise be to God.

¹ 2 February 1440 in Frankfurt a.M.

² 17 June 1442 in Aachen

³ "ad unguem, ut ajunt": *to the nail, as they say*

Appendix: Oration of King Ladislaus the Posthumous to Pope Nicolaus V

King Ladislaus' oration to Pope Nicolaus V is extant in two versions, a longer one, the "*Cum animadverto*", and a shorter one, the "*Maxima*".

The mutual relationship of these two texts is unknown, but there are two possibilities:

- The shorter version represents the first draft of the text, while the longer version represents a final, greatly expanded draft. Or
- The longer version represents the first draft, and the shorter one the final, much abbreviated draft.

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SHORT VERSION: “MAXIMA”

LONG VERSION: “*CUM ANIMADVERTO*”

I. INTRODUCTION

1. Context¹

When Friedrich III travelled to Rome for his imperial coronation in 1452, he brought with him his ward and cousin, the 12-year old Ladislaus the Posthumous, Duke of Austria, King of Hungary and King of Bohemia. He had at least three reasons for doing so. One was to manifest to the international public the eminence of the House of Austria (Habsburg). Another was to enhance his status as emperor, being attended at his own coronation by a king of two Christian realms. And the third was to avoid that during his absence in Italy, Ladislaus would be forcibly removed from his wardship by rebellious Austrian subjects, unsatisfied with his tutelary government of Ladislaus' Austrian dukedom.²

During the voyage of the imperial court to Rome, someone must have had the idea that the boy king should address the pope in a formal oration of obedience. Having princely or otherwise gifted children deliver orations to high-ranking persons was a much appreciated mark of politeness – or, as Maxson would say, a cultural gift³ – in Renaissance Italy. Thus Galeazzo Maria, son of Duke Francesco Sforza of Milan, at the age of eight years gave a speech – written by the prestigious humanist Francesco Filelfo – to Emperor Friedrich III during his stay in Ferrara on his way to the imperial coronation in Rome.⁴ And Poggio Bracciolini, possibly even more prestigious, wrote an oration, the *“Si quis umquam”*⁵ to the Emperor do be delivered by his son Giovan Battista, then 12 years old, though in the end the oration was not actually delivered.⁶ And the Duke of Milan's daughter, Ippolita, delivered a short speech in Latin to Pope Pius II in 1459, when she was 13 years old, a speech which received a wide circulation and is extant in a large number of manuscripts.⁷

¹ See also introductions to the orations *“Quam laetus quamque secundus”* [17] and *“Moyses vir Dei”* [19], both delivered by Piccolomini in connection with the imperial coronation in March 1452, Rome

² In this matter, the Austrians were allied with the nobles in Ladislaus' two kingdoms who did not want their king to be the emperor's ward. See oration *“Sentio”* [10]

³ Maxson

⁴ Lazzaroni: *Ma il giorno dopo, lunedì mattina, mentre S.M. usciva dalla capella del palazzo, dove aveva ascoltato la messa, il fanciullo gli fece innanzi e, baciandogli la mano e fatte le debite riverenze, cominciò a recitare un discorso con tanta gravità, modestia e buona pronunzia, così correntemente e tanto correttamente da destare la meraviglia in tutti i presenti, specialmente nell'Imperatore. Il discorso, preparatogli dal Filelfo, era della lunghezza di due capitoli dell'evangelio di S. Giovanni, ma egli non si smarrì, che anzi rivelò in tale circostanza doti non comuni di memoriae di intelligenza e meritò la lode e l'ammirazione che si tributerebbe ad un uomo di 30 anni, poichè nel suo dire e nei suoi gesti pareva che l'avesse più che mandata a memoria, improvvisata con ogni perfetta dottrina e con naturalezza e spontaneità oratoria. Fu complimentato festeggiato dall'Imperatore*

⁵ Bracciolini, II, pp. 725-735

⁶ Schizzerotto: *In occasione dell'entrata in Roma di Federico III, il B. doveva forse recitare l'orazione augurale Latina composta dal padre, il quale tuttavia abbandonò il proposito giudicando il destinatario avido e sciocco e non all'altezza di un imperatore. Il B. tenne forse un discorso latine a Niccolò V a nome del padre e dei tre fratellini, ringraziandolo per i benefici concessi a uno di loro e pregandolo di assistere Poggio con visibili aiuti*

⁷ See oration *“Habuisti dilecta filia”* [42]

These examples demonstrate what D'Elia calls *a fondness for child prodigies and a belief in the difficulty and importance of a classical education in Italian society*.¹

Reports of the orations written by Filelfo and Poggio Bracciolini for Galeazzo Maria Sforza and Giovan Battista Bracciolini respectively may have inspired the author of the text to write this oration to the Pope for the 12-year old Ladislaus, but this is conjecture. The early editors of the oration (Raynaldus, Müller) report the oration as having actually been held by Ladislaus,² but if so, it is rather curious that it is mentioned by Piccolomini neither in his oration "*Sentio*" [20] written later in 1452, where he specifically mentions Ladislaus' contacts with the pope during his stay in Rome, nor in his *Historia Austriacalis* (1. Version 1453), nor in his *Historia Bohemica*, nor in his later *Commentarii*. In the absence of evidence to the contrary, it is safest to presume that the oration was not actually delivered by Ladislaus.

One might then wonder why not, and an obvious reason comes to mind: the oration's emphatic declaration of papal supremacy even over emperors and kings would probably not have been palatable to the emperor and his advisors. In order to obtain his coronation, the emperor went quite far in his acquiescence to papal ceremonial designed to underscore the pope's pre-eminence, but there was probably a limit to what he would accept.

2. Themes

Apart from the classical *captatio benevolentiae*, the standard praise of the pope and the formula of obedience the major theme of the oration is papal supremacy in both the religious and the secular field, surpassing even the authority of the emperor:

In this respect, the author makes two fundamental assertions:

- As there is only one supreme monarch in Heaven, there can only be one supreme monarch on Earth.

¹ D'Elia: *Renaissance*, p. 48

² Annales: 1452, 5: *Quod ad Ladislaum regem Hungariae, cui decernendas suppetias postulabat Aeneas, spectat, elegantem ac piam hanc orationem in sacro consistorio coram pontifice habuit*. In Müller's *Reichs-theatrum*, 518B, the following lines precede the text: *Der ganze Comitatz des jungen Ladislai bestundte in hundert Pferden und hat sich verselbe zu Rom durch die gegen den Pabst gehaltene schöne Oration sehr signalisiert, welche Rede also lautet:*

- As God is the supreme monarch in Heaven, his Vicar and representative, the pope, must be the supreme monarch on Earth:

You are the most worthy Head of Church Militant, which is justly said to be modelled after Church Triumphant. For in Church Triumphant God the Creator of all holds the scepter, and likewise in Church Militant power over the whole world is certainly entrusted to you alone as Vicar of God, as Holy Church proclaims: The Lord set the Pontiff over the nations, and over the kingdoms, to root up, and pull down, and to waste, and to destroy, and to build, and to plant.

... what else should we believe that Christ meant when he only called Peter to him over the sea, when he gave him the power to bind and to loose, and when he entrusted the care of his beloved flock to him? He certainly wanted to create only one prince on Earth, who would among men act on Supreme God's behalf and with power from him, and from whom one true wisdom, one true Faith would reach the rest of mankind. Only on this man is based the sacrament of Christian Faith, to whom alone the Lord said: But I have prayed for thee, that thy faith fail not: and thou, being once converted, confirm thy brethren. [Sect. 3]

The author does mention that *many question this, claiming that only the care of spiritual matters has been entrusted to the Supreme Pontiff, whereas earthly power has been given to the Roman emperor* [sect. 3]. This statement reflects the division of power into two different and separate spheres, the secular and the religious, proposed by Pope Gelasius I (d. 496), endeavouring to establish a religious authority independent of the emperor, who was previously the absolute master of all, including the Church. The author refutes this view, but in the end, he makes Ladislaus proclaim his obedience to the pope with an important reservation: *I am not the lord of the Church, but its son, and in matters of God I am subject to the priestly rule*" [sect. 6]. The important point here is: *in matters of God*. This may be a carefully formulated compromise. For those who wish to maintain the secular government's independence of the pope, the phrase limits the pope's authority to religious matters. For those who wish to maintain the pope's authority in both the secular and the religious sphere, everything is the matter of God. And even if the pope should not intervene in the ordinary exercise of temporal power, he has – as Pope Innocent III had declared two and a half centuries before – supreme authority to intervene in extraordinary matters, e.g. wars between Christian nations, blatant immoral acts of a secular ruler, and failure of the secular system of justice, as Piccolomini himself stated in the oration "*Sentio*" [20],¹ written later in the same year.

¹ Sect. 27

3. Authorship

There is no external evidence pointing directly to the author being Piccolomini, but if somebody at the imperial court should write an oration to the pope for the 12-year old King Ladislaus, Piccolomini would be quite the logical choice: his Latin speechmaking was generally considered to be eminent, and he actually spoke for the emperor himself to the pope on at least three occasions during the emperor's stay in Rome in 1452,¹ which nobody else did.

Moreover, none of the other members of the Imperial Court who were able to write a Latin oration of obedience for King Ladislaus would have Piccolomini's background and motivation for drafting a text which heavily reasserted the medieval papal claim of supremacy even over the emperor. Piccolomini was, after all, a confirmed papalist, soon to be appointed papal delegate, and firmly engaged in an ecclesiastical career aiming directly at high office at the papal curia and – at least – the cardinal's hat.

The internal evidence consists in similarities of content and style with other of Piccolomini's orations and writings.

3.1. Similarities of content²

3.1.1. Fear of God

The theme of rulers needing to fear and revere God and the Church, and to show great humility, Piccolomini had developed in a book, the *Liber de liberorum educatione*, written to King Ladislaus himself, two years before, when the boy was 10 years old. The author reused it – slightly re-worked - in the "*Cum animadverto*", forming almost one third of the oration:

De liberorum educatione (1450)

At **cum Deum** prae ceteris **omnes colendum litterae clamitent**, huic te **primum dabis commendabisque**. **Hic tuus est auctor**, tuus pater, **meus dominus**, huic omnia **debeo**, **cumque omnes homines Deo gratias referre debeant**, ego illi maxime **regratiari et servire teneor**, **cujus munere factum est, ut rex nascereris**. **Poteram ego unus ex plebe aut unus ex rure nasci**, sed **inscrutabile Dei iudicium me collocat in sublimi solio**. **Non efferri debeo**,

¹ Interrupted only by a visit to King Alfonso in Naples

² In the comparisons below bold types are used to indicate word and passages that are identical – except for syntax and grammatical form

non tumescere, non superbire. Quod mihi datum est, alteri dari potuit. Quanto major sum natus, tanto me debeo humiliter gerere, subicere collum religioni, interesse divinis officiis. Nam cui divinus cultus est cordi, reliqua facile famulantur. *Primum quaerite regnum Dei*, scriptura dicit, *post haec omnia adjicientur vobis*. Romani, quamvis gentiles erant, *omnia tamen post religionem duxerunt, in quibus etiam summae majestatis decus conspici voluerunt, nec dubitaverunt sacris imperia servire. Ita se humanarum rerum futura regimen existimantia, si divinae potentiae bene ac constanter fuissent famulata*. Quid nos veri Dei notitiam habentes magis facere decebit? Cavebo, ne mihi religionem putem esse subjectam, quamvis maximi principis nomine gaudeam. Non dominus, sed filius ecclesiae, sacerdotis imperio, in his quae Dei sunt, subjectus sum. Theodosius Caesar, quamvis potentissimus esset et Romanum gubernaret imperium, Ambrosio tamen Mediolanensis ecclesiae praesulatum tenenti, collum subiecit imperatamque poenitentiam peregit humiliter. Constantinus autem maximam semper sacerdotio reverentiam exhibuit nec iudicium super episcopis in concilio Nicaeno ferre voluit, asseverans deos ab hominibus non esse iudicandos.¹

Oration "Cum animadverto" (1452)

Et cum omnes sacrae litterae Deum colendum clamitent, huic me primum dabo commendaboque. Hic meus est auctor, meus dominus, huic omnia debeo, cumque omnes homines Deo gratias referre debeant, ego illi maxime regratiari et servire teneor, cujus munere factum est, ut ego rex nascerer. Poteram ego unus ex plebe aut unus ex rure nasci, sed inscrutabile Dei iudicium me collocat in sublimi solio. Non efferri debeo, non superbire. Quod mihi datum est, alteri dari potuit. Quanto major sum natus, tanto me debeo humiliter gerere et subicere collum religioni, interesse divinis officiis. Nam cui divinus cultus est cordi, reliqua facile famulantur. *Primum quaerite regnum Dei*, scriptura dicit, *post haec omnia adjicientur vobis*. Romani, quamvis gentiles erant, *omnia tamen post religionem duxerunt, in quibus etiam summae majestatis decus conspici voluerunt, nec dubitaverunt sacris imperia servire. Ita se humanarum rerum futura regimen aestimantia, si divinae potentiae bene ac constanter fuissent famulata*. Quod nos veri Dei notitiam habentes magis facere decebit. Cavebo igitur, ne mihi religionem putem esse subjectam, quamvis magni principis nomine gaudeam. Non dominus, sed filius ecclesiae, sacerdotis imperio, in his quae Dei sunt, subjectus sum. Theodosius Caesar, quamvis potentissimus esset et Romanum gubernaret imperium, Ambrosio tamen Mediolanensis ecclesiae praesulatum tenenti, collum subiecit imperatamque poenitentiam peregit humiliter. Constantinus autem maximam sacerdotio reverentiam praebuit nec iudicium super episcopis in concilio Nicaeno ferre voluit, asseverans deos ab hominibus non esse iudicandos. [Sect. 5-6]

¹ Piccolomini: *De liberorum*, 30-31 (Kallendorf, pp. 164-167)

3.1.2. Formula of obedience to the pope

The formula of obedience to be used by King Ladislaus was reused by Piccolomini in his oration of obedience on the emperor's behalf to Pope Calixtus III, the "*Solent plerique*" [26] four years later:

Oration "*Cum animadverto*" (1452)

Tuam igitur sanctitatem tamquam domini nostri locum tenentem in terris et magistrum et ducem universalis ecclesiae recognoscimus omnes. Te certum et indubitatum beati Petri successorem, te pastorem dominici gregis, te sanctorum evangeliorum verum interpretem, te doctorem salutaris vitae, te denique clavigerum regni caelestis profitemur. [Sect. 4]

Oration "*Solent plerique*" [26] (1452)

Nos **igitur** jussioni parentes ejus nomine, qui sacro Romano imperio praesidet, sanctitatem **tuam tamquam domini nostri Jesu Christi locumtenentem in terris, ac magistram et ducem universalis ecclesiae recognoscimus; te certum et indubitatum beati Petri successorem, te pastorem dominici gregis, te sanctorum evangeliorum verum interpretem, te doctorem salutaris vitae, te clavigerum regni caelestis profitemur.** [Sect. 14]

3.1.3. World monarchy

The theme of a world monarchy, invested in the pope and reflecting God's monarchy in Heaven, was reused by Piccolomini when seven years later, as pope, he addressed the ambassadors of the King of Castile in the oration "*Dominatorem caeli*" [35] from 1459:

Oration "*Cum animadverto*" (1452)

Tu – inquam – dignissime militantis ecclesiae es caput, quae non sine ratione ad triumphantis exemplar dicitur ordinata. Nam ut in illa unus Deus creator omnium sceptrum tenet, ita in hac tibi uni tantum Dei vicario totius orbis imperium delegatum esse constat, ut enim sancta fatetur ecclesia. [Sect. 3]

Oration "Dominatorem caeli" [35] (1459)

Animadvertit quoque Christiana veritas omnipotentem Deum, qui pro sua voluntate cuncta disponit, pergratum habere, ut quemadmodum caelestis aula unum rectorem habet, a quo cuncta dependent, ita et terrena gubernatio ex unius voluntate disponderetur. [Sect. 4]

... concedendum est nullam esse in terris potestatem, quae nostrae, idest Christi et beati Petri apostoli, non subjiciatur auctoritati. [Sect. 11]

3.1.4. Gelasian separation of imperial and papal power

The reference to Pope Gelasius' (d. 496) doctrine of imperial and papal authority as constituting two separate power spheres, used by opponents to counter the claim of papal supremacy (also) in secular affairs, is mentioned both in the "*Cum animadverto*" and - further developed - in the "*Sentio*" [20], written some months later:

Oration "Cum animadverto" (1452)

Nam ut in illa unus Deus creator omnium sceptrum tenet, ita in hac tibi uni tantum Dei vicario totius orbis imperium delegatum esse constat, ut enim sancta fatetur ecclesia: *Constituit dominus pontificem super gentes et regna, ut evellat, disperset, et plantet*, quamquam igitur non ignorem complures hoc in dubium revocare, solam spiritualium rerum curam summo pontifici datam esse, terrestre autem imperium Romano datum imperatori affirmantes. [Sect. 3]

Oration "Sentio" [20] (1452)

"Res temporalis erat," inquiunt adversarii, "super qua monitorium missum est: de tutela pupilli principis agebatur, de gubernatione ducatus Austriae, de promissionibus et obligationibus inter laicos agitatis. Romani pontificis est praedicare verbum Dei, clerum instruere, sacramenta conficere, ecclesiastica beneficia conferre, spirituales causas agitare, tueri fidem, extirpare haereses, mores plantare bonos. Si quid ulterius quaerit, saecularibus iudiciis, ducibus, regibus, imperatoribus est injurius. *Duo sunt enim, quibus principaliter hic mundus regitur, auctoritas sacra pontificum et regalis potestas*, suntque actibus propriis et dignitatibus distinctis officia potestatis utriusque discreta. Nihil Romanam Sedem magis decet, quam suum cuique jus illaesum servare. Si Cypriano, si Gelasio, si Nicolao volumus aut Gregorio fidem praebere, spiritualia curet pontifex, temporalia principibus saeculi permittat." [Sect. 18]

3.1.5. Focus on the liberal arts

Piccolomini had great love for and focus on the liberal arts, often mentioning them before the other sciences and, indeed, the sacred disciplines. Below are given two parallel examples from the “*Cum animadverto*” and the “*Sentio*” [20], as well as one from a papal oration “*Catherinam Senensem*” [62] from 1461.

Oration “*Cum animadverto*” (1452)

In your heart you have, from your most tender age, kept sacred all the liberal arts, all branches of knowledge, and – most important of all – the knowledge of the divine scriptures, as if they were – so to say - your household deities. [Sect. 2.]

Oration “*Sentio*” [20] (1452)

Christ Our Lord spread the studies of the good arts, all teaching, and the Catholic Faith itself to the Western and Northern regions with the aid of Roman virtue. [Sect. 3]

Oration “*Catherinam Senensem*” [62] (1461)

Only religious and holy words came from her, and all her talk was about morals, the studies of the good arts [i.e. the liberal arts], religion, piety, contempt of the world, the love of God and one’s neighbour, and the Heavenly Fatherland.

It is highly doubtful, that Catherine of Siena would have put the liberal arts on par with religion, Faith etc., but Piccolomini managed to slip them in, anyway!

3.1.6. Ladislaus’ following in the footsteps of his ancestors

The theme of Ladislaus’ reverence for the pope recurs, in the opposite sense, in the “*Sentio*”[20]:

In the “*Cum animadverto*”, Ladislaus promises to always revere the pope as his forefathers had done:

Cum animadverto (1452)

Majores etiam mei, qui vel Hungariae¹, Bohemiae, vel Austriae praefuerunt, hujus divinae sedis praecipui semper amatores et cultores fuerunt. Eorundem progenitorum meorum vestigiis inhaerendo te aeternae vitae clavigerum summa, quoad vixero, reverentia prosequar. [Sect. 4]

In the “*Sentio*” [20], Piccolomini promises that pope will always favour Ladislaus, if he – following in the footsteps of his ancestors – shows reverence for the Church and the pope:

Oration “*Sentio*” (1452)

Multa suae celsitudini et apud Hungaros et apud Bohemos imminebunt, quae sedis apostolicae praesidiis indigebunt. Numquam ei favores aberunt, si progenitorum vestigia sequens matrem suam ecclesiam et Christi vicarium condigna devotione coluerit. [Sect. 13]

3.1.7. Combining arguments from the Bible and classical authors

Piccolomini liked to prove some point by parallel use of Christian, and most of all the Bible, and classical, pagan sources.² The “*Cum animadverto*” provides a typical example, citing both the Bible and Valerius Maximus in support of the necessity of submitting to religion:

The greater I have been born, the humbler I should act, bowing my neck to religion, and participating in the divine offices. For everything comes easily to those who have the worship of God at heart. *Seek ye therefore first the kingdom of God, scripture says, and his justice, and all these things shall be added unto you.*³ Though the Romans were gentiles, *they held that all things must yield to religion, even in the case of personages in whom it wished the splendour of most exalted dignity to be displayed. So holders of state power never hesitated to minister to holy things in the belief that theirs would be the governance of human affairs only if they gave good and faithful service to the power of the gods.* [Sect. 5]

¹ vel add. MU

² See *Collected Orations of Pope Pius II*, vol. 1, sect. 8.4.4.

³ Matthew, 6, 33

3.1.8. Citation

The verse from Jeremiah, 1, 10: *Ecce constitui te hodie super gentes et super regna, ut evellas, et destruas, et disperdas, et dissipas, et aedifices, et plantes* is used both in the “*Cum animadverto*” [sect. 3] and some months later in the “*Sentio*” [20] [sect. 31] to justify the assertion of papal supremacy.

3.2. Similarities of style

A couple of similarities of style support the notion of Piccolomini’s authorship of the oration:

Though the *captatio benevolentiae* is a classical rhetorical device, following its own set rules, the *captatio benevolentiae* in the “*Cum animadverto*” is clearly reminiscent of the ones in Piccolomini’s orations to popes Eugenius IV, the “*Non habet me dubium*” [11] of 1447, and to Pope Nicolaus V, the “*Fateor*” [15] of 1450 as well as in other of his orations.¹

And the following phrases are clear examples of Piccolomini’s use of another classical rhetorical device, *accumulatio*, of which he was quite fond:²

- Quis enim dignius in ea potuit collocari quam ille, quem a primis annis caelestem in terris vitam semper egisse constat, qui pro Christiana religione per innumeros casus, per varia itinera, per diversas mundi provincias omnem aetatem in maximis laboribus, in omni rerum difficultate contrivit [Sect. 2]
- Eorundem Christianissimorum principum vestigiis inhaerendo sacerdotium summa reverentia prosequi non postponam, ad quod natura et ipse Deus omnipotens gressus meos ab ineunte aetate direxerit, ad quod omnes conatus, omnes desideria, omnes cogitationes animi mei semper prospexerunt. Ego tandem meipsum, dominia et regna, quae mihi haereditario jure debentur, tuae clementiae, tuae fidei, tuaeque protectioni commendo, pro cujus tuae sanctitatis felicissimo statu nihil umquam arduum, nullum periculi, nullum laboris aut difficultatis genus recusabo. [Sect. 6]

3.3. Conclusion

To the present editor, the accumulated evidence clearly points to Piccolomini’s authorship.

¹ See *Collected Orations of Pope Pius II*, vol. 1, sect. 7.8.1.

² See *Collected Orations of Pope Pius II*, vol. 1, sect. 7.9.5.

It is possible that Piccolomini did not compose the oration alone, but in collaboration with other qualified members of the imperial party, like Heinrich Leubing,¹ who spoke for the emperor at his meeting with his future bride, Princess Leonora of Portugal, in Siena, some weeks before the coronation,² or Johann Hinderbach, colleague and friend of Piccolomini,³ or possibly Kaspar Wendel or Johann Tröster, both tutors of Ladislaus, who accompanied him on the imperial voyage to Rome⁴ and who would have been familiar with Piccolomini's *De liberorum educatione*.

There is also, of course, the theoretical possibility that one of these colleagues of Piccolomini wrote the oration which Piccolomini would then have made use of in his almost contemporary oration "*Moses vir Dei*" [19], the "*Sentio*" [20] written later the same year, the "*Solent plerique*" [26] from 1455, and the "*Dominatorem caeli*" [35] from 1459, but it is somewhat difficult to understand why Piccolomini/Pius would make use of the writings of lower-ranking German *litterati* whose literary skills he might approve of, but would certainly not admire, while he himself was the acknowledged master of speechmaking. In the absence of further evidence, this explanation is not retained.

In conclusion, the "*Cum animadverto*" is – in the light of present evidence – considered most probably to be a text of an oration of obedience to Pope Nicolaus V, written for King Ladislaus the Posthumous, by Enea Silvio Piccolomini, alone or in collaboration with other members of the Imperial Court.

4. Date, place, audience and format

The text was written in March 1452, when the imperial party stayed in Rome, or a short time before. It was intended to be delivered in Rome, in the presence of the pope and the cardinals, probably a public consistory. The format is an oration by a prince to the pope.

However, the oration was most likely never delivered, see above.

¹ A number of German cities had representatives in the emperor's party, among them Nürnberg, represented by its parish priest Heinrich Leubing, cf. Loose, p. 55. Already in 1446, Leubing had been member of an embassy from the German princes to Pope Eugenius IV, and he on that occasion addressed the pope after Piccolomini, who had spoken on behalf of the emperor, cf. Loose, p. 64

² HA, I, p. 155; CO I, 76; Loose, p. 55; Lazzaroni, p. 312: *Per l'imperatore le rivolse il salute un portoghese Enrico Lubin* (sic!)

³ Strnad, p. 139: *Fast von selbst versteht es sicher daher, dass Hinderbach im Gefolge seines Herrn auch weiter nach Süden zog und sowohl an der Vermählung Friedrich's mit der portugisischen Prinzessin Eleonore als auch am festlichen Krönungsakt in der alten Petersbasilika teilnahm*

⁴ WO, III, I, pp. 351-352

5. Text

5.1. Manuscripts¹

- **Berlin / Staatsbibliothek zu Berlin, Preussischer Kulturbesitz**
Theol. lat. Fol. 638, ff. 107v-108r
- **Dillingen / Studienbibliothek**
76²
- **Görlitz / Milisch'sche Bibliothek**
Ch. 4, 84, ff. 309r-310r
- **Stuttgart / Württembergische Landesbibliothek**
HB X, 24, ff. 173v-182v
HB X, 84, ff. 89v-90r
- **Würzburg / Universitätsbibliothek**
M ch.f.47, ff. 130v-132r
M ch.f.59, ff. 307r-352r³
- **Zeitz / Dombibliothek**
7, ff. 86v-87v

5.2. Editions

The text is known from two early editions:

- *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit.* Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663 [and later editions], ad annum 1452, nr. 5

¹ This following list of manuscripts, based on Kristeller, is not intended to be exhaustive

² Pagination not given by Kristeller

³ A collection of orations including "*Cum Animadverto*"

- Müller, Johann Joachim: *Des Heil. Römischen Reichs Teutscher Nation ReichsTags Theatrum wie selbiges unter Keyser Friedrichs V. Allerhöchsten Regierung von Anno MCCCCXL bis MCCCCXCIII gestanden ...* Theil I. Jena, 1713, pp. 518-520

In a margin note Raynaldus refers to an earlier edition by Johannes Cochlaeus, which he presumably reproduced.¹

5.3. Present edition

The present edition is based on the editions by Raynaldus and Müller.

Pagination is from Rainaldus.

6. Sources²

In this brief oration, altogether 7 quotations from various sources have been identified:

Biblical: 5

Classical: 1

Patristic and medieval: 1

Contemporary: 0

All: 7

The biblical quotations dominate. Interesting is Piccolomini's reference to John of Salisbury whose *Policraticus* was known to him and also used by him in his earlier work, the *Pentalogus*, of 1443

Biblical sources: 5

Old Testament: 1

- Jeremiah: 1

¹ I have not been able to determine which of Cochlaeus' many writings may have been used / MCS

² For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

New Testament: 4

- Matthew: 2
- Luke: 1
- John: 1

Classical sources: 1

- Valerius Maximus: 1

Patristic and medieval sources: 1

- John of Salisbury: 1¹

Contemporary sources: 0

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¹ Policraticus

Loose, Wilhelm: Heinrich Leubing. Eine Studie zur Geschichte des fünfzehnten Jahrhunderts. In: *Mitteilungen des Vereins für Geschichte der Stadt Meißen*, 1 (1883) 34-71

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- Pius II: *Commentaries*. Ed. by M. Meserve and M. Simonetta. Cambridge, MA, 2003 ff. [The I Tatti Renaissance Library; 12, 19]

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8. Sigla

AN = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

MU = Müller, Johann Joachim: *Des Heil. Römischen Reichs Teutscher Nation ReichsTags Theatrum wie selbiges unter Keyser Friedrichs V. Allerhöchsten Regierung von Anno MCCCCXL bis MCCCCXCIII gestanden ...* Theil I. Jena, 1713

II. TEXT AND TRANSLATION

Oratio Ladislai regis ad Nicolaum, papam quintum, cum adhuc esset puer duodecim annorum¹

[1] {518B} Cum animadverto, beatissime maxime pontifex, me apud inclytos pedes sanctitatis tuae constitutum, quae inter mortales Dei omnipotentis vicem gerit, coram hoc sacratissimo senatu, ad quem illustrissima totius mundi sidera atque homines doctrina et sanctitate lectissimi convenerunt, non injuria quidem in tanta rei magnitudine subsistens, unde initium orationis sumam, quibus verbis te unicum Christianorum principem, te regum regem atque in terris Deum adorem, non facile constituere possum. Haec enim tanti numinis praesentia, hic tam cessus audientium coetus, eruditissimum quoddam elegansque dicendi genus exquirat, cui me, et ingenio et eloquentia longe imparem esse cognosco. Quare tacendum existimarem, ne tantam provinciam aggredierer, in qua etiam ipsius Ciceronis aut Hortensii robur desudaret², nisi admirabilis tuae sanctitatis clementia collapsas ingenii vires et succumbentes humeros sublevaret, quae cum omnibus ad se integra mente conversis incredibili benignitate patere non desinat {519A} mihi quoque – ut confido – consuetae mansuetudinis aditum non praecludet.

¹ Elegans Ladislai regis ad pontificem oratio MU

² exsudaret MU

1. Introduction

[1] Most Holy Supreme Pontiff, when I see myself placed at the revered feet of Your Holiness, who represents Omnipotent God among men, and before this Most Holy Senate,¹ in which the most brilliant stars of the whole world and men of outstanding learning and holiness are assembled, it is quite justifiable that in such an important matter I should experience some difficulty in choosing how to begin my oration and the words to hail you as the Supreme² Prince of the Christians, King of Kings and God on Earth. For the presence of such divine greatness³ and the prominence of the audience require a form of address which combines great learning with elegance, something for which I know my own intelligence and eloquence to be largely inadequate. Indeed, I should prefer to remain silent and not undertake a task in which even powerful [speakers like] Cicero and Hortensius would be sorely tried. But Your Holiness' clemency restores my failing wits and lifts my slumping shoulders, as you always meet with incredible kindness all those who turn to you with a sincere heart and – I am sure – will not fail to show me your customary gentleness.

¹ I.e. the College of cardinals

² "unicum"

³ "numinis"

[2] Te namque, beatissime pater, non sine ratione beatissimum appellamus, quem admiranda probitatis omniumque virtutum merita, incorrupta vitae integritas, ad hanc eminentissimam sedem jure optimo extulerunt. Quis enim dignius in ea¹ potuit collocari quam ille, quem a primis annis caelestem in terris² vitam semper egisse constat, qui pro Christiana religione per innumeros casus, per varia itinera, per diversas mundi provincias omnem aetatem in maximis laboribus, in omni rerum difficultate contrivit, in cujus pectore omnes liberales artes, omnes scientiae et praestantissima in primis sacrarum litterarum doctrina, patrios – ut ita dixerim – penates, sibi a tenera ejus aetate consecrarent.

[3] Tu – inquam – dignissime militantis ecclesiae es caput, quae non sine ratione ad triumphantis exemplar dicitur ordinata. Nam ut in illa unus Deus creator omnium sceptrum tenet, ita³ in hac tibi uni tantum Dei vicario totius orbis imperium delegatum esse constat, ut enim sancta fatetur ecclesia: *Constituit dominus pontificem super gentes et regna, ut evellat, disperset, et plantet*, quamquam igitur⁴ non ignorem complures hoc in dubium revocare, solam spiritualium rerum curam summo pontifici datam esse, terrestre autem imperium Romano datum imperatori affirmantes. Quid enim aliud credendum est Christum significare voluisse, dum ad se Petrum solum supra mare vocat, dum ei supremam ligandi atque solvendi facultatem concessit, dum sibi carissimi gregis curam demandavit? Unum certe in terris principem constituere voluit, qui summi Dei vice ac potestate inter homines fungeretur, a quo una vera sapientia, vera fides ad reliquum humanum genus perveniret. Consistit enim in hoc uno Christianae fidei sacramentum, cui scilicet soli dominus dixit: *Ego autem rogavi pro te, ut non deficiat fides tua, et tu aliquando conversus confirma fratres tuos.*

¹ dignius in ea : in ea dignius MU

² in terris *omit.* MU

³ et *add.* MU

⁴ *omit.* MU

2. Praise of the pope

[2] Most Holy Father, it is not without reason that we call you Most Holy, for you have been raised – and most rightly so - to this eminent See because of the admirable merits of your uprightness and all your other virtues, and your unspoiled integrity of life. Who was more worthy to be placed on this see than Your Holiness, who is known to have always led a heavenly life on Earth, and who has always worked hard for the Christian religion in many difficult situations, in various travels, in different regions of the world and with much labour. In your heart you have, from your most tender age, kept sacred all the liberal arts, all branches of knowledge, and – most important of all – the knowledge of the divine scriptures, as if they were your household deities.

3. Papal supremacy

[3] You are - I declare - the most worthy Head of Church Militant, which is justly said to be modelled after the Church Triumphant. For in Church Triumphant God the Creator of all holds the scepter, and likewise in Church Militant power over the whole world is certainly entrusted to you alone as Vicar of God, as Holy Church proclaims: *The Lord set the Pontiff over the nations, and over the kingdoms, to root up, and pull down, and to waste, and to destroy, and to build, and to plant.*¹ I am perfectly aware that many question this, claiming that only the care of spiritual matters has been entrusted to the Supreme Pontiff, whereas earthly power has been given to the Roman emperor.²

But what else should we believe that Christ meant when he only called Peter to him over the sea, when he gave him the power to bind and to loose,³ and when he entrusted the care of his beloved flock to him?⁴ He certainly wanted to create only one prince on Earth, who would act among men on Supreme God's behalf and with power from him, and from whom one true wisdom and one true Faith would reach the rest of mankind. Only on this man is based the sacrament of Christian Faith, to whom alone the *Lord said: But I have prayed for thee, that thy faith fail not: and thou, being once converted, confirm thy brethren.*⁵

¹ Jeremiah, 1, 10: *Ecce constitui te hodie super gentes et super regna, ut evellas, et destruas, et disperdas, et dissipas, et aedifices, et plantes* (Lo, I have set thee this day over the nations, and over the kingdoms, to root up, and pull down, and to waste, and to destroy, and to build, and to plant). Here, the author adapts the biblical passage, making it apply to the pope, whereas in the Bible it applied to the prophet Jeremiah

² This is the teaching of Pope Gelasius, see Introduction

³ Matthew, 16, 19

⁴ John, 21, 17

⁵ Luke, 22, 32

[4] Tuam igitur sanctitatem tamquam¹ domini nostri locum tenentem in terris et magistrum et ducem universalis ecclesiae recognoscimus omnes. Te certum et indubitatum beati Petri successorem, te pastorem dominici gregis, te sanctorum evangeliorum verum interpretem, te doctorem salutaris vitae, te denique clavigerum regni caelestis profiteamur. Quo fit, beatissime pater, ut mihi quidem laetissimam hodiernam diem illuxisse sentiam², in qua divinitus datum est et tantum et tam {519B} praesens numen intueri, colere, et saltem integra mente ac vera fide venerari. Cum enim sanctitatem tuam inter hos felicissimos ac caelestibus persimiles astantium ordines in hac sublimi apostolica sede³ collocatam suspicio, nihil aliud profecto quam supernam illam in terris maiestatem videor admirari. Majores etiam mei, qui vel Hungariae⁴, Bohemiae, vel Austriae praefuerunt, hujus divinae sedis praecipui semper amatores et cultores fuerunt. Eorundem progenitorum meorum vestigiis inhaerendo te aeternae vitae clavigerum summa, quoad vixero, reverentia prosequar.

¹ *em.*; atque AN, MU

² sentio MU

³ *em.*; omit. AN, MU

⁴ vel *add.* MU

4. Ladislaus' declaration of obedience

[4] Thus, we all acknowledge Your Holiness as Our Lord's representative on Earth and as the teacher of leader of the Universal Church. We proclaim you to be the certain and undoubted successor of Saint Peter, the shepherd of the Lord's flock, the true interpreter of the holy gospels, the teacher of moral life, and finally the keybearer of the Heavenly Kingdom. Thus, Most Holy Father, I feel that this most happy day is a splendid one, in which God has given me to see, to honour, and to revere, present before me, this divine greatness with a sincere mind and true faith. Indeed, as I see Your Holiness [seated] on the exalted apostolic see, surrounded by these blessed and almost heavenly orders,¹ I seem to be gazing with wonder at divine majesty on Earth. For my forefathers, who governed Hungary, Bohemia, Austria, have always had especial love and reverence for this divine See. Following in their footsteps, I shall show, as long as I live, the highest reverence for you as the keybearer of eternal life.

¹ I.e. cardinals, bishops etc.

[5] Et cum omnes sacrae litterae Deum colendum clamitent, huic me primum dabo commendaboque. Hic meus est auctor, meus dominus, huic omnia debeo, cumque omnes homines Deo gratias referre debeant¹, ego illi maxime regratiari² et servire teneor, cujus munere factum est, ut ego rex nascerer. Poteram ego³ unus ex plebe aut unus ex rure nasci, sed inscrutabile Dei iudicium me collocat in sublimi solio. Non efferri debeo, non superbire. Quod mihi datum est, alteri dari potuit. Quanto major sum natus, tanto me debeo humiliter gerere et subicere collum religioni, interesse divinis officiis. Nam cui divinus cultus est cordi, reliqua facile famulantur. *Primum quaerite regnum Dei*, scriptura dicit, *post haec omnia adjicientur vobis*. Romani, quamvis gentiles erant, *omnia tamen post religionem duxerunt, in quibus etiam summae majestatis decus conspici voluerunt, nec dubitaverunt sacris imperia servire. Ita se humanarum rerum futura regimen aestimantia, si divinae potentiae bene ac constanter fuissent famulata*. Quod nos veri Dei notitiam habentes magis facere decebit. Cavebo igitur, ne mihi religionem putem esse⁴ subjectam, quamvis magni principis nomine gaudeam. Non dominus, sed filius ecclesiae, sacerdotis imperio, in his quae Dei sunt, subjectus sum.

[6] Theodosius Caesar, quamvis potentissimus esset et Romanum gubernaret imperium, Ambrosio tamen Mediolanensis ecclesiae praesulatum tenenti, collum subiecit imperatamque poenitentiam peregit humiliter.⁵ Constantinus autem maximam sacerdotio reverentiam⁶ prae-buit nec iudicium super episcopis in concilio Nicaeno ferre voluit, asseverans deos ab hominibus non esse iudicandos. Eorundem Christianissimorum⁷ principum vestigiis inhaerendo sacerdotium summa reverentia prosequi non postponam, ad quod {520A} natura et ipse Deus omnipotens gressus meos ab ineunte aetate direxerit, ad quod omnes conatus, omnes desideria, omnes cogitationes animi mei semper prospexerunt. Ego tandem meipsum, dominia et regna, quae mihi haereditario jure debentur, tuae clementiae, tuae fidei, tuaeque protectioni commendo, pro cuius tuae sanctitatis felicissimo statu nihil umquam arduum, nullum periculi, nullum laboris aut difficultatis genus recusabo.⁸

¹ debent MU

² maxime regratiari : majores habere MU

³ ergo MU

⁴ omit. MU

⁵ peregit humiliter : humiliter peregit MU

⁶ sacerdotio reverentiam : reverentiam sacerdotio MU

⁷ Christianorum MU

⁸ Haec ad Nicolaum Ladislaus add. AN

5. Kings' submission to God and religion

[5] And¹ since all the sacred scriptures proclaim that God must be worshipped, I shall first of all give and entrust myself to Him. He is my creator, he is my Lord, to whom I owe everything. All men should thank God, but I am obliged to thank and serve him more than other people, since it is through His bounty that I have been born a king. I could have been born as a commoner or a peasant, but by God's inscrutable judgment I have been placed on a high throne. This must not make me elated or arrogant. What has been given to me, could have been given to somebody else. The greater I have been born, the humbler I should act, bowing my neck to religion, and participating in the divine offices. For everything comes easily to those who have the worship of God at heart. *Seek ye therefore first the kingdom of God, scripture says, and his justice, and all these things shall be added unto you.*² Though the Romans were gentiles, *they held that all things must yield to religion, even in the case of personages in whom it wished the splendour of most exalted dignity to be displayed. So holders of state power never hesitated to minister to holy things in the belief that theirs would be the governance of human affairs only if they gave good and faithful service to the power of the gods.*³ This is what we who know the true God should do. I shall therefore take care not to consider myself as above religion though I can rejoice in my status of a great prince. I am not the lord of the Church, but its son, and in matters of God I am subject to the priestly rule.⁴

[6] Though Emperor Theodosius was very powerful and ruled the Roman Empire, he still bowed his neck to Ambrose, Bishop Milan, and humbly performed the penance imposed upon him. And Constantine showed the greatest reverence towards the priesthood and refused to pass judgment over bishops at the Council of Nicaea, declaring that gods should not be judged by men.^{5 6} Following in the footsteps of these most Christian princes I shall unfailingly show the greatest reverence towards the priesthood, to which nature and God himself has directed me since my childhood, and at which all my efforts, all my desires, and all my thoughts have ever been aiming. Finally, I entrust myself as well as the dominions and realms due to me by hereditary right to your clemency, your faith, and your protection, and I shall never avoid any kind of difficulty, danger, labour, and or [in supporting] the honourable⁷ state of Your Holiness.

¹ Here begins a lengthy quotation from Piccolomini's *De liberorum educatione*, cf. Introduction, sect. 3.1.1.

² Matthew, 6, 33

³ Valerius Maximus, 1.1.9: *Omnia namque post religionem ponenda semper nostra civitas duxit, etiam in quibus summae maiestatis conspici decus voluit. quapropter non dubitaverunt sacris imperia servire, ita se humanarum rerum futura regimen existimantia si divinae potentiae bene atque constanter fuissent famulata*

⁴ This section echoes John of Salisbury: *Policraticus*, IV, 3 (Dickinson, p. 9 ff): That the prince is the minister of the priests and inferior to them (title of chapter 4)

⁵ John of Salisbury: *Policraticus*, 4.3. MPL, CIC, 516B-C

⁶ Here ends the lengthy quotation from Piccolomini's *De liberorum educatione*

⁷ "felicissimum"

SHORT VERSION: “MAXIMA”

The short version is mostly identical with the text in sect. 4-6 in the longer version, partly consisting in a quotation from Piccolomini’s *De liberorum educatione*.

If the shorter version represents the original draft, it was expanded into a more elaborate version, containing also a formal declaration of obedience to the pope, and – in view of its length and complexity – probably not to be delivered by the boy king himself, but by an orator on his behalf, e.g. Piccolomini himself. The present editor considers this scenario to be the most likely.¹

If the shorter version was the final one, it may have been abbreviated with a view to being delivered by Ladislaus himself.

The text is extant in some manuscripts listed by Kristeller in his *Iter*, and among them the:

- **Würzburg / Universitätsbibliothek**
M ch f 47 (4217), f. 130r

¹ It may be noted that on some points the shorter version more faithfully reproduces the *De Liberorum Educatione*, which it quotes extensively. This may support the notion that the longer version is a later, reworked version of the text

Maxima mihi hodie, pater beatissime, voluptas est, ingens gaudium, singularis laetitia, cum te, beati Petri successorem verumque Jesu Christi vicarium intueor, cujus affari clementiam et osculari sanctitatem concessum est mihi. Majores mei, qui Hungariae, Bohemiae et Austriae praefuerunt, hujus divinissimae sedis praecipui semper amatores et cultores fuerunt. Eorundem quidem progenitorum meorum vestigiis inhaerendo [te]¹ aeternae vitae clavigerum summa, quoad vixero, reverentia prosequar. Interea dominia et regna, quae mihi haereditario jure debentur, personamque meam debilissimam tuae clementiae, tuae fidei, tuae protectioni commendo. Cum autem omnes sacrae litterae Deum colendum clamitent, huic me primum dabo commendaboque. Hic meus est auctor, hic meus dominus, huic omnia debeo. Cumque omnes homines Deo referre gratias debeant, ergo illi maxime regratiari et servire teneor, cujus munere factum est, ut ego rex nascerer. Poteram ego unus ex plebe aut unus ex rure nasci, sed inscrutabile Dei judicium me collocavit in sublimi solio. Non efferri debeo, non tumescere, non superbire. Quod mihi datum est, alteri dari potuit. Quanto major sum natus, tanto me debeo humiliter gerere, subjicere collum religioni, interesse divinis officiis. Nam cui divinus cultus est cordi, reliqua facile famulantur. Romani namque, etsi gentiles essent, omnia tamen post religionem ponenda dixerunt, in his quibus etiam² summae majestatis decus conspici voluerunt nec dubitaverunt sacris imperia servire. Sed ita humanarum rerum regimina existimantes profutura, si divinae potentiae bene atque constanter fuissent famulata, quod nos veri Dei notitiam habentes studiosius facere decebit. Cavebo igitur ne religionem mihi putem subjectam, quamvis magni principis nomine gaudeam. Non dominus, sed filius ecclesiae sacerdotum imperio in his, quae Dei sunt, subjectus sum. Theodosius Caesar quamvis potentissimus esset et Romanum gubernaret imperium, Ambrosio tamen Mediolanensis ecclesiae praesulatum tenenti collum subiecit imperatamque poenitentiam humiliter peregit. Constantinus autem maximam semper sacerdotio reverentiam praebuit, nec judicium super episcopis in concilio Niceno ferre voluit asserens deos ab hominibus non esse judicandos. Eorundem Christianissimorum principum vestigiis inhaerendo sacerdotium summa cum reverentia prosequi non postponam, interim quod in humanis subsistam. Ad Dei laudem ecclesiaeque catholicae gloriam et honorem. Amen.

Hanc orationem serenissimus princeps, rex Hungariae atque Bohemia, [*in marg.:* Ladislaus] fecit ad sanctissimum in Christo patrem et dominum papam Nicolaum Quintum tempore, quo cum Augusto Caesare Friderico Romam intrabat.

¹ *em.* after Longer Version;

² *em.* after Longer Version; inest cod.

(Orations of Enea Silvio Piccolomini / Pope Pius II; 19)

Oration “*Moyse vir Dei*” of Enea Silvio Piccolomini (24 April 1452, Rome). Edited and translated by Michael von Cotta-Schönberg

8th version

2019

Abstract

After their coronation and wedding in Rome, in March 1452, Emperor Friederich III and Empress Leonora went to visit the empress' uncle, King Alfonso V of Aragon and Sicily, in Naples. On their return trip to Austria, they again made a visit to the pope in Rome, where the imperial ambassador, Bishop Enea Silvio Piccolomini of Siena, delivered an oration, the "*Moses vir Dei*", on a crusade against the Turks. In the oration, he presented the emperor's request for a crusade, listing three motives: compassion, benefit and honour. Moreover, he argued for the feasibility of a crusade in terms of the ease of mobilizing the Europeans and the good chances of success. However, neither the papacy nor the empire nor indeed any of the European powers except Burgundy were truly interested in a crusade at this time, so the oration had no effect. A year later Constantinople was conquered by the Turks, and the Byzantine Empire fell.

Keywords

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Aeneas Sylvius Piccolomini; Pope Pius II; Papa Pio II; Pope Nicolaus V; Pope Nicholas V; Papa Niccolò V; Emperor Frederick III (Habsburg); Kaiser Friederich III (Habsburg); Turkish crusades; Wars against the Turks; Ottomans; Renaissance orations; Renaissance oratory; Renaissance rhetorics; 15th century; 1452

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I. INTRODUCTION

1. Context¹

By 1452, the relentless Turkish expansion in Europe had become a permanent scare. In spite of some setbacks, the Turks had gained the upper hand through a decisive victory in the battle of Varna in 1444 where the Polish/Hungarian King, Wladyslaw III, and the Cardinal Legate, Giuliano Cesarini, had fallen. Turkish military pressure against the remaining unconquered parts of Balkan and against Hungary, the “Bulwark of Christianity”, was intensifying. And the new, young and warlike Turkish sultan, Mehmed II, was making aggressive moves against Constantinople, the capital of the remnants of the Byzantine Empire.

The Turks were mentioned in a number of Piccolomini’s orations, even in the first one, the “*Audivi*” [1], of 1436. In that oration Piccolomini had said:

Great is the realm of the Turks, immense is the power of the Asians and enormous their riches. They have extended their empire from Asia to Europe, and they have occupied the whole of Greece as if they were the avengers of the destruction of Troy. To expel them from Greece would not be the task of a single city or state, but of the entire Christian world.^{2 3}

Though the Turkish expansion into Europe had become an important political and military issue confronting the European powers, these were embroiled in so many regional conflicts and wars and were so discouraged by their former defeats at the hands of Turks that it would be left to the frontier states, first among them Hungary, to deal with the threat.

Just to initiate the organization of a military response to the Turkish threat would take the energetic and concerted efforts of the two international leaders of Europe, Emperor Friedrich III and Pope Nicolaus V. In August 1451 the emperor had promised the ambassadors of Duke Philippe III of Burgundy to take up the matter with the pope during his projected visit to Rome (in connection with his imperial coronation). On behalf of the emperor, Bishop Piccolomini of Siena, in his capacity as imperial counsellor and diplomat had told the ambassadors, in the oration “*Quamvis in hoc senatu*” which may be considered the first of Piccolomini’s Turkish orations⁴ that:

¹ CO, pp. 112-117; HA, I, pp. 133-186; II, pp. 515-675; Ady, pp. 113-119; Boulting, pp. 190-197; Koller, pp. 115-126; Mitchell, pp. 110-112; Paparelli, pp. 136-145; Pastor, I, III, ch. IV; Reinhardt, pp. 155-161; Stolf, pp. 147-149; Helmrath: *Pius*, pp. 89-91; Housley, pp. 221-224; Toews, pp. 226-230; Voigt, III, pp. 41-54

² Oration “*Audivi*” [1], sect. 21

³ The concept of war in Piccolomini’s Turkish orations had to some extent been developed in his *Pentalogus* of 1443, see Märkl, 2013, p. 14

⁴ Usually the “*Moses vir Dei*” has been considered to be Piccolomini’s first Turkish oration, cf. Helmrath: *Pius*, p.89, but this is probably because the “*Quamvis in hoc senatu*” [17], though known previously, cf. RTA, 19, 1, p. 104, n. 1, has not been identified as an oration by Piccolomini

Therefore, he [the emperor] is looking forward to the opportunity to speak with the Supreme Pontiff and to discuss this matter [the crusade]. Indeed, he intends to go to Rome and have consultations on this and on many other urgent affairs of the Christian Commonwealth, and to follow the advice and useful counsels of that See. And now that your prince has declared his vital interest in the matter, His Royal Highness will take it up so much more willingly and recommend it to the pope, and he will do all he can for the peace of the Christian people and the defense of the Faith. [Sect. 6]

It was not an easy venture. Both emperor and pope were by nature cautious men and certainly not tempted by military adventures. The emperor, moreover, was at the moment threatened by conflicts with the Austrians, the Hungarians and the Bohemians because of his continuing wardship over the boy-king Ladislaus, by then 12 years old. So, he would be perfectly happy to leave any responsibility and initiative in the Turkish matter to the pope.

After their coronation in Rome, the imperial couple visited the empress' uncle in Naples, King Alfonso V. Returning from Naples, they passed through Rome and paid a last visit to Pope Nicolaus. At this occasion, the emperor asked Bishop Piccolomini to speak to the pope on the situation of the Christians living under Turkish rule and to present a petition for a crusade. This Piccolomini did in his oration to the pope, the "*Moyses vir Dei*" of 24 April, in the presence and on behalf of the emperor.

In the first version of his *Historia Austrialis*, written in 1453-1454,¹ i.e. a couple of years after the oration was delivered, Piccolomini wrote about the event in these terms:

Afterwards the Emperor requested Bishop Aeneas of Siena to give an account of the situation of the people of Jerusalem and of the Greeks and the other Christians living miserably under the rule of Turks. Because of the serious defeats suffered by the Hungarians, he was to express fears concerning the future of Constantinople and the necessity of coming to the assistance of the oppressed, and finally to incite to a crusade. This Aeneas did in a public consistory, also presenting the emperor's offer to assist this enterprise with all his power and with the whole empire if the Supreme Pontiff would undertake this matter.²

In the second/third edition of the *Historia Austrialis*, composed three to four years afterwards, Piccolomini gave a more elaborate description of the event:

¹ HA, I, p. xvii

² HA, I, pp. 185-186: *Enee Senensi episcopo commisit, ut statum Hierosolimorum, Grecorum, et aliorum Christianorum, qui sub imperio Turchorum opprimuntur, exponeret, utque Hungari magnas clades tulissent, timendum esse Constantinopoli, succurrendum oppressis diceret passagiumque suaderet. Quod is in publico consistorio fecit offerens cesarem cum omni eius potentia totoque imperio ad id operam daturum, si summus pontifex ei rei intendere vellet*

After his return from Naples, the emperor stayed in Rome for three days. The day before his departure, he warmly thanked the Supreme Pontiff and the Sacred College of Cardinals for their kindness to him. Then he asked Enea to speak, in a public consistory, on the situation of the Christians in Syria, Egypt, Asia Minor and Greece, who were being persecuted under the rule of the Sultan and the Great Turk, and on the terrible defeats suffered by the Hungarians in recent years, and [how there was every reason] to fear for Constantinople and the other Greek cities that kept their Christian faith. He was also to talk about helping those being persecuted, to argue for a holy crusade, and to offer the efforts and the resources of the empire in this matter. Enea spoke so convincingly that many in the audience were moved to tears. In his reply Nicolaus, first said that the emperor had richly merited what had been done in his honour – which was actually less than deserved. The Church could never show the Empire the gratitude which it merited. The crusade, which Enea had spoken about, was certainly meritorious, worthy of the emperor, and greatly pious. It was very important to the Apostolic See, and personally he was deeply moved by Enea's words and would not be remiss in this matter. However, it would be necessary to consult with the other Christian princes and request their contribution to this great a venture. If he found them willing, he would report so to emperor and then undertake this holy endeavour with all his might.¹

In his later *Commentarii*, of 1464, Piccolomini, then pope, wrote as follows:

When the emperor returned and appeared again before the pope and the college of cardinals, Aeneas delivered two speeches in his name before a public audience. In one he thanked the pope and cardinals for the considerable favors they had granted the emperor; in the other he implored the pope to proclaim and prepare a crusade against the enemies of Christendom of Greece and the East.²

¹ HA, II, pp. 636-637: *Triduo Caesar ex Neapoli reversus Romae mansit. Pridie autem, quam recederet, ingentes gratias pontifici maximo sacroque collegio cardinalium reddidit, quod sibi benigni fuissent. Aeneae deinde commisit, in publico consistorio ut statum Christianorum, qui per Syriam, Aegyptum, Asiam Graeciamque sub soldani magnique Turchi imperio opprimuntur, exponeret utque Hungari proximis annis horrendas clades perpassi essent, timendum esse Constantinopoli caeterisque civitatibus Graeciae Christianam fidem habentibus, succurrendum oppressis diceret, expeditionem sanctam suaderet, operas atque vires imperii in istum negotium offerret. Quibus de rebus adeo efficaciter Aeneas verba fecit, ut pluribus circumstantibus lacrimas dedit. Nicolaus ubi responsum dedit, primum, quae facta essent in honore Caesaris, et digno et benemerenti prestita, minora tamen fuisse quam merita dixit. Ecclesia nunquam imperio sacro tam gratam esse posse, quam debeat. Expeditionem, de qua locutus esset Aeneas, laudandum opus dignumque caesare, multam prae se ferre pietatem, eius rei apostolicae sedi maximam curam esse, se verbis Aeneae veluti quibusdam stimulis vehementer commotum in ea re minime torpere. Consulendos tamen esse coeteros Christianae religionis principes eorumque auxilia in tantum opus querenda. Quod si ad id voluntarios invenerit, relaturum se caesari atque tam sanctum negotium summo conatu aggressurum*

² CO, I, pp. 118-121: *Redeunte Caesare conspectuique maximi praesulis ac sacri senatus se restituente vice sua duas orationes in auditorio publico recitavit: in altera gratias egit summo sacerdoti atque cardinalibus pro maximis quae*

Of his two contemporary biographers, Campano wrote: *When the emperor returned, Enea delivered two orations: in the first, he thanked Nicolaus and the College of Fathers,¹ in the second he urged the pope to undertake a war against the Turks.²* Platina's comment is equally terse.³

Piccolomini's 19th century biographer Georg Voigt - predictably - considers the oration as the beginning of a papal/imperial campaign to extract money from the faithful under the pretext of a crusade.⁴ Many people at the time would have shared this opinion, disregarding the sound assessment of the Turkish expansion that would lead to the fall of Constantinople only a year afterwards.

At any rate, those times were clearly past when a pope could raise the whole of Europe to go to war against the infidels. Piccolomini might not himself see this at the time, but the oration shows that at least he was quite aware of the problems: *There are many, Holy Father, who when they hear talk about a crusade say: "Oh, that old dream, that old delusion, that silly nonsense!"* [Sect. 17]

Possibly, the pope quite agreed with these sentiments, but nonetheless, he answered benignly - as might be expected - to the oration of the emperor's spokesman. In reality he did very little.⁵

His successor, Calixtus III, was much more energetic in this area, but it fell to Piccolomini himself, as Pope Pius II, to mobilize the resources and energies of the papacy for a crusade – though in vain.

The "*Moses vir Dei*" may not have been Piccolomini's first Turkish oration, but it was certainly his first full-fledged Turkish oration in a series of altogether 15 such orations on the Turkish matter which he would hold, as an imperial official and later as pope, reaching from the "*Quamvis in hoc senatu*" [17] in 1451, over the "*Moses vir Dei*" in 1452, the "*Constantinopolitana Clades*" [22] in 1454, the "*Cum bellum hodie*" [45] of 1459, to the "*Suscepturi*" [76] which he gave in Rome right before leaving for Ancona and his deathbed, in 1464. These orations together with his concrete

Caesari praestiterant beneficiis; in altera, ut generale passagium adversus Christiani nominis inimicos indiceretur atque instrueretur papam hortatus est, ne Christicolae per Graeciam et Orientem amplius vexarentur.

¹ I.e. cardinals: classical term for senators in Rome

² Zimolo, p. 22: *Orationes duas in reditu Caesaris duas habuit: altera gratias egit Nicolao et collegio patrum, altera hortatus ad bellum adversus Turchos suscipiendum*

³ Zimolo, p. 103: *Rediens deinde ad urbem, Aenea dicente, pontifici gratias egit, quod se corona imperii donasset, quodque item tam magnifice tamque splendide ipse cum suis omnibus accepti fuissent, quem praeterea ad expeditionem in Turcos multis rationibus adhortatur*

⁴ Voigt, III, pp. 53-55

⁵ There may have been good reasons for his apparent inaction, though (Setton, II, pp. 104 ff.), including the virulent opposition of the Greek Church against the Latins and the Roman Church, and the complete lack of crusading enthusiasm among the Western rulers, not counting the Duke of Burgundy

crusading initiatives would earn him to be called “the greatest crusading pope of the Renaissance”¹ and “the most militant crusader of the Renaissance”² and to have a decisive influence on the development of the humanist Turkish discourse and on European perceptions of the Turks for many years.

2. Themes

The oration has four main themes:

- Definition of a crusade (the What)
- Motives for a crusade (the Why)
- Feasibility of a crusade (the How)
- Ecumenical council

2.1. Definition of a crusade

Throughout the oration, Piccolomini does not use the term crusade (*crociata*), but the term *passagium*, which he defines thus - on the basis of an analogy with the migration of birds:

A crusade is a large military expedition proclaimed by the Christians against the infidels ... when, at the bidding of the Apostolic See, they take up arms and in great throngs move towards the enemies of the faith. And it is not a true crusade (passagium) unless many peoples participate. ... The crusaders who take part in it merit the plenary remission of all their sins. [Sect. 5]

2.2. Motives for a crusade

The emperor’s motive for a crusade was threefold, said Piccolomini:

¹ Hankins, p. 113

² Hankins, p. 128

- Compassion (commiseratio)
- Benefit (utilitas)
- Honour (honestas)¹

The emperor is moved by the **compassion** he feels for the Christians subjugated by the Turks; the abject condition of Jerusalem that he saw for himself when as a very young man he visited the Holy Land;² his cousin's realm of Hungary, bearing the brunt of Turkish aggression; and the Christian areas, e.g. the Mediterranean islands, being molested by continual Turkish attacks. In his description of this theme, Piccolomini introduces the concept of Greece as mother of letters, laws and morals (after Cicero) and of the humanities [sect. 10]. He also uses Europe in a geopolitical sense in his famous statement of Christianity having been reduced to the corner of Europe (*in angulum Europae redactus est*) after the loss of Africa and Asia. It is worth mentioning that Piccolomini had developed this theme already six years before, in 1446, in his oration to Pope Eugenius IV, the "*Et breviter me hodie*", where he said: *In Europe there are many conflicts: one region is occupied by the gentile Teucrians, another by the Saracens, and yet another by schismatics infected with various heresies. Christianity has been reduced and pressed into a corner.*³

The **benefits** of the crusade would be to help the Hungarians resist Turkish expansion and to liberate the Greeks and the Holy Land from the Turks; to exterminate islam; to propagate Christian faith; and to merit the crown of eternal life.

Concerning **honour** there can be no greater such than fighting for God in a war that has been properly declared and proclaimed: *It is glorious to fight for the faith* [sect. 16].

2.3. Feasibility of a crusade

In this oration, Piccolomini uses the concept *possibilitas*, where later he will use the concept *facilitas*.

He considers the feasibility of the crusade under two aspects: ease of mobilization and chances of success.

¹ Cf. RTA, 19, 2, p. 505, n. 35

² Piccolomini had already used the theme of the emperor's pilgrimage to the Holy Land in an oration in 1451, the "*Quamvis in hoc senatu*" [17], sect. 4

³ Oration "*Et breviter me hodie*", sect. 2: *In Europa quoque multa dissidia sunt: partem [habent] gentiles Teucri, partem Saraceni, partem schismatici diversis haeresibus infecti. Reducta autem et coartata in angulum quendam est nostra Christianitas*. Piccolomini hasd borrowed this expression from Fabio Biondi

Concerning **mobilization**, Piccolomini believes – or pretends to believe – that the warlike Europeans would rather fight the Turks than each other, and that a joint expedition against the Turks will actually relieve the Europeans of their incessant, intestinal conflicts.

As for **financing**, the crusade will cost a lot of money, of course, but Piccolomini believes that communities plagued by war would willingly contribute to an international war against the Turks in order to be rid of their own local wars. And there are other means which Piccolomini would rather discuss with the pope privately. The sale of indulgences spring to mind ...

The chances of success of the crusade was an important issue, since the success of war is generally uncertain, and in particular because the Christians had been roundly defeated by the Turks in a number of previous battles, at Nicopolis in 1395 and at Varna in 1444, just to mention two battles that were great military disasters for the Europeans.

Piccolomini argues that European military skills and valour are much greater than those of the “effeminate” Turks whose former military victories were only due to their superior numbers. If the Europeans unite, they can easily match the size of the Turkish armies.¹

Also, the European enterprise would be favoured by the internal divisions of the Turks and by their conflicts with other peoples in the regions.

As a final argument, Piccolomini refers to an old Arab prophecy that Islam would begin to decrease after 800 years. It is uncertain to what extent such an argument would be taken seriously by his rather world-wise audience.

In conclusion: Victory is certain! There is no reason to hesitate.

2.4 Ecumenical council

When, in 1443-1444, the imperial government of Friedrich III began to move towards ending the German Neutrality between the schismatic council of Basel and the Roman pope, Eugenius IV,² one of the conditions was that the pope should summon a new ecumenical council. As imperial

¹ Schowebel, p. 19

² Oration “*Si putarem*” [5]

ambassador and envoy, Piccolomini had himself presented these demands to the pope on diplomatic missions to the Papal Court in 1445, 1446, and 1447.¹

After the reconciliation with the Papacy, the imperial government began to abandon the idea of another council.

This move was announced by Piccolomini in his oration "*Fateor*" [15] where – on behalf of the emperor – he demanded that the new council should take place in Germany and posed various other conditions which made it clear that a new council was no longer high on the imperial agenda. Whether Piccolomini had truly received instructions from the emperor to announce these conditions or whether he took it upon himself to make an announcement which he knew would express an imperial policy in development is uncertain.²

It is quite certain, however, that by 1452 the imperial government had definitively abandoned the plan for another council. It was triumphantly announced by Piccolomini, on behalf of and in the presence of emperor and the pope, when in the oration "*Moses vir Dei*" he said:

*... the emperor wanted to use the opportunity of this visit to Your Holiness to bring forward a matter that has been close to his heart and mind since his early youth. Another would perhaps have requested a general council or reform decrees, but what council can be greater than the presence of Your Holiness and your Holy Senate. In vain does anyone request a council who does not obey the commands of the Roman Pontiff. Where Your Holiness is, there is the council, there the laws, there morals, decrees and salutary reform.*³

As Pope Pius II, he later revised the oration with a view to inclusion in his collected orations, and in this context he weakened the whole passage considerably:

*Another would perhaps have requested a general council or reform decrees or something else.*⁴

The reason for this revision is probably that as an imperial politician and diplomat he had, in 1452, really gone too far in downplaying the authority of the councils. As pope, he would have to uphold the authority of the ecumenical councils, and he probably also believed in it: his political

¹ Orations "*Prius sanctissime praesul*" [7], "*Et breviter me hodie*" [10], and "*Non habet me dubium*" [11]

² Oration "*Fateor*" [11], Introduction, sect. 2.3

³ *Alius fortasse vel generale concilium vel reformationis decreta petivisset, sed quod majus haberi concilium potest quam tuae sanctitatis tuique sancti senatus praesentia. Frustra concilium petit, qui Romani pontificis mandata non recipit. Ubi tua sanctitas est, ibi concilium, ibi leges, ibi mores, ibi decreta salubrisque reformation.* (Early Version, sect. 24)

⁴ *Alius fortasse aut concilium generale petivisset aut reformationis decreta, aut aliud quidpiam* (Final Version, sect. 24)

statement on behalf of the emperor in 1452 simply could not be held as a doctrinal tenet by a reigning pope.

3. Date, place, audience and format

According to Wagendorfer, the oration was held on 24 April 1452.¹

The place was – most probably – the Apostolic Palace in the Vatican.

The audience was the pope in a public consistory. The emperor and Ladislaus, Archduke of Austria and King of Hungary and Bohemia, and probably a number of their courtiers as well as Roman curials were present.²

The format was an ambassadorial address to the pope on the part of the emperor and in his presence. It could not be more official.

4. Text³

The oration is one of those that Piccolomini revised over the years until it achieved its final form in connection with the compilation of the Collected Orations of Pius II in 1462.⁴ It is extant in an Early Version, an Intermediate Version and a Final version.

4.1. Early Version

The Early Version is identical with or close to the original version as delivered by Piccolomini.

¹ HA, II, 636. Helmrath: *Pius*, p. 89, gives the date as 25 April

² It was now known – even by the Milanese ambassadors who reported it to their duke - that, during his stay in Rome, Ladislaus had tried to escape and become free of the emperor's wardship. He had even privately addressed the pope in the matter. This gave special cogency to Piccolomini's dramatic and emotional appeal to the pope on behalf of Hungary and the orphaned boy-king, standing with the emperor

³ For a comprehensive survey of manuscripts and editions, see Helmrath: *Reichstagsreden*, p. 336-7

⁴ Concerning the textual transmission of Pius II's orations, see *Collected orations of Pope Pius II*, ch. 5

4.1.1. Manuscripts¹

The Early Version is extant both individually in humanist collective manuscripts and as part of Piccolomini's *Historia Austrialis*.

Among the manuscripts containing the individually transmitted Early Version are:

- **Venezia / Biblioteca Marciana**
Lat. XI.80, ff. 309v-312r (**U**) *
Lat. XIV.228, ff. 188v-201r (**V**)²
- **Wien / Österreichische Nationalbibliothek**
3420, ff. 161r-165v (**W**) *

Among the manuscripts containing the manuscripts used by Wagendorfer for his edition of the *Historia Austrialis*³ is⁴:

- **Trento / Biblioteca Comunale**
109 W, ff. 100r-104r (**T**)

4.1.2. Editions

The Early Version (EV) has been edited at least five times:

- Reusner, Nikolaus (ed.): *Selectissimarum orationum et consultationum de bello Turconico variorum et diversorum auctorum volumina quattuor*. Leipzig: Gros & Henning, 1596 / II, pp. 1-9
- *Annales ecclesiastici* (Raynaldus), ad annum 1452, nr. 4. 1659 [*and later editions*]
- Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759. / T. I, pp. 163-173-181 [*Based on the Freher/Struwe ed.*]

¹ Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

² V was apparently written or derives from a copy made while Pius was pope, cf. the title: *Ad beatissimum papam Nicolaum V. oratio nomine imperatoris Federici et Ladislai regis Ungarie a domino Enea episcopo Senensi pro passagio fiendo. Quis dominus Eneas ad presentem est dominus papa Pius II*

³ For what will presumably be the ultimate edition of the text of the *Historia Austrialis*

⁴ HA, II, p. 637, 826

- Piccolomini, Eneas Silvius: *Historia Austriasis*. Eds. M. Wagendorfer & J. Knödler. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica, Scriptores Rerum Germanicarum, Nova Series; 24) / II, pp. 826-843¹

4.2. Intermediate Version

The Intermediate Version (IV) is extant in at least two manuscripts and was included in a number of the early incunabula editions of Pius II's letters.²

4.2.1. Manuscripts

- **München / Bayerische Staatsbibliothek**
Clm 70, ff. 396v-399r **(M)** *
- **Roma / Biblioteca Apostolica Vaticana**
Palat. lat. 598, ff. 159r-161v **(P)** *

4.2.2. Editions

- Pius II: [*Epistolae familiares. De duobus amantibus Euryalo et Lucretia. Descriptio urbis Viennensis.*] Nürnberg: Anton Koberger, 1481, 1486, 1496 / Nr. CCCCXIII. [*In the present text the 1486 edition was used, in the digital edition in Early European Books*] **[KO]**
- Pius II: *Epistolae et varii tractatus*. [Cur.] Ambrosius Archintus & Joannes Vinzalius. Milano: Ulrich Scinzenzeler, 1496, nr. 413
- Pius II: *Epistolae et varii tractatus*. [Cur.] Ambrosius Archintus & Joannes Vinzalius. Lyon: Joannes de Vingle, 1497, 1505, nr. 413
- Pius II: *Epistolae et varii tractatus*. Lyon: Etienne Gueynard, 1518, nr. 413
- Freher, Marquard (ed.): *Germanicarum rerum scriptores aliquot insignes*. Tom. Secundus. Frankfurt, Marnium et haeredes Johannis Aubrii, 1602, pp. 25-28 **(FR1)**

¹ For other editions of the *Historia Austriasis*, see Collected Orations of Pope Pius II, ch. 11: General bibliography

² For a full survey and analysis of the incunabula editions of the letters of Piccolomini/Pius, see Häbler

- Freher, M. & B.G. Struvius (eds.): *Rerum germanicarum scriptores aliquot insignes*. Tom. secundus. Strassbourg, Dulssecker, 1717 / pp. 38-42
- Müller, Johann Joachim: *Des Heil. Römischen Reichs Teutscher Nation ReichsTags Theatrum wie selbiges unter Keyser Friedrichs V. Allerhöchsten Regierung von Anno MCCCCXL bis MCCCCXCIII gestanden ...* Theil I. Jena, 1713, pp. 401-403 [Apparently on the basis of Freher 1602]

The oration was also published among Pius' letters in the *Opera Omnia* edition, which according to Häbler were copied from the Koberger edition¹:

- Æneæ Sylvii Piccolominei Senensis, qui Pius Secundus appellatus est, *Opera quæ extant omnia*, nunc demum castigata et in unum Corpus redacta His quoque, accessit Gnomologia ex omnibus Sylvii Operibus collecta. Basileae: Heinrich Petri, 1551 / 1571. / Pp. 928-932 (OO)²

4.3. Final version

4.3.1. Manuscripts

The Final Version is included in all seven manuscripts containing the Collected Orations of Pius II. The seven manuscripts are the following:

- **Lucca / Biblioteca Capitolare Feliniana**
544, ff. 58v-62v (G) *
- **Mantova / Biblioteca Comunale**
100, ff. 81r-92v
- **Milano / Biblioteca Ambrosiana**
I. 97 inf., ff. 53r-57v (E) *
- **Roma / Biblioteca Apostolica Vaticana**
Chis. J.VI.211, ff. 54r-58v (D) *
Chis. J.VIII.284, ff. 36r-39v (A) *

¹ Cf. Häbler, p. 148

² The OO-edition has been collated with a view to verifying Häbler's assertion (which appears to be correct)

Chis. J.VIII.286, ff. 78v-85r **(C)** *

Vat. lat. 1788, ff. 50r-54r **(B)** *

4.3.2. Editions

The Final Version appears to have been published only once:

- Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759. / T. I, pp. 163-171 [*Based on the Lucca ms.*]

A German translation was published in

- Die Geschichte Kaiser Friedrichs III von Aeneas Silvius. Übers. Th. Ilgen. Leipzig, 1890. (Die Geschichtsschreiber der deutschen Vorzeit in deutscher Bearbeitung; Lief. 85)[2. Unveränd. Aufl., Leipzig, 1940] / Zweite Hälfte, pp. 100-114

4.4. Other manuscripts and editions

Other manuscripts which have not been seen in connection with the present edition and whose status in terms of version (Early, Intermediate, Final) could therefore not been determined are:

- **Freiburg i.B. / Universitätsbibliothek**¹
C10, ff. 115r-119v
- **Fulda / Landesbibliothek**²
4o C10, ff. 115r-116r
- **Venezia / Biblioteca Marciana**³
Lat. XIV 246, ff. 238r-253r

In 1648, the Final Version was published in a commented edition (with collation of a manuscript containing the Early Version), as an academic thesis:

¹ Listed in Kristeller, foliation approximative

² Listed in Kristeller, foliation approximative

³ Listed in Kristeller, foliation approximative

- Steger, Thomas: *Annotatio historica de Passagiis ad Orationem Aeneae Sylui, nomine Imperat. Friderici III. Romæ anno M.CCCC.LII super hoc argumento habitam*. Argentorati: Frid. Spoor, 1648

4.5. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

Texts:

Early Version (EV): The edition is based on all three manuscripts listed and on the Freher edition from 1717, with the Vienna manuscript as the lead text.¹

Intermediate Version (IV): The edition is based on both the manuscripts listed and on the printed editions by Koberger, Freher and the Opera Omnia edition.

Final Version (FV): The edition is based on six of the manuscripts containing the collected edition of Pius' orations, with the Chis. J.VIII 284 as the lead text.

Presentation:

The Early Version (EV) and the Intermediate/Final Version (IFV) are published synoptically, on the left pages, with the Early Version above and the Intermediate/Final Version below. Identical passages (with no regard for differences in word order, grammatical form and in the use of et/ac/atque) are given in bold types².

Pagination:

Early Version: follows the Vienna manuscript.

Intermediate/Final Version: follows the Chis. J.VIII 284.

¹ For an exhaustive edition of the Early version as based on the manuscripts containing the second/third version of the *Historia Austriacalis*, the reader is referred to Wagendorfer's edition

² Except differences in word order, grammatical form and of et/ac/atque

5. Sources¹

In this oration, altogether 41 direct and indirect quotations from various sources have been identified:

Biblical: 18

Classical: 20

Patristic and medieval : 2

Contemporary: 1

All: 41

The classical quotations dominate somewhat over the biblical. There are only two patristic quotation and no quotations from contemporary authors.

Biblical sources: 18

Old Testament: 13

- Deuteronomy: 1
- Numbers: 1
- Daniel: 1
- 2. Chronicles: 1
- Ecclesiasticus: 1
- Isaiah: 2
- Jeremiah: 1
- Lamentations: 2
- 2. Machabees: 1
- Psalms: 2

¹ For an analysis of Piccolomini's use of sources, see *Collected Orations Pope Pius II*, ch. 8

New Testament: 5

- Matthew: 1
- Acts: 1
- 2. Corinthians: 1
- Philippians: 1
- Romans: 1

Classical sources: 20

- Cicero: 9¹
- Ennodius: 1
- Juvenalis: 1
- Plato: 1²
- Plutarch: 1³
- Quintilianus: 1
- Suetonius: 1
- Terentius: 1⁴
- Valerius Maximus: 1
- Vergilius: 3

Patristic and medieval sources: 2

- Jeronimus: 1⁵
- Origenes: 1⁶

Contemporary sources: 1

- Flavio Biondo: 1⁷

¹ De officiis 6; In Catilinam 2; Tusculanae disputationes 1

² Republic

³ Parallel lives

⁴ *Heautontimorumenos*

⁵ Epistolae

⁶ In epistolam Pauli ad Romanos

⁷ Historiarum ab inclinatione Romanorum Imperii decades

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¹ <http://visualiseur.bnf.fr/Visualiseur?Destination=Gallica&O=NUMM-60241>

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- Æneæ Sylvii Piccolominei Senensis, qui Pius Secundus appellatus est, *Opera quæ extant omnia*, nunc demum castigata et in unum Corpus redacta His quoque, accessit Gnomologia ex omnibus Sylvii Operibus collecta. Basileae: 1551 / 1571

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7. Sigla and abbreviations

A = Roma / Biblioteca Apostolica Vaticana / Chis. J.VIII.284

B = Rome / Biblioteca Apostolica Vaticana / Vat. lat. 1788

C = Rome / Biblioteca Apostolica Vaticana / Chis. J.VIII.286

D = Rome / Biblioteca Apostolica Vaticana / Chis. J.VI.211

E = Milano / Bibl. Ambrosiana / I. 97 inf

G = Lucca / Biblioteca Capitolare Feliniana / 544

M = München / Bayerische Staatsbibliothek / clm 70

P = Roma / Biblioteca Apostolica Vaticana / Pal. Lat. 598

T = Trento / Biblioteca Capitolare / 109 W

U = Venezia / Biblioteca Marciana / Lat. XI.80

V = Venezia / Biblioteca Marciana / Lat. XIV-228

W = Wien / Österreichische Nationalbibliothek / 3420

FR1 = Freher, Marquard (ed.): *Germanicarum rerum scriptores aliquot insignes*. Tom. Secundus. Frankfurt, Marnium et haeredes Johannis Aubrii, 1602, pp. 25-28

KO = Pius II: *Epistolae familiares. De duobus amantibus Euryalo et Lucretia. Descriptio urbis Viennensis*. Nürnberg: Anton Koberger, 1486

OO = Aeneas Sylvii Piccolominei Senensis, qui ... Pius Secundus appellatus est, *Opera quæ extant omnia*, nunc demum castigata et in unum Corpus redacta His quoque, accessit Gnomologia ex omnibus Sylvii Operibus collecta. Baesileae: Heinrich Petri, 1551/ 1571

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austriasis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

HB = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

MA = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

Decretum = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

Epistolarium = Enee Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007

Rainaldus = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

Reject = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*. Intr. and transl. by T.M. Izbicki *et al.* Washington, D.C., 2006

II. TEXT AND TRANSLATION

[EV] Aeneae Sylvii oratio suasoria ad Nicolaum V. PP. ut Caesarem Fridericum in Turcos passagium parantem, modis omnibus adjuvare velit¹

[IV/FV] Oratio Aeneae Silvii Piccolominei Senensis episcopi² qui postea pontificatum maximum adeptus Pius II. appellatus est habita Romae coram Nicolao Pontifice astante imperatore Friderico et rege Hungariae Ladislao. In consistorio³

¹ Title in Freher's edition

² Senensis episcopi : episcopi Senensis B, C, F

³ Oratio ... consistorio : Aeneae Silvii episcopi Senensis oratio ad Nicolaum pontificem nomine Caesaris de passagio contra infideles indicendo **D, G**; Oratio ... consistorio : Hoc fuit initium orationis [*sic!*] Enee Silvii Piccolo. episcopi Senensis quod postea Pius II. Pont. Maxi. appellatus est habita Romae coram Nicolao Pot. astante imperatore Frider. et rege Hung. Ladislao in cons. **E**; Oratio que fecit dominus Senensis Eneas Silvius poeta laureatus coram domino nostro sanctissimo et senatu cardinalium pro domino imperatore ad passagium indicendum **M**; [No title] **P**; Oratio ad Sanctissimum dominum Nicolaum papam quintum pro parte Invictissimi domini Friderici Romanorum Imperatoris super passagio contra Turchos imponendo facta per dominum Eneam Episcopum Senensem **U, W**; Ad beatissimum papam Nicolaum V. oratio nomine imperatoris Federici et Ladislai regis Ungarie a domino Enea episcopo Senensi pro passagio fiendo. Quis dominus Eneas ad presentem est dominus papa Pius II **V**; Oratio suasoria ad Nicolaum V. PP. ut Caesarem Fridericum in Turcos passagium parantem modis omnibus adjuvare velit **FR1**; Oratio Aeneae coram Sanctissimo Senatu Cardinalium imperatore coronato pontifice, et eius nomine ad passagium incedendum **OO**; Oratio Enee coram sanctissimorum senatu cardinalium imperatore coronato presente et eius nomine ad passagium inducendum CCCCLIII **KO**

[IV/FV] Oration of Enea Silvio Piccolomini, Bishop of Siena and pope under the name of Pius II, delivered in Rome before Pope Nicolaus, in the presence of Emperor Friederich and King Ladislaus of Hungary. In the consistory

[1] [EV] {161v} **Moyses, vir dei, beatissime pater^{1 2}, maxime pontifex, cum sibi successorem ordinaret Josue, filium Num, divinam vocem ad se dicentem audivit: Pro hoc *si quid agendum erit, Eleazar sacerdos consulet dominum; ad verbum ejus egredietur et ingredietur ipse et omnes filii Israel cum eo et cetera multitudo*. Quibus verbis non populi solum, sed reges et principes admonentur magnis in rebus, etiam bellicis, summi sacerdotis et consilium quaerere et imperium sequi.**

[1] [IV/FV] {36r} **Moyses, vir dei, beatissime pater, maxime pontifex, cum sibi ordinaret successorem³ Josue, filium Nun⁴, divinam vocem ad se dicentem audivit:⁵ *Si quid agendum erit, Eleazar sacerdos consulet dominum; ad verbum ejus egredietur⁶ et ingredietur⁷ ipse et omnes filii Israel cum eo et cetera multitudo*. Quibus verbis non populi solum, sed reges et principes monentur⁸ magnis in rebus summi sacerdotis consilium quaerere et imperium sequi.**

¹ omit. U, W

² et add. V

³ ordinaret successorem : succesorem ordinaret KO, OO

⁴ Num B, C, E, KO, OO

⁵ pro hoc add. FR1; per hoc add. KO, OO

⁶ egreditur KO, OO

⁷ ingreditur KO, OO

⁸ amonentur M; admonentur FR1; moventur KO, OO

0. Introduction

[1] [IV/FV] Holy Father, Supreme Pontiff,¹ when Moses, the man of God,² appointed Joshua, son of Nun, as his successor, he heard the voice of God speaking to him: *If any thing needs to be done, Eleazar the priest shall consult the Lord for him. He and all the children of Israel with him, and the rest of the multitude shall go out and go in at his word.*³ These words admonish not only peoples, but also kings and princes to seek, in great matters, the advice of the High Priest⁴ and follow his commands.⁵

¹ Nicolaus V [Tommaso Parentucelli] (15.11.1397-24.3.1455): [Pope](#) from 6 March 1447 to his death

² Moyses vir Dei: Piccolomini had borrowed these opening words from a bull of Pope Eugenius of 4 September 1439 in which he condemned the decree *Sacrosancta* of the Council of Konstanz and declared the clergy at Basel schismatics and heretics, see Rainaldus, ad ann. 1439, nr. 29. Choosing this incipit, he was thus making an implicit statement of imperial support for the papacy

³ Numbers, 27, 21

⁴ By analogy: the pope

⁵ Note that in the final version Piccolomini's reuses the notion of the imperium of the high priest in great matters, but not the notion that this imperium extends to military matters (*res bellicae*)

[2] [EV] Quod¹ postmodum et² in novo testamento et in tempore gratiae multis exemplis et auctoritatibus est firmatum, sicut et Constantini Magni et Theodosii et³ Justiniani et aliorum Christianorum Caesarum⁴ gesta⁵ testantur. Eam ob causam cupidus⁶ atque avidissimus⁷ divus Caesar Fridericus, Romanorum imperator Augustus, filius tuus obsequentissimus, suis diebus adversus impios {162r} Mahumeti cultores generale passagium fieri, atque in illud suum studium, suas curas suasque vires omnes convertere, te prius, magni dei vicarium, Christianae plebis sacratum caput, perfectum ducem, optimum rectorem, veracem magistrum et consulendum, et audiendum, et sequendum existimavit, cujus providentia noscere, auctoritas monere⁸, potestas implere possit, quod sit agendum.

[2] [IV/FV] Quod postmodum et in novo testamento ac⁹ in tempore gratiae multis exemplis et auctoritatibus est firmatum¹⁰, sicut et¹¹ Constantini Maximi¹² et Theodosii et Justiniani et aliorum Christianorum Caesarum gesta testantur¹³. Eam¹⁴ ob causam cupidus atque avidissimus Caesar, divus¹⁵ Fridericus, Romanorum¹⁶ imperator Augustus, {36v} filius tuus obsequentissimus¹⁷, suis diebus¹⁸ adversus impios Mahumeti cultores generale passagium fieri¹⁹, atque in illud suum studium suasque vires²⁰ omnes convertere, te prius, magni dei vicarium, Christianae plebis sacratum²¹ caput, perfectum²² ducem, optimum rectorem²³, veracem magistrum consulendum²⁴, audiendum,

¹ admonentur magis ... quod *omit.* U, W

² *omit.* T

³ *omit.* T

⁴ et aliorum ... Caesarum *omit.* T

⁵ Caesarum gesta : gesta Caesarum U

⁶ cupide V

⁷ avidissime V

⁸ movere T, U, V, W

⁹ et G

¹⁰ servatum M

¹¹ *omit.* D, G

¹² magni M, KO, OO

¹³ sicut et ... testantur *omit.* P

¹⁴ eamque P

¹⁵ dominus M, FR1; divinus KO

¹⁶ Romanus M, KO, OO

¹⁷ tuus obsequentissimus : obsequentissimus tuus F

¹⁸ suis diebus : suo tempore M, P, FR1, KO, OO

¹⁹ fieret KO, OO

²⁰ curas M, FR1, KO, OO

²¹ plebis sacratum : religionis magnum P; plebis sacratum FR2; plebis sacratum religionis magnum M, FR1, KO, OO

²² profectum OO

²³ optimum rectorem : rectorem optimum C

²⁴ et *add.* FR1

et¹ sequendum censuit, cuius providentia² noscere³, auctoritas monere⁴, potestas implere⁵ possit⁶, quod⁷ sit agendum.

[2] [IV/FV] That this was also the practice in later times, both in the [time of the] New Testament and in the Time of Grace⁸, is confirmed by many examples and authorities and witnessed by the acts of Constantine the Great,⁹ Theodosius,¹⁰ Justinianus¹¹ and other Christian emperors.

Friedrich,¹² Holy Caesar and August Emperor of the Romans, your most obedient son, eagerly and earnestly desires that there should be in his days a crusade¹³ against the impious followers of Muhammad,¹⁴ and directs all his energy and resources towards this goal. He has therefore decided first to consult, hear, and follow you, Vicar of the Great God,¹⁵ Holy Head, Perfect Leader, Eminent Governor and True Teacher of the Christian people: your wisdom will know what should be done, your authority will impose it, and your power will execute it.

¹ *omit.* P, FR1

² *providentiam* M, KO, OO

³ *vestra* OO

⁴ *movere* M, KO, OO

⁵ *cogere* FR1

⁶ *potest* G, M, P, FR1, KO, OO

⁷ *quod corr. ex quid* A; *quid* M, P, FR1, KO, OO

⁸ i.e. the Christian age

⁹ Constantinus I [Flavius Valerius Aurelius Constantinus Augustus] (ca. 272-337): Roman Emperor from 306 to his death

¹⁰ Theodosius I [Flavius Theodosius Augustus] (347-395): Roman Emperor from 379 to his death

¹¹ Justinian I [Flavius Petrus Sabbatius Justinianus Augustus] (ca. 482-565): Byzantine Emperor from 527 to his death

¹² Friedrich III (Habsburg) (1415-1493): Duke of Austria (as Friedrich V) from 1424. Elected King of Germany and Holy Roman Emperor in 1440, crowned in Rome in 1452

¹³ "generale passagium". Hereafter translated as "crusade"

¹⁴ Muhammad (ca. 570-ca. 632): the founder of Islam

¹⁵ The papal title of Vicar of God (or of Christ) was first used by Pope Innocent III (1198-1216). It signalled the supremacy of the papal office, also in temporal affairs, cf. Sayers, pp. 14-16

[3] [EV] **Venit igitur ad te hodie tuumque** gravem et ornatissimum **senatum Caesar super universali passagio cum tua beatitudine** tractaturus. **Coronatus enim**¹ jam triplici corona ejusque regni tua **beneficientia rex**² **confirmatus, cujus potentiam Daniel ferro comparavit, cujus limites solus claudit Oceanus, cujus fundator** Octavianus, **confirmator**³ **Jesus Christus**⁴ **fuit, quod Romana semper ecclesia magnificet, extulit, honoravit, cujus auctoritas in terris nisi tuae cedit nulli, cujus officium est** patrocinari ecclesiae, tueri religionem, ***parcere subjectis et debellare superbos***. Hujus, inquam⁵, regni solium adeptus Caesar, **quid aliud cogitet quam passagium, per quod et**⁶ **Christiani fortiores et** hostes fidei **reddantur imbecilliores? Princeps, inquit sapiens, quae sunt digna principe cogitabit. [cont.]**

[3] [IV/FV] **Venit igitur ad te hodie**⁷ **tuumque**⁸ sacratissimum **senatum Caesar super universali passagio cum tua beatitudine** locuturus. **Coronatus enim jam triplici corona ejusque regni tua benificentia rex confirmatus, cujus potentiam Daniel ferro comparavit, cujus limites solus claudit oceanus, cujus fundator** Romulus⁹, **confirmator** Julius, ampliatus¹⁰ Augustus, approbator dominus **Jesus fuit, cujus auctoritas in terris nisi tuae cedit nulli, cujus officium est** ***parcere***¹¹ ***subjectis et debellare superbos***. **Quid aliud cogitet**¹² **quam passagium, per quod et**¹³ **Christiani fortiores et** inimici Christi nominis¹⁴ **redduntur**¹⁵ **imbecilliores? Princeps**¹⁶, **inquit**¹⁷ **sapiens**¹⁸, ***quae sunt digna principe***¹⁹ ***cogitabit. [cont.]***

¹ omit. T

² omit. V

³ dominus add. V, T

⁴ omit. V, T

⁵ hujus inquam : huiusque U

⁶ omit. V

⁷ ad te hodie : hodie ad te KO, OO

⁸ tuum M

⁹ Romulus Julius Augustus Jesus in marg. D, G

¹⁰ amplificator M, KO, OO

¹¹ partem M

¹² cogit KO; cogitat OO

¹³ omit. B, D, E, G

¹⁴ Christi nominis : nominis Christi FR1

¹⁵ creduntur M, KO, OO

¹⁶ ut add. FR1

¹⁷ inquam M, KO, OO

¹⁸ Sapiens in marg. A, D, G

¹⁹ principis M; principi KO, OO

[3] [IV/FV] So, today the emperor comes to you and your Holy Senate¹ to talk with Your Holiness about a crusade.² He has now been crowned with the Triple Crown,³ and through your benevolence⁴ he has been confirmed as king of his realm. The power of this realm Daniel⁵ likened to iron,⁶ and its only limit is the Ocean. It was founded by Romulus,⁷ confirmed by Julius,⁸ enlarged by Augustus,⁹ approved by Lord Jesus.¹⁰ On Earth his authority only defers to your own,¹¹ and his duty it is *to spare the vanquished and to crush the proud*.¹² What else should he be thinking of than a crusade which will both strengthen the Christians and weaken the enemies of the name of Christ? For *the prince*, says the Wise One, *will devise such things as are worthy of a prince*.¹³ [cont.]

¹ i.e. The College of Cardinals

² "universale passagium". Hereafter translated as "crusade"

³ 19 March 1452, i.e. about a month before

⁴ The papal claim of having the ultimate right to bestow empires and kingdoms was still maintained by the popes at this time, but it was blatantly out of touch with political reality

⁵ Daniel: (Bibl.) The protagonist of the Book of Daniel

⁶ Daniel, 2, 40: *And the fourth kingdom shall be as iron. As iron breaketh into pieces, and subdueth all things, so shall that break, and destroy all these*

⁷ Romulus: twin of Remus, legendary co-founder of Rome

⁸ Julius Caesar, Gaius (100-44 BC): Roman general and statesman

⁹ Augustus, Gajus Octavianus (63 BC-14 AD): Adoptive son of Julius Caesar. Founder of the Roman Empire and its first emperor, ruling from 27 BC to his death

¹⁰ The Early Version has: *It was founded by Octavian, and confirmed by the Lord Jesus*

¹¹ Here Piccolomini echoes the claim that papal authority is superior to that of the emperor

¹² Vergilius: *Aeneis*, 6.853

¹³ Isaiah, 32, 8

[3] [EV cont.] Reges apud Medos, ut Herodotus, apud omnes, ut Cicero sensit, *justitiae fruendae causa* sunt creati, velut¹ injuriarum propulsatores, qui si Platoni magno voluerint auscultare ceterisque philosophis recta monentibus oboedire, *procuracionem reipublicae non ad suam*, sed ad eorum, qui sibi *commissi sunt, utilitatem* gerere² conabuntur. Atque hoc est quod de passagio Caesarem et sollicitum et anxium facit.

[3] [IV/FV cont.] Reges apud Medos, ut Herodotus inquit³, apud omnes, ut Curtius⁴ sensit, *justitiae fruendae causa* creati sunt, velut injuriarum propulsatores⁵, qui si Platoni⁶ ⁷ auscultare volunt⁸ ceterisque philosophis recta monentibus⁹ oboedire, *procuracionem*¹⁰ *reipublicae non ad suam*, sed ad eorum, qui¹¹ sibi *commissi sunt, utilitatem* gerere debent¹². Atque hoc est, quod de passagio Caesarem et sollicitum et anxium facit¹³.

¹ omit. T

² convertere T

³ numquam M; omit. P

⁴ Cicero M, P, FR1, KO, OO

⁵ propulsores M, KO, OO

⁶ praelatum M, KO, OO

⁷ Plato add. in marg. D, G

⁸ voluerint FR1

⁹ manentibus M

¹⁰ procuracione M, KO

¹¹ que M

¹² dicuntur M, KO, OO

¹³ fecit M, KO, OO

[3] [IV/FV cont.] And in Media as Herodotus¹ says, and everywhere, as Curtius² believes, *kings were made in order that the people might enjoy justice.*³ Their task is to drive out all injustice, and if they will listen to Plato and obey other philosophers who teach morals,⁴ their administration will not be to their own benefit, but to the benefit of those entrusted to them.⁵ This is why the emperor is so concerned and preoccupied with the crusade.

¹ Herodotus (ca. 484-425 BC): Greek historian

² Curtius Rufus, Quintus: Roman historian, writing probably during the reign of the Emperor Claudius (41-54 AD) or Vespasian (69-79 AD). His only surviving work, *Historiae Alexandri Magni*, is a biography of Alexander the Great in Latin in ten books

³ Cicero: *De officiis*, 2.12.41.: *Mihi quidem non apud Medos solum, ut ait Herodotus, sed etiam apud maiores nostros iustitiae fruendae causa videntur olim bene morati reges constituti*

⁴ "recta monentibus"

⁵ Cicero: *De officiis*, 1.25.85; Plato: *Republic*, 420B

[4] [EV] Super qua re dicturus ego, quae sua mihi¹ majestas imperat, oratiunculam meam tres in partes dividam. In prima dicam, quid sit passagium, quod petitur. In secunda, cur petatur. In tertia, facillene² passagium fructuosumque³ sit futurum. Quibus in rebus si longior fuero, cum rerum magnitudine verba comparentur⁴, sic fortasse brevior apparebo. Quid dixi apparebo⁵? Immo ero re vera brevis, nam docti dicere multa possunt, indocti non possunt⁶: sola brevis, ut Ennodius⁷ ait⁸, *commendat indoctos*.

[4 IV/FV] Super qua re dicturus ego⁹, quae mihi sua¹⁰ majestas imperat, orationem meam in tres partes dividam¹¹. In prima dicam¹², quid sit passagium, quod quaeritur¹³. In secunda, cur petitur¹⁴. In tertia, facillene passagium fructuosumque¹⁵ sit futurum. Quibus in rebus si longior fuero¹⁶, cum rerum magnitudine¹⁷ verba¹⁸ comparentur¹⁹, sic fortasse brevior apparebo²⁰. Quid dixi apparebo?²¹ Immo²² ero²³ re vera brevis²⁴, quoniam, Ovidio²⁵ 26 testante²⁷, *sola brevis commendat indoctos*.

¹ omit. V

² facile ut U, W

³ fructuosum U, W

⁴ comparent U, W

⁵ quid dixi apparebo omit. T

⁶ indocti non possunt omit. T; et add. V

⁷ Ennodius T, U, W

⁸ Ennodius ait : ait Eunodius V

⁹ ea M; eo KO, OO

¹⁰ mihi sua : sua mihi P, FR1

¹¹ Divisio in marg. D, G

¹² dicens KO, OO

¹³ petitur F

¹⁴ petatur M, P, FR1, KO, OO

¹⁵ fructuosum M, KO, OO

¹⁶ fuerit P; oratio fuerit FR1; fuerim M, KO, OO

¹⁷ magnitudini M, P, KO, OO

¹⁸ omit. P, FR1

¹⁹ comparetur FR1; comparantur M, KO, OO

²⁰ videbitur M, P, FR1, KO, OO

²¹ quid ... apparebo omit. B, E, M, P, FR1, KO, OO

²² omit. M, P, FR1, KO, OO

²³ tamen add. M, P, FR1, KO, OO

²⁴ brevius E

²⁵ e modio M; Ennodio P, FR1; Empedocle KO, OO

²⁶ Ovidius in marg. D, G

²⁷ teste M, P, FR1, KO, OO

[4] [IV/FV] On this matter I shall now say what His Majesty commands. I will divide my oration into three parts: in the first one, I shall explain what is the crusade (passagium) that is being demanded. In the second, why it is being demanded. And in the third, if the crusade will be feasible and successful. My presentation may appear to be somewhat lengthy, but considering the importance of the matter, it may seem to be brief. Did I say “seem to be brief”? Actually, I am always brief, for, as Ovid says, *brevity alone commends the unlearned*.¹

¹ Not Ovid, but Magnus Felix Ennodius: *Epistolae*, 7.12. MPL, LXIII, col. 119

[5] [EV] Sed jam primum absolvamus. Passagii vocabulo nihil aliud designamus quam militarem¹ expeditionem numerosissimam adversus infideles per Romanum pontificem indictam. Quam qui sequuntur cruce signati plenariam peccatorum remissionem et merentur et assequuntur, appellaturque passagium sermone {162v} Italico quasi transitus. Nam sicut aves quaedam certis anni temporibus gregatim² de regione in regionem³ transeunt dicunturque passagium facere, sic et Christiani nonnumquam, armis sumptis⁴ turmatim⁵ incedentes, atque in hostes fidei ex apostolicae sedis jussione prosilientes, et visi et dicti sunt passagium habuisse⁶. Numquam tamen verum passagium dici potest, nisi multorum fuerit populorum, qui migrare magis novas sedes quaesituri, quam bellaturi videantur, qualis Gallorum, Cimbrorum, Gothorum, Hunnorum in Italiam inundatio fuit. Intelligunt jam omnes, nisi fallor⁷, quid sit passagium, quod petitur.

[5] [IV/FV] Sed jam primum absolvamus. Passagii vocabulo nihil aliud designamus quam expeditionem militarem numerosam⁸ adversus infideles per Christianos indictam. Quam⁹ qui¹⁰ sequuntur¹¹ cruce signati plenariam peccatorum omnium¹² remissionem merentur, appellaturque passagium sermone Italico quasi transitus. Nam sicut aves quaedam gregatim certis anni temporibus de regione in regionem transeunt dicunturque¹³ passagium facere, sic¹⁴ et¹⁵ Christiani nonnumquam, sumptis armis turmatim incedentes, atque in hostes fidei ex apostolicae sedis jussu prosilientes, et visi et¹⁶ dicti¹⁷ sunt passagium habuisse. Neque verum passagium videri potest, nisi multorum fuerit¹⁸ populorum qui migrare {37r} magis novas sedes quaesituri, quam bellaturi videantur, sicut Cimbrorum in Italiam¹⁹ inundatio²⁰ ac¹ Gothorum et Hunnorum excursio. Habemus quid sit passagium.

¹ militanter V

² omit. T

³ regiones T

⁴ armis sumptis : sumptis armis U, V, W

⁵ trans mare T

⁶ facere U, V

⁷ fallar T

⁸ numerosissimam M, KO, OO

⁹ qua A; quod D, G

¹⁰ si M, KO, OO

¹¹ consequuntur M, KO, OO

¹² omit. FR1

¹³ dicuntur quoque KO, OO

¹⁴ omit. M, KO, OO

¹⁵ omit. M

¹⁶ Dei add. KO, OO

¹⁷ docti M

¹⁸ fiunt KO, OO

¹⁹ Italia M, KO, OO

²⁰ mendacio P

¹ ad OO

1. Concept of crusade

[5] [IV/FV] Now we shall deal with the first. By the word crusade (*passagium*) we simply mean a large military expedition proclaimed by the Christians against the infidels. The crusaders¹ taking part in it merit the plenary remission of all their sins. The Italian word for *passagium* means something like migration²: as some birds are said to make a passage when at certain times during the year they migrate from region to region, thus from time to time the Christians are seen and said to make a passage when, at the bidding of the Apostolic See,³ they take up arms and in great throngs move towards the enemies of the faith. It is not a true crusade (*passagium*) unless many peoples participate, seeming to migrate in search of new homes more than going to war - just like the Cimbrians⁴ inundated Italy and the Goths⁵ and the Huns⁶ made their invasion. So, this is what is meant by crusade (*passagium*).⁷

¹ "cruce signati"

² "transitus"

³ Note that it is the pope who has the initiative and authority to indict a crusade

⁴ The Cimbrians: Germanic tribes which migrated from the Danish peninsula of Jutland into Roman controlled territory, where they were defeated in The Cimbrian War (113-101 BC)

⁵ The Goths: East Germanic people, two of whose branches, the Visigoths and the Ostrogoths, played an important role in the fall of the Roman Empire

⁶ The Huns: a nomadic people or peoples, who are known to have lived in Eastern Europe, the Caucasus and Central Asia between the 1st century AD and the 7th century. By 370 AD, the Huns had established a vast, if short-lived, Hunnic Empire in Europe

⁷ Housley, p. 221: *The reason he used the phrase [passagium/migratio] at Rome in 1452 was to make the point that the Turks owed their conquests only to their numbers*

[6] [EV] **Nunc**, petitionis causas **exponamus**, quas **tris** esse comperio: **commiserationem**, **utilitatem**, et **honestatem**.

[6] [FV] **Nunc**, cur petatur, **exponamus**. **Tria sunt**, quae Caesarem passagii cupidum reddunt¹: **commiseratio**, **utilitas**, atque **honestas** rei.

¹ reddant M, KO, OO

2. Motives for the petition

[6] [IV/FV] Now we shall explain why it is being requested. Three things make the emperor desire a crusade: compassion, benefit and honour.

[7] [EV] Unde vero commiseratio prodeat, *paucis, adverte, docebo. Quis infirmatur*, inquit apostolus, *et ego non infirmor*? Quis scandalizatur, et ego non scandalizor?¹ Pulchre, recte, religiose, sancte dictum. Nam *cujus pectus adeo durum est, ut dolentibus non condoleat, gementibus non congemat*, tristantibus fratribus² non contristetur? Caesar quidem³ postquam discretionis attigit annos coepitque noscere fidei nostrae sacramenta, mox religionis induit zelum, rebusque omnibus divini cultus praeposuit augmentum. Sic enim et suae naturae bonitas et sanguinis nobilitas exposcebat. Nam sublimis et inclytae⁴ domus Austriae principes, inter quos plures et reges et imperatores claruerunt, tunc sibi prospere succedere speraverunt, cum *divino* numini *bene et constanter famulati essent*⁵.

[7] [IV/FV] Unde vero commiseratio prodeat⁶, *paucis, adverte, docebo. Quis infirmatur*, inquit apostolus, *et ego non infirmor*? Quis⁷ videt⁸ afflictos et non affligitur? *Cujus pectus adeo durum est, ut dolentibus non condoleat, gementibus non congemat*, tristantibus non contristetur? Caesar quidem postquam discretionis attigit annos coepitque⁹ noscere fidei nostrae^{10 11} sacramenta¹², mox religionis induit zelum, coepitque rebus omnibus divini cultus augmentum praeponere, quod sibi et suae¹³ naturae bonitas et nobilitas sanguinis suadebat. Nam domus Austriae principes¹⁴, inter quos plures et¹⁵ reges et¹⁶ imperatores floruerunt¹⁷, tunc sibi prospere succedere speraverunt, cum *divino* nomini¹⁸ *bene atque*¹⁹ *constanter famulati fuissent*.

¹ quis scandalisatur .. scandalisor *omit.* T

² *omit.* T

³ quidam W

⁴ et inclytae *omit.* T

⁵ fuissent T

⁶ procedat D, G

⁷ qui M, KO, OO

⁸ vidit M, KO, OO

⁹ tepidus et M

¹⁰ *omit.* FR1

¹¹ fidei nostrae : nostrae fidei KO, OO

¹² sacramentum OO

¹³ sua M

¹⁴ princeps M, KO, OO

¹⁵ *omit.* P

¹⁶ et ... et : ac ... ac KO, OO

¹⁷ fluxerunt M

¹⁸ cultui M; numini P, FR1

¹⁹ ac G; et M, KO, OO

2.1. Compassion

[7] [IV/FV] Why compassion? *Pay heed, and I will explain in brief.*¹ *Who is weak*, says the apostle, *and I am not weak.*² Who sees afflicted people, and does not become afflicted himself? Whose heart is so hard that he does not *suffer together with those who are suffering, lament together with those who are lamenting,*³ and is not sad together with those who are sad. When the emperor reached the age of reason and came to know the sacraments of our Faith, he soon became devoted to religion and began to set growth of the worship of God above all else, as his natural goodness and noble blood urged him to do. For the princes of the House of Austria, among whom have been many kings and emperors, ever hoped to be successful *when they had served the divine name well and unshakeably.*⁴

¹ Vergilius: *Aeneis*, 8.50

² 2. Corinthians, 11, 29

³ Origenes: *In epistolam Pauli ad Romanos explanationes*, 7, 2 (transl. of Rufinus)

⁴ Valerius Maximus: *Facta et dicta memorabilia*, 1.1.9

[8] [EV] **Quorum vestigia** sectatus **Fridericus defunctis parentibus**, ut primum **tutelam exivit**¹, **adolescens adhuc**² **trans mare navigavit**, **contemnensque pelagus** et tempestatum minas, **digitis a morte**³ **remotus**⁴ **quattuor aut septem**, cupidus **osculari**⁵ locum, **ubi fuerunt pedes ejus, qui nos redemit in medio terrae salutem operatus**, Jerusalem perrexit, sepulchrum domini visitavit, Calvariae locum inspexit, montem ascendit Oliveti, vidit cenaculum magnum⁶ stratum, et Pilati praetorium, intravit⁷ desertum, transivit Jordanem⁸, Bethlehem accessit, et vallem Josaphat penetravit. Mirabilem sibi atque incredibilem devotionem sanctorum locorum visio suggerebat.

[8] [IF/FV] **Quorum vestigia** secutus⁹ **Fridericus**¹⁰, **defunctis parentibus**, quamprimum **tutelam exivit**, ut locum videret, in quo nostra redemptio celebrata est, **adhuc adolescens trans mare navigavit**, **contempsitque**¹¹ **pelagus**, **digitis a morte remotus quattuor aut septem**.¹² Inspexit¹³ locum, ubi natus salvator noster Christus, ubi positus¹⁴ in praesepio, ubi praesentatus in templo, ubi baptizatus, ubi temptatus, ubi praedicavit, ubi Lazarum suscitavit, ubi cenavit, ubi captus, ubi derisus, ubi judicatus, ubi crucifixus, ubi sepultus est, et unde¹⁵ ascendit in¹⁶ caelum. Quid multa dicam? Osculatus est Caesar terram, **ubi fuerunt pedes ejus, qui nos**¹⁷ **redemit**.

¹ exuit T, U; *omit.* V

² adolescens adhuc : adolescens admodum T

³ mente T

⁴ remotis T; *omit.* V

⁵ obsculari W

⁶ grande T, V

⁷ intravit *add.* V

⁸ vidit sepulchrum domini *add.* V [*sic!*]

⁹ *omit.* P

¹⁰ secutus Fridericus : Fridericus secutus M, FR1, KO, OO

¹¹ contraxitque M; contexitque KO, OO

¹² a morte ... septem *omit.* KO, OO

¹³ auspexit M; aspexit KO, OO

¹⁴ est *add.* FR1

¹⁵ vbi M

¹⁶ ad G

¹⁷ non M

[8] [IV/FV] Friedrich followed in their footsteps. When his parents died and he was no longer under guardianship,¹ but still an adolescent, he very soon fearlessly, though sometimes *only inches from death*,² sailed across the sea to visit the place where our redemption took place. There he saw the place where Christ, Our Saviour, was born, where he was laid in the crib, where he was presented in the temple, where he was baptized, where he was tempted, where he preached, where he raised Lazarus, where he held the last supper, where he was arrested, where he was mocked, where he was judged, where he was crucified, where he was buried, and where he ascended to Heaven.³ Why say more? The emperor kissed the earth trodden by the feet of the One who redeemed us.

¹ In 1435

² Juvenalis: *Saturae*, 12.58 ff.

³ The Early Version gives a list of the holy places, the Final version a pious summary of the Passion of Christ

[9] [EV] At **cum spurcidos illic Saracenos, immundos, horridos, sceleratos dominari videret¹**, veniebat² in mentem: *tactus³ dolore cordis intrinsecus.*⁴ Nil **aliud dicere {163r} potuit** quam **propheticum illud⁵: O⁶ Deus, venerunt gentes in haereditatem tuam, polluerunt templum⁷ sanctum tuum, posuerunt Jerusalem in pomorum custodiam.** Et iterum, sicut alius propheta clamat: ***Quomodo sedet sola civitas plena populo, facta est vidua domina gentium, princeps provinciarum est sub tributo.*** Proh quantum urgebat angebatque Fridericum illius sanctae civitatis indigna servitus, **et illorum, qui trans mare sunt, Christianorum oppressio.**

[9] [IV/FV] Sed quo animo tunc⁸ fuisse arbitraris, **cum spurcidos⁹ illic Saracenos, immundos, horridos¹⁰ dominari¹¹ videret**, sanctissima loca possidentes? Quid **aliud dicere poterat¹²** nisi **propheticum illud: Deus, venerunt gentes in haereditatem tuam, polluerunt templum sanctum tuum, posuerunt Jerusalem in pomorum custodiam.** Et iterum: ***Quomodo¹³ sedet sola¹⁴ civitas¹⁵ plena populo, facta est vidua domina gentium, princeps provinciarum facta¹⁶ est sub tributo.*** Proh¹⁷ quantum urgebat¹⁸ Caesarem haec¹⁹ civitatis oppressio, **et illorum, qui sunt trans mare, Christianorum conculcatio.**

¹ omit. T, V, W; interlin. U

² gemebat U, V

³ tractus V

⁴ Genesis, 6, 6

⁵ omit. U, W

⁶ omit. V

⁷ omit. W

⁸ animo tunc : tunc animo M, P, FR1, KO, OO

⁹ spurios FR1

¹⁰ horridosque M, KO, OO

¹¹ damnari OO

¹² potuit G

¹³ quo C

¹⁴ sedet sola : sola sedet M

¹⁵ sola civitas : civitas sola G

¹⁶ omit. M, P, FR1, KO, OO

¹⁷ dolor add. FR1

¹⁸ angebatque add. M, P, KO, OO

¹⁹ huius M, KO, OO; illius P, FR1

[9] [IV/FV] You may imagine how he felt when he saw those revolting, filthy, and horrible Saracens lording it over the holy places in their possession. What could he say other than the words of the prophet: *O God, the heathens are come into thy inheritance, they have defiled thy holy temple: they have made Jerusalem as a place to keep fruit.*¹ And again: *How doth the city sit solitary that was full of people! How is the mistress of the Gentiles become as a widow: the princes of provinces made tributary!*² Oh, how deeply moved was the emperor by the oppression of that city and by the abject state of the Christians living across the sea.

¹ Psalms, 78, 1

² Lamentations, 1, 1

[10] [EV] Sed quid Graecia, litterarum mater, *inventrix legum*, cultrix *morum*¹, atque omnium bonarum et² optimarum artium *magistra*? Quem non misereat illius gentis afflictæ, conculcæ, pessumdatae, cujus imperium non solum³ sub Alexandro Macedone⁴ suisque successoribus, sed sub Atheniensibus, Thebanis, Spartanis olim et *florentissimum* et *potentissimum* fuit, nunc *vilibus effeminatisque* Turcis cogitur oboedire?

[10] [IV/FV] Sed quid Graecia⁵, litterarum mater⁶, *inventrix legum*, cultrix *morum*, et omnium bonarum artium⁷ *magistra*⁸? Quis⁹ non misereatur¹⁰ gentis illius afflictæ, oppressæ, pessumdatae, cujus imperium non sub Alexandro Macedone solum suisque successoribus, sed sub Atheniensibus, Thebanis et^{11 12} Lacedaemoniensibus¹³ olim et¹⁴ *florentissimum* et¹⁵ *potentissimum* fuit, nunc ubilibet¹⁶ effeminatis¹⁷ Turcis servire coacta est?

¹ omit. U, W

² omit. V

³ omit. U, V, W

⁴ solum add. T [sic!], U, V, W

⁵ Graecia in marg. D, G

⁶ litterarum mater : mater litterarum M

⁷ bonarum artium : artium bonarum M, KO, OO

⁸ magister OO

⁹ quem M, P, FR1, KO, OO

¹⁰ miserit M; misereat P, FR1; miseret KO, OO

¹¹ ac M, KO, OO

¹² Thebanis et omit. P, FR1

¹³ Spartanis FR1

¹⁴ omit. M, KO, OO

¹⁵ ac M

¹⁶ vilibus P, FR1

¹⁷ effeminatisque FR1

[10] [IV/FV] What about Greece, mother of letters, *who invented laws*, who nursed *culture*, who is the *teacher*¹ of all the good arts?² Who does not pity this afflicted, oppressed and ruined people? whose empire was once *mighty and flourishing*³ not only under Alexander the Macedonian⁴ and his successors, but also under the Athenians, the Thebans and the Lacedamonians, but is now everywhere forced to serve the effeminate Turks.

¹ Cicero: *Tusculanae disputationes*, 5.2.5. Piccolomini applies Cicero's praise of philosophy to Greece

² i.e. the liberal arts

³ Cicero: *In Catilinam*, 2.29: *implorare debetis ut, quam urbem pulcherrimam florentissimam potentissimamque esse voluerunt*

⁴ Alexander III the Great (356-323 BC): King of the Greek kingdom of Macedon. Created one of the largest empires of the ancient world, stretching from Greece to Egypt and into present-day Pakistan

[11 EV] Quid regnum illud Hungariae nobilissimum, *terra antiqua, potens armis atque ubere glebae*¹? Heu quanta passi sunt Hungari diebus nostris, qui dum nostrum servant sanguinem, fundunt suum, quorum pectora nostri sunt muri! Obligamur certe omnes Christiani magnatibus et populis Hungariae, qui pro nobis *mortificantur tota die* et facti sunt *sicut oves occisionis*. Ecce² tibi praesentem illorum regem puellum³, pupillum, orphanum Ladislaum, clarissimam et regum et imperatorum sobolem, qui dum suo regno⁴ suisque subditis opem orat afferri, toti Christianismo⁵ consulit. Utinam tam tuam sanctitatem quam Caesaris majestatem suae preces, suae lachrimae moveant. Nam illi genti postulat auxilium, quae suis armis nobis omnibus affert praesidium.

[11 IV/FV] Quid regnum {37v} illud⁶ Hungariae nobilissimum, *terra antiqua, potens armis atque ubere*⁷ *glebae*⁸? Heu qualiter⁹ passi sunt Hungari diebus nostris, qui dum nostrum servant¹⁰ sanguinem, fundunt suum, quorum pectora nostri¹¹ sunt muri! Obligamur certe¹² omnes Christiani Hungaricae genti, qui pro nobis *mortificantur tota die* et facti sunt *sicut oves*¹³ *occisionis*. Eccum¹⁴ praesentem illorum regem puerum, pupillum, orphanum Ladislaum, nobilissimam¹⁵ et regum et imperatorum prolem, qui suo regno suisque subditis postulat¹⁶ auxilium. Utinam¹⁷ tam sanctitatem tuam quam Caesaream¹⁸ majestatem¹⁹ suae preces, suae lacrimae moveant²⁰. Nam illi genti postulat auxilium, quae²¹ suis armis²² toti²³ Christiano populo²⁴ affert praesidium.

¹ gleba T, U, W

² eccum U; et quoniam V; et cum W

³ puerulum V

⁴ suo regno : regno suo V

⁵ Christianitati U; Christianissimo V

⁶ regnum illud : illud regnum M

⁷ ubera M, KO, OO

⁸ plebe M, KO, OO

⁹ quanta M, P, FR1, KO, OO

¹⁰ servare M

¹¹ nostra E

¹² recte M, KO, OO

¹³ ovis M, KO, OO

¹⁴ et cum tibi P; ecce tibi FR1

¹⁵ nobilissimum M, KO, OO; omit. FR1

¹⁶ omit. M, KO, OO

¹⁷ nunc KO, OO

¹⁸ Caesarem P

¹⁹ em.; omit. A, B, C, D, E, G, M, P, FR1, KO, OO [emendation on the basis of EV]

²⁰ moneant M

²¹ quo M

²² suis armis omit. M, KO, OO

²³ toto M, KO, OO

²⁴ Christiano populo : populo Christiano P, FR1

[11] [IV/FV] And what about that noble realm of Hungary, *an ancient land, mighty in arms and wealth of soil?*¹ Alas, how the Hungarians have suffered in our time! They give their own blood to save ours. Their breasts are our walls. Certainly, all Christians are indebted to the Hungarians who *are put to death all day long and are accounted as sheep to the slaughter.*² See here with us today their king, the boy, the ward, the orphan Ladislaus,³ noble offspring of kings and emperors, asking for help to his realm and to his subjects. May Your Holiness and Your Imperial Majesty be moved by his prayers and his tears, as he asks for help to the people who protects the entire Christian people with their own swords.

¹ Vergilius: *Aeneis*, 1.531

² Romans, 8, 36

³ Ladislaus the Posthumous (Habsburg) (1440 -1457): Duke of Austria from 1440, King of Hungary from 1444 and King of Bohemia from 1453 to his death

[12] [EV] **Accedit¹ et aliarum calamitas provinciarum: Massagetae et alii Scytharum quamplures² populi nunc Livoniam, nunc Lituaniam vexant. Mauri non parvum Hispaniarum occupant regnum, Jonii, Carpathii³, Egei⁴, Tyrii⁵ nostrique maris insulas Cyprum, Rhodum, Cretam, Siciliam, quin et⁶ ipsa Italiae littora barbarorum saepe classes invadunt asportantque Christianos. O nostram maximam negligentiam! O tempora! O mores!** Proh pudor, major est Saracenorum in sua perfidia quam noster in fide zelus.

[12] [IV/FV] **Accedit⁷ et⁸ aliarum calamitas provinciarum: Massagetae et alii⁹ Scytharum¹⁰ quamplures populi Livoniam vexant. Mauri non¹¹ parvum¹² Hispaniarum¹³ occupant regnum. Nostri¹⁴ maris, quod Mediterraneum vocant¹⁵, insulas Cyprum, Rhodum, Cretam¹⁶, Siciliamque¹⁷¹⁸, et ipsa¹⁹ Italiae littora²⁰ barbarorum saepe classes invadunt asportantque²¹ Christianos. O nostram maximam²² negligentiam! O tempora! O mores!**

¹ accidit T

² complures U, V, W

³ Carpacii T, U, V, W

⁴ Aegyptii T

⁵ omit. T

⁶ eciam V

⁷ accidit M, KO, OO

⁸ ad E; ut M, KO, OO

⁹ omit. M, P, FR1, KO, OO

¹⁰ et alii Scytharum *em.*; Schytiam A, B, C, E, D, G [*emendation after EV; erroneous text in final version, presumably due to a scribal error in the master copy*]

¹¹ vero KO, OO

¹² non parvum : imperium P, FR1

¹³ Hispanorum M, KO, OO

¹⁴ Yonii P; Ciliciam FR1

¹⁵ quod ... vocant *omit.* P, FR1

¹⁶ Cretem A, B, C, D, E, G; Crethem F

¹⁷ Siciliam quin P, FR1

¹⁸ nostri ... Siciliamque : Siliciam Januniarum in silvas Ciprum Rethum Crethum Siciliam quia M; Siliciam iammarius in silvas Cyprum Rethnum Crethum Siciliamque KO; Ciliciam Cammiarius in sylvas Rethum, Cretum, Siciliam quare OO

¹⁹ ipsi M, KO

²⁰ littera M

²¹ aspernantque KO, OO

²² nostram maximam : maximam nostram C

[12] [IV/FV] Another calamity has happened in the provinces: the Massagetes¹ and many other Scythian² tribes are devastating Livonia. The moors occupy a large part the Spanish realm. In Our Sea, called the Mediterranean, barbarian fleets often attack the islands of Cyprus, Rhodes, Crete, Sicily, and even the shores of Italy, and carry off Christians. Oh, how great is our neglectfulness! *Oh, what times! Oh, what customs!*³

¹ The Massagetae: ancient Eastern Iranian nomadic tribe inhabiting the steppes of Central Asia east of the Caspian Sea. They are known primarily from the writings of Herodotus

² The Scythians: equestrian tribes who were thought to inhabit large areas in the central Eurasian steppes starting with the 7th century BC up until the 4th century AD. Piccolomini used Scythians as a designation of barbarian tribes in general. In his later works he made them the forebears of the Turks, which they were not

³ Cicero: *In Catilinam*, 1.2; Quintilian: *Institutio oratoria*, 9.2.26 and elsewhere

[13] [EV] **Dum gentiles fuerunt Caesares idolorum cultores, augebatur in dies credentium numerus. Nunc dum Christiani sunt imperatores, reges, duces, Christi cultus, qui totum fere¹ orbem oppleverat, in angulum Europae {163v} redactus est. Africam et Asiam amisimus². Europae vix partem tenemus. Movetur super his Caesar, compatitur afflictis fratribus, commiseretur injuriam patientium, cupit laborantibus subvenire. Nam qui non defendit indigna ferentes neque obsistit, si potest, injuriae, tam est in vitio, sicut philosophis placet, quam si parentes, aut amicos, aut patriam deserat.**

[13 IV/FV] **Dum gentiles³ fuerunt⁴ Caesares⁵ idolorum⁶ cultores, augebatur in dies credentium numerus. Nunc cum⁷ Christiani sunt imperatores, reges⁸, duces, Christianitas⁹ minuitur. Cultus Christi, qui totum fere orbem oppleverat¹⁰, in angulum Europae redactus¹¹ est. Africam et Asiam amisimus. In¹² Europa quoque conculcamur¹³. Cur hoc? Refriguit¹⁴ ardor, tepuit caritas. Proh¹⁵ dolor¹⁶: major est Saracenorum in sua perfidia ardor¹⁷, quam noster in fide zelus. Cernimus Christianorum injurias¹⁸ et tacemus. Opprimitur, jugulatur nostra religio, et avertimus oculos. Sed alius est Caesaris animus, aliamque tuam mentem esse¹⁹ arbitratur²⁰. Nam qui non defendit oppressos neque obsistit, si potest, injuriae, tam in vitio est, sicut philosopho placet²¹, quam si parentes²², aut amicos, aut patriam deserat²³.**

¹ ferme V

² redactus est ... amisimus *omit.* V

³ dum gentiles : maiores M

⁴ et *add.* OO

⁵ et *add.* FR1

⁶ illorum M

⁷ dum P, FR1

⁸ imperatores reges : reges imperatores M, KO, OO

⁹ *omit.* M, KO, OO

¹⁰ compleverat M, P, FR1, KO, OO

¹¹ deductus M, KO, OO

¹² *omit.* M, P, FR1, KO, OO

¹³ conculcatur OO; conculcavit M, KO

¹⁴ refrixit FR1

¹⁵ pro C

¹⁶ pudor P, FR1

¹⁷ in ... ardor : ardor in sua perfidia M, FR1, KO, OO

¹⁸ In sua perfidia ... injurias *omit.* P

¹⁹ mentem esse : esse mentem M

²⁰ tuam ... arbitratur : arbitratur tuam esse mentem KO, OO

²¹ tam ... placet : sicut philosopho placet, tam in vitio est D, G

²² neque obsistit ... parentes *omit.* M, KO, OO

²³ deseret M, KO, OO

[13] [IV/FV] When the pagan emperors worshipped idols, the number of *believers increased*¹ daily. Now that the emperors, kings and dukes are Christian, Christianity decreases. The worship of Christ, once filling the whole world, has been reduced to the corner of Europe². We have lost Africa and Asia. Even in Europe we are being oppressed. Why is that? Ardour has cooled, love has grown tepid. Oh, what sorrow! The Saracen unbelievers show greater zeal than we believers. We see how Christians are being abused, and we remain silent. Our religion is being persecuted and destroyed, and we look away. But the emperor wants to pursue a different course, as he thinks you do, too. For, as the Philosopher³ believes, *anyone who does not defend the oppressed and resists abuse is as much at fault as if he deserts his own parents, friends, or fatherland*.⁴

¹ Acts, 5, 14

² Flavio Biondo: *Historiarum ab inclinatione Romanorum Imperii decades*, II, 3 [Im. 75]: *per cujus [Europae] omnes provincias et regiones nomen floruit Christianum. Quod nomen nostris temporibus ad parvum orbis angulum coangustari et quotidie de excidio periclitari videmus*. Cf. Mertens, pp. 70-71

³ i.e. Cicero

⁴ Cicero: *De officiis*, 1.7.24

[14] [EV] **Quod ne sibi neve tibi** quisquam¹ **imputet, passagium** petitur. Sed accipe nunc **utilitatem** quam parere² passagium poterit. **Subveniemus laborantibus Hungaris**; auferemus jugum **servitutis** ex collo **Graecorum**; recuperabimus **sanctam terram**³; **exterminabimus idolum monstrumque**⁴ **illud** pessimum, horrendum, ingens **Mahumeti**; et⁵ Christianae religionis fines

super et Garamantas et Indos proferemus.

Jacet extra sidera tellus, extra anni solisque vias,

ubi caelifer⁶ Atlas axem⁷ humero premit⁸ stellis ardentibus aptum.

En magnam utilitatem! Nam sic agentes aut agere temptantes incorruptibilem **caelestis regni coronam adipiscemur**, quam reddet nobis *in illam diem justus judex*.

[14] [IV/FV] **Quod ne tibi neve sibi** quispiam⁹ **imputet, passagium** expetit¹⁰, in quo magnam **utilitatem** esse intelligit: **subvenire laborantibus**¹¹ **Hungaris**¹²; liberare **Graecos a servitute**; propagare divinum cultum; **sanctam terram** ex manibus impurorum vindicare; **monstrumque illud**¹³ et abhominabile **idolum Mahumeti exterminare**, unde placentes Deo¹⁴ immarcescibilem **caelestis regni coronam adipiscamur**¹⁵. **En magnam utilitatem!**

¹ quisque T

² parare V

³ recuperabimus sanctam terram : terram sanctam recuperabimus V

⁴ monstrum T

⁵ omit. U, V, W

⁶ stelifer V

⁷ M [sic!] U

⁸ torquet V

⁹ quisquam P, FR1

¹⁰ expedit KO, OO

¹¹ laboribus KO, OO

¹² Ungaros KO, OO

¹³ omit. M

¹⁴ omit. M, KO, OO

¹⁵ adipiscantur M, FR1, KO, OO

2.2. Benefit

[14] [IV/FV] So that nobody shall charge you or him with this fault, the emperor requests a crusade,¹ which he believes will bring great benefit: to help the troubled Hungarians; to free the Greeks from servitude; to propagate the worship of God; to reclaim the Holy Land from the hands of the impure; to exterminate that monstrous and abominable idol of Muhammad; and thus to please God and gain the unfading crown of the Heavenly Kingdom. This is indeed a great benefit!

¹ Note that it is the emperor who requests a crusade from the pope, recognizing that it is the pope who has the initiative and authority to indict a crusade

[15] [EV] **Sed** quid de honestate gloriaque dicemus, quam vel tuae beatitudini vel Caesaris altitudini accumulaturum cernimus esse passagium? **Bellorum** aequitatem **maiores nostri sanctissime fetiali jure praescripserant, denuntiata indictaque bella justa**¹ esse censebant. **In quibus qui viriliter pugnassent, non** vincentes modo, **sed occumbentes** quoque² **dignos honore gloriososque judicabant,** atque his statuas dicabant et triumphales arcus. **Quid nos de hoc bello dicemus, quod non terrenus, sed caelestis imperator indicit, in quo non pomerii, sed fidei propagatio quaeritur; in quo non paterna domus, sed fides catholica defenditur et honor salvatoris nostri, qui cum in forma Dei esset, non rapinam arbitratus est esse se aequalem Deo, sed semetipsum exinanivit formam servi accipiens, in similitudinem hominum factus et habitu inventus ut homo humiliavit se ipsum factus**³ **oboediens usque ad mortem, mortem autem crucis, ut nos ex diabolica servitute redimeret?**

[15] [IV/FV] **Sed** non est vera utilitas honestatis⁴ **expers**⁵. **Majores nostri** justum **bellum** gerere honestam rem censebant⁶. Erat autem belli aequitas⁷ sanctissima⁸ senatus populi Romani⁹ **jure praescripta**¹⁰, **denuntiataque**¹¹ **bella** et¹² **indicta justa** putabant **in quibus qui viriliter pugnassent,**¹³ **non** viventes¹⁴ solum¹⁵, **sed occumbentes**¹⁶ **honore dignos gloriososque judicabant.** **Quid nos**¹⁷ **de hoc bello dicemus, quod non terrenus** {38r} **homo, sed divinus**¹⁸ **imperator indicit**¹⁹, **in quo non imperii**²⁰, **sed divini cultus propagatio quaeritur; in quo fides catholica defenditur et honor salvatoris nostri, qui cum in forma Dei esset**²¹, **non rapinam arbitratus est se esse**²² **aequalem Deo, sed formam servi accipiens exinanivit se ipsum**²³, **factus**

¹ justaque V

² -que V

³ et habitu ... factus omit. T

⁴ honestas M

⁵ omit. KO, OO

⁶ De honestate rei in marg. D; censebatur M

⁷ equites E

⁸ sanctissimi M, FR1, KO, OO

⁹ populi Romani : pro M, KO, OO

¹⁰ perscripta FR1; descripta KO, OO

¹¹ denunciata quae KO, OO

¹² omit. M, KO, OO

¹³ pugnassent C, M, KO, OO

¹⁴ vincentes FR1

¹⁵ omit. M

¹⁶ que add. M, KO; quoque add. OO

¹⁷ omit. M, P, FR1, KO, OO

¹⁸ divus P, FR1

¹⁹ indicat P, KO, OO

²⁰ impii A, B, C, E, G, M, KO, OO [NB: emendation of A by D]

²¹ omit. OO

²² se esse : esse se M, KO, OO

²³ exinanivit se ipsum : seipsum exinanivit M, KO, OO

*oboediens usque ad mortem, mortem autem crucis, ut nos ex¹ diabolica servitute redimeret?*²
Tumet adversarius ejus³ Mahumetus, inflatur, cornua erigit⁴, et nos quiescimus? An non arma pro Christo sumemus, qui pro nobis sumpsit humanitatem?

2.3. Honour

[15] [IV/FV] But true benefit is not without honour. Our forefathers considered a just war to be honourable. For *the justice of war was set down* in a holy law of the senate of the Roman people, and they thought that *wars that had been properly declared and proclaimed were just*.⁵ Those who fought bravely they considered honourable and glorious, and not only the survivors, but also those who had fallen. So, what shall we say about this war that is declared not by a man on Earth, but by the Emperor in Heaven,⁶ and which aims at the propagation not of empire, but of the worship of God? In such a war, the Catholic Faith is being defended as well as the honour of Our Saviour, *who being in the form of God, thought it not robbery to be equal with God: But emptied himself, taking the form of a servant, being made in the likeness of men, and in habit found as a man. He humbled himself, becoming obedient unto death, even to the death on the cross*,⁷ in order to save us from slavery to the Devil. His adversary, Muhammad, is swollen with conceit, he is puffed up, he raises his horns, and we should remain quiet? No, we should go to war for Christ who became a man⁸ for our sake!

¹ *omit.* M; de KO, OO

² et *add.* M, P, FR1, KO, OO

³ adversarius ejus: adversus eos M, KO, OO

⁴ erit M

⁵ Cicero: *De officiis*, 1.36

⁶ "divinus imperator", i.e. God

⁷ Philippians, 2, 6-8

⁸ "sumpsit humanitatem"

[16] [EV] En gloriosum atque **honestissimum bellum**, quod tanti beneficii memores suscepimus, **in quo patris, in quo domini¹**, in quo redemptoris nostri, **in quo magni Dei causam tuemur²**, in quo, qui³ vitam temporalem amittet⁴, acquirit⁵ aeternam et⁶ famam clarumque nomen adipiscitur⁷ sempiternum. Ac tantum de secunda parte sit dictum, in qua cur passagium quaeretur⁸ **monstrandum fuit**.

[16] [IV/FV] Maxima esset ingratitudo nostra, si non ad incertam mortem pro Christo iremus, qui certam pro nobis tulit; si non illi vitam offeremus⁹, a quo suscepimus. **En bellum honestissimum, in quo patris, in quo domini, in quo magni Dei nostri¹⁰ causam tuemur¹¹**, in quo, qui vitam temporalem amittit¹², aeternam et famam clari nominis adipiscitur sempiternam. Quid plura? Tantum abest¹³, ut non sit gloriosum pugnare pro fide, ut¹⁴ informe¹⁵ foedumque sit non pugnare, quando necessitas urget; sicut jam crassantibus¹⁶ undique infinitis modis¹⁷ ¹⁸ Saracenis¹⁹, et nomen Christi magna vi²⁰, crudelitate atque immanitate persequentibus²¹. Hoc²² **tantum de secunda parte sit²³ dictum, in qua cur passagium peteretur, monstrandum fuit**.

¹ in quo patris, in quo domini *omit.* FR2

² tuebimur T

³ *omit.* T

⁴ amittit T

⁵ acquireret T

⁶ acquirit aeternam *omit.* V

⁷ adipiscetur T

⁸ queretur T

⁹ offeramus *corr.* ex offeremus C

¹⁰ *omit.* M, KO, OO

¹¹ tenemur M

¹² acquirit *add.* M, P, FR1, KO, OO

¹³ obest M; obestis KO, OO

¹⁴ *omit.* F

¹⁵ infame M, P, FR1, KO, OO

¹⁶ grassantibus G, FR1, OO

¹⁷ mors F

¹⁸ in infinitis modis : in fratres nostros M, P, FR1, KO, OO

¹⁹ Saracenos M, KO

²⁰ *omit.* KO, OO

²¹ prosequentibus P, FR1

²² et M, P, FR1, KO, OO

²³ *omit.* M, KO, OO

[16] [IV/FV] Indeed, our ingratitude will be immense if we do not go to uncertain death¹ for Christ, who went to certain death for us, and if we do not offer our life to him who gave it to us.² Truly, this is a most honourable war in which we fight for the cause of Our Father, Our Lord, Our Great God, and in which those who lose their earthly life gain eternal life and the perpetual fame of a glorious name. What more can I say? It is glorious to fight for the Faith, and it is shameful and despicable not to fight when necessity demands it, as now when the Saracens are on the rampage everywhere and in every way, persecuting the name of Christ with great violence, cruelty, and brutality.

This will suffice concerning the second part in which we had to explain the request for a crusade.

¹ i.e. risk death

² An example of the classical rhetorical device of *antithesis*

[17] [EV] Superat¹ nunc de possibilitate congregandi passagii deque spe fructus dicere. Plurimi sunt, beatissime pater, qui cum nominari passagium audiunt, "Ecce vetus somnium", inquit, "vetus deliramentum, veteres² atque inanes fabulas³." At Urbanus, antecessor tuus, cum vexaretur a paganis orientalis ecclesia, Saracenique terram sanctam invasissent, motus Alexii, qui Constantinopolim tenebat, precibus et aliorum Christianorum, qui sub tributo Turcorum vitam agebant, rogatibus excitatus⁴, gravi et⁵ laborioso itinere in Galliam profectus⁶, atque hominum tricenta millia sicut Otto Frisingensis affirmat non futilis auctor, in Graeciam, Asiam Syriamque transmisit⁷ maximum exercitum comparavit⁸, quibus nullae Saracenorum copiae, nullae vires obsistere potuerunt, quin et Antiochiam expugnarent et Jerusalem obtinerent. Unde adhuc et Urbani, qui convocavit passagium, et Gotfredi, qui duxit, illustre nomen habetur, quamvis quinquaginta et trecenti ab illo tempore fluxerunt anni.

[17] [IV/FV] Superat⁹ nunc de possibilitate congregandi passagium^{10 11} deque spe fructus dicere. Plurimi sunt, beatissime pater, qui cum nominari passagium audiunt, "Ecce vetus somnium¹²", inquit¹³, "vetus deliramentum, inanes fabulas." Verum¹⁴ Urbanus¹⁵, antecessor tuus, cum vexaretur a paganis orientalis ecclesia, Saracenique¹⁶ Jerusalem¹⁷ concularent¹⁸, motus Alexii¹⁹, qui Constantinopolim tenebat, et aliorum Christianorum, qui sub tributo Turcorum vitam agebant²⁰, precibus, gravi²¹ et laborioso itinere in Galliam profectus, maximum exercitum congregavit atque hominum trecenta²² millia, ut²³ Otto Frisingensis¹ scribit, non futilis¹ auctor, in

¹ supererat T; superest V

² vt teres V

³ fabellas U, W

⁴ exercitatus W

⁵ ac U, V, W

⁶ maximum exercitum comparavit *add.* U, V, W [*here U, V, W follow IV/FV*]

⁷ atque hominum ... transmisit *omit.* T

⁸ maximum exercitum comparavit *del.* U, V, W [*here U, V, W follow IV/FV*]

⁹ supererat A, B, C, D, E, G; supererit M, FR1, KO, OO

¹⁰ passagii FR1

¹¹ De possibilitate passagii *in marg.* D

¹² somnum KO, OO

¹³ iniquum M, KO

¹⁴ unde M

¹⁵ Urbanus papa *in marg.* D, G

¹⁶ Sarraceni qui M

¹⁷ taliter M; tum illam OO; Thilum KO

¹⁸ conculcarunt M

¹⁹ Alexius imperator *in marg.* D, G; Allexii M

²⁰ egebant M, KO; degebant OO

²¹ igni KO, OO

²² tricenta M, KO

²³ et M

¹ Otto Frisingensis *in marg.* D, G

Graeciam, Asiam, Syriamque transmisit, quibus nullae² Saracenorum vires obsistere³ potuerunt⁴, quin⁵ et Antiochiam expugnarent⁶ et Jerusalem obtinerent⁷. Unde adhuc Urbani⁸, qui convocavit⁹ passagium et¹⁰, Gotfridi^{11 12}, qui conduxit¹³, illustre nomen habetur.

3. Feasibility of the expedition

[17] [IV/FV] It remains to speak about the feasibility of gathering a crusade and about the hope for success. There are many, Holy Father, who when hearing talk about a crusade say: “Oh, that old dream, that old delusion, that silly nonsense!” Nevertheless, when the Oriental Church was persecuted by the pagans and the Saracens crushed Jerusalem, your predecessor Urban¹⁴ was moved by the entreaties of Alexius,¹⁵ who held Constantinople, and of other Christians, living under the Turks.¹⁶ Going on a difficult and burdensome journey to France,¹⁷ he gathered a great army, and – according to that serious author Otto of Freising¹⁸ – sent 300.000 men to Greece, Asia,¹⁹ and Syria.²⁰ The Saracene forces were unable to resist them and to prevent them from conquering Antioch and seizing Jerusalem. Therefore, the names of Urban, who mustered the crusade, and of Godefroy,²¹ who led it, are still held in high regard.¹

¹ subtilis M

² mille B, C, E, M, KO, OO; nullae corr. ex mille D

³ absistere M

⁴ valuerunt M, P, FR1, KO, OO

⁵ quando KO, OO

⁶ expugnauerunt M, KO, OO

⁷ obtinuerunt M, KO, OO

⁸ Urbanus M, KO

⁹ commovit M; eo vocavit OO

¹⁰ omit. G

¹¹ Bullionensis add. FR1

¹² Urbanus et Gottifridus in marg. A; Urbani et Gottifridi in marg. D

¹³ indixit M, KO, OO; duxit P, FR1

¹⁴ Urbanus II (Otho de Lagery) (ca. 1042-1099): Pope from 1088 to his death. He is best known for initiating the First Crusade (1096–1099). In his *Historiarum ab inclinatione Romanorum Imperii decades*, II, 3 [Im. 74-76], which Piccolomini knew, Flavio Biondo had put into the mouth of Urban II an oration from which Piccolomini quoted freely in his crusade orations

¹⁵ Alexios I Komnenos [Alexius I Comnenus] (1056-1118): Byzantine emperor from 1081 to his death

¹⁶ Piccolomini confuses the 1st and the 4th crusade

¹⁷ Clermont, 1095. As pope, Piccolomini would reuse this image when describing his own travel to Mantua (in Cisalpine Gaul = Northern Italy) for his great conference there

¹⁸ Otto von Freising (ca. 1114-1158): German churchman and chronicler. Bishop of Freising from 1138

¹⁹ i.e. Asia Minor

²⁰ Otto von Freising, p. 202 ff

²¹ Godefroy de Bouillon (c. 1060-1100): one of the leaders of the First Crusade

¹ The Early Version added: “... though 350 years have passed since that time.”

[18] [EV] Quid tua sanctitas faciat, quam pro similibus ac maioribus causis verus imperator totaque Christianitas¹ orat passagium convocare? “**Pensandum** est,” inquires, “an **hodie spes bona sit habendi passagii**, quia **nemo sciens impossibilia temptat, neque aggreditur quisquam**², **quod assequi**³ **desperat. Magnum facinus spes** enutrit.” Sunt ergo **duo consideranda**, sanctissime pater⁴: **unum an Christiani facile possint in passagium trahi**⁵, alterum an coacto **passagio spes sit magna vincendi. Nam quamvis dubius est**⁶ **omnium bellorum eventus, numquam tamen committendum est proelium sine spe quadam et argumento victoriae, ne, sicut Augusti proverbium fuit**⁷, **aureo piscantes hamo videamur**, quorum **damni major quam lucri ratio possit haberi.**

[18] [IV/FV] Sed **pensemus, si**⁸ **hodie**⁹ **spes bona possit**¹⁰ **haberi passagii**, quoniam¹¹ **nemo sciens impossibilia temptat, neque aggreditur**¹² **quisquam, quod assequi desperat. Magnum facinus spes** nutrit. Quid¹³ hic respondemus? **Duo consideranda sunt: unum an Christiani facile possint in passagium trahi, alterum an**¹⁴ **inchoato**¹⁵ **passagio spes sit magna vincendi. Nam quamvis omnium bellorum dubius sit exitus, numquam tamen** {38v} **committendum est bellum**¹⁶ **sine spe quadam et argumento victoriae, ne, sicut Octavianus Caesar proverbium habebat**¹⁷, **aureo piscari hamo videamur**, in quo **major damni quam lucri ratio possit haberi.**

¹ totaque Christianitas *omit.* V

² quisque T

³ consequi V

⁴ sanctissime pater *omit.* V

⁵ possint in passagium trahi : in passagium trahi possint T

⁶ dubius est : est dubius V

⁷ *omit.* T

⁸ *omit.* KO, OO

⁹ an *add.* OO

¹⁰ sit D, G

¹¹ quando M, KO, OO

¹² egreditur M; aggredit OO

¹³ quam M

¹⁴ *omit.* C

¹⁵ in cohata E; coacto P; inchoata OO

¹⁶ prelium M, P, FR1

¹⁷ habuit M, KO, OO

[18] [IV/FV] But let us consider whether today there may be good hopes for a crusade. “Nobody knowingly attempts the impossible, and nobody undertakes something which he thinks he cannot achieve. A great deed must be nourished by hope.” What do we answer to that? Two things should be considered, firstly whether the Christians may easily be persuaded to join a crusade, and secondly whether there is great hope for victory when a crusade has been undertaken. For since all wars have a dubious outcome,¹ a *war* should never be undertaken unless there is sufficient *hope* and reasons for victory. Otherwise we shall seem, as in the proverb of Caesar Octavian, *to fish with a golden hook*. And in that there is more to lose than to gain.²

¹ *Dubius belli exitus*: common Latin dictum

² Suetonius: *De vitis Caesarum / Augustus*, 25.4

[19] [EV] **Difficile** quippe **primum videtur** **Christianos, qui sunt inter se discordes**¹ **apertisque**² **flagrant odiis, in unam passagii sententiam** **conducere**³ ⁴. **Verum quod multi putant obstare passagio, sapientia Caesaris conducere** **judicat**. **Namque si pax Christianos haberet, incassum quietos principes atque otio torpentes populos excitaremus, neque utiles bello manus invenirentur, horrent**⁵ **inertes ferrum, neque signum, neque tubam ferre valerent.** {164v} **At nunc exercitati bellis populi ultro sese offerent: facilius ex bello vocatur**⁶ **in bellum miles quam ex otio.** ***Bonum est viro, sicut propheta testatur, qui portavertit jugum ab adolescentia sua.*** **Quis Christianorum est, postquam pugnare oportet, qui non potius in hostes quam in domesticos fidei gladium stringat? Placebit omnibus arma in Turcos vertere, patriam ut quietam relinquant. Et fortasse unica pacandi Christianos via est passagii convocatio.**

[19] [IV/FV] **Difficile** ergo **primum videtur**⁷ **Christianos, qui sunt inter se**⁸ **discordes apertisque** **flagrantes**⁹ **odiis, in unam passagii sententiam**¹⁰ **ducere.** **Sed quod multi obstare** **judicant**¹¹ ¹² **passagio**¹³ ¹⁴, **sapientia Caesaris conducere**¹⁵ **judicat**¹⁶. **Namque**¹⁷ ¹⁸ **si pax Christianos**¹⁹ **haberet, incassum quietos principes**²⁰ **atque otio**²¹ **torpentes**²² **excitaremus, neque utiles bello manus invenirentur, timerent mortes**²³, **ferrum, neque signum, neque tubam ferre possent.** **Nunc vero excitati**²⁴ **bellis populi**²⁵ **ultro sese offerent: facilius ex bello vocatur in**²⁶ **bellum quam ex otio**

¹ discordantes T

² aptisque T

³ ducere V

⁴ sententiam conducere : ducere sententiam T

⁵ horrent U; horrent *corr.* ex horrent W

⁶ ex bello vocatur : vocatur ex bello V

⁷ habetur M

⁸ sunt inter se : inter se sunt M, KO, OO

⁹ fragrant A, B, C, D; fragrant G; frangunt M; flagrant P, FR1; fragrant KO, OO

¹⁰ summam M, KO, OO

¹¹ putant M, KO, OO

¹² obstare judicant : putant obstare P, FR1

¹³ omit. G

¹⁴ unam passagii ... judicant passagio omit. B

¹⁵ omit. M

¹⁶ indicat KO, OO

¹⁷ nam P, FR1

¹⁸ omninoque M, KO, OO

¹⁹ qui sunt inter se ... pax Christianos omit. E

²⁰ princeps M

²¹ omit. M, KO, OO

²² populos *add.* M, P, FR1, KO, OO

²³ mortem FR1

²⁴ excitati *corr.* ex excitatis D; et citati G; excitata M, KO; excitato OO; exercitato P, FR1

²⁵ populo M, P, FR1, KO, OO

²⁶ omit. M, KO, OO

miles. *Bonum est viro, sicut propheta testatur, cum portavertit jugum ab¹ adolescentia sua. Quis Christianorum est², postquam pugnare oportet, qui non potius in Turcos quam in³ Christianos stringere gladium velit? Placebit omnibus arma in Saracenos vertere, patriam ut quietam relinquunt⁴. Et fortasse unica pacandi Christianos via est convocatio passagii.*

3.1. It will be easy to gather an expedition

[19] [IV/FV] Firstly, as the Christians are in a state of violent disagreement and open enmity, it seems difficult to unite them in a crusade. But in his wisdom, the emperor believes that what many think stands in the way of a crusade actually favours it. For if the Christians had peace, in vain would we try to stir up the princes, placid and sluggish from peace. We would not find troops that could be used in war: they would fear death, and they would be able to carry neither sword nor standard nor trumpet. Now that peoples are already stirred up by one war, they will gladly join up for another, for it is easier to call a soldier from one war to another than from peace to war. As the prophet says: *It is good for a man, when he hath borne the yoke from his youth.*⁵ Who among the Christians would not, when having to fight, rather draw his sword against the Turks than against other Christians? All will be pleased to turn their weapons against the Saracens and leave the fatherland in peace. Indeed, the only way to pacify the Christians may be the summons for a crusade.⁶

¹ *omit.* M

² *omit.* M

³ *omit.* OO

⁴ relinquunt M, KO, OO

⁵ Lamentations, 3, 27

⁶ Note the idea that the way to have peace amongs the Europeans would be to unite them against the common enemy, the Turks

[20] [EV] **Martiales enim et feroces Europae populi nescientes quiescere. Nisi adversus externos proelientur, in sese¹ ruunt. Qua ratione ductus olim vir senatorius quidam excidi² Carthaginem prohibebat, ne pacem habentes in circuitu Romani manus in se verterent, sicut reges Israel fecisse constat, qui victis hostibus *mutuis cecidere vulneribus*. Pacem ergo ut habeant Christiani, bellum est in externos transferendum. Ad quam rem neque Germanorum illustris animus, neque cor nobile Gallicorum, neque sublimis mens Hispanorum, neque gloriae cupidus Itolorum spiritus deerit. Omnes, quod tua jubebit³ sanctitas, corde⁴ magno et *animo volenti*⁵ suscipient. Quis dubitet cogi posse⁶ passagium, quod Romani pontificis auctoritate decretum et⁷ imperatoris voluntate fuerit ordinatum.**

[20] [IV/FV] **Martiales enim et feroces Europae populi, nescientes quiescere. Nisi adversus externos proelientur, in se⁸ manus vertunt. Qua ratione ductus olim Scipio Nasica⁹ excidi¹⁰ Carthaginem dissuadebat¹¹, ne pacem habentes in circuitu Romani in sese¹² ruerent, sicut et reges Israel victis hostibus *mutuis cecidere*¹³ *vulneribus*. Jam pacem ergo ut habeant Christiani, bellum¹⁴ in externos¹⁵ est transferendum. Ad quam rem neque Germanorum illustris animus, neque¹⁶ cor nobile Gallicae gentis, neque mens sublimis Hispanorum, neque honesti cupidus Itolorum deerit spiritus. Omnes, quod¹⁷ tua jubet¹⁸ sanctitas, constanti animo exequentur. Quis dubitet¹⁹ posse²⁰ fieri²¹ passagium, quod Romani pontificis auctoritate decretum et imperatoris mandato fuerit convocatum? Videor videre rem perfectam, nec me dubium habet ullum, si tu verbum apponis, Caesar adjicit manum. Nam si quis oboedire neglexerit, vel tuis jussibus vel Caesaris imperio compelletur.**

¹ se U

² excindi V

³ videbit V

⁴ omit. U, W

⁵ 2. *Macchabees* 1, 3

⁶ omit. U, V, W

⁷ quod V

⁸ in se : nisi M

⁹ Scipio Nasica *corr. ex Cato* C; Scipio Nasica : Cato M, P, FR1, KO, OO

¹⁰ excindi FR1

¹¹ omit. M

¹² in sese : sepe M

¹³ recidere M, KO, OO

¹⁴ inde *add.* OO

¹⁵ dextros M; dexterum KO

¹⁶ nec M, KO, OO

¹⁷ quos D, G

¹⁸ jubebit P, FR1

¹⁹ dubitat M, KO, OO

²⁰ omit. KO, OO

²¹ posse fieri : fieri posse M, P, FR1

[20 IV/FV] For the peoples of Europe are warlike and ferocious, and they do not know how to be at peace. Unless they fight against others, they turn against each other. For this reason, Scipio Nasica once counselled against the destruction of Carthage so that the Romans, having peace all around them, would not fall on each other¹ like the kings of Israel who, when they had conquered their enemies, began to kill each other in stead.² If the Christians are to have peace between them, war should be turned against foreigners. In this matter, neither the shining spirit of the Germans, nor the noble heart of the French, nor the lofty mind of the Spaniards, nor the honour-loving spirit of the Italians will fail. All will singlemindedly obey Your Holiness' commands. Who may doubt the feasibility of a crusade decreed by the authority of the Roman Pontiff and summoned by the order of the emperor? To me it seems that the thing is as much as done, and I have no doubts at all, if you say the word and the emperor lends his hand. For who will fail to obey when he is summoned by your decrees and the command of the emperor?³

¹ Publius Cornelius Scipio Nasica Corculum (died 141 BC): Roman statesman. A political opponent of Marcus Porcius Cato, he pleaded that Rome not destroy Carthage. According to Plutarch's conjecture and Appian's later definite assertion, that was because he feared that the destruction of Rome's main rival would lead to the decline of Roman morals and discipline. Cf. Plutarch: *Parallel lives / Cato*, 27

² 2. Chronicles, 20, 23

³ Piccolomini greatly overestimates the authority of pope and emperor, as would be shown some months later during the Austrian rebellion against the emperor's tutelary government, see oration "*Sentio*" [20]

[21] [EV] Sed dicit¹ fortasse quispiam, quod Braccius olim, quamvis hostis ecclesiae, tamen alioquin *homo sensatus*, frequenti sermone usurpare solebat: *Qui bellum gerat², tribus potissime rebus indigere, et has tres unam³ esse: pecuniam.* Unde igitur aurum corrademus⁴ ad tantum et tam remotum bellum necessarium? Sunt in promptu⁵ modi, praesul maxime, quibus⁶ inveniri pecunia poterit sumptusque necessarios⁷ ministrari. Sed hos⁸ vulgari⁹ modo non est ex¹⁰ usu. Illud tamen dicere possum: civitates, quae propter pacem perpetuo bello fatigantur¹¹, libenter passagio contribuent, ut pacis tandem compotes fiant.

[21] [IV/FV] Sed dicit¹² fortasse quispiam, quod Braccius, quamvis ecclesiae hostis¹³, alioquin¹⁴ tamen¹⁵ *vir sensatus*, frequenti sermone usurpare solebat: *“Tribus potissime¹⁶ rebus indigere bellum¹⁷, et haec tria¹⁸ unum esse: pecuniam.”* Ubi ergo corrademus¹⁹ aurum ad tantum et tam longum²⁰ bellum necessarium? Sunt et modi²¹ in promptu²², quibus inveniemus²³ argentum²⁴, quos²⁵ vulgare non expedit. Illud dicere possum: civitates, quae ob eam causam bella²⁶ suscipiunt, ut sine minis²⁷ in pace vivant²⁸, libenter passagii expensas²⁹ contribuent¹, ut pacem nihil insidiarum habentem consequi possint².

¹ dicit V

² gerit U

³ has tres unam : harum trium unum [illeg.] V

⁴ corrodemus T

⁵ prompto T

⁶ omit. T

⁷ necessarius T; necessarii V

⁸ hoc V

⁹ vulgare T

¹⁰ omit. U

¹¹ fatigabantur V

¹² dicit KO, OO

¹³ ecclesiae hostis : hostis ecclesiae M, P, FR1, KO, OO

¹⁴ aliquando M, FR1, KO, OO

¹⁵ cum M; tantum OO

¹⁶ potentissime M, KO

¹⁷ indigere bellum : bellum indigere KO, OO

¹⁸ haec tria : horum trium M, KO, OO

¹⁹ corrodemus M, KO, OO

²⁰ longinquum M, P, FR1, KO, OO

²¹ modo M

²² prompto M, P, KO

²³ invenimus M

²⁴ quibus ... argentum : hujus inveniendi argenti OO

²⁵ quod C

²⁶ bellum M, KO, OO

²⁷ iniuria P, FR1; injuriis D, G

²⁸ nunc M; vivunt M, KO

²⁹ nunc add. M

[21] [IV/FV] But maybe someone will quote Braccio,³ an enemy of the Church, but otherwise a *man of understanding*,⁴ who he used to say: “*The three things most necessary for war are: money, money, and money.*”⁵ So, where shall we gather the money necessary for so great and so long a war? There are methods at hand for finding the money, but it is not appropriate to speak publicly about them now.⁶ This, though, we can say: the cities which join the war so that they may live in peace without threats will freely give money to the crusade in order to gain true peace.

¹ expensas contribuent : contribuant curas M, P, FR1, KO, OO

² possunt M, KO, OO

³ Andrea Fortebraccio [Braccio da Montone] (1368-1424): Italian nobleman and condottiero

⁴ Ecclesiasticus, 33, 3

⁵ Piccolomini: *De viris (Heck)*, p. 13: *Is tria necessaria dicebat Florentinis bellum gerentibus: aurum, aurum atque aurum. Quod postea in proverbium venit*

⁶ Piccolomini is probably referring to a sale of indulgences – the profits to be divided between the emperor and the pope, as Voigt caustically remarks, cf. Voigt, III, p. 54

[22] [EV] **Non est** igitur desperata res **passagii** convocatio, **nec rursus spes magna victoriae deerit**¹. **Novit imperatoria** sublimitas: **Assyriorum**, Turcorum **Aegyptiorumque** gentes imbelles, inermes, viles **effeminataeque sunt**², **neque animo, neque consilio martiali**. Quis aut **tunicatos**³ **mitratosque Turcos aut braccatos Aegyptios** timeat, quos **Arsaces**⁴ ad Ezechiam regem loquens {165r} ***baculo arundineo confracto***que comparavit?

Sarmacida⁵ **erunt spolia sine sudore et sanguine**.

Multa notavit Caesarea majestas, cum⁶ transmarinas partes lustraret, quae spem certissimam⁷ victoriae praebent suoque tempore patefient. Nec moveri debemus, **quia nostri** nonnumquam **exercitus ab** illis⁸ **victi** deletique **sunt**, nam **neque viribus eorum, neque rei militaris peritiae**, sed nostris peccatis ascribendum est. **Quod si** emendati fuerimus rectaque⁹ mente¹⁰ Christi causam defensuri bellum susceperimus, nihil de victoria fuerit haesitandum, *quia non relinquet Dominus virgam peccatorum super sortem justorum*.¹¹

[22] [IV/FV] **Non erit** ergo¹² difficile convocare {39r} **passagium**, **nec rursus spes magna victoriae deerit**. **Novit** majestas **imperatoria**¹³ ¹⁴: **Assyriorum**¹⁵ **Aegyptiorumque**¹⁶ **gentem** imbecilles¹⁷, **inermes, effeminatique**¹⁸ **sunt, neque animo**¹⁹, **neque consilio martiales**.

Sarmacida²⁰ **erunt**²¹ ***spolia sine sudore et sanguine***.

¹ victoriae deerit : deerit victorie V

² gentes imbelles ... sunt : gentem imbellem inermem vilem effeminatamque esse V

³ aut *add.* V

⁴ Rapsaces T

⁵ Sarmatica T

⁶ quoque V

⁷ certissime U, W

⁸ aliis V

⁹ rectamque U

¹⁰ *omit.* U, W

¹¹ *Psalms, 124, 3*

¹² *omit.* M, KO, OO

¹³ majestas imperatoria : imperatoria majestas G

¹⁴ Turcorum *add.* M, P, FR1, KO, OO

¹⁵ Assyriorumque A, F; Assiriorum *corr. ex* Assiriorumque D [*other mss. emendate A*]

¹⁶ Egretiarumque M; Egyptiorum P, FR1

¹⁷ imbelles P, FR1, OO

¹⁸ effeminati M, P, FR1, KO, OO

¹⁹ nomine M

²⁰ Salmacida G; Salmacidae FR1; Saumacida KO; sumenda OO

²¹ deerunt M

Quis tunicatos¹ mitratosque² Turcos aut brachatos timeat Aegyptios³ ⁴, quos Arsaces⁵, ad Ezechiam regem⁶ loquens, *baculo arundineo confracto*⁷ comparavit. Quod si aliquando nostri exercitus ab eis victi⁸ sunt, neque viribus, neque rei⁹ militaris peritiae, sed numerositati¹⁰ hostium ascribendum est. Quod¹¹ si Christianorum copiae tot fuerint¹², ut opprimi¹³ Saracenorum multitudine nequeant¹⁴, quod passagii nomen exposcit, certa¹⁵ in manibus erit victoria, sicut prisca exempla nos instruunt.

3.2. Chances of success are high

[22] [IV/FV] So, it will not be difficult to summon a crusade, and there will be great hope of victory. His Imperial Majesty knows the Assyrian and Egyptian people to be weak, impotent, effeminate and warlike neither in temperament nor in planning.

*The Sarmatian spoils will be without without sweat nor blood.*¹⁶

Who will fear the Turks in their robes and turbans or the Egyptians in their flowing garments? Speaking to King Ezechias,¹⁷ Arsaces¹⁸ likened them to a *broken staff of reeds*.¹⁹ If our armies were defeated by them in former times, it was not because of their strength or their military skills, but because of their numbers. If the forces of the Christians are so numerous that they cannot be physically overwhelmed by the mass of Saracens – which is the very meaning of the word *passagium* - then victory will be certainly be in our hands, just like former examples show us.

¹ truncatos M, KO, OO

² em.; mitriatosque A, B, C, D, E, F, G [emendation on the basis of EV and IV]

³ Aegyptiacos M, P, FR1, KO, OO

⁴ Aegyptii in marg. D, G

⁵ Rabsaces KO, OO

⁶ omit. C; legem OO

⁷ confracto M, KO, OO

⁸ ab ... victi : victi ab eis M, P, FR1, KO, OO

⁹ re M, KO

¹⁰ innumerositati M, KO, OO

¹¹ quoniam M, P, FR1, KO, OO

¹² fuerunt M, KO

¹³ tot add. M, KO; a add. FR1, OO

¹⁴ et add. M, KO, OO

¹⁵ nihilominus add. KO, OO

¹⁶ Cicero: *De officiis*, 1.61.: *Salmacida, spolia sine sudore et sanguine*. Adapted by Piccolomini

¹⁷ Hezekiah: 13th king of Judah. The commonly received computation reckons his reign from 726 to 697 B.C.

¹⁸ Rabsaces

¹⁹ Isaiah, 36, 6

[23] [EV] **Juvabunt et nos cum¹ divisiones illorum tum odia, quae cum Tartaris habent assiduaque certamina. Juvabit et gentis illius desperatio. Nam Mahumetum, cui maxime credunt, sectam suam in octingentos usque annos augendam, exinde minuendam astruunt² prophetasse. Is autem sub Heraclio Caesare malignari occoept³, post quem supputantur⁴ anni quadraginta et octingenti, quae res terrorem non parvum Turcis, spem Christianis adjicit. Nam etsi pseudopropheta Mahumetus est, non tamen falsum vaticinium dici potest, quod sacris Jeremiae sermonibus quadrare videmus. Jeremias enim primo et quinquagesimo capitulo quasi tuam sanctitatem et Caesaris⁵ majestatem adversus Mahumetum suscipere bellum hortatur⁶: *Nolite tacere, inquit, super iniquitates⁷ ejus, quoniam tempus ultionis est domino, vicissitudinem ipse retribuet⁸ ei.* Possemus ad rem hanc⁹ plura deducere, sed neque doctissimis tuis auribus neque praeclaris¹⁰ sapientissimisque patribus, qui assident quique astant, donanda sunt verba. Satis est nobis absolvisse, quae promisimus, et, quae Caesarea sublimitas mandaverat, exposuisse.**

[23] [IV/FV] **Juvabunt et divisiones eorum et odia, quae cum¹¹ Tartaris habent assidua certamina. Juvabit et gentis¹² illius desperatio. Nam¹³ Mahumetum, cui maxime credunt, sectam suam in octingentos usque annos augendam, exinde diminuendam asserunt¹⁴ prophetasse¹⁵, qui sub Heraclio Caesare malignari coepit¹⁶, post quem¹⁷ supputantur anni XL et octingenti, et hoc Turcos admodum territat, Christianos elevat. Nam etsi¹⁸ falsus¹⁹ propheta Mahumetus est, non est tamen falsum vaticinium extimandum, quod Jeremiae²⁰ sacris sermonibus consonum esse videmus, dum primo et²¹ quinquagesimo capitulo¹ inquit² ¹, quasi tuam sanctitatem et²**

¹ omit. U, W

² asserunt V

³ accepit T, U, W

⁴ supputentur U

⁵ Caesaream U [here U follows IV/FV]

⁶ hortetur T, U, V, W

⁷ iniquitatem T

⁸ tribuit T

⁹ rem hanc : hanc rem V

¹⁰ reverendissimis U, V; Romanis W

¹¹ in M, KO, OO

¹² gentes M

¹³ et add. M, KO, OO

¹⁴ astruunt P, FR1; afferunt OO

¹⁵ prophetissae OO

¹⁶ accepit M, P, KO; occepit FR1

¹⁷ post quem : postquam M, FR1, KO, OO

¹⁸ si et F; et M

¹⁹ falsus M

²⁰ Jeremiae vaticinium in marg. D, G

²¹ ex M

¹ em.; et quinquagesimo capitulo omit. A, B, C, D, E, F, G [emendation on the basis of EV and IV]

² omit. M

Caesarem adhortatus³: *Nolite tacere super iniquitates ejus, quoniam tempus ultionis est domino⁴, vicissitudinem ipse retribuet ei.* Possem ad hanc rem⁵ plura deducere, sed neque doctissimis tuis auribus neque reverendissimis sapientissimisque patribus, qui assident, danda sunt verba. Satis est nobis absolvisse⁶, quae promisimus⁷, quae Caesarea sublimitas⁸ dicturum me⁹ voluit.

[23 IV/FV] [Our enterprise] will be favoured by their internal conflicts and enmities, and by their constant fights with the Tartars. It will also be helped by the desperation of this people, for they claim that Muhammad – in whom they have great faith – has prophesied that his sect would increase for 800 years and then decrease. It began on its wicked course under Emperor Heraclius,¹⁰ after whom 840 years have now passed. This fact terrifies the Turks and encourages the Christians. For though Muhammad is a false prophet, his prophecy should not be considered false since we see that it agrees with the holy words of Jeremiah in the 51st chapter, seemingly exhorting Your Holiness and the Emperor: *Be not silent upon her iniquity: for it is the time of revenge from the Lord, he will render unto her what she hath deserved.*¹¹ I could say more about this matter, but my task is not to fill your learned ears with words nor those of the reverend and wise fathers who are present. It is enough that we have fulfilled our promise in the beginning and said what His Imperial Highness desired.

¹ primo et ... inquit : primo ex L. c. libri sui M; L. ca. libri sui KO, OO; L. capite libri sui FR1

² ac M, P, FR1, KO, OO

³ hortatus M, KO; hortatur M

⁴ dummodo M, KO, OO; dominus P, FR1

⁵ tamen KO, OO

⁶ ea add. M, KO, OO

⁷ ea add. KO, OO

⁸ sublimatio FR1; dignitas KO, OO

⁹ dicturum me : me dicturum P, FR1

¹⁰ Heraclius (Flavius Heraclius Augustus) (ca. 575-641): Byzantine emperor from 610 to his death

¹¹ Jeremiah, 51, 6

[24] [EV] **Intellexisti desiderium suum¹, sanctum propositum, integram mentem.** Verum quamvis² imperatorium examen³ ⁴ sic de passagio sentiat, **totum tamen et consilio et arbitrio et iudicio⁵ tuo relinquitur**, qui ligandi solvendique claves accepisti, qui *Petri et Pauli locum tenes jam cum Christo regnantium*, cujus est *inter sanguinem et sanguinem*, inter *causam et causam*, inter *lepram et lepram* judicare. **Caesar, cum esset hac vice apud tuam beatitudinem, noluit hanc rem intactam relinquere, quae sibi** adhuc in minoribus constituto⁶ atque⁷ **ab ineunte adolescentia semper cordi curaeque⁸ fuit. Alius fortasse vel generale concilium vel reformationis decreta petivisset**, sed quod majus haberi concilium potest quam tuae sanctitatis tuique sacri {165v} senatus praesentia. Frustra concilium petit, qui Romani pontificis mandata non recipit. Ubi tua sanctitas est, ibi concilium, ibi leges, ibi mores, ibi decreta⁹ salubrisque¹⁰ reformatio.

[24] [IV/FV] **Intellexisti¹¹ desiderium suum, sanctum¹² propositum, integram¹³ Caesaris mentem** intueris, **totum tamen et consilio et iudicio tuo relinquitur. Caesar, cum esset hac vice apud tuam beatitudinem, noluit¹⁴ hanc rem intactam relinquere, quae sibi ab¹⁵ ineunte adolescentia semper cordi fuit. Alius fortasse aut¹⁶ concilium generale¹⁷ petivisset aut reformationis¹⁸ decreta, aut aliud quidpiam¹⁹.**

¹ tuum V

² *omit.* U, W

³ imperatorium examen : imperatorum examen T; examen imperatorium V

⁴ quid *add.* U, W

⁵ arbitrio et iudicio : iudicio et arbitrio T

⁶ *omit.* U, W

⁷ neque W

⁸ curae T

⁹ *omit.* U, V, W

¹⁰ salubris U, V, W

¹¹ intelligis Christi KO, OO

¹² integrum M, KO, OO

¹³ *omit.* M, KO, OO

¹⁴ voluit M

¹⁵ ad E

¹⁶ fortasse aut : autem M, KO, OO

¹⁷ concilium generale : generale concilium P, FR1

¹⁸ reformationem M; informationem KO, OO

¹⁹ quippiam C, FR1, OO; quipiam A, D; quicpiam G; quispiam M, KO

4. Conclusion

[24]¹ [EV] You now understand the emperor's wish, his holy resolve, and his whole purpose. But though this is how the emperor feels about the crusade, he leaves it all to your counsel, decision, and judgment, since you are the one who has received the keys for closing and opening,² who *holds the place of Peter and Paul, now reigning with Christ*,³ and whose responsibility it is to judge *between blood and blood, cause and cause, leprosy and leprosy*.⁴ But the emperor wanted to use this visit to Your Holiness to bring forward a matter that has been close to his heart and mind since his early youth, before he was elected emperor.⁵ Another would perhaps have requested a general council or reform decrees, but what greater council can there be than an assembly⁶ comprising you yourself and your holy senate? In vain do people demand a council if they do not accept the decisions of the Roman Pontiff. Where Your Holiness is, there is the council, there are the laws, there the morals, there the [legitimate] decrees and salubrious reform.

[24] [IV/FV] You now understand the emperor's wish, his holy resolve, and his whole purpose: all, however, is left to your own counsel and judgment. But the emperor wanted to use the opportunity of this visit to Your Holiness to bring forward a matter that has been close to his heart since early youth. Another would perhaps have requested a general council or reform decrees or something else.

¹ This section from the Early Version is translated here because of its great political and ecclesiastical importance

² Matthew, 16, 18

³ Jeronimus: *Epistola ad Heliodorum*, (14), 9. MPL, XXII, col. 353: *Non est facile stare loco Pauli, tenere gradum Petri, jam cum Christo regnantium*

⁴ Deuteronomy, 17, 8: *Si difficile et ambiguum apud te iudicium esse perspexeris inter sanguinem et sanguinem, causam et causam, lepram et lepram*

⁵ "in minoribus constituto"

⁶ "praesentia"

[25] [EV] **Caesari susceptis imperialibus infulis tuaque sacra¹ manu coronato nihil hoc tempore visum est antiquius quam de passagio tecum agere. Quod si fortasse prima fronte videtur arduum, nihil est tamen tam² difficile, quod quaerendo non fiat facile. Asperis in rebus et vir noscitur, et gloria quaeritur. Quae magno animo fortiter excellenterque geruntur, nescio³ quomodo pleniori bucca laudare solemus?** Difficiles aditus virtus aperit⁴. Clari et illustres sunt tituli tui, gloriosissime praesul, qui⁵ unionem feceris, jubilaum indulseris, Caesarem coronaveris. Passagii tamen titulus et⁶ dignior et diuturnior omnibus erit, quem ne successor relinquo, et Caesarea pietas suadet, et omnis Christianitas orat. Nam tibi jam coronato Caesare, quamvis multa incumbant magna et alta negotia, nihil tamen est, de quo vel utilius agere vel gloriosius quam de passagio valeas. Amen.⁷

[25] [IV/FV] **Caesari, suscepta ex tua⁸ manu⁹ imperiali corona, nihil antiquius visum est, quam de passagio tecum agere. Quod si fortasse prima fronte arduum videatur, nihil tamen est¹⁰ tam difficile, quod quaerendo non fiat facile. Virtus circa difficile operatur. Asperis in rebus et vir noscitur, et¹¹ gloria quaeritur. Quae magno animo, et fortiter, et excellenter¹² geruntur, nescio quomodo pleniori bucca¹³ laudare solemus.** Clari et illustres sunt tituli tui, beatissime praesul, qui unionem feceris, jubilaum {39v} indulseris, Caesarem coronaveris. Passagii tamen titulus et dignior et diuturnior omnibus erit, quem ne successor relinquo, et Caesarea sublimitas suadet¹⁴, et omnis Christianitas orat, et tibi¹⁵ coronato Caesare quamvis multa incumbant, nihil tamen¹⁶ est, de quo vel utilius agere vel gloriosius quam de passagio valeas¹⁷.^{18 19}

¹ omit. V

² omit. U

³ nisi T

⁴ appetit T

⁵ cum U

⁶ est V

⁷ Finis add. U

⁸ sacra add. M, P, FR1

⁹ sacra add. KO, OO

¹⁰ tamen est : est tamen P, FR1

¹¹ in M

¹² et excellenter : et excellenterque M; excellenterque P, FR1, KO, OO

¹³ bucca A, B, C, E, F

¹⁴ omit. P, FR1

¹⁵ iam add. P, FR1

¹⁶ tam D

¹⁷ omit. KO; possis OO

¹⁸ Finis add. P

¹⁹ Here follow the verses in praise of King Alfonso V which ought to have been directly appended to the oration "*Quamvis grandes materias*" [14], ending on f. 158v

[25] [IV/FV] Having received the imperial crown from your hands, the emperor considered that nothing was more important than raising the issue of a crusade with you. At first glance, it may seem an arduous endeavour, but *nothing is so difficult* that it may not be made easy *through earnest application*.¹ *Courage is about that which is difficult*,² and it is in the arduous matters that a man is made known and glory is sought. *When we wish to pay a compliment, we somehow or other praise in more eloquent strain the brave and noble work of some great soul*.³ Holy Father, your own titles [of honour] are acclaimed and splendid: you have achieved the union of the Church, you have granted a Jubilee,⁴ you have crowned an emperor. But the title of a crusade is even more worthy and lasting than all others: His Imperial Highness urges you and all of Christendom begs you not to leave it to a successor. Having crowned the emperor you have many other tasks awaiting you, but the crusade is the most beneficial and honourable that you may undertake.

¹ Terentius: *Heautontimorumenos*, 675: *nil tam difficilest quin quaerendo investigari possiet*

² Classical sentence going back to Aristotle

³ Cicero: *De officiis*, 1.61

⁴ The Jubilee Year of 1450

(Orations of Pope Pius II; 20)

Oration “*Sentio*” of Enea Silvio Piccolomini (December 1452, Vienna). Edited and translated by Michael von Cotta-Schönberg

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Abstract

In his capacity as guardian of Ladislaus the Posthumous, Duke of Austria and King of Hungary and Bohemia, Emperor Friederich III of Habsburg had by 1452 ruled Ladislaus' Austrian lands for more than a decade. Growing dissatisfaction with his rule led to an Austrian rebellion with the aim of freeing Ladislaus from the emperor's guardianship and transferring the rule of Ladislaus' territories from Friedrich to a government based in Vienna. The rebellion was successful: Ladislaus was released from the emperor's guardianship and moved to Vienna where a government was set up in his name. A number of issues were to be settled at a peace conference in Vienna in December, where the emperor was mainly represented by the seasoned imperial diplomat, Enea Silvio Piccolomini, Bishop of Siena. Piccolomini was also a legate of the pope, Nicolaus V, who had supported the newly crowned emperor by issuing a *monitorium* to the Austrian insurgents. Piccolomini prepared an oration, the "*Sentio*", to be held at the conference, vigourously defending both emperor and pope, but the oration was probably not delivered.

Key words

Enea Silvio Piccolomini; Aeneas Sylvius Piccolomini; Æneas Silvius Piccolomini; Pope Pius II; Papa Pio II; Pope Nicholas V; Pope Nicolaus V; Papa Niccolò V; Emperor Frederick III (Habsburg); Kaiser Friedrich III (Habsburg); Holy Roman Empire; Papacy; Austria; Appeals to a council; Austrian rebellion, 1452; Imperial coronations; Papal supremacy; Renaissance orations; Renaissance oratory; Renaissance rhetorics

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I. INTRODUCTION

1. Context¹

In his capacity as guardian of Ladislaus Posthumous, Duke of Austria and King of Hungary and Bohemia, Emperor Friederich III of Habsburg had by 1452 ruled Ladislaus' Austrian lands for more than a decade. Growing dissatisfaction with his rule led to an Austrian rebellion with the aim of freeing Ladislaus from the emperor's guardianship and transferring the rule of Ladislaus' territories from Friedrich to a government based in Vienna. After the emperor's return from his coronation voyage to Italy, the rebellion developed into a full-fledged war ending in a victory for the Austrians – despite papal intervention in favour of the emperor. The emperor's guardianship over Ladislaus was terminated, Ladislaus came to Vienna, and a government was established in his name. A conference was called to settle a number of questions still outstanding, in Vienna in December 1452. Bishop Piccolomini participated in a double capacity as principal envoy of the emperor² and legate of the Pope. At the conference, he intended to give the oration "*Sentio*", in defense both of the emperor's government of Austria and of the pope's intervention on behalf of the emperor.^{3 4}

It appears, however, that he was not able to deliver the oration as intended.⁵ Piccolomini himself, in his *Historia Austriacis*, mentions that a public meeting where he would give his speech was actually denied the imperial representatives by the leader of the conference, Margrave Albrecht of Brandenburg. Albrecht feared that such a public meeting would cause further disturbances and he had, for that reason, denied a similar request from the Austrian side.⁶

¹ CO, I, 25 (Meserve, I, pp. 122-123); HA, I, pp. 204 ff; II, pp. 640 ff; HB, p. 500 ff.; Piccolomini: *Europa* (Brown, pp. 127-129); Ady, 123-124; Boulting, p. 198; Haller; Koller, p. 128-132; Pastor, I, p. 384; Stolf, pp. 249-250; Toews, pp. 235-239; Voigt, III, pp. 62-87; Walther, p. 318

² Voigt, III, 2, p. 79

³ That the oration was intended to be held at the conference is attested by several passages in the oration itself, e.g.: [sect. 126] ... *exposcit tempus, ut quod ultimo loco de Romani pontificis domini nostri sanctissimi Nicolai quinti desiderio et intento promissimus, in medium afferamus. Quod gravissimo et ornatissimo conventu vestro benignas aures adhibente succincte ac brevissime faciam*; [sect. 129] *Maxime autem diligentiam eo ferri atque intendi vestram hortatur, ut res, quas in hac conventionem suscepistis agendas, ita ordiri conemini atque contexere, quod imperator regi et rex imperatori indissolubili caritatis vinculo reconcilietur*

⁴ That the conference mentioned in the oration was the one to be held at the end of 1452 is attested by the following passage in the oration: [sect. 110]: *Secundum post jubilaum* [which ended in December 1450] *agimus annum, mox tertium, si dominus dederit, ingressuri*

⁵ Some authors appear to believe that the oration was, in fact held, see Ady, pp. 123-124, Zimolo, p. 23, Toews, p. 237. See also Mansi, I, p. 183: *Ad hunc conventum destinati sunt ... et Aeneas Sylvius Senensis Episcopus. Hac occasione habita est oratio hic subdenda* [i.e. the *Sentio*]. Mansi also quotes Piccolomini's *Historia Bohemica: oratores imperatoris, inter quos et ipsi fuimus, ita auditi sunt ut victi apud victorem* (HB, p. 608) (it is not evident however that this passage refers to the oration "*Sentio*"). Moreover, the titles of the mss. used for the present edition have no indication that the oration was not actually held

⁶ HA, II, p. 765: *Legati id opus esse tractatorum aiebant, dari tamen sibi publicam audientiam petebant, in qua ius imperatorium manifestarent, quemadmodum esset conventum. Nam cognita causa facilius possent principes invenire*

Four months later, Piccolomini sent the oration to Cardinal Carvajal.¹ The Cardinal apparently advised him not to publish it as long as he was still residing in German territory, as Piccolomini himself wrote in November 1453 to Bishop Peter von Schaumberg of Augsburg, promising to send him the work when he returned to Italy.² Evidently, Carvajal considered the content of the text to be so controversial that it would be unsafe for Piccolomini to publish it while still in Austria.³

Later publication of the oration took the form of inclusion in the “official” collections of the letters⁴ and orations of Pius II, prepared during his own pontificate.

Interestingly, Pius does not directly mention the oration neither in his *Historia Austriacalis*,⁵ nor in the *Historia Bohemica*, nor in the *Europa*, nor in *Commentarii*, where he speaks of the peace conference in Vienna,⁶ and neither do his contemporary biographers, Campano and Platina.

The “*Sentio*” is generally considered to be one of Piccolomini’s best orations.

Muratori thought that this was the most elegant of Piccolomini’s orations and he especially appreciated Piccolomini’s argumentation for papal supremacy.⁷ Voigt said about it: *Er brachte eine Rede mit sich nach Wien, die längste, die er jemals ausgearbeitet, und ohne Zweifel die trefflichste,*

concordiam. Albertus audientiam publicam sine tumultu non posse fieri dicebat neque pulchrum convitia palam proferri; disputationibus exasperari, non mulceri animos, partem quoque adversam audientiam manifestam petere. At sibi non videri dandum. Legati cum audissent adversarios audientiam cupere, tunc magis flagitabant opere pretium esse putantes cesarem, quem Australes ubique gentium probro affecissent, publice expurgari. Que res nullo pacto suaderi principibus quivit. See also Voigt, III, p. 79

¹ WO, III, I, p. 131: *Misi dignationi vestre pridem tractatum quendam adversus Austriales habitum.* Note that Piccolomini used the word “tractatus” and not “oratio”, and moreover said that it had been “held” (“habitum”). In a note, Wolkan says: *Es ist die grosse, vom ihm geplante aber nicht gehaltene Rede gegen die Österreicher.* In a further letter to the Cardinal, of 10 April, Piccolomini asks the cardinal if he had actually received the oration, since he did not mention it in a letter sent by him to Piccolomini (*ibid.*, p. 134)

² *Ibid.*, p. 360: *Opusculum, de quo facit vestra dignitas mentionem, misi ante annum ad cardinalem sancti angeli, cujus auctoritatem et iudicium maximi facio. Non est visum ejus prudentie publicandus liber, dum his in regionibus moram traho. Parui sententie tanti patris. Nescio quo pacto Rome ut scribitis nonnulli exemplar habuerint. Ego quoad possum recludo et in abdito loco retineo, quod inprimis dictavi. Eam ob causam supplico, ne dignatio vestra egre ferat, si modo non mitto, quod petitis. Mittam autem quamprimum Senis fuero neque id longum erit, si divina pietas dabit.* Note that Piccolomini here implies that the text was known in Rome, and that he had sent it to Cardinal Carvajal a year ago, i.e. before the Vienna conference in December 1452

³ See also Voigt, III, p. 88

⁴ Helmrath, p. 133

⁵ However, he may have alluded to it in the HA, II, 576: *Sed de his [Austrian rebellion against the emperor] alio loco a nobis est dictum et aliquando forsitan dicetur amplius*

⁶ CO, I, 25 (Meserve, I, p. 122)

⁷ Muratori: *In orationem*, pp. 256-257

*ein Meisterstück seiner Dialektik und politischer Kunst.*¹ Boulting called it *one of his ablest and most powerful speeches, though it produced no effect.*²

And Toews considers it to be *one of his ablest and most powerful speeches.*³ He goes on to affirm that it *produced no effect, and that the progressive debasement of Frederick remained unchecked.* Indeed, Toews claims that the emperor's defeat at the hands of the Austrians and the freeing of Ladislaus from his wardship proved that his alliance with the papacy had failed: *The new bent which Frederick's ecclesiastical policy had taken proved fatal.*⁴ To believe that the pope still possessed sufficient moral authority to intervene decisively and against strong, armed opposition in essentially secular affairs in Austria – or anywhere else, for that matter – would indeed have been an error on the part of the emperor. However, his failure in the affair of Ladislaus may be considered as really not being due to his ecclesiastical policies, but to his lack either of an adequate military mobilization against the Austrian rebels, or – if he would not or could not defend himself militarily or make a counterattack – the ability to gracefully bow to necessity before he was forced to do so ignominiously.

Though the papal court advisedly treated the text of the oration with some discretion, it gained some distribution, as witnessed by Cardinal Carvajal: who, on 13 February 1453, wrote to Piccolomini: *Legit dominus noster*⁵ *sanctissimus tractatum contra Australes et laudat publice et commendat omnia tua et certe omnes, qui scripta ex te habere possunt, exemplaria faciunt et servant.*⁶

2. Themes

The main themes of the oration are

- Papal supremacy
- Imperial authority
- Appeals from papal decisions
- Austrian rebellion

¹ Voigt, III, p. 83

² Boulting, p. 199-200

³ Toews, p. 237

⁴ Toews, p. 238

⁵ I.e. the pope

⁶ WO, III, I, p. 565

2.1. Papal supremacy

Six years before, in 1446, in his treatise *De Ortu et Auctoritate Imperii Romani*,¹ and the year afterwards when presenting the emperor's obedience to Pope Eugenius IV, Piccolomini, then imperial secretary, had used the famous passage from Gelasius I to describe the imperial and the papal power as two distinct powers, with no subordination of the imperial power to the papal power in temporal matters and *vice versa*²:

*This world is primarily governed by these two: the power of kings and the holy authority of the popes.*³

This is precisely one of the texts in the *Decretum Gratiani* on which the Austrians based their claim of papal non-interference in secular matters⁴:

The monitorium sent by the pope concerned a secular matter, viz. the wardship of the orphan prince, the government of the Duchy of Austria, and promises and obligations between laymen. The function of the Roman Pontiff is to preach the word of God, to instruct the clergy, to administer the sacraments, to confer ecclesiastical benefices, to deal with spiritual matters, to uphold the faith, to uproot heresies, to nourish morality. If it goes beyond that, it offends against the secular judges, dukes, kings and emperors. For this world is ruled by two powers: the holy authority of popes and the power of kings. These are two distinct offices of government, each with its separate functions, competencies and powers. Nothing more behooves the Roman See than to keep intact the rights of each party. If we believe Cyprian, Gelasius, Nicolaus and Gregory, the pontiff should be concerned with spiritual matters and leave temporal matters to the secular princes. If he begins to interfere in matters concerning kingdoms and secular dominions, we shall neither heed him nor obey his laws. [Sect. 18]

But in the meantime, Piccolomini had accepted the position of the medieval papacy, as eminently represented by Pope Innocent III and – less eminently – by Pope Bonifatius VIII,⁵ and he therefore replied to the Austrian claims, that the papal magisterium is not limited to the religious sphere, but also includes the secular sphere:

Contrary to the delirious blatherings of our adversaries, the authority of the Roman Church is not limited to spiritual matters, for in the Gospel the Lord gave it power in all things, and to

¹ WO, II, p. 12

² Oration "Non habet me dubium" [11], sect. 13. Cf. Modigliani, p. 266

³ Decretum Gratiani, D.96.10 (col. 340): Pope Gelasius to Emperor Anastasius: *Duo sunt quippe, imperator Auguste, quibus principaliter hic mundus regitur: auctoritas sacra Pontificum et regalis potestas*. See also Azzara, p. 17

⁴ This argument had also been mentioned in the oration "Cum animadverto"

⁵ See e.g. Sayers, p. 257-258; Modigliani, p. 267

Saint Peter, the keybearer of eternal life, he gave power¹ both in the earthly and the heavenly realm. And what [he gave] to Peter, [he] also [gave] to Peter's successors as bishops of the City of Rome. [Sect. 23]

This does not mean that the popes exercise ordinary jurisdiction in the secular sphere, where the pope should only act as the last resort and in clearly specified areas:

To them we reply, with Innocent III, that the Roman Pontiff does not exercise secular jurisdiction nor give judgment in secular matters indiscriminately and without good cause, but only rarely and with good cause. For whenever nobody else can or dares give judgment in a secular matter, whenever a secular matter is evidently conducted criminally and divine majesty is being offended, and no secular judges oppose it, and whenever justice is denied, the Roman Pontiff is free to intervene, for his pontifical magisterium is concerned not only with the affairs of priests, but also with secular affairs. [Sect. 27]

A justification of the papal claim to world supremacy as based on monarchy as the natural structure governing Heaven and Earth and the pope as the highest representative of God on Earth had already been given in the oration "*Cum Animadverto*", to be held by King Ladislaus to Pope Nicolaus V in March 1452, presumably written by Piccolomini, but never actually delivered. It was also a central theme in some orations held by Piccolomini, e.g. when, as Pope Pius II, he gave the oration "*Dominatorum caeli*" [35] to ambassadors of Castile, coming in 1492 to present their master's declaration of obedience to the pope.

In the "*Sentio*" Piccolomini's defense of papal supremacy is mainly canonistic, based on texts from the Bible and the Fathers quoted in the *Decretum Gratiani* (including the spurious Decretals of Ps.Isidore) and decretals of Innocent III.

2.2. Imperial authority

On Earth, the Holy Roman emperor has the highest authority in the secular sphere - within the limitations imposed by papal power, see above.

To what extent this applies to the European kingdoms, which had for centuries been developing outside the the political framework of the empire, like France, England etc., Piccolomini does not

¹ "jura"

explain in the present context, but at any rate the imperial office is clearly preeminent in terms of dignity and authority (though not in terms of political power and jurisdiction).

But in as far as the Holy Roman Empire, i.e. Germany and Northern Italy, is concerned the Holy Roman Emperor possesses the highest power, and must be obeyed by all, both those who hold their office directly from him and their subjects.

The arguments advanced by Piccolomini in the “*Sentio*” are based upon the feudal system.

If we ask how the Principality of Austria came to Ladislaus, [the chronicles] will tell you that he is prince by right of succession. If we examine from where the forefathers of the forefathers had their power, they must say that the duchy derives from the empire. What I report does not lie so far back. The emperors had the lordship of this region, and it was they who granted the country with the status of a duchy. During the reign of Friedrich II, Duke Albrecht of Austria fought the Hungarians at the river Leitha and was killed by his own. As he had no heirs, the duchy devolved upon the empire, and Friedrich ruled it through vicars for the rest of his lifetime. [Sect. 46]

Albrecht received Austria from his father, the King of the Romans, as a feudal possession. Thus, Austria is a principality under the empire. Ladislaus is prince and lord of Austria – that I acknowledge – but only on condition that he recognizes Friedrich as his own lord and prince, and that he gives the same obedience to the emperor that he demands from his own subjects. For though the lordship of Austria has properly been transferred to Ladislaus, Austria is still a lordship directly dependent upon the empire. So, let all who declare themselves to be the partisans of Ladislaus beware not just to support one lord, when they actually have two, and not to offend one or both of them, since they are subject to both the duke and the emperor. [Sect. 47]

And since the emperor holds the greater office, the subjects of his dukes must, in case of conflict, obey him rather than their duke.

If somebody asks: “Who should be obeyed in the case of a conflict between them?”, nobody in his right mind would give priority to the duke: logic points to the emperor. This may seem a severe statement, but if the reason for it is understood, it becomes more acceptable. [Let us take an example:] the duke of Austria commands all men able to bear weapons to go to war. A baron, who had received [his possessions as] a feud from the duke, forbids his men to do so. Who would not give greater weight to the command of the duke? But as the baron is to the duke, so is the duke to the emperor. It is unworthy to disobey the commands of one’s superior if one wants to be obeyed by his own inferiors. If someone argues that this rule has become obsolete and that another custom has grown up in its place, then I shall reply with

Cyprian that a custom is erroneous if it is not based on good reason; it is not erroneous because it is based on an old law. What men should follow is not a senseless custom, but honest reasoning. It would be unworthy, absurd and criminal if those people whom I have entrusted to you should prefer you to me, and that those whom you rule in my name should fight against me. That would be like a son hitting his father at the command of his teacher, or like a cleric drawing his sword against the pope at the command of his bishop. [48]

Thus, in the “*Sentio*”, Piccolomini claims that the subjects of the duchies of the empire must obey the emperor before their own duke and support the emperor in case of a conflict between duke and emperor.

However defensible this position might have been in legal terms, it is completely out of touch with the political situation of the empire in 1452. In practice, the dukes of the empire would certainly not accept that their own subjects had to obey the emperor before their own duke, and neither would the subjects, probably.

In the end, the Austrians gained their cause through military power, all brilliant legal arguments notwithstanding. The success of the armed Austrian rebellion against the emperor, supported by the pope, may have been an important eye-opener for Piccolomini who, six years later, concluded his *Historia Bohemica* with these words: *We are convinced that kingdoms are gained by arms and not by laws.*¹

2.3. Appeals from papal decisions

When the papal *monitorium* of 1 April 1452² became known in Austria, the rebels issued the following appeal, written by scholars from the University of Vienna³ and reported in Piccolomini’s *Historia Austriallis*:

Quoniam pontifex maximus imperatoris Federici suasibus motus et nos facere iubet, quae nec nobis nec domino nostro Ladislao conducunt, gravesque poenas in nos minatur, nisi paruerimus, cum id nobis oneri sit, arbitantes eundem pontificem, ut res inter nos et imperatorem Federicum sese habent, ignorare ab eo parum instructo ad eundem

¹ HB, p. 626: *Nobis persuasum est armis acquire regna, non legibus*

² Published in Chmel, II, nr. 4, pp. 4-6. Digitized by Google and available on the web:

https://books.google.de/books?id=YTE_AAAACAAJ&printsec=frontcover&hl=da&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

³ Walther, p. 315

*instruendum docendumque magis sive ad concilium generale indictum seu indicendum vel demum ad universalem ecclesiam appellamus.*¹

The appeal from a pope to a better informed pope or from a pope to an ecumenical council or to the universal church, was developed in the late middle ages by opponents of the papacy as a method of circumventing papal authority in general and the papal judicial system in particular.²

In his oration, Piccolomini endeavours to show that the Austrian appeal against the papal monitorium is not legitimate:

The remedy of appeal was invented for the public good so that those who are wrongly oppressed may have a refuge. Nobody doubts that the appeal is an integral part of justice, since justice is a habit of mind that respects everybody's state while preserving the common good. Therefore, an appeal that goes against the common good should be rejected. The appellant should especially consider three conditions: firstly, that he must have been unreasonably or unjustly wronged; secondly, that he must appeal from a lower court to a higher court; and thirdly, that he must appeal to someone who would be easy to reach. If just one of these conditions is not fulfilled, the appeal is not valid. Moreover, the appellant should ensure that he does not himself change [the status quo] while the appeal is pending. But the Austrians have respected none of these conditions. Therefore, the appeal has no validity since they were not being oppressed, they did not appeal to a higher court, they did not appeal to an accessible judge, and they did not maintain the status quo. [Sect. 99-100]

After this initial statement, Piccolomini examines each of the three conditions of a legitimate appeal and the Austrian non-fulfilment of them.

His arguments against appeals to a council are particularly interesting since they foreshadow the decree *Execrabilis*, see below.

Concerning the **appeal to a better informed pope**, Piccolomini says:

They claim that the pope was not informed. However, the monitorium shows that the pope was both informed and in possession of the facts of the matter. So, either they think that the pope is ignorant of the facts and are shown to be in error by the account in the monitorium

¹ HA, II, p. 680 (*Under the persuasions of Emperor Friedrich, the Supreme Pontiff commands us to do what is profitable neither to us nor to our lord, Ladislaus, and he threatens us with dire punishments unless we obey. This is unacceptable to us. We believe that the named pope does not know how things are between us and Emperor Friedrich. Therefore, we appeal from him as insufficiently informed [about the matter] to himself as better informed and advised, or to a General Council, already indicted or to be indicted, or to Universal Church*)

² See Becker

itself, where their manifest and notorious misdeeds are set forth. Or else they stupidly think that the pope is ignorant of the law. All Roman bishops, surrounded by the most learned senate of cardinals, have an abundant knowledge of all law, but Nicolaus himself is ignorant of nothing but ignorance: I believe that the Apostolic See has never been occupied by anybody more learned or more intelligent than he.

But let us consider further their learned and thoughtful appeal [to a better informed pope]! They want the Roman Pontiff to combine two judges in one person: the judge from whom the appeal is made, and the judge to whom the appeal is made. Oh, good God, to be so clever! Rightly did they make this distinction: what subtle intelligence! I never hear these people without learning something new! Nothing is more profitable than being with good and wise men. However, if we continue in this way, I do fear that we shall glue even more persons on to the pope, so that we not only conjoin the appellant and him against whom they make the appeal, but also make the pope both judge, accused, advocate and witness! I am surprised that he who crafted this appeal does not grow pale or blush, that destroyer of law, that false interpreter of the canons, who endeavours to introduce monstrosities never before seen or heard. What lawgiver ever allowed an appeal to be made from a judge to the same judge? Neither Solon, nor Lycurgus, nor the ten men sent to Greece, nor the responsa of the prudent men, nor the edicts of the praetors, nor the plebiscites, nor the decrees of the senate, nor the decisions of princes, nor the laws of men, nor the customs of the barbarian peoples allow for such a practice. Maybe our adversaries have chased up such a law in the city of Plato which has never been found. Undoubtedly, this madness is far from the Politics of Aristotle. If anybody should dare to claim that this [innovation] is just, the laws and the canons will judge the instigator to be delirious, feeble-minded and foolish, and they will eject him from the college of the learned, as hateful both to muses and to letters. So, the first part of the appeal is nonsense because it goes against the facts of life and introduces a new and unheard of monstrosity, rejected by every law and custom. [Sect. 108-109]

Concerning the **appeal to a council**, he says:

But they add a second part in which they appeal to the council that has been indicted or will be indicted. This is a slippery, uncertain and unstable ground from which we shall easily cast down our adversaries. We have shown above that only in one case can an appeal be made from an undoubted pope, but that this is not the present case. Therefore the appeal is void. But let us concede something to our adversaries; let us be kind; let us make friends of the mammon of iniquity; let us say that something is true that we know to be false: let us say that it is lawful to appeal the acts of the Roman Pontiff to a council. So what? Shall we then leave the victory to the enemy? Certainly not. But what will we answer? Please listen, all of you. They appeal to the council that has been or will be indicted. The first term is false, the second is ridiculous. Until now nobody has heard that a council has been indicted and in fact

it has not been indicted. "But," they say, "it has been promised to the King of France that a council would be celebrated in his kingdom in the year after the Jubilee," and since that year has passed they think that a council has been indicted. Here they draw furrows in the thin dust; here they will harvest oats without kernels, and they will gather no wheat. In such an important matter, it is a very superficial person who is moved not by fact, but by opinion and who follows rumours and silly fables. We are now in the second year after the Jubilee and, God willing, we shall soon be entering the third, and we have not yet heard that a council has been indicted. Who does not understand that their ignorance is affected and false? "Then he does not keep his word to the king," our adversaries reply. That is pure calumny, for the promise of a council to the king was not given unconditionally, but on the condition that the other kings and princes would agree. But these mostly rejected [the idea]. The kings of Aragon, England and Portugal do not want a council to be held in France. I myself, at the command of the emperor, in a public consistory in Rome at the end of the Jubilee Year, argued against holding this council – and with good reason! Our adversaries know this, and therefore they proposed an alternative by appealing to a council already indicted or to be indicted in the future. They are blathering fools, not learned men: trusting in the snares of syllogisms and dialectical tricks, they invent empty glories. But rushing forward they will be dashed against the rock of truth, and they will not enjoy the fruits of their endeavours. For someone who allows an appeal to a council clearly designates either a council in session or a council to be held in the near future. But a council that has not yet been indicted is neither in session or is to be held, and it cannot – either as a matter of fact or as a matter of hope - be called a council. Who is so stupid, or perverse, or shameful that he would appeal to a judge who has neither been born nor is going to be?

The lawgivers decided on a one-year period in which to make an appeal, and in certain cases two years. But our own wise men here stipulate a period of ten years, for they claim that in Konstanz it was decreed that councils should be celebrated every ten years. What a beautiful and useful thing, fostering peace and concord: someone has robbed me of my house and lands, and I summon him to the court. My adversary is ordered to return the things that he has taken with force. He then appeals to a council, postponing the matter for ten years! How will that trial end? And who will wait for ten years? Time glides by imperceptibly and cheats us in its flight. Heavy expenses, the shortness of life and a thousand kinds of death will grant the case to the appellant. But why do I worry about ten years? I fear that it will take twenty years, no, hundred years before another council is celebrated – to be indicted according to the needs of the time, as the Roman Pontiff sees fit. [Sect. 111-112]

Concerning the **appeal to Universal Church**, he says:

As you hear, the appeal to the council has now been torn apart, and neither will their appeal to the Universal Church be left standing. I do not know if our sophists have soused their lips in

the Nag's Spring or dreamed on the two-topped Parnassus, for being usually engaged in debating on asinine and fortuitous matters, they have suddenly come forth as specialists in law. Let us hear their words, let us examine the meaning. They appeal to the Universal Church. What it is that they call the Church? I presume that they are not using this word in the sense of the walls and roofs of the temples, as it is used in common language, but that they are talking about an assembly of the faithful. This term comprises everybody, great and small, men and women, clerics and laymen. In the beginning, such an assembly could sometimes meet in one place, for [at that time] the number of faithful was small. But when the Faith grew, and their sound hath gone forth into all the earth: and their words unto the ends of the whole world, then all the faithful could never again meet in one place. Instead they began to have meetings of a limited number of people, which – since the most important people were present – they considered to represent or constitute the Universal Church. The decrees of those assembled were considered as decisions of the Universal Church. But this kind of assembly, if lawfully convoked, is nothing else than a general council. If our adversaries appeal to the Church in the sense of a council, they actually revert to the second part of the appeal, giving – foolishly, inanely and inappropriately - an alternative that is not really different. And if they really mean the Church itself, spread over the whole Earth, but united in Faith, then nothing can be more childish or insane. For how can the Church, [taken in this sense], examine the matter of appeal, as it cannot be approached [concretely], nor hear the cause nor be heard itself? [Sect. 114-115]

Piccolomini's argumentation concerning the Austrian appeal of the papal monitorium to a council is especially important as it would form the basis of his papal bull, *Execrabilis*, of January 1460, in which he formally forbade appeals from a pope to a future council. In the long term, this bull had a profound influence on the development of the monarchical position of the pope in the Roman Catholic Church.

2.4. Austrian rebellion

In his defense of the emperor against the Austrian rebels, Piccolomini endeavoured to refute their arguments concerning the testament of King Albrecht, the pact between the emperor and Austrians, the interests of King Ladislaus, and his dignity.

2.4.1. Testament of King Albrecht II

Concerning the testament of King Albrecht II,¹ Piccolomini – having cast some doubt on its authenticity² – showed that it had not been accepted by the Austrians,³ the Hungarians and the Bohemians,⁴ and that it could not be fulfilled because it stipulated that Ladislaus should be brought up in Hungary which would have been impossible since Hungary was then ruled by a royal rival from Poland whose party would certainly not be interested in keeping the infant King Ladislaus alive. And finally, the testament went against the customs and laws of the House of Austria:

[In conclusion:] the probation of the testament was doubtful and uncertain; the Austrians decided to disregard it; circumstances changed, and the testament could not be observed; the Bohemians and the Hungarians did not attach any importance to it at all; and it went against the customs of Austria and the laws of its princes. For all these reasons, the Austrian case cannot be supported by invoking the testament. [Sect. 39]

2.4.2. Agreement between the Austrians and the emperor

The emperor's tutelary government of Austria was based on an agreement between himself and the Austrians concerning the form of government. If this agreement was not upheld by the emperor, the Austrians would be free of their obligations towards Friedrich as party to the agreement.

Over the eleven years the tutelary government lasted, the form of government initially agreed upon by the parties actually became obsolete and was replaced by other arrangements, so in that sense the agreement actually had lapsed. But, argues Piccolomini, this really happened on Austrian initiative and the changes in the form of government were at the time accepted by all parties:

Let us now look at the agreement itself and how it was concluded, since that is what makes our adversaries so arrogant. I shall tell you briefly. When the emperor took over the government of the Principality of Austria, he promised to appoint 12 men among the magnates of Austria by whose counsel he would rule the duchy. If he did not fulfill this

¹ Published in Gutkas, pp. 382-385

² Cf. Gutkas, p. 52; Haller, p. 96, n. 7: *Gegenüber den oftmals erhobenen Zweifeln an dem Testament Albrechts II., in dem schon Zeitgenossen eine Fälschung sehen wollten, tendieren neuere Forschungen doch wieder zur Annahme der Echtheit.* The authenticity of Albrecht's testament seems to have been accepted by Koller, p. 57

³ Koller, p. 58

⁴ Cf. Gutkas, pp. 346-349

condition, the promises of the Austrians, by which they had sworn obedience, would be void, and they would not be bound their pledge or oaths. The emperor then chose 12 men, who were called governors. But when they had governed for some time, they abdicated the magistracy at their own initiative. Then, with the agreement of the people, the form of the government of the country was changed: now 24 governors were appointed by whose counsel the emperor would administer Austria. [At that time,] absolutely no mention of the agreement nor of the promises was made. After yet another period, these governors, too, resigned, leaving the country without a government. When Friedrich was informed of it, he began to govern alone, without any [formal] agreement, but with the assent of the people. This is how the matter developed. Now, who does not know that this is true? A specific form of government of the country was established; the agreement became obsolete: the form of government was changed not once, but twice, and at no point did anybody mention the agreement. Who would not consider it to have lapsed? What happened then? For 11 years Friedrich has governed Austria alone, but not without the advice of the people. All have obeyed him, all have been loyal, nobody opposed it, nobody spoke against it, nobody brought up Albrecht's testament, nobody claimed to be freed from their promises, nobody mentioned the letter of agreement. So why this upheaval, after such a long period? [Sect. 44-45]

So far Piccolomini!

2.4.3. Interests of King Ladislaus

Against the Austrians, Piccolomini argued that their rebellion was not in his best interest, and that their objections against the emperor's treatment of Ladislaus were unfounded.

The arguments concerning the interests of King Ladislaus mostly concern the unlawfulness of disobeying Friedrich, who as emperor was Ladislaus' direct superior. It would appear that Piccolomini's arguments in this respect were quite out of tune with the political realities of the times.

As for the emperor's treatment of Ladislaus, Piccolomini affirmed, with some justice, that

- Ladislaus was not treated as a prisoner,
- That he was given proper nourishment
- That the journey to Rome was not dangerous for Ladislaus but highly advantageous
- Ladislaus was not robbed of his inheritance
- Hungarians and Bohemians were not slighted
- Ladislaus has not gained greater freedom and honour

2.4.4. Dignity of King Ladislaus

The Austrians claimed that it was not befitting the dignity of an underage sovereign prince to have a guardian and to be brought up outside his own country.

Piccolomini countered this claim by referring to a number of examples, both old and contemporary, of such princes to have guardians and to be brought outside his own country.

He appealed both to reason and to authorities to show that even underage princes and kings must have guardians and that they must of necessity be brought up in other countries if it would be dangerous to have them stay in their own country during their minority.

He concluded:

Thus, the four claims that seemed to substantiate the Austrian complaints against His Imperial Majesty are manifestly void, ridiculous and without any merit: they can neither be based on the testament nor on the agreement. Moreover, it is not true that they have acted for the good of their lord and their country. And, finally, the dignity of the lord does not justify overturning the guardianship. Thus, they have championed an evil cause, and they themselves were evil, unjust, unworthy of favour, but worthy of contempt. And thus it is right that these evildoers are restrained by the staff of the High Priest. [Sect. 84]

3. Date, place, audience and format

There can be little doubt that Piccolomini prepared the oration “*Sentio*” as his main intervention at the peace conference in Vienna, in December 1452.

The venue would have been the hall where a public meeting of the conference was held.

The audience would have been the participants in the peace conference, i.e. the delegates of the emperor, of King Ladislaus and the Austrians, of Bohemia and Hungary, and the German princes.

The format is an oration, but Piccolomini himself also designates it as a “tractatus”, as an “opusculum”, and as a “liber.”¹

¹ See the above-mentioned letters to Carvajal and Schaumberg

4 Text¹

4.1. Manuscripts²

The oration is extant in three versions.

4.1.1. Version 1

This version was included in three splendid manuscripts containing the “official” collection of Piccolomini’s letters “in episcopatu”.³

- **Roma / Biblioteca Apostolica Vaticana**
Urb. lat. 401, ff. 220r-263r (**U1**)⁴ *
Ottob. lat. 347, ff. 174r-214r (**U2**)⁵ *
Vat. lat. 1787, ff. 214v-260v (**U3**)⁶

4.1.2. Version 2

Version 2 is extant in a humanist collective manuscript from Venice. It has a number of variants in common both with Version 1 and Version 3.

- **Venezia / Biblioteca Marciana**
Lat. XIV.1, ff. 42r-95r (**V**)

4.1.3. Version 3

The Final Version is included in all seven manuscripts containing the Collected Orations of Pius II, compiled in 1462 under the pope’s direct supervision. The seven manuscripts are the following:

¹ Concerning the textual transmission of Pius II’s orations, see *Collected orations of Pope Pius*, vol. 1, ch. 5

² Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

³ Helmrath: *Reichstagsreden*, p. 133

⁴ Helmrath, p. 321; Kristeller (digital version used)

⁵ Helmrath, p. 320; Kristeller (digital version used)

⁶ Helmrath, p. 316; Kristeller (digital version used)

- **Lucca / Biblioteca Capitolare**
544, ff. 62v-95r **(G)** *
- **Mantova / Biblioteca Comunale**
100, ff. 92v-138v **(F)** *
- * **Milano / Biblioteca Ambrosiana**
l. 97 inf., ff. 61v-95r **(E)** *
- **Roma / Biblioteca Apostolica Vaticana**
Chis. J.VI.211, ff. 62v-94v **(D)** *
Chis. J.VIII.284, ff. 42v-67v **(A)** *
Chis. J.VIII.286, ff. 91r-141r **(C)** *
Vat. lat. 1788, ff. 59r-95r **(B)** *

Version 1 is probably the earliest of the three versions, whereas Version 2 is an Intermediate Version, and Version 3 the Final Version of the text.

4.2. Editions

The third version has been published (at least) three times in the 17th - 18th century:

- Muratori, Ludovico Antonio: *Anecdota quae ex Ambrosianae Bibliothecae codicibus nunc primum eruit*. 4 vols. Milano/Padua, 1697-1713 / Vol. II (1698), pp. 121-175
[On the basis of ms. E from Milan, probably with emendations by Muratori himself]
- Muratori, Ludovico Antonio: *Opere del proposto Lodovico Antonio Muratori*. Arezzo: Bellotti, 1770 / T. II, pt. II, pp. 199-250
- Pius II: *Orationes*. Ed. Giovanni Domenico Mansi. Tom I. Lucca: Benedini, 1755, pp. 184-248
[On the basis of Muratori and the manuscript in Lucca, G]

4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

Text:

The text is based on all manuscripts listed above. Muratori's edition has also been collated with a view to assessing its quality.

Pagination: after BAV / Chis. J.VIII 284: red

5. Sources¹

In this oration, altogether 180 direct and indirect quotations from various sources have been identified:

Biblical: 70

Classical: 43

Patristic and medieval: 66

Contemporary: 1

All : 180

The biblical quotations dominate slightly, but there are quite many quotations from the classics and the fathers.

Biblical sources: 70

Old Testament: 31

- Genesis: 2
- Deuteronomy: 1
- Numbers: 1
- Daniel: 1
- Ecclesiastes: 2
- Ecclesiasticus: 1
- Ezekiel: 2

¹ For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

- Isaiah: 3
- Jeremiah: 1
- Job: 1
- Jonah: 1
- 1. Kings: 2
- Malachias: 1
- Proverbs: 4
- Psalms: 8

New Testament: 39

- Matthew: 7
- John: 3
- Luke: 8
- Mark: 1
- Acts: 2
- 1. Corinthians: 3
- 2. Corinthians: 3
- Galatians: 3
- 1. John: 1
- 1. Peter: 2
- Romans: 4
- 1. Timothy: 1
- 2. Timothy: 1

Classical sources: 43

- Cicero: 4¹
- Gellius: 1
- Homer: 1
- Horatius: 5²
- Juvenalis: 8
- Lucanus: 1
- Ovidius: 1³

¹ Academica: 1; De inventione: 1; De officiis: 1; Pro Milone: 1

² Ars poetica: 1; Carmina: 1; Epistolae: 1; Satirae: 2

³ Metamorphoses

- Persius: 1
- Plutarch: 1¹
- Quintilianus: 1
- Sallustius: 3²
- Seneca: 2³
- Solinus: 1
- Statius: 4⁴
- Suetonius: 1⁵
- Valerius Maximus: 2
- Vergilius: 6⁶

Patristic and medieval sources: 66

- Alexander III: 1
- Augustinus: 5⁷
- Basil of Caesarea: 2⁸
- Cyprianus: 7⁹
- Decretum Gratiani: 36
- Gregorius I.: 1¹⁰
- Innocentius III.: 1¹¹
- Jeronimus: 5¹²
- John Chrysostom: 1
- Pseudo-Isidorus: 5¹³
- Tertullianus: 2¹⁴

¹ Parallel lives

² Bellum Catilinae 2; Bellum Jugurthinum 1

³ Phaedra 1; Troades 1

⁴ Thebais

⁵ Vitae Caesarum

⁶ Aeneis 3; Eclogae 2; Georgica 1

⁷ Confessiones 2; Contra Faustum 1; Homiliae 2

⁸ Ad adolescentes

⁹ De unitate ecclesiae

¹⁰ Homiliae

¹¹ Venerabilem

¹² Epistolae

¹³ Decretales

¹⁴ Liber apologeticus

Contemporary sources: 1

- Bruni, L.: 1¹

6. Bibliography

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¹ Laudatio urbis Florentinae

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7. Sigla and abbreviations

A = Roma / Biblioteca Apostolica Vaticana / Chis. J.VIII.284

B = Roma / Biblioteca Apostolica Vaticana / Vat. lat. 1788

C = Roma / Biblioteca Apostolica Vaticana / Chis. J.VIII.286

D = Rome / Biblioteca Apostolica Vaticana / Chis. J.VI.211

E = Milano / Biblioteca Ambrosiana / I. 97 inf

F = Mantova / Biblioteca Communale / 100

G = Lucca / Biblioteca Capitolare / 544

U1 = Roma / Biblioteca Apostolica Vaticana / Urb. lat. 401

U2 = Roma / Biblioteca Apostolica Vaticana / Ottob. lat. 347

U3 = Roma / Biblioteca Apostolica Vaticana / Vat. lat. 1787

V = Venezia / Biblioteca Marciana / Lat. XIV.1

MU = Muratori, Ludovico Antonio: *Opere del proposto Lodovico Antonio Muratori*. Tom. 11, parte 2. Arezzo, 1770

Abbreviations

CO = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

HA = Eneas Silvius Piccolomini: *Historia Austrialis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

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MA = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

MPL = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

RTA = Deutsche Reichstagsakten

WO = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918

Decretum = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

Epistolarium = Eneae Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007

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Reject = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*. Intr. and transl. by T.M. Izbicki et al. Washington, D.C., 2006

II. TEXT AND TRANSLATION

Oratio Aeneae Silvii Piccolominei episcopi Senensis qui postea pontificatum maximum adeptus Pius Secundus appellatus est habita Viennae pro auctoritate Romani pontificis adversus Austriales¹ anno Domini MCCCCLIII^{2 3 4 5}

[1] {42v} Sentio, reverendissimi patres, illustrissimi principes, ceterique viri praestabiles, non leve pondus hodie meis humeris imminere⁶, quando⁷ in re maxima adversus plerosque potentes et⁸ insignes Austriae proceres sum verba factururus. Verum quia res ipsa sanctissimum dominum nostrum⁹ Nicolaum papam V. concernit, cujus apud has regiones, quamvis impar tanto muneri, oratoris officio fungor, necessarium est silentibus ceteris¹⁰ me consurgere. Indigne namque legati titulos et sanctum populis per saecula nomen assumpsissem¹¹, nisi mittentis dignitatem pro mea virili¹² defenderem. *Sicut frigus*, inquit sapiens¹³, *in*¹⁴ *die*¹⁵ *messis sic fidelis legatus ei, qui misit illum, quoniam illius animam quiescere facit.* Exinde, si *malis aureis in lectis argenteis comparandus est, qui loquitur verbum in tempore suo*, quis non verbis meis favebit, quae summi sacerdotis communisque omnium¹⁶ patris et magistri causam tuebuntur?

¹ Austral.. et passim V

² 1453 (*sic!*)

³ Oratio ... MCCCCLIII : Aeneae Silvii episcopi Senensis legati apostolici oratio habita Vienne pro auctoritate Romani pontificis **D, G**; Oratio pro auctoritate Romani pontificis adversus Austriale **U2, U3**; Sermo ejusdem ad barones Ungariae **V**

⁴ *This title is also given in MU*

⁵ *No title* U1

⁶ invenire U1; sum(m)ere B, E, MU

⁷ quoniam F; quod V

⁸ *omit.* V

⁹ *omit.* F

¹⁰ silentibus ceteris : silentium caveris F

¹¹ Sanctum legatorum nomen *in marg.* U3

¹² mea virili : virili mea F

¹³ Salomon *in marg.* A; Sapiens *in marg.* D, G

¹⁴ *omit.* V

¹⁵ in die : inde U1

¹⁶ omniumque F

Oration of Enea Silvio Piccolomini, Bishop of Siena, who was called Pius II after he became pope, in defense of papal authority against the Austrians, in the year 1453

0. Introduction

0.1. Captatio benevolentiae

[1] Reverend fathers, illustrious princes, and other distinguished men, today I feel a heavy burden on my shoulders as I am going to speak against many powerful and eminent nobles of Austria in a highly important matter. But this matter concerns Our Most Holy Lord, Pope Nicolaus V,¹ and as I am his orator in these regions² - though not worthy of such an important office - I must speak out in his defense since everybody else remains silent. For I would not justly have accepted the title and name of legate - a name [that has been held] inviolate³ among all peoples through centuries - if I did not with all my strength defend the dignity of the one who sent me. *As the cold of snow in the time of harvest, says the Wise One, so is a faithful messenger to him that sent him, for he refresheth his soul.*⁴ Therefore, since *to speak a word in due time is like apples of gold on beds of silver,*⁵ who will not listen favourably as I defend the cause of the High Priest, the common father and teacher of all?

¹ Nicolaus V [Tommaso Parentucelli] (1397-1455): [Pope](#) from 6 March 1447 until his death

² In March 1453, Piccolomini was appointed papal legate to Bohemia, Silesia, Austria, Moravia, Styria, Carinthia, Carniola, and later to Hungary

³ “sanctum”

⁴ Proverbs, 25, 13: *sicut frigus nivis in die messis ita legatus fidelis ei qui misit eum animam illius requiescere facit*

⁵ Proverbs, 25, 11: *mala aurea in lectis argenteis qui loquitur verbum in tempore suo*

[2] Blandior egomet mihi nec sine felicitatis parte me judico, cui tantae majestatis est oblata¹ defensio, quamquam priscorum quempiam² resurgere³ nunc ab inferis optarem, qui garrulam, non dico Austrialiu⁴, sed consultorum loquacitatem et tantae praesumptionis audaciam solida, gravi, atque acri, ut olim mos fuit, oratione retunderet. Sed confutabimus nos pro captu nostro haec *vasa terrea sive lignea*, quibus aut virgam ferream aut incendium aeternum⁵, nisi resipuerint, imminere non dubitamus, quando etsi⁶ sciunt melius esse pro veritate pati supplicium⁷ quam pro adulatione referre beneficium, his⁸ tamen, qui discidium {43r} in Austria fecerunt magnosque motus excitarunt, et blandiri, et adulari, et eorum malefacta tueri, et appellationes dictare, ac leges et canones in reprobum sensum exponere non erubescunt. Verum, sicut apostolus Paulus accusatus apud Festum a Judaeis beatum se existimabat⁹, quod suam causam defensurus esset Agrippa praesente¹⁰, qui consuetudines nosset et quaestiones Judaeorum, sic et mihi beatitudinem quandam esse confido, quod pro summo Christianorum patre apud vos audiar, qui leges ac consuetudines Christianas non minus calletis, quam Judaicas Agrippa cognovit. Qui cum doctrina praestatis, tum virtus ea¹¹ vobis¹² est, ut omnem valeatis¹³ iniquitatem irrumpere.

[3] Scio praeterea vos apostolicae sedi veluti matri vestrae, cujus lacte nutriti estis, reverentiam gerere progenitoresque vestros sacrum illud solium¹⁴ omni tempore veneratos fuisse. Neque ab re, quando omnium bonarum artium studia omnemque disciplinam et ipsam fidem catholicam Romanae virtutis ministerio Christus dominus in partes Occidentis atque¹⁵ Boreales effudit. Quibus ex¹⁶ rebus si quid diminute, aut indocte, aut inepte fuerit a me¹⁷ dictum, id spero¹⁸ vestra supplebit caritas, doctrina corriget, benignitas tolerabit.

¹ est oblata : oblata est D, G

² quenquam C

³ resurge U2

⁴ *corr. ex Australium* A

⁵ *omit.* MU

⁶ si U1

⁷ pati supplicium : supplicium pati G

⁸ is U1

⁹ estimabat U3

¹⁰ Paulus presente Agrippa *in marg.* D, G

¹¹ *omit.* G

¹² nobis S

¹³ valeat S

¹⁴ solum F

¹⁵ ac U3

¹⁶ quibus ex : ex quibus V

¹⁷ fuerit a me : a me fuerit U3

¹⁸ pro F

[2] I am flattered and pleased to have the opportunity to defend such great majesty, although I could wish for one of the ancients to rise up now from the nether world in order to counter in a substantial, grave and vigorous oration - as was the custom then - the loquaciousness and the presumptuous temerity - not of the Austrians, but of their advisors. But we shall to the best of our ability confute these *vessels of the wood and of earth*.¹ We do not doubt that they are under the threat of the iron rod or eternal fire unless they come to their senses. For though they know that it is better to suffer for the truth than to gain profit from flattery, they are not ashamed to flatter and cajole those who have caused conflict and great disturbances in Austria, to support their evil deeds, to write appeals, and to pervert the sense of laws and canons.² When the Jews made accusations to Festus³ against Paul the Apostle, he thought himself lucky that he was to plead his case before Agrippa⁴ who knew the customs and questions of the Jews.⁵ In the same way, I am happy to be speaking for the Supreme Father of the Christians to you who understand the Christian laws and customs just as well as Agrippa knew the Jewish ones. Your learning and virtue are so great that you will be able to see through all evil.

[3] Moreover, I know that you venerate the Apostolic See as your mother on whose milk you were nourished, and that your ancestors always revered that holy throne – and justly so, since Christ Our Lord spread the studies of the good arts⁶, all teaching, and the Catholic Faith itself to the Western and Northern regions with the aid of Roman virtue.⁷ Therefore, if I say something that is inadequate, unlearned or inept, I hope that it will be improved by your charity, corrected by your learning and tolerated by your benevolence

¹ 2. Timothy 2, 20

² i.e. Canon law

³ Porcius Festus was [procurator](#) of [Judea](#) from about AD 59 to 62

⁴ Herod Agrippa II (ca. 27-ca. 99): seventh and last king of the family of [Herod the Great](#), the [Herodians](#)

⁵ Acts, 26, 2-3: *I think myself happy, O king Agrippa, that I am to answer for myself this day before thee, touching all the things whereof I am accused by the Jews. Especially as thou knowest all, both customs and questions, that are among the Jews (aestimo me beatum apud te cum sim defensurus me hodie maxime te sciente omnia quae apud Iudaeos sunt consuetudines et quaestiones)*

⁶ i.e. the liberal arts

⁷ Note how Piccolomini mentions the liberal arts before the Catholic faith and make them a gift of Christ

[4] Ceterum, quia tres sunt personarum qualitates, adversus quas nostra dicta videri possunt, consultores, actores¹, et is, cujus causa res gestae dicuntur, expediens esse dijudico, priusquam principale negotium² attingo, quae sit vel domini nostri vel mea³ de hisce personis sive sententia sive mens in medium proferre.

[5] De consultoribus⁴ primum dicam. Hos⁵ ego, qui fuerint⁶, nescio nominare, sed ajunt eos litteratos esse ac doctores appellant. Mira res, si doctores dicendi sunt, qui dedocent! Majores nostri quattuor illos illustres et summos viros, jam caelum sublime tenentes, Gregorium, Jeronimum, Ambrosium, Augustinum⁷ idcirco doctores appellaverunt, quoniam rectum vitae tramitem et salubrem doctrinam solida et vivaci ratione, non variis⁸ elenchis aut sophisticis inventionibus⁹ docuerunt. Minime quidem magistri nomen meretur, qui discipulum fallit. Ille doctor, ille¹⁰ magister est nominandus, cui sermo convenit¹¹ evangelicus: *Magister, scimus quia verax es, et viam Dei in veritate doces, et non est tibi cura de aliquo; non enim*¹² *respicis personam*¹³ *hominum*. At nonnulli, quamvis sint animalia spurca atque probrosa¹⁴, nomen tamen¹⁵ ¹⁶ usurpant sanctissimum, et aut theologi¹⁷ dici volunt aut jureconsulti. Quibus titulis simpliciores decipiunt, mala et impia eorum facta laudantes, quae vituperare debuerant.

¹ auctores F

² negotium principale : principale negotium F

³ in ea F

⁴ De consultoribus *in marg.* D, G

⁵ hoc V

⁶ fuerunt U1

⁷ Gregorius, Hieronimus, Ambrosius, Augustinus *in marg.* A; Divi Gregorius ... Augustinus *in marg.* U3

⁸ vanis U1, U2, U3

⁹ rationibus G

¹⁰ *omit.* V

¹¹ invenit F; inventus U1

¹² cum U1

¹³ personas D, G; persona E; personam MU

¹⁴ probra V

¹⁵ cum V

¹⁶ nomen tamen : tamen nomen F

¹⁷ theologi G

0.2. The parties

[4] Before I start on the principal issue, it would seem relevant to explain Our Lord's¹ and my own position and opinion concerning the three parties against whom I shall be arguing: the counselors, the participants², and the person on whose behalf they claim to have acted.

0.2.1. Counselors

[5] First, I shall speak about the counselors. I cannot name them, but they are said to be educated men and called "doctors". It is astonishing that people who propound erroneous teachings³ may be called "doctors"! Our forefathers called "doctors" four illustrious and eminent men, who are now in High Heaven: Gregory,⁴ Jerome,⁵ Ambrose⁶ and Augustine,⁷ and they did so because these men taught the right way of living and a salutary doctrine through solid and vigorous reasoning, not through syllogisms and sophistry. Someone who fails his pupil certainly does not merit the name of "teacher". Only that man should be called a "doctor" or a "teacher" who fulfills the word of the Gospel: *Master, we know that thou art a true speaker and teachest the way of God in truth. Neither carest thou for any man: for thou dost not regard the person of men.*⁸ But many, though they are foul and shameful beasts, usurp a most respectable title and want to be called either theologians or lawyers. By these titles they fool simple people, praising their bad and impious deeds when instead they ought to reproach them.

¹ I.e. the pope's

² "actores"

³ "dedocent"

⁴ Gregorius I (ca. 540-604): Pope 590 to his death in 604

⁵ Jeronimus, Eusebius Sophronius (ca. 347-420): Cardinal. Doctor of the Church. Saint

⁶ Ambrosius, Aurelius (ca. 340-397). Archbishop of Milan. Doctor of the Church. Saint

⁷ Augustinus, Aurelius (354-430): Bishop of Hippo. Theologian. Doctor of the Church. Saint

⁸ Matthew, 22, 16

[6] His hominibus¹, quantumcumque doctis, non potest aliud dicere summus pontifex, nisi quod minatur Ezechiel² *Vae*³, dicens, *qui consuunt*⁴ {43v} *pulvillos sub omni cubito manus, et faciunt cervicalia sub capite universae aetatis*. Sunt enim assentatores et⁵ animarum deceptores, qui peccata perpetrantibus adulantur. Vellet apostolica sedes hos magistros⁶, quae⁷ didicerunt in scholis, pura et aperta fronte docere. Quod si facerent, sanctum illum virum imitarentur, qui sicut mala de bonis non⁸ existimabat⁹ ita judicare bona de malis recusabat, dicens: *Absit a me, ut justos vos*¹⁰ *judicem; donec deficiam, non recedam ab innocentia mea.*^{11 12} Nec plura modo de consultoribus.

¹ omnibus G

² Ezechiel pulvillos in marg. D, G

³ ut E; *omit.* MU

⁴ consumit U1

⁵ ac C

⁶ magnates MU

⁷ qui U1, V

⁸ *omit.* G

⁹ extimabat U1; estimabat U2, U3; existimat V

¹⁰ nos V

¹¹ ab innocentia mea *omit.* V

¹² lob xxviii in marg. A

[6] To these men, however learned they may be, the Supreme Pontiff can say nothing else than the threatening words of Ezechiel: *Woe to them that sew cushions under every elbow: and make pillows for the heads of persons of every age.*¹ For they are toadies and deceivers of souls as they egg on those who commit sins. The Apostolic See would wish these teachers to teach sincerely and openly that which they themselves learned in school. In doing so, they would imitate that holy man who, just as he did not think badly of good people, refused to think well of bad people, saying: *God forbid that I should judge you to be just: till I die I will not depart from my innocence.*²

And for now, no more about the advisors.

¹ Ezekiel, 13, 18

² Job, 27, 5

[7] Nunc in agentes¹ sermo descendat. Hi sunt, qui sumentes arma divum Fridericum Caesarem ex administratione ducatus Austriae pepulerunt². Horum est numerosa³ multitudo. Certare tamen cum his tantum nos oportet, qui sunt in apostolico monitorio nominati. Nam princeps illustris et alto sanguine natus magnoque vir ingenio, comes Ciliae, quamvis campi ductor primas belli partes gesserit, non tamen comminatorias, sed hortatorias ex Romano pontifice litteras accepit, ne se misceret Austrialibus ausis. Qua ratione non paruerit, non est meum nunc discutere⁴. Nulla nobis cum eo lis est, neque sua magnificentia, sicut opinor, apostolicae sedi quidquam imputat, nisi fortasse juvare hos⁵ ⁶ velit, quibuscum foedus habet. Sic de ceteris dicimus, qui ferentes arma contra Caesarem, non habent⁷ in monitorio nomen.

[8] Nominati vero, quibus querela videtur competere, quidam clerici sunt, quidam laici; et clericorum quidem alii religiosi, alii, ut vulgi sermo est, saeculares. Fuerunt et actores⁸ novitatum clerici, et quamvis in castris non militarunt, subditos tamen suos ire jusserunt. Negarunt oboedientiam Caesari, contiones tumultuarias adiverunt, administrationi se novae reipublicae miscuerunt, nec mandatum Caesaris, nec summi pontificis jussionem timuerunt. Quid ego de his mentibus adeo rebellibus durissimisque cervicibus dicam, quae dum sedis apostolicae majestatem impugnant, laqueos sibi nectunt et foveam, in quam ruant, suis manibus fodiunt? *Et quid agitis*, inquit Symmachus ad clericos Romanae dignitatis impugnatores⁹, *de hac mihi per prophetam dictum videtur: Si hoc*¹⁰ *humilietur, ad cujus confugietis auxilium, et ubi requiretis gloriam vestram*¹¹?

¹ De agentibus *in marg.* D, G

² Ejectio Friderici Cesaris de Administratione Ducatus Austrie *in marg.* U3

³ innumerosa B, E, U1, MU

⁴ discurrere F

⁵ *omit.* C; has U1

⁶ his iuvare V

⁷ habet U1

⁸ auctores U1

⁹ Simacus *in marg.* A; Simmachus ad clericos impugnatores *in marg.* D, G; Beatus Symmachus *in marg.* U3

¹⁰ haec U1, U2, U3, MU

¹¹ meam F

0.2.2. Participants

[7] Now, let us talk about the participants. They are the ones who, weapons in hand, drove Emperor Friedrich from the government of the Duchy of Austria. They form a large group of people, but we shall only be disputing with those who are named directly in the apostolic monitorium.

For although the Count of Cilli,¹ an illustrious prince of high nobility and a man with great intelligence, had a leading military role in the war, the letter he received from the Roman Pontiff was not a warning letter, but a hortatory letter [asking him] not to involve himself with the Austrian adventurers. Why he did not obey, I shall not discuss now. We have no conflict with him, and I believe that the Apostolic See charges His Magnificence with nothing except, possibly, that he has lent assistance to his allies.²

The same applies to the others who are not named in the monitorium though they have fought against the Emperor.

[8] Of those who are explicitly named and blamed in the monitorium, some are clerics, and some are laymen. Of the clerics some belong to the religious clergy and some to the secular (to use the common term). Indeed, clerics, too, participated in the rebellion, and though they did not fight themselves, they bade their subjects go to war. They refused to obey the emperor, they attended seditious assemblies, they involved themselves in the new administration of the state, and they respected neither the command of the emperor nor the order of the pope. What can I say about those rebellious minds and stiff necks that fight against the majesty of the Apostolic See and with their own hands tie the noose and dig the pit into which they shall fall.³ *And what are you doing?*, said Symmachus to those clerics who opposed the Roman dignity. *It seems to me that this is what the Prophet spoke about when he said: if this is brought low, where will you go for help and where will you seek your glory?*⁴

¹ Ulrich II. von Cilli (1406-1456): count-prince of Cilli

² Or rather: and I believe that His Magnificence has no problem with the Apostolic See unless ...

³ Ecclesiasticus, 27, 29: *He that diggeth a pit, shall fall into it: and he that setteth a stone for his neighbour, shall stumble upon it: and he that layeth a snare for another, shall perish in it. (et qui foveam fodit in illam decidet et qui statuit lapidem proximo offendet in eo et qui laqueum alio peribit in illo)*

⁴ Decretum, C.9.3.14 (col. 610): *Si haec humiliatur, ad cuius fugietis auxilium et ubi relinquetis gloriam vestram*. See Isaiah, 10, 3

[9] Verum non¹ simplices clerici, sed religiosi quoque adversus Romanum praesulem erigere cornua ac seditiosos gerere magistratus minime formidaverunt. At qui religiosi? Nempe et Bernarditae², quos silvas aut desertas eremi valles³ incolere vetus institutio praecipit! Et Carthusienses, qui ut divinae contemplationi securius incumbant, {44r} neque praedicare verbum Dei, neque confessiones audire⁴, neque ministrare populis sacramenta consueverunt! Nam et abbatem Mellicensem, quem nos altero anno benediximus, et priorem Murbacensem⁵ ac praepositum Noviburgi inter XII viros⁶ fuisse constat, penes quos belli et pacis apud Austriales libertas erat. O religiosi, qui mundo mortui et videri et⁷ esse vultis, quibus silentium Pythagoricum⁸ imperatur, qui conventus⁹ hominum veluti pestes evitare jubemini¹⁰, quibus extra septa¹¹ prodire sacrilegium est, qui dum celebratis divina, nunc lacrimamini¹², nunc suspiratis: quo timor ille Dei recessit? Ubi mundi contemptus? Quid vos nunc ingredi palatium, interesse rumoribus, sedere pro tribunali, tributum exigere, vectigalia tollere¹³, convocare¹⁴ militias, exercitus comparare summo pontifice prohibente^{15 16} coegit¹⁷? *En animam et mentem cum qua dii nocte loquuntur.*

¹ ne MU

² Bernarditae *in marg.* A; Religio Bernarditarum *in marg.* U3

³ eremi valles : heremos V

⁴ neque confessiones audire *omit.* G

⁵ Murbacensem U3

⁶ viris U1

⁷ *omit.* U3

⁸ Silentium Pythagoricum *in marg.* A

⁹ conventum V

¹⁰ jubemur U1

¹¹ septo V

¹² lacrimaminis U1

¹³ tolle U1

¹⁴ revocare F

¹⁵ *add. in marg.* U2

¹⁶ summo pontifice prohibente : prohibente summo pontifice U1

¹⁷ cogit F

0.2.2.1. Clergy

[9] Not only common¹ clerics, but also religious have dared to raise their horns against the Roman bishop and act as seditious magistrates. What religious? Indeed, both Bernardites,² whom their old rule bids to live in forests and solitary valleys in the wilderness, and Carthusians, who desiring to devote themselves more surely to divine contemplation neither preach the word of God, nor hear confessions, nor administer the sacraments to the people! For it is a fact that the Abbot of Melk,³ whom we ourselves blessed last year,⁴ the Prior of Mauerbach⁵ and the Dean of Neuburg⁶ were among the twelve men who would decide on war and peace in Austria. Oh, you members of religious orders, who want to be and to be seen as dead to the world, who are obliged to observe Pythagorean silence⁷, who are bidden to avoid the gatherings of men as if they were they were a pest, for whom it is a sacrilege to leave the enclosure, who when celebrating the divine office now cry, now sigh⁸: what happened to the fear of God? Where is the contempt of the world? Who has now forced you, against the prohibition of the Supreme Pontiff, to enter the palace, to join the rumour mill, to sit in judgement, to exact taxes, to remove tariffs, to gather troops, and to raise armies: *A pretty kind of mind and spirit for the Gods to have converse with by night.*⁹

¹ I.e. secular

² i.e. Cistercian monks, the followers of Bernard of Clairvaux

³ Stephan von Spannberg, abbot of Melk 1451-1453

⁴ In his capacity as papal legate, Piccolomini must have officiated at the installation of the new abbot

⁵ Prior Johann of Mauerbach

⁶ Georg Müstinger from Klosterneuburg

⁷ Pythagorean silentium, see Gellius: *Noctes Atticae*, 1.9.3-4. Also used by Piccolomini in his *De liberorum educatione*, written in 1450, and dedicated to King Ladislaus, then 10 years old

⁸ An example of Piccolomini's use of the classical rhetorical device *accumulatio*

⁹ Juvenalis: *Satirae*, 6.531: *en animum et mentem cum qua di nocte loquantur!*

[10] Haec si numquam sedes apostolica prohibuisset, tamen quia contra Caesarem injuste agebantur, nec vestrae¹ religioni conveniebant, vitare atque² fugere oportebat, quanto magis postquam Christi vicarius interdixerat? Sed timuistis, ne³ temporalia vestra perirent. At⁴

*Justum et tenacem⁵ propositi⁶ virum⁷
non civium ardor prava jubentium,
non vultus instantis tyranni mente quatit solida.*

Sed neque pauperies, neque mors, neque vincula terrent, responsare cupidinibus, contemnere honores⁸, fortem et in seipso totum teretem⁹ atque rotundum, in quem manca ruit semper fortuna¹⁰. Quid religiosi faciant¹¹, quorum professionem stoica disciplina constat esse perfectiorem¹²? Veros religiosos non aurum, non sedes, non amici, non proximi, non res ullae saeculares, non vitae dulcedo, non mortis metus ex sancto proposito possunt aut recto divellere tramite, quoniam opes, genus, spem, sedem¹³, gratiam, dignitatem non hic in terris, sed in caelis invenire festinant. Ac tantum de clericis dixisse volumus.

¹ nostre U1

² ac B, E, MU

³ omit. U1

⁴ ac F, U1

⁵ tenecacem A, C

⁶ prepositi F

⁷ Justum et tenacem virum *in marg.* D

⁸ homines E, MU

⁹ terentem E, MU; terentem V

¹⁰ semper fortuna : fortuna semper B, V

¹¹ Religiosorum officium *in marg.* U3

¹² perfectionem D, G

¹³ spem sedem : sedem spem U1, U2, U3

[10] Even if the Apostolic See had never forbidden these things, they ought still to have been avoided and averted, for they were done unlawfully against the emperor and were improper for members of your orders. And how much more should they not have been avoided when they were forbidden by the Vicar of Christ? You were afraid of losing your temporal possessions. But

*the man tenacious of purpose in a righteous cause
is not shaken from his firm resolve
by the frenzy of his fellow-citizens bidding what is wrong,
not by the face of the threatening tyrant.*¹

*Neither poverty nor death nor bonds affright him, who bravely defies his passions, and scorns ambition, who in himself is a whole, smoothed and rounded*² *and against whom Fortune in her onset is ever maimed.*³ And what should the religious do whose calling is clearly more perfect than the stoic discipline?⁴ True religious may be moved from their holy purpose and the right path neither by money, mansions, friends, relatives, nor by anything secular, nor by a comfortable life, nor by fear of death. For they should not pursue wealth, family interests, hope, mansions, favour and status here on Earth, but in Heaven. This is what we wanted to say about the clerics.

¹ Horatius: *Carmina*, 3.3.1

² Horatius: *Satirae*, 2.7.83-86. Slightly adapted by Piccolomini

³ Horatius: *Satirae*, 2.7.88

⁴ Piccolomini considers the quotes from Horace to be an expression of classical stoic philosophy, and the tenor of the argument is that if the pagan stoics of antiquity could behave well, Christians monks should behave even better

[11] Ad laicos¹ propero, inter quos et insignes comites, et generosi barones, et magni nobiles, et potentes communitates annumerantur. Hos ego et viros sine felle arbitror, boni et aequi amantes, sed deceptos consilio peritorum, qui conatus eorum justos et apostolicam jussionem iniquam dicebant. Nesciverunt² armati milites jura, nec quanta sit imperatoris majestas norant, nec Romani pontificis quanta sit auctoritas. Crediderunt, quod docti suaserunt, quod clerici praedicarunt³. Quis populus errante clero non errat? Et salvantur cum pastoribus greges et pereunt. Eapropter petit horum nobilitatem sanctitas apostolica, ut quemadmodum vulneranti doctrinae prestitit aures, sic et medenti praebeat, ne suam {44v} salutem negligat⁴, ne plus mendacio quam veritati credat⁵. Ne putent⁶ malum bonum et bonum malum. Ne suadeant⁷ sibi mandatis⁸ apostolicis licitum esse adversari. Ne gloriantur in malitia. Ne videri potentes iniquitate velint. Ut recognoscant erratum suum⁹, seque humilient, quia *melior est, si Calixto*¹⁰, si vero¹¹ credimus, *in malis factis humilis confessio, quam in bonis superba gloriatio*. Ego autem cum his molliter agam, amice, absque indignatione, sine ira, sine rigore. Oro, me patienter audiant. Spero futurum ne poeniteat neve taedeat eos¹² meis verbis aures accomodasse.

¹ De laicis *in marg.* A, D, G

² vestiverunt U1

³ praedicaverunt F

⁴ negligat *corr. ex.* negligent E; negligent MU

⁵ credant MU

⁶ putet U1; putem V

⁷ suadent V

⁸ mandatum V

⁹ *omit.* MU

¹⁰ Calisto *corr. ex* Calixto A

¹¹ si vero *omit.* U1

¹² os U1

0.2.2.2. Laity

[11] I hasten on to the laypeople, among whom we find both eminent counts, well-born barons, great noblemen and powerful communes. I know that these men are good men without spite, who love all that is good and just. But they have been deceived by the advice of experts who told them that their enterprise was just, and that the apostolic command was unjust. As military men they did not know the law, nor the greatness of the imperial majesty, nor the vast authority of the Roman Pontiff. They believed what learned men told them and what clerics preached. What people does not stray when the clergy strays? The flocks are saved and destroyed together with their shepherds. Therefore, His Apostolic Holiness asks these nobles to lend ears to a teaching that heals just like they did to a teaching that hurts, so that they do not neglect their salvation or believe in lies more than in truth. They should not believe evil to be good, or good to be evil. They should not persuade themselves that it is lawful to oppose the apostolic mandates. They should not be proud of evil deeds. They should not wish to seem powerful through evil, but recognize their error and humble themselves, for – if we believe Calixtus, and if we believe in truth – *it is better to humbly confess evil acts than to proudly glory in good acts.*¹

But with these people I shall deal softly, kindly, without indignation, without anger, without rigour. So hear me patiently. I do hope that you will not later regret or be offended at having listened to my words.

¹ Decretum, C.11.3.89 (col. 668). From the *Decretals of Pseudo-Isidore*

[12] Sed transeo jam ad tertiam¹ personam, cujus causa factam novitatem asserunt. Is est inclytus atque omni favore dignus Hungariae ac² Bohemiae rex Ladislaus³, quamvis puer ac pupillus, adhuc optimae tamen⁴ indolis et sensu⁵ senior annis. Non est apud me dubium futuros esse nonnullos, qui me suae majestati deferant, nam si Austrialium facta reprobis, quibus rex idem extra manus receptus est imperatoris, atque auctus et magnificatus videtur, quis non me illi adversum infensumque⁶ dixerit, ejus fortunae et gloriae invidentem? At ego si vel re vel animo hujus clarissimi regis utilitati nocere quavis occasione praesumerem, nec sanctissimo domino nostro placerem, neque⁷ verus servus⁸ essem aut nuntius apostolicae sedis. Nam etsi⁹ omnibus regibus apostolica benignitas favet, huic tamen principi mirum in modum afficitur, cum¹⁰ propter mores ejus optimos, tum quod eum ad magnam Christianae religionis exaltationem ex infinitis paene periculis in hanc¹¹ usque diem autumat divina pietate servatum.¹² Accedunt et patris Alberti¹³ merita, qui malleus fuit haereticorum, et avi Sigismundi¹⁴ beneficia, qui divisam ecclesiam apud Constantiam reddidit unioni.

¹ partem *add.* V

² atque E, MU

³ Ladislaus rex *in marg.* A, D, G; Ladislaus rex Bohemie et Hungarie *in marg.* U3

⁴ optimae tamen : tamen optimae MU

⁵ sensus D, G

⁶ infexumque V

⁷ nec U3

⁸ severus V

⁹ si C

¹⁰ cui G

¹¹ hunc MU

¹² seratum U

¹³ Albertus *in marg.* A; Albertus hereticorum malleus *in marg.* U3

¹⁴ Sigismundus *in marg.* A; Sigismundus rex divise ecclesie uniende auctor *in marg.* U3

0.2.3. King Ladislaus

[12] And now I pass on to the third [party, the] person for whose sake they claim to have rebelled. That is the Illustrious King Ladislaus¹ of Hungary and Bohemia, worthy of all honour. He may be a boy and an orphan, yet he is of excellent disposition and mature beyond his years. I do not doubt that many will denounce me to His Majesty, for since I condemn the acts of the Austrians who have removed the king from the emperor and enhanced and increased his state, they will claim that I am his adversary and enemy and envious of his good fortune and glory. But, actually, if I should ever dare to harm or just consider to harm the interests of this noble king, I would neither please Our Most Holy Lord² nor be a true servant or envoy of the Apostolic See. For though His Holiness favours all kings, he is extraordinarily attached to this prince both because of the prince's excellent character and because he believes that Merciful God has until now preserved this prince from almost infinite dangers for the advancement of the Christian religion.³ To these should be added the merits of the prince's father, Albrecht⁴ who was the hammer of the heretics⁵, and the good deeds of his grandfather, Sigismund⁶ who in Konstanz reunited the Church.⁷

¹ Ladislaus the Posthumous of Habsburg (1440 -1457): Archduke of Austria from 1440, King of Hungary from 1444 and King of Bohemia from 1453 until his death

² i.e. the pope

³ In this the pope was sadly mistaken since King Ladislaus died some years afterwards, at the age of 17

⁴ Albrecht II of Habsburg (1397-1439): Archduke of Austria. King of Hungary and Croatia from 1437. Uncrowned King of Bohemia. Elected Emperor of the Holy Roman Empire in 1438, but died the next year. Piccolomini was in Vienna when Albert accepted his election and wrote a speech to him for the Milanese ambassador, the "*Quid est*" [3]

⁵ i.e. the Hussites

⁶ Sigismund of Luxemburg (1368-1437): King of Hungary and Croatia from 1387, King of Bohemia from 1419, and crowned Holy Roman Emperor in 1433

⁷ The Council of Konstanz, 1414-1418, where Emperor Sigismund had a determining influence, deposed three popes and elected a new one instead, thereby ending the Great Schism of the Roman Church

[13] Multae sunt¹ rationes, quae sanctitatem domini nostri huius pupilli regis amantem efficiunt. Expertus est hoc ipse² nuper, dum³ Romae fuit, nam quibus affatibus aut affectibus apud papam exceptus est? Numquam ejus praesentiam frustra requisivit, nullas incassum preces effudit. Quotiens repulsas aliorum supplicationes reduxit ad gratiam? Quotiens et cardinales et principes de magnis rebus acturos inauditos papa remisit, ut hunc puerum, quamvis regem, audiret? Falsus est et ab omni veritate remotissimus, qui summum pontificem inclyto Ladislao regi non prosperitatem cupere fortunamque⁴ optimam judicat⁵, qui, postquam Petri cathedram ascendit, et in Hungaria et in Bohemia semper ejus statui et firmitati consuluit, numquam nocuit. Neque monitorium, quod adversantes⁶ criminantur aut noxium aut adversum erat suae serenitati, quemadmodum {45r} futurus sermo docebit. Nemo igitur Romanum sibi praesulem ex amante faciat odiosum. Multa suae celsitudini et apud Hungaros et apud Bohemos imminebunt, quae sedis apostolicae praesidiis indigebunt. Numquam⁷ ei favores aberunt, si progenitorum vestigia sequens matrem suam ecclesiam et Christi vicarium condigna devotione coluerit.

¹ alie V

² tempore MU

³ nuper dum : dum nuper V

⁴ fortuna morum U1

⁵ iudicavit U1

⁶ adversus U1

⁷ numquid MU

[13] Many are the reasons that make Our Holy Lord love this orphan king, as the King himself must have felt during his recent stay in Rome. Did the pope not receive him with kind words and sentiments? Never did the king ask in vain to see him, never was a request of his denied. How often did he not cause rejected supplications made by other people to be accepted after all? How often did the pope not send cardinals and princes away unheard though they had come to talk about important matters, only to receive this boy (though king)? It is false and absolutely untrue to claim that the Supreme Pontiff does not desire prosperity and good fortune for the Illustrious King Ladislaus. Since the pope ascended to the Chair of Peter, he has always been concerned about the king's status and position both in Hungary and Bohemia, and he has never undertaken anything that might harm him. Nor is his monitorium, so criticised by the opponents, damaging or harmful to His Serenity, as our speech will show. Thus, no one may claim that the Roman Bishop is an enemy of the King for he loves him well. Both in Hungary and in Bohemia many dangers will threaten His Highness,¹ and then he will need the protection of the Apostolic See. Never shall he lack its favour if he follows in the footsteps of his forefathers and shows devotion both to his mother, the Church, and to the Vicar of Christ.²

¹ Strangely prophetic words: when Ladislaus died some years afterwards in Prague, he may have died of the plague or other natural causes, but many thought that he had been murdered (by poison), as Piccolomini was quite aware cf. HB, p. 624: ... *Georgius Pogiebratius rex pronuntiatur ... Ea res necati regis suspicionem maxime auxit*

² This passage echoes a passage in the oration "*Cum animadverto*" – presumably written in the beginning of the year by Piccolomini himself – for King Ladislaus, as an oration of obedience to Pope Nicolaus V: *For my forefathers, who governed Hungary, Bohemia, Austria, have always had especial love and reverence for this divine See. Following in their footsteps, I shall show, as long as I live, the highest reverence for you as the keybearer of eternal life*

[14] Ego, vero, quamvis cinis¹ sum et pars vilissima luti, inutilis Christianus, indoctus presbyter, indignus episcopus, tamen postquam vidi primum hunc regem Ladislaum, semper ejus sublimitati, suae gloriae, suis fortunis, suis regnis² studui. Saepe³ in Hungariam pro eo, saepe in Bohemiam⁴, saepe ad Romanam curiam litteras dedi. Praeceptoribus suis libellum scripsi ac praeceptiones tradidi, quibus institui formarique pueritia regis deberet, Quintiliani⁵ atque⁶ Plutarchi⁷ doctrinam secutus. Praetereo in conventu Bohemorum apud Benestiau⁸, in Roma, in Neapoli, in Norimberga, in Colonia, in Venetiis⁹ pluribusque aliis locis quanta sum retroactis temporibus pro sua dignitate locutus. Itaque non est cur me hodie quispiam contra suum bonum loqui praesumat. Sed ago suam causam, ipsum juvo, ipsum laudo, ipsum magnifico, sibi faveo, sibi consulo, dum sedis apostolicae magnitudinem, eminentiam excellentiamque defendo. Quod et ipse postquam magis sapiet, verum fatebitur, et vos ex his, quae mox subjiciam, plenius intelligetis. Nunc jam tempus expetit ad ea, quae Romano pontifici nostri adversantes objectant descendere atque in campo consertis¹⁰ manibus cominus¹¹ decertare.

¹ cuius U1

² suis regnis *omit.* B, E, MU

³ semper V

⁴ saepe in Hungariam ... Bohemian *omit.* U1

⁵ Quintilianus *in marg.* A, U3

⁶ ac B, E, MU; autem F

⁷ Plutarchus *in marg.* A, U3

⁸ Benescian U1

⁹ In Roma ... Venetiis : Rome, Neapoli, Noremberge, Colonie, Venetis U1; Rome, Neapoli, Noremberge, Colonie, Venetis *corr. ex* in Roma, in Neapoli, in Norimberga, in Colonia, in Venetiis U2

¹⁰ consertis U1

¹¹ quo minus V

[14] I myself am but ash and trash, a useless Christian, an unlearned priest, an unworthy bishop, but since I first saw King Ladislaus, I have always supported His Highness, his honour, his fortunes and his realms. Often have I sent letters concerning him to Hungary, to Bohemia and to the Roman Curia. I have even written a book to his teachers and given them precepts for the instruction and education of the boy king, based on the teachings of Quintilian¹ and Plutarch.^{2 3} I pass over how much I have previously spoken in defence of his interests in the Bohemian Assembly at Beneschau,⁴ in Rome, in Naples, in Nürnberg, in Cologne, in Venice and in many other places. Therefore, no one should have the temerity to claim that today I am speaking against his interests. When I defend the greatness, the eminence, and the excellence of the Apostolic See, it is Ladislaus' cause that I defend, it is him that I help, it is him that I praise, it is him that I extol, it is him that I favour, it is him that I assist.⁵ Later, when he knows more, he will recognize that this is the truth, and so will you, when you fully understand what I am going to say shortly.

And now it is time to address the assertions of those who oppose the Roman Pontiff, to step down into the arena with knotted fists and fight hand to hand.

¹ Quintilianus, Marcus Fabius (ca. 35-ca. 100): Roman rhetorician from Spain, author of the *Institutio Oratoria*

² Plutarch, Lucius Mestrius (ca. 46-120 AD): Greek historian, biographer, and essayist, known primarily for his *Parallel Lives* and *Moralia*

³ Piccolomini had used both Quintilian and Plutarch, among others, in his work *De Liberorum educatione* from 1450, on the education of the then 10-year old boy king, Ladislaus

⁴ Piccolomini represented the emperor at a meeting of the Bohemians in Beneschau in July 1451 and gave the oration "*Petivistis ex Caesare*" [16] from 1451 in which he defended the emperor's wardship over Ladislaus, as he had done previously in Rome in the oration "*Tritum est sermone*" [12] (1447) and in a now lost oration to the Venetian Senate

⁵ An example of the classical rhetorical device of *accumulatio*

[15] Tria sunt, si recte capio, quae jaciunt adversantes¹ praecipua tela, tria sunt objectionis capita. Audivistis, quae dixerunt. Rem, ajunt, absonam², indignam, inauditam ausum esse dominum nostrum³, qui saeculare negotium, mundiale, profanum foroque⁴ suo minime⁵ pertinens attigerit⁶, qui juste procedentes Austriales pro salute domini sui conatus fuerit⁷ impedire, poenale monitorium, indignum, impium ad eos mittens. Qui praelatos magnos nobilesque barones indefensos, inauditos censuris horribilibus irretivit⁸. Quidquid ex adverso dictum est, his paucis continetur. Plurima blacterant⁹ adversantes, sed omnis querelae vis¹⁰ in haec tria puncta¹¹ revolvitur.

¹ Adversarii quid *in marg.* A, D, G

² absolvam E [*not* MU]

³ uestrum U1

⁴ foro quae U1

⁵ nomine U1

⁶ attingerit A

⁷ fuit G

⁸ irretinuit U1

⁹ blaterant MU

¹⁰ jus MU

¹¹ omit. MU

0.3. Subject of oration

[15] If I understand correctly, there are three particular spears that our adversaries throw at us,¹ three main objections. You have heard what they say. They claim that Our Lord² has dared something inappropriate, unworthy and unusual. He has sent an unjustified and impious monitorium with threats of punishment to the Austrians. He has interfered in a secular, political³ and profane matter outside his own area of competence and tried to prevent them from acting justly in the interests of their lord. And he has troubled great prelates and noble barons with fearsome and unheard-of censures though they had not been able to present their defense and be heard by him.

All that is said by the opposite party is contained in these few words. Our opponents blather much, but the essence of their grievances consists in these three points.

¹ Concerning Piccolomini's use of spears and arrows in duels as metaphor for sharp arguments in debates, see the oration "*Si putarem*", [5] sect. 35

² i.e. the pope

³ "mundanum"

[16] Quaero hic, priusquam objecta repello: monitorium apostolicum, quod tantopere damnant, Austrialibus insinuaturne sit an non? Nam si non est insinuaturne, non est quod accusare pontificem queant; nihil enim his nocuit, et revocata videtur esse praeceptio, cujus negligitur executio. Si vero moniti sunt Austriales aut per eos factum est, ne moneri possent, longe melius absolutionem peterent, quam monitorium accusarent. Non {45v} *est scelere velandum scelus*¹. Sicut aequum atque iniquum regis imperium ferre, sic pastoris et² justam atque injustam timere ac tueri sententiam³ oportet⁴. *Numquid gloriabitur securis contra eum, qui secatur in ea, quaerit*⁵ propheta, *aux exaltabitur serra contra eum*⁶, *qui trahit eam*?

[17] Sed rejiciamus objecta demum. Tria sunt, ut diximus, quae adversarii culpant⁷, tria quoque responsionis nostrae membra constituemus⁸. In primo monstrabimus rem, de qua moniti sunt Austriales, ad papae iudicium pertinuisse. In secundo⁹ probabimus nec juste processisse adversus imperatorem Austriales neque Ladislai regis utiliter gessisse negotium. In tertio docebimus monitionem apostolicam et legibus et canonibus consonasse¹⁰, explosis et¹¹ confutatis ex adverso quaecumque dicuntur. Post haec de appellationibus interpositis deque pertinaci resistantia facta nonnihil dicemus¹². Loco postremo quae sit in rebus his¹³ sanctissimi domini nostri mens¹⁴ quodque propositum explicabimus. Atque his¹⁵ quinque membris¹⁶ tota nostra claudetur oratio.

¹ Scelus in marg. D

² omit. V

³ ac tueri sententiam : sententiam ac tueri U3

⁴ Sententia pastoris in marg. A

⁵ queritur MU

⁶ qui secatur ... eum omit. U1

⁷ tria sunt ... culpant omit. G

⁸ Particio orationis in marg. A; Divisio in marg. C, D, G

⁹ secunda A, B, C, D, E, F, G, U

¹⁰ et canonibus consonasse : consonasse et canonibus MU

¹¹ in add. U1

¹² nonnihil dicemus : dicemus nonnihil G

¹³ is U1

¹⁴ quod add. U2

¹⁵ iis U3

¹⁶ quinque membris : membris quinque B, E, MU

[16] But before I counter the objections, I ask: has the apostolic monitorium, which the Austrians so greatly criticize, been properly communicated to them or not? If not, they have no reason for accusing the pontiff, for then it has not hurt them: failing to enforce a directive is equivalent to revoking it.

But if the monitorium has been properly communicated to the Austrians or if they have actively prevented its publication, it would be much better for them to seek absolution than to criticize it. *One crime should not be covered by another crime.*¹ Just like we should accept both the just and the unjust command of a king, we should also fear and respect both the just and the unjust judgment of the pastor. *Shall the axe, asks the Prophet, boast itself against him that cutteth with it? or shall the saw exalt itself against him by whom it is drawn?*²

0.4. Structure of oration

[17] But let us now refute the objections. As we have said, the adversaries make three objections, and we shall structure our reponse accordingly.

Firstly, we shall show that the matter concerning which the Austrians have been admonished belongs to the pope's jurisdiction. Secondly, we shall prove that the Austrians have not acted justly towards the emperor, and that they have not advanced the cause of King Ladislaus. And thirdly, we shall demolish and refute all the claims of the adversaries and show that the apostolic monitorium is in accordance with the laws and canons. Then we shall have something to say about the appeals that have been made and about the obstinate resistance [against the monitorium]. And finally, we shall explain what is Our Most Holy Lord's intentions in this matter. Our whole oration will thus consist of these five parts.

¹ Seneca: *Phaedra*, 721

² Isaiah, 10, 15

[18] Ac jam primum aggredior membrum. “Res temporalis erat,” inquiunt adversarii, “super qua monitorium missum est: de tutela pupilli principis agebatur, de gubernatione ducatus Austriae, de promissionibus et obligationibus inter laicos agitis. Romani pontificis¹ est praedicare verbum Dei, clerum instruere, sacramenta conficere, ecclesiastica beneficia² conferre, spirituales causas agitare, tueri fidem, extirpare haereses, mores plantare bonos. Si quid ulterius quaerit, saecularibus iudicibus, ducibus, regibus, imperatoribus est injurius. *Duo sunt enim, quibus principaliter hic mundus regitur, auctoritas sacra pontificum et regalis potestas, suntque actibus propriis et dignitatibus distinctis officia potestatis utriusque* discreta. Nihil Romanam Sedem magis decet, quam suum cuique jus illaesum servare. Si Cypriano, si Gelasio, si Nicolao volumus aut Gregorio³ fidem praebere⁴, spiritualia curet pontifex, temporalia principibus saeculi permittat. Quod si de regnis agere saecularibusque dominiis⁵ coeperit⁶, non audiemus ejus vocem, non parebimus suis legibus. Quid nobis et papae? Quid Austrialibus et Apostolicae sedi? Quid populo et clero?”

¹ Pontificis maximi officia *in marg.* U3

² Beneficia *in marg.* D

³ Cyprianus, Gelasius, Nicolaus, Gregorius *in marg.* A; Divi Cyprianus, Gelasius, Nicolaus, Gregorius *in marg.* U3

⁴ prebem V

⁵ dominis V

⁶ coepit MU

1. Popes have final authority in secular matters

1.1. Position of the insurgents

[18] And now, let us begin the first part. This is what our adversaries say:

“The monitorium sent by the Pope concerned a secular¹ matter, that is the wardship of the orphan prince, the government of the Duchy of Austria, and promises and obligations between laymen. The function of the Roman Pontiff is to preach the word of God, to instruct the clergy, to administer the sacraments, to confer ecclesiastical benefices, to deal with spiritual matters, to uphold the faith, to uproot heresies, to nourish morality. If it goes beyond that, it offends against the secular judges, dukes, kings and emperors. *For this world is ruled by two powers: the holy authority of popes and the power of kings.*² These are two distinct *offices of government*³, each with its separate functions, competencies and powers.⁴ Nothing more behooves the Roman See than to keep intact the rights of each party. If we believe Cyprian,⁵ Gelasius,⁶ Nicolaus⁷ and Gregory,⁸ the pontiff should be concerned with spiritual matters and leave temporal matters to the secular princes.⁹ If he begins to interfere in matters concerning kingdoms and secular dominions, we shall neither heed him nor obey his laws. Why should we care about the pope? Why should the Austrians care about the Apostolic See? Why should the people care about the clergy?

¹ “temporalis”

² Decretum, D.96.10 (col.340): *Duo sunt, quippe, imperator augustus ...* Pope Gelasius to Emperor Anastasius

³ “potestas”

⁴ Decretum D.10.08 (col. 21)

⁵ Cyprianus, Thascius Caecilius (ca. 200-258): Bishop of Carthage and an important Early Christian writer

⁶ Gelasius I (d. 496): Pope from 492 to his death

⁷ Nicolaus I (ca. 800-867): Pope from 24 April 858 to his death in 867

⁸ Gregorius I (ca. 540-604): Pope 590 to his death in 604

⁹ The Austrians defend their position by invoking certain canons in the *Decretum Gratiani* connected with the popes mentioned

[19] Graves sunt horum voces, impiae, periculosae, funestae. Quid de his¹ dicant orbis terrarum illa lumina², quae majestatem apostolicae sedis circumstantia³ mundum illustrant⁴, *quorum doctrina fulget ecclesia ut sol et luna?* Majora illis⁵ debentur pro testamento Christi et Romani culminis auctoritate certamina. Hanc pugnam nostrae⁶ vires expedient⁷. Nam quod Romanus pontifex egit⁸, et justitiam prae se {46r} fert, et rationi⁹ consentaneum esse vel pueri possunt agnoscere. Ob quam rem monstro simile mihi¹⁰ videtur in hac urbe Viennensi¹¹, quam vetus schola¹² doctrinae domicilium fecit¹³, aliquos inventos esse, qui Romanae sedis eminentiam impugnare praesumpserint¹⁴. Namque ut Leonis¹⁵ magni verbis utamur: *Christi petrae sacratissimam*¹⁶ *firmitatem, domino, ut diximus, aedificante, constructam nimis impia vult praesumptione violare, quisquis ejus potestatem temptat infringere.* Sed necessarium est Romanam sedem in morem¹⁷ navis plurimas pati procellas. Multi sunt venti contra eam flantes: alios repulsa cathedrarum excitat, alios pecunia commovet, alios metus, alios preces elevat. Sed jactatur Petri navicula¹⁸ tempestate, non mergitur; concutitur, non quassatur; impetitur, non expugnatur, quia *portae inferi non praevalent adversus eam.*

¹ iis U3

² luminaria B, E, MU

³ constantia U1

⁴ De cardinalibus et prelatibus curie *in marg.* A

⁵ illi F

⁶ vestre U1

⁷ expedirent U1

⁸ Responsio sive defensio *in marg.* D, G

⁹ justitiae MU

¹⁰ simile mihi : mihi simile V

¹¹ Viennam *in marg.* A

¹² fama concelebrat U1

¹³ in hac urbe ... fecit *omit.* V

¹⁴ presumpserunt U1

¹⁵ Leo papa *in marg.* A, D, G

¹⁶ sanctissimam MU

¹⁷ minorem U1

¹⁸ ad vincula U1

1.2. Position of Piccolomini

[19] Painful are these words, impious, dangerous, and fatal. Those lights of the world¹ who, surrounding the majesty of the Apostolic See, illumine the world and *whose learning make the Church shine like the sun and the moon*² what would they say about the Austrian claims? We must fight hard for the sake of the testament of Christ and the authority of the Roman Highness and spend all our strength in this battle. For even a child can see that what the Roman Pontiff has done is both just and reasonable. Therefore, it seems monstrous to me that some are found here, in this city of Vienna,³ the home of an old school of learning⁴, who have dared to challenge the eminence of the Roman See.⁵ For, in the words of Leo the Great⁶: *Anyone who tries to diminish the power of the Holy See, is really trying to violate, impiously and presumptuously, that solid foundation of the rock of Christ which the Lord himself has built.*⁷ But, like a ship, the Roman See must of necessity suffer many storms and many winds blowing against it: some are resentful because they have been denied bishoprics, others are angry because of money issues, others are moved by fear, and others again are agitated in matters of petitions [to the Holy See]. However, though the bark of Saint Peter may be shaken by storms, it does not sink; it may be hit, but it is not destroyed; it may be attacked, but it is not overcome,⁸ for ***the gates of hell do not prevail against it.***⁹

¹ I.e. the College of Cardinals. It is remarkable that Piccolomini here supports the position of the Papacy with a reference to the prestige and authority of the College of Cardinals

² From the liturgical antiphon *Isti sunt viri sancti*

³ Indicates that the oration was held in or intended to be held in Vienna

⁴ i.e. the University of Vienna

⁵ See also Piccolomini: *Europa* (Brown), p. 128: *It was then that the learned university of Vienna issued an ignorant opinion, when it ruled that the orders of the pope could be suspended by appealing to a future council*

⁶ Leo I (ca. 400-461). Pope from 440 to his death. Saint. Strong proponent of supreme papal authority

⁷ Decretum, D.19.7. (col. 62). Leo I ad episcopos Viennenses, ep. 87

⁸ John Chrysostom: *De conversione Matthaei*, hom. 14.

⁹ Matthew, 16, 18

[20] Quibus ex rebus monemus adversarios, ne sacros canones parvifaciant, ne Romanae sedis decreta contemnant. *Qui vos spernit*, ait in evangelio dominus, *me spernit*. *Nulli fas est*, inquit Gregorius¹, *vel velle vel posse transgredi apostolicae sedis² praecepta*. Et Agatho³ cunctis episcopis scribit: *Sic omnes apostolicae sedis⁴ sanctiones accipiendae sunt, tamquam divina Petri voce firmatae⁵*. Denique perpetuo anathemate damnari et cum impiis reputari, qui non resurgunt in iudicio, atque omnipotentis Dei contra se iram sentire debent, qui Romanam ecclesiam confundere praesumunt, ut *fiat⁶ habitatio eorum deserta, et in tabernaculis eorum⁷ non sit, qui inhabitet*.

[21] Legimus in Deuteronomio⁸ *judicium inter sanguinem et sanguinem, lepram et lepram, causam et causam* ad summum sacerdotem esse remissum. Quis hic est, qui saecularia subtrahit apostolico culmini? Numquid translato sacerdotio legis quoque translatio facta est? Apud Isaiam inquit dominus: *Ego te constitui⁹ super gentes et regna, ut dissipes¹⁰, aedifices, et plantes*.

¹ Gregorius *in marg.* A, D, G, U3

² apostolicae sedis : sedis apostolicae G

³ Agat(h)o *in marg.* A, D, G, U3

⁴ praecepta et Agatho ... sedis *omit.* U1

⁵ firma F

⁶ *omit.* MU

⁷ et in tabernaculis eorum *omit.* U1

⁸ de vero V

⁹ te constitui : constitui te G

¹⁰ evellas *add.* U1, U2; evelles *add.* U3

1.2.1. Arguments from Canon Law

[20] For these reasons, we warn our adversaries not to belittle the sacred canons¹ nor to disparage the decrees of the Roman See. In the Gospel the Lord says: ***He that despiseth you despiseth me.***² **And Gregory³ says: *It is not right to wish or be able to disobey the precepts of the Apostolic See.***⁴ And Agatho⁵ writes to all bishops: *Thus, all the sanctions of the Apostolic See should be accepted as if they were confirmed by Blessed Peter himself.*⁶ Indeed, those who dare molest the Roman Church should be condemned with an eternal curse and accounted among those impious men who do not rise again at the [last] judgment, and who ought to feel the anger of omnipotent God: *Let their habitation be made desolate: and let there be none to dwell in their tabernacles.*⁷

1.2.2. Arguments from The Old Testament

[21] In Deuteronomy we read that the *judgment between blood and blood, cause and cause, leprosy and leprosy*⁸ belongs to the High Priest. Who, here, excludes the secular domain from the [authority of] the Apostolic Highness? For when the priesthood was transferred,⁹ was not the law¹⁰ transferred together with it? In Isaiah the Lord says: *I have set thee over the nations, and over kingdoms, to destroy, and to build and to plant.*¹¹

¹ I.e. Canon Law

² Luke, 10, 16

³ Gregorius IV (ca. 795-844): Pope from 827 to his death

⁴ Decretum, D.19.5. (col. 61)

⁵ Agatho (d. 681): Pope from 678 to his death. Saint

⁶ Decretum, 19.2. (col. 60). Agatho papa omnibus episcopis

⁷ Psalms, 68, 26

⁸ Deuteronomy, 17, 8 (*si difficile et ambiguum apud te iudicium esse perspexeris inter sanguinem et sanguinem causam et causam, lepram et lepram*)

⁹ I.e. from the Jewish priesthood to the Christian clergy. Note the claim that the legal powers of the Jewish high priests have been transferred to the successors of Peter together with the transfer of the priesthood from the the Old Testament to the New Testament, i.e. the Christian clergy. In 1440, Piccolomini had also written on this theme in his *De gestis concilii Basiliensis* (Hay, p. 74)

¹⁰ I.e. the legal rights and obligations of the priesthood

¹¹ Jeremiah 1, 10: *Lo, I have set thee this day over the nations, and over kingdoms, to root up, and to pull down, and to waste, and to destroy, and to build, and to plant (ecce constitui te hodie super gentes et super regna ut evellas et destruas et disperdas et dissipes et aedifices et plantes)*

[22] Quis veteris testamenti pontifice¹ novae legis antistem dixerit esse minorem? *Nescitis*, inquit ad Corinthios Paulus², *quoniam angelos judicabimus? Quanto magis saecularia?* Si³ Christiano censi⁴ nomine, si dominici gregis oves appellari, si salvi esse volumus, salvatoris Christi vicarium venerari suisque obtemperare praeceptis oportet, quem tum dominus elegit, cum pastorem sui gregis Petrum constituit dicens: *Pasce oves meas*. Et iterum: *Tibi dabo claves regni caelorum et quodcumque ligaveris super terram, erit ligatum et in caelis, et quodcumque solveris super terram, erit solutum et in caelis*⁵. Non enim⁶ hoc aut illud salvator dominus Petro commisit, sed quodlibet negotium {46v} sine limitatione mandavit.

[23] Ex qua re moti veteres sanctique patres Romanam ecclesiam beatorum Petri et Pauli martyrio consecratam in orbe toto venerabilem praecipuamque sanxerunt. Nec dubium est, quin *illi quidquid ubique fidelium est, commissum videatur, quae totius corporis caput esse designatur. Talibus igitur institutis talibusque fulti*⁷ *auctoritatibus plerique pontificum, alii reges, alii imperatores excommunicaverunt. Et si speciale requiritur de principum personis exemplum, beatus Innocentius*⁸ *papa*⁹ *Arcadium*¹⁰ *imperatorem percussit anathemate, quia*¹¹ *Johannes Chrysostomus, ut*¹² *a sua pelleretur sede, consensit*¹³. Zacharias regem Francorum non tam pro suis iniquitatibus quam pro eo, quod tantae potestati erat inutilis, a regno deposuit ac Pipinum¹⁴, Caroli magni patrem, ejus loco suffecit.

¹ vel *add.* V

² Paulus *in marg.* A, D, G

³ *omit.* U1

⁴ censuri U1

⁵ et quodcumque solveris ... in caelis *omit.* F, U1

⁶ cum F

⁷ suffulti G

⁸ Innocentius papa Arcadium *in marg.* A; Innocentius papa *in marg.* D; Innocentius *in marg.* G; Innocentius pont. max. *in marg.* U3

⁹ Innocentius papa : papa Innocentius MU

¹⁰ Arcadius Imperator *in marg.* U3

¹¹ qui ut MU

¹² *omit.* G

¹³ concessit U1

¹⁴ Pipinus *in marg.* A, U3

1.2.3. Arguments from the New Testament

[22] Who would say that the bishop of the New Law is inferior to the pontiff of the Old Testament? *Know you not*, says Paul to the Corinthians, *that we shall judge angels? How much more the matters of this world?*¹ If we want to carry the name of Christian, to be called sheep of the Lord's flock, to be saved, then we must revere the Vicar of Christ and obey his precepts. For he it was Peter whom the Lord chose when he made him the pastor of his flock, saying: ***Feed my sheep,***² ***and again, and I will give to thee the keys of the kingdom of heaven. And whatsoever thou shalt bind upon earth, it shall be bound also in heaven: and whatsoever thou shalt loose on earth, it shall be loosed also in heaven.***³ And the Lord Our Saviour did not entrust any particular domain to Peter, but gave him responsibility in all matters without limitation.

1.2.4. Arguments from historical precedents

[23] Therefore, the old and holy fathers attested that the Roman Church, consecrated by the martyrdom of the blessed Peter and Paul, is venerable and preeminent in the whole world. And there is no doubt that any matter concerning *Christians*,⁴ *wherever they are*, is entrusted to that Church which is *designated as the head of the whole body*.⁵ *The pontiffs are endowed with such great powers and authority that several of them have excommunicated kings and emperors. If you need concrete examples concerning the emperors, Pope Innocent*⁶ *struck Emperor Arcadius*⁷ *with the anathema because he had consented to the expulsion of John Chrysostom*⁸ *from his see.*⁹ And Zacharias¹⁰ deposed the King of the Franks¹¹ not because of evil deeds, but because he was unfit for so great a power, and then replaced him with Pepin,¹² the father of Charlemagne.¹³

¹ 1. Corinthians, 6, 3

² John, 21, 17

³ Matthew, 16, 19

⁴ "fideles"

⁵ Decretum, C.9.3.14 (col. 610): *dum illi quicquid fidelium esse ubique submittitur, dum totius corporis caput esse designatur*

⁶ Innocentius I (d. 417): Pope from 401 to his death

⁷ Arcadius, Flavius Arcadius Augustus: (377/378-408): Eastern Roman Emperor from 395 to his death

⁸ John Chrysostom (ca. 347-407): Archbishop of Constantinople. Church Father. Saint

⁹ Decretum, D.96.10 (col. 340)

¹⁰ Zacharias (679-752): Pope from 741 to his death

¹¹ Childeric III (ca. 717-ca.754): King of the Franks from 743 until he was deposed in March 751 at the instigation of Pepin the Short.

¹² Pepin the Short (ca. 714-768): King of the Franks from 751 until his death. Father of Charlemagne

¹³ Charlemagne (742/747/748-814): also known as Charles the Great. King of the Franks from 768, King of Italy from 774. In 800 crowned by the pope as the first emperor in Western Europe since the collapse of the Western Roman Empire three centuries earlier

[24] Romanum imperium, quod apud Graecos in orienti¹ sedebat, Stephanus pontifex, sive is Hadrianus² fuit, in occidentem *transtulit ad Germanos*³, cum rogati adversus Longobardos Graeci non mitterent auxilia. Et Leo quidem Germanorum primum imperatorem Carolum⁴ ⁵, si Ottoni credimus historico, coronavit. Gregorius septimus Henricum tertium⁶ imperatorem⁷ excommunicationis vinculo innodavit, quod⁸ accusatus a Saxonibus⁹ de simonia, satisfacere contemnebat, adversus quem filius suscepit imperium. Sed hic quoque, dum investituram episcoporum invito sacerdotio vult retinere, a Calixto secundo¹⁰ excommunicatus est, quamvis postea satisfaciens absolvi meruerit¹¹. Quid de Friderico II.¹²? Quid de Ottone quarto¹³? Quid de Manfredo¹⁴, imperatoris Friderici filio? Quid de Conradino¹⁵ dicam? Longum enumerare fuerit¹⁶, quot¹⁷ principes¹⁸, dum superbire voluerunt¹⁹, ex alto fastigio Romana sedes excusserit²⁰.

¹ oriente B, E, G, MU; in orienti : morienti U1

² Stefanus, Adrianus *in marg.* A; Stephanus sive Adrianus *in marg.* D, G

³ Translatio imperii ad Germanos *in marg.* U3

⁴ Leo *in marg.* A ; Leo Carolum *in marg.* D, G; Leo pont. max. *in marg.* U3

⁵ Carolus primus coronatur a Leone *in marg.* U3

⁶ Gregorius VII. Henricus III *in marg.* A Gregorius VII Henricum III symoniacum *in marg.* D, G; Gregorius VII pont. max. Henricus III. Imperator *in marg.* U3

⁷ omit. G

⁸ qui D, G, V

⁹ omit. V

¹⁰ Calistus II *in marg.* A, D, G; Callistus II. pont. max. *in marg.* U3

¹¹ meruit E, M

¹² Fredericus *in marg.* A; Fridericus II. imperator *in marg.* U3

¹³ Otto III *in marg.* A; Otho quartus *in marg.* U3

¹⁴ Manfredus *in marg.* A, U3

¹⁵ Conradinus *in marg.* A; Conradinus *in marg.* U3

¹⁶ fiat MU

¹⁷ quod U1

¹⁸ princeps F

¹⁹ voluerint V

²⁰ exusserit C

[24] The Roman Empire was vested in the Greeks in the East, but when they were asked for help against the Lombards¹ and did not send it, Pope Stephanus² – or was it Hadrian?³ – *transferred it to the Germans* in the West⁴. And if we believe the historian Otto⁵, [Pope] Leo⁶ also crowned Charles as the first emperor of the Germans. Gregory VII⁷ put the chains of excommunication on Emperor Heinrich III⁸ because he refused to make satisfaction when the Saxons accused him of simony. His son⁹ then seized the imperial power, but he too was excommunicated, by Calixtus II¹⁰, when against the will of the clergy he wanted to retain the investiture of bishops. Later, however, he gave in and gained absolution. What shall I say about Friedrich II?¹¹ About Otto IV?¹² About Manfred,¹³ the son of Emperor Friedrich [II]? About Konradin?¹⁴ It would indeed take long to enumerate all those princes who in their arrogance were struck from their high position by the Roman See.

¹ Lombards (or Longobards) (Latin: Langobardi): Germanic tribe who ruled Italy from 568 to 774

² Stephanus III (ca. 720-772): Pope from 768 to his death. In later orations, Piccolomini attributed this act to Pope Leo III who crowned Charlemagne emperor in 800, see the oration “*Cum bellum hodie*” [45], sect. 17

³ Hadrianus I (ca. 700-795): Pope from 772 to his death

⁴ See Innocentius III: *Venerabilem: Unde illis principibus jus et potestatem eligendi regem, in imperatorem postmodum erigendum, recognoscimus, ut debemus, ad quos de jure ac antiqua consuetudine noscitur pertinere, praesertim cum ad eos jus et potestas hujusmodi ab apostolice sede pervenerit, quae Romanum imperium in persona magnifici Caroli a Graecis transtulit in Germanos*. MPL, CCXVI, col. 1065

⁵ Otto of Freising (ca. 1114-1158): German churchman and chronicler. Bishop of Freising from 1113

⁶ Leo III (750-816): Pope from 795 to his death. Protected by Charlemagne from his enemies in Rome, he subsequently crowned him Roman Emperor

⁷ Gregorius VII [Ildebrando da Soana](d. 1085): Pope from 1073 to his death

⁸ Heinrich III (1017-1056): Holy Roman Emperor, second emperor of the Salian Dynasty

⁹ Heinrich IV (1050-1106): elected King of the Germans in 1056. From 1084 until his forced abdication in 1105 he was also referred to as King of the Romans and Holy Roman Emperor. He was the third emperor of the Salian dynasty and one of the most powerful figures of the 11th century. His reign was marked by the Investiture Controversy with the Papacy

¹⁰ Calixtus II [Guy of Burgundy] (d. 1124): Pope from 1119 to his death. His pontificate was marked by the Investiture Controversy which he settled through the Concordat of Worms in 1122

¹¹ Friedrich II (Hohenstaufen) (1194-1250): Crowned Holy Roman Emperor in 1220

¹² Otto IV (1175-1218): one of two rival kings of Germany from 1198 on, sole king from 1208 on, and Holy Roman Emperor from 1209 until forced to abdicate in 1215. Excommunicated by Pope Innocent III in 1210

¹³ Manfred (1232-1266): King of Sicily from 1258 to 1266. Natural son of the Emperor Friedrich II

¹⁴ Konrad [usually known by the diminutive Konradin, Italian: Corradino] (1252-1268): Duke of Swabia 1254-1268, King of Jerusalem 1254-1268, King of Sicily 1254-1258. Executed as traitor by Charles II d’Anjou in 1268

[25] Illud ad rem nostram accomodatum exemplum nequeo praeterire: post Henricum quartum Lotharius Saxo¹ ad imperium vocatus est, adversus quem cum Fridericus et Conradus, magnanimi juvenes, arma movissent, quia genus Henrici, cuius sorores matrimonio sibi assumpserant, humiliare atque opprimere videbatur², ab Honorio³ papa sunt excommunicati, nec prius absolutionis obtinere beneficium⁴ quam Caesaris gratiam potuerunt. Quid mirum si Austriales aliquos suo principi insultantes Nicolaus pontifex admonet? *Beatus Ambrosius*⁵, *licet sanctus, non tamen universalis ecclesiae episcopus, pro culpa, quae aliis sacerdotibus non adeo gravis videbatur, Theodosium*⁶ *magnum imperatorem excommunicans ab ecclesia exclusit.*

¹ Lotharius Saxo *in marg.* A; Lotharius Saxo Imperator *in marg.* U3

² videbantur V

³ Honorius *in marg.* A, D, G; Honorius pont. max. *in marg.* U3

⁴ obtinere beneficium : beneficium obtinere B, E, D, G, MU

⁵ Ambrosius *in marg.* D, G

⁶ Theodosius *in marg.* D, G; Theodosius Imperator ab ecclesia excluditur *in marg.* U3

[25] I cannot omit an instance that is highly relevant to our case: after Heinrich IV, Lothar the Saxon¹ was called to be emperor. But when he began to humiliate and molest the family of Heinrich,² whose sisters had been given in marriage to Friedrich³ and Konrad,⁴ these two high-spirited youths rose in arms against him. Therefore, they were excommunicated by Pope Honorius,⁵ and they could not get absolution before they had regained the grace of the emperor.⁶ So, it is no wonder that Pope Nicolaus admonished some Austrians when they rebelled against their prince. *Blessed Ambrose,⁷ a saint, but not the bishop of the universal Church,⁸ even excommunicated Emperor Theodosius the Great⁹ from the Church because of a sin that did not seem very grave to other priests.*¹⁰

¹ Lothar III (ca. 1075-1137): Duke of Saxony as well as King of Germany from 1125 and Holy Roman Emperor from 1133 until his death. His reign was troubled by the constant intriguing of the Hohenstaufen Duke Friedrich II of Swabia and Duke Konrad III of Franconia

² Heinrich IV

³ Friedrich II (1090-1147): second Hohenstaufen duke of Swabia from 1105

⁴ Konrad III (1093-1152): Duke of Franconia

⁵ Honorius II [Lamberto Scannabecchi] (d. 1130): Pope from 1124 to his death

⁶ The significance of relatives rebelling against the emperor would not have been lost on Piccolomini's audience since all knew that Emperor Friedrich's own brother, Albrecht, was involved in the rebellion of the Austrians against him – not to mention that King Ladislaus was the Emperor's own cousin

⁷ Ambrosius, Aurelius (ca. 340-397). Archbishop of Milan. Doctor of the Church. Saint

⁸ i.e. pope

⁹ Theodosius I [Flavius Theodosius Augustus] (347-395): Roman Emperor from 379 to his death

¹⁰ Decretum, D.96.10 (col. 340)

[26] Advertant igitur caveantque vestri¹ doctores, qui Romano pontifici de rebus saecularibus {47r} adimunt potestatem, quia *quisquis*, ut ajunt² canones, *cujuslibet ecclesiae jus*³ *suum detrahit, injustitiam facit. Qui autem Romanae ecclesiae privilegium ab ipso summo omnium ecclesiarum capite traditum auferre conatur*⁴, *hic proculdubio in haeresim labitur. Et cum ille notetur injustus, hic est dicendus*⁵ *haereticus*. Non enim, ut adversarii delirant, de rebus dumtaxat spiritualibus Romanae sedis arbitrium est, cui dominus in evangelio de re quacumque⁶ tribuit potestatem, qui *beato Petro, aeternae vitae clavigero, terreni simul et caelestis imperii jura commisit*. Quod Petro, hoc et⁷ successoribus ejus Romanae urbis⁸ antistibus.

¹ nostri U3, V; viri MU

² dicunt V

³ *omit.* V

⁴ conatus U1

⁵ est dicendus : dicendus est V

⁶ quacumque V

⁷ *omit.* F

⁸ sedis MU

1.2.5. Conclusion

[26] Let your doctors who would deprive the Roman Pontiff of his power in secular matters take note of this and beware. For - as the canons say - *he who infringes on the rights of any Church, commits an injustice, but he who tries to deprive the Roman Church of the privilege bestowed on it by Him who is the head of all the Churches*¹ *undoubtedly falls into heresy: the former*² *is branded as unjust, but the latter*³ *must be considered as a heretic.*⁴ Contrary to the delirious blatherings of our adversaries, the authority of the Roman Church is not limited to spiritual matters, for in the Gospel the Lord gave it power in all things, and to Saint Peter, *the keybearer of eternal life, he gave power*⁵ *both in the earthly and the heavenly realm.*⁶ And what [he gave] to Peter, [he] also [gave] to Peter's successors as bishops of the City of Rome.

¹ i.e. Christ

² i.e. the one who molests a local Church

³ i.e. the one who molests the Roman Church

⁴ Decretum, D.22.1. (col. 73)

⁵ "jura"

⁶ Decretum, D.22.1. (col. 73)

[27] Verum, ut ad ea respondeamus, quae de Gelasio, Cypriano, Nicolao atque Gregorio sunt opposita, quibus illi affirmare videntur, *nec imperatorem jura pontificatus arripere, nec pontificem nomen imperatorium¹ usurpare* debere, dicimus cum Innocentio III.², quia non passim et absque causa, sed aliquando et cum causa temporalem jurisdictionem³ pontifex Romanus exercet et saecularia judicat. Quotiens enim alius deest, qui vel possit vel audeat saecularia judicare, quotiens res temporalis manifesto crimine ducitur⁴, et offenditur divina majestas, nec saeculares obviant iudices, quotiens justitia denegatur, licet Romano pontifici manus apponere, quoniam praesulatus sui magisterium non solum de sacerdotum, sed etiam de saecularium utilitatibus debet esse sollicitum. Sic et in Hungaria⁵ saepe lites de regno Romani pontificis arbitrio sunt sopitae⁶. Sic et Franciae contentiones extinctae. Sic et in regno Portugalliae⁷ regi⁸ dissipatori⁹ per Romanum pontificem coadjutor datus. Sic et aliarum provinciarum discidia¹⁰ terminata, quae superiorem in temporalibus non admittunt. Sic et¹¹ ad saeculares dignitates Romana sublimitas saepe laicos ex adulterio genitos et¹² ad legitima jura reduxit. Sic et imperio vacante¹³ vices aliquando supplevit imperatoris.

¹ imperatorem MU

² Innocentius III. *in marg.* A; Nota verba Innocentii III. *in marg.* D, G; Innocencius tercius *in marg.* U3

³ pontificem *add.* U1

⁴ dicitur U1

⁵ Francia. Portugallia *in marg.* A; In (H)ungaria, Francia, Portuga(l)lia *in marg.* D, G

⁶ sopites A; sopite *corr. from* sopites C, D

⁷ defficiente *add.* V

⁸ regii U1

⁹ dissipatorii U1

¹⁰ decidia U1; dissidia U3, V

¹¹ *omit.* B, E, MU

¹² *omit.* MU

¹³ vacante E

[27] Our adversaries claim that Gelasius, Cyprian, Nicolaus and Gregory¹ appear to declare that *neither should the emperor seize the powers of the papacy, nor should the pope usurp the name of emperor.*² To them we reply, with Innocent III,³ that the Roman Pontiff does not exercise secular jurisdiction nor give judgment in secular matters indiscriminately⁴ and without good cause, but only rarely and with cause.⁵ For whenever nobody else can or dares give judgment in a secular matter, whenever a secular matter is evidently conducted criminally and divine majesty is being offended, and no secular judges oppose it, and whenever justice is denied, then the Roman Pontiff is free to intervene, for his pontifical magisterium is concerned not only with the affairs of priests, but also with secular affairs. Thus, conflicts about the kingship in Hungary were often solved by the judgment of the Roman Pontiff. Thus, struggles in France were ended. Thus, a wastrel king in Portugal was given a coadjutor by the Roman Pontiff. Thus, conflicts were brought to an end in many regions which do not recognize a superior in secular matters. Thus, His Roman Highness has often given rights of legitimacy and secular dignity to laymen born in adultery. And thus, when the empire was vacant, did he sometimes act in the emperor's stead.

¹ See sect.18

² Decretum, D.96.6 (col. 339)

³ Innocentius III [Lotario dei Conti di Segni] (ca. 1160-1216): Pope from 1198 to his death. Strong proponent of papal supremacy, also in temporal affairs

⁴ "passim"

⁵ Innocent III himself claimed only to exercise his supremacy vis-a-vis secular rulers in case of sin (causa peccati), see Sayers, pp. 167-168

[28] Quid nunc in casu nostro dicemus? Arripuerunt arma nonnulli ex Austria; ducatus regimen, quod imperator obtinuerat, invaserunt; iudices¹, quos ille constituerat, excluserunt; putaverunt² se jure uti suo. Contra, Caesar offensum se dicit. Quis hic iudex? Quis litis decisor erit? Non Bohemus aut Hungarus: nihil ad hos Austriae negotia pertinent³. Non Suevus, non Bavarus, non electores imperii⁴: nullus hic regum⁵ iudicium hoc jure suscipiet, omnes imperatore minores sunt. Quis igitur in tali negotio, nisi Romanus praesul⁶ legitime iudicabit⁷, qui communis est omnium pater, ecclesiae caput, magister fidei, dux veritatis, Christi vicarius, sacerdos in aeternum secundum ordinem Melchisedech, constitutus {47v} a Deo iudex vivorum et mortuorum?

[29] Advertant igitur Austriales neque his credant, qui censuram ecclesiae parvipendunt, qui Romani pontificis auctoritatem extenuant, qui vicarium Christi contemnunt, nolentes intelligere, ut bene⁸ agant. Hos⁹, qui talia suadent, filios perditionis asserimus, diabolo, et angelis ejus, ac perpetuo Gehennae mancipio lucrifactos. Quibus dum ajunt: “Quid nobis¹⁰ et papae? Quid clero et populo?”, dicimus rursus ad eos: “Quid vobis et veritati? Quid vobis et evangelio? Quid vobis et Christo? Quid vobis et caelo?” Nec misceri lux tenebris potest, nec Belial Deo. Nec plura de primo membro, in quo satis expressum esse^{11 12} confidimus¹³ hoc Austriale iudicium ad primae¹⁴ sedis examen pertinuisse, a cujus praeceptis nemini licet deviare.

¹ officiales V

² omit. U1

³ pervenit V

⁴ omit. V

⁵ regnum V

⁶ Quis Romanus pontifex *in marg.* D, G; Pontificis auctoritas *in marg.* U3

⁷ iudicabitur V

⁸ bona (sic!) E; bona MU

⁹ em. G; nos A, B, C, D, E, F, U1, U2, U3, V, MU

¹⁰ vobis V

¹¹ omit. G

¹² expressum esse : esse expressum D

¹³ confundimus F

¹⁴ ad primae : apprime V

[28] So, what shall we say about the present case?

[On the one hand,] some people from Austria took up weapons; they seized the government of the duchy that the emperor had obtained previously; they deposed the judges appointed by him, and they usurped his rights.

On the other hand, the emperor claims that his rights have been violated. Who will be the judge in this affair? Who will decide the case? It cannot be a Bohemian or a Hungarian, for the affairs of Austria do not concern them. Neither can it be a Swabian, nor a Bavarian, nor the prince electors of the empire, for none of these may legitimately pass judgment on kings, and they are all inferior to the emperor. So, who can legitimately judge this affair if not the Bishop of Rome who is the common father of all, the head of the Church, the teacher of faith, the leader in truth, the Vicar of Christ, a *priest for ever according to the order of Melchisedech*,¹ who has been made judge of the living and the dead by God himself.

[29] Let the Austrians be aware of this and not believe those who belittle the sanctions of the Church, who weaken the authority of the Roman Pontiff, who spurn the Vicar of Christ, and who do not wish to understand how to act rightly. We declare that those who argue thus are sons of perdition² and that their reward is eternal slavery to the Devil, to his angels and to Hell. To those who say: "What matters the pope to us? What matters the clergy to the people?" I reply: "What matters the truth to you? What matters the Gospel to you? What matters Christ to you? What matters Heaven to you?" Light cannot be mixed with darkness, or Belial with God.

Now, no more about the first part where, as we believe, we have sufficiently shown that the judgment in the Austrian matter legitimately pertains to the First See, whose precepts nobody may disobey.

¹ Psalms, 109, 4. The reference to Melchisedech had significant ideological overtones: Melchisedech was king and high priest, exercising both temporal and spiritual authority, just like the medieval popes claimed to do, see Sayers, pp. 14-15. Pope Innocent III often used this reference

² John, 17, 12

[30] Transibo nunc ad secundi membri¹ discussionem: quid est quod secundo loco adversantes objiciunt? “Etsi latissimum est,” inquit, “Romani sacerdotis officium, non tamen ejus est iniqua praecipere. *Potestatem ecclesia*, sicut apostolus affirmat, *in aedificationem* accepit, *non in destructionem*. At monitorio Nicolai nihil quidquam injustius dici potest, quo nobiles Austriae pro suo naturali domino decertantes justum relinquere bellum jubentur. *Noli prohibere benefacere eum*², *qui potest*, admonet scripturae auctoritas, *si vales, et ipse benefacito*.

[31] Hic ego paucissimis verbis satisfacere possum. Non inficior apostolicam sedem, quae justa sunt praecipere, non quae iniqua, debere. Sed ajo³ nihil injuste⁴ praeceptum esse, cumque proponunt adversantes justam fuisse Austrialium causam, non audio unam solum partem, utrique aures porrigo. Negat imperator, quod Austriales ajunt. Fit negatione res dubia. Satis est hoc Romano pontifici, ut causae cognitionem recipiat. Nihil est quod hic⁵ refutari⁶ possit. Ingrediamur tamen hoc pelagus, expendamus Austrialium causam, si quemadmodum asserunt, aequitatem honestatemque foveant⁷. Exponenda est⁸ facti series, sic jus facillime vestigabimus. Audite, benignas praebete aures⁹. Rem gestam brevi sermone praetexam¹⁰.

¹ Secundum membrum *in marg.* A, D, G

² benefacere eum : eum benefacere G

³ animo U1

⁴ injustum MU

⁵ quod hic : heic quod MU

⁶ reficari V

⁷ Austrialiumque querele *in marg.* D, G

⁸ omit. V

⁹ praebete aures : aures praebete MU

¹⁰ praetexam D, F, G; pretexam *corr. ex.* pretextam A, C

2. Austrians have acted unjustly towards the emperor, and they have not acted in the best interest of King Ladislaus

[30] I now pass on to the discussion of the second part, which concerns the second objection of our adversaries.

2.0 Introduction

2.0.1. Position of the insurgents

This is what they say: “Even though the office of the Roman priest has broad powers, it may not give evil commands. According to the Apostle, the Church has received its *power unto edification and not for destruction*.¹ Nothing is more unjust than the monitorium of Nicolaus for it commands the Austrian nobles, fighting for their natural lord, to give up their just war. But the authority of Scripture admonishes us *not to withhold him from doing good, who is able: if thou art able, do good thyself also*.²

2.0.2. Position of Piccolomini

[31] This I can refute in few words.

I do not deny that the Apostolic See should give just, and not evil commands. But, I declare that nothing evil has been commanded. When the adversaries claim that the cause of the Austrians was just, then I must hear not just one party, but both. The emperor denies the claims of the Austrians, and by virtue of this denial the matter becomes dubious. This is undeniably sufficient for the Roman Pontiff to initiate an investigation into the matter. Still, let us enter this sea and consider the cause of the Austrians: do they, as they claim, defend equity and decency? Here, we shall give an overview of how the matter developed, so that we may more easily examine its justness. So, listen benevolently as I give a brief summary of the facts of the case.

¹ 2. Corinthians, 10, 8. Arguments used by conciliarists to circumscribe the pope's power

² Proverbs, 3, 27

[32] Undecim¹ aut eo amplius² annis imperator Fridericus tamquam pupilli tutor Ladislai regis Austriam gubernavit³. Omnes sibi indigenae oboedientiam promiserant; nonnulli etiam⁴ juraverant⁵, donec pubertatis annos Ladislaus impleret. Sic pacificus Austriae ducatum Fridericus administrabat. At cum anno proxime decurso animus ei esset⁶ Romam petere, imperiales ut⁷ infulas more majorum ex manu summi pontificis assumeret⁸, deque salute communi⁹ Christianae religionis et¹⁰ infidelium oppugnatione cum Christi vicario tractaret, {48r} jamque gubernatores, qui se absente Austriam regerent, consentientibus indigenis ordinasset, seque itineri commisisset, nonnulli ex Austria, duce Ulrico Heizinger, non multi numero neque majores, trans Danubium convenientes immutare regimen Austriae statuerunt. Legatos ad Caesarem in Novam Civitatem miserunt, qui dicerent se, cum de privatis rebus acturi convenissent¹¹, etiam de suo domino Ladislao¹² rege cogitasse, bonumque sibi visum¹³ fuisse, ut is ad dominia sua mitteretur et maxime ad oppidum¹⁴ Viennense, quodque¹⁵ circa gubernationem ejus id servaretur, quod in ultima voluntate pater Albertus statuisset, atque haec ex Caesare peterent.

¹ Incipit narratio *in marg.* A

² plus V

³ Quando rexerit Austriam Fridericus *in marg.* U3

⁴ et MU

⁵ tutaverant F

⁶ ei esset : esset ei D, G

⁷ omit. G

⁸ assumere F

⁹ salute communi : communi salute F

¹⁰ omit. U3

¹¹ convenisset U1

¹² omit. U3

¹³ sibi visum : jussum F

¹⁴ opus F

¹⁵ quoque B, E; in quo MU

2.0.3. Piccolomini's version of the facts of the case

[32] For eleven years or more, Emperor Friedrich has governed Austria as guardian of the orphaned King Ladislaus. All the people¹ had promised him obedience, and many had even sworn obedience until Ladislaus reached puberty. Thus, Friedrich has administered the Duchy of Austria peacefully. Last year, he decided to go to Rome in order to receive, after the manner of his forefathers, the imperial crown from the hands of the Supreme Pontiff and to consult with the Vicar of Christ on the common welfare of the Christian religion and on the fight against the infidels. With the consent of the people, he appointed governors to rule Austria in his absence and made ready to depart. Then some Austrians, not many and not among the greatest, at the instigation of Ulrich Eyczing,² met across the Danube³ and decided to change the government of Austria. They sent representatives to the emperor in Wiener Neustadt to inform him that, having been gathered in order to deal with certain private matters, they had also taken thought of their lord, King Ladislaus: it seemed proper to them that Ladislaus should now be sent to his own dominions and especially to the city of Vienna, and that it was time to fulfil the last will of King Albrecht concerning the guardianship. So, these things they requested from the emperor.

¹ "indigenae"

² Eyczing, Ulrich (bef. 1398-1460): „Hubmeister“ of the Holy Roman Emperor (uncrowned), Albrecht II

³ 14 October 1451 in Mailberg, from where the name "Mailberger Bund"

[33] Quibus cum Caesar respondisset Romam se propediem petiturum, neque vacare sibi de illa re tunc agere, sed¹ velle cum rediret conventum habere indigenarum² ac³ principum, qui sibi et Ladislao sanguine proximarent, in negotio tutelae patruelis sui facturum, quod illi consulerent, mox furore incensi apud Viennam convenerunt, tractisque⁴ non aegre in suam sententiam civibus et aliis pluribus, Caesari⁵ in itinere versus urbem constituto, nolle se⁶ deinceps sibi ut tutori parere scripserunt, ac paulo post oboedientiam eidem subtraxerunt, Hungaros ac⁷ Moravos⁸ in societatem vocaverunt. Magnum et clarum principem Ulricum, comitem Ciliae⁹, praecedentem¹⁰, Ulricum Heizingerum, qui novitatis auctor fuerat, non infimum baronem, capitaneum¹¹ creaverunt; magistratus, quos Caesar ordinaverat, ejecerunt novosque suffecerunt; vectigalia exegerunt; judicia exercuerunt; universum Austriae regimen in se receperunt; nobiles, qui fidem servare et in oboedientia Caesaris perseverare voluerunt, viribus atque armis oppresserunt. Hoc est quod factum nos dicimus, et adversantes negare non possunt.

¹ *omit.* U1, U2, U3

² indignarum F; terrigenarum U1, U2, V; provincialium U3

³ hac F

⁴ fractisque U1

⁵ Caesare G

⁶ *omit.* U1

⁷ atque V

⁸ Moran... *et passim* V

⁹ Ciliae F

¹⁰ praesidentem MU

¹¹ Belli ducem *corr. ex capitaneum* U3

[33] The emperor replied that he was just about to set off for Rome and therefore did not have time to deal with this matter. But when he came back, he would meet with the people and the princes most closely related to himself and Ladislaus, and would follow their advice in the matter of the wardship of his cousin. They became furious and soon gathered in Vienna where it was easy for them to attract the citizens and many others to their cause. Then they wrote to the emperor, already on his way to Rome, that they would no longer obey him as guardian of their prince, and shortly afterwards they withdrew their obedience from him. They also invited the Hungarians and the Moravians to join an alliance. They appointed the great and noble prince Ulrich, Count of Cilli, as their leader, and the important baron Ulrich Eyczing, who had instigated the rebellion,¹ as their captain. They threw out the magistrates appointed by the emperor and replaced them with new ones. They collected taxes, administered justice, and took over the whole government of Austria. Those nobles who wanted to remain loyal and obedient to the emperor they attacked with forces and arms. This is what we say happened, and our adversaries cannot deny it.

¹ "novitas"

[34] Sed licuisse hoc Austrialibus astruunt¹, idque ita deducunt. Ajunt Alberto² mortuo, qui fuit Ladislai pater, compertum esse³ testamentum ejus⁴, in quo puerum, qui post se posthumus nasceretur, in arce Possonii⁵ tenendum, virisque⁶ octo gubernandum mandavit, quorum duos Hungaros, duos Bohemos, duos Austriales, duos Moravos esse voluit. Hisque tum⁷ regnorum ac dominiorum⁸ tum pupilli⁹ curam commisit. Nato autem Ladislao atque in Alba Regali coronato, reginam Elisabeth, ejus matrem, in cujus¹⁰ potestate pupillus erat, divo Friderico, Romanorum regi, puerum transmisit; Fridericum vero, illo suscepto, administrationem ducatus Austriae tutorio nomine petivisse¹¹; consensisse barones et incolas Austriae fidemque sibi tamquam tutori {48v} dedisse, contraque Fridericum litteras his tradidisse, quibus certo modo promiserit Austriam gubernare; id nisi servaret neque ratam esse promissam fidem, neque juramenta tenere. Fridericum etsi diu rexerit non tamen servasse¹², quae promiserat, alienasse¹³ bona ducatus, non usum esse consilio baronum Austriae, pupillum non bene instruxisse, neque, ut par fuisset, regis filium gubernasse.

[35] Convenisse ob eam rem¹⁴ plerosque Austriales, scripsisse majestati Caesareae, quia nollent ejus gubernationem diutius ferre; suum principem, suum dominum petivisse; velle se testamento parere, quod Albertus reliquisset; indignum esse coronatum regem tutoris arbitrio vivere; noluisse¹⁵ petitionibus auscultare Caesarem; compulsos, qui Ladislai rebus studebant, quod precibus assequi non valebant, armis exquirere. Quis Austrialium causam non probaverit? Quis¹⁶ eos non bene fecisse dixerit, qui non suo tantum, sed domini quoque sui jure sunt usi? Iniquum ergo monitorium papae, quod justos impedire homines nitebatur. Arbitror non esse paucos, qui rationibus hisce moveantur¹⁷.

¹ asserunt U1, U2, U3

² Albertus *in marg.* A; Albertus Ladislai pater *in marg.* U3

³ est F

⁴ Alberti testamentum *in marg.* D, G

⁵ Arx Possonii *in marg.* U3

⁶ jurisque E, F; juri que MU

⁷ *omit.* F

⁸ dominorum F

⁹ publici U1

¹⁰ in cujus : cuius in U1

¹¹ petiisse V

¹² Que obiciuntur imperatori *in marg.* A

¹³ alienatum esse G

¹⁴ *omit.* U1

¹⁵ voluisse U1

¹⁶ qui E

¹⁷ moneantur D

2.0.4. Insurgents' version

[34] But they claim that the Austrians were free to do so, and here is how they reason: they say that when Albrecht, the father of Ladislaus, died, his testament was found in which he stipulated that if a son was born to him posthumously, the boy should be kept in the castle of Pressburg¹ under the governorship of eight men, two from Hungary, two from Bohemia, two from Austria, and two from Moravia. To these men he entrusted the care both of his realms and dominions and of the orphan boy. But when Ladislaus was born and had been crowned in Székesfehérvár², his mother, Queen Elizabeth,³ in whose care⁴ he was, sent the boy to Friedrich, Holy Roman King. Friedrich received the boy and requested the government of Austria in his capacity as guardian. The barons and the people of Austria agreed and made an oath to him as guardian, and on his part Friedrich gave them a letter in which he promised to govern Austria in a specified way. If he did not keep his promise, their oath was to be considered as null and void, and the sworn promises were not to be kept. Though Friedrich ruled for a long period, he had not kept his promises, [they claim], he had alienated properties of the duchy, he had not used the counsel of the Austrian barons, he had not educated the orphan properly, and he had not exercised his guardianship⁵ in a manner befitting a king's son.

[35] Therefore a number of Austrian had assembled and written to his Imperial Majesty that they would no longer accept his governorship, that they requested their prince and lord to be handed over to them, that they wanted to respect the testament which Albrecht had left, that it was unworthy for a crowned king to live at the discretion of a guardian, that the emperor had not wanted to hear their petitions, and that they - working in the interest of Ladislaus - were forced to obtain by arms what they could not gain by pleading.⁶ Who would not approve the cause of the Austrians? Who would not say that they had done well in maintaining not only their own rights, but also the rights of their lord?⁷ In consequence, the papal montorium was unjust⁸ since it aimed at preventing [the actions of] just men.

¹ Possonium = Pressburg = Bratislava

² Alba Regalis = Stuhlweissenberg = Székesfehérvár, city in central Hungary around 65 km southwest of Budapest. In the Middle Ages the city was a royal residence and one of the most important cities of Hungary. In the Székesfehérvár basilica, 37 kings were crowned, 15 rulers have been buried there, and there the diets were held and the crown jewels were kept

³ Elizabeth of Luxembourg (1409-1442): Daughter of Emperor Sigismund. Married to (elected) Holy Roman Emperor, Albrecht II. They had two daughters. When Albrecht died in 1439, Elizabeth was pregnant with a boy, the future Archduke of Austria and King of Hungary and Bohemia, Ladislaus

⁴ "potestate"

⁵ "gubernare"

⁶ An example of the classical rhetorical device of *antithesis*

⁷ An example of the classical rhetorical device of the rhetorical question

⁸ "malum"

Many people, I think, would be moved by such reasoning.

[36] At cum partis alterius in medium vox sonuerit, intelligent, qui ratione, non appetitu ducuntur¹, quibus nec amor nec odium dominatur, boni amantes et aequi, neque juste neque utiliter ab Austrialibus esse processum. Quod ut palam fiat, articulatim respondere oportet. Quattuor² sunt, quae justitiam Austrialium videntur arguere: testamentum, pactum, utilitas domini, dignitas regis.

[37] De testamento³ ratiocinemur⁴ primum. Magna vis testamenti est. Servanda⁵ est⁶ suprema patris voluntas. At quamvis testamenta principum⁷ liberiora quam privatorum sint nec juris sollemnia quaevis desiderant, sic tamen⁸ edi producique debent, ut fidem faciant⁹. Verum Alberti testamentum neque probatum est umquam neque productum. Incassum allegatur, quod non docetur. Quod si verum testamentum fuisset, non tamen Austriales ejus adminiculo juvari possent, a cujus observantia sponte recesserunt. Muliebri vitium est nunc velle nunc nolle¹⁰, dictum indictum facere: viros omnis¹¹ inconstantia dedecet. Multa insuper illis temporibus emergere, propter quae, etiam si validum testamentum fuisset, nec debuit nec potuit observari. Hungari sive jure sive injuria - non recipio hujus ad¹² me facti iudicium - ex Polonia novum sibi¹³ regem accersiverant atque in Hungariam deductum coronaverant. Arcem Possonii, ubi servari pupillus ex testamento debuit, adjutores novi regis occupabant¹⁴. Qualis illic pupilli securitas¹⁵ fuisset, ubi hostes dominabantur? Quis pupilli personam {49r} Hungaris committendam suasisset, quorum pars major adversanti regi studebat.

¹ dicuntur V

² Quattuor fundamenta Austrialium *in marg.* A; Responsio ad obiecta Austrialium *in marg.* D, G

³ De testamento *in marg.* A

⁴ rationemur G

⁵ secunda F

⁶ *omit.* U1

⁷ principis MU

⁸ tam D, G

⁹ Qualia esse oporteat principum testementa *in marg.* U3

¹⁰ nunc nolle *omit.* V

¹¹ omnes V

¹² a V

¹³ *omit.* G

¹⁴ occupaverant U3

¹⁵ pupilli securitas : securitas pupilli MU

2.0.5. Structure of Piccolomini's reply

[36] But when the voice of the other party has been heard, all those who are not led by feelings,¹ but by reason, who are not dominated by love or hate,² who love goodness and justice, will understand that the Austrians have proceeded neither justly nor sensibly³. To make this clear, I shall respond point-by-point.

The justice of the case of the Austrians appear to rest on four issues: the testament, the agreement, the advantage of their lord, and the dignity of the king.

2.1. Testament of King Albrecht II

[37] Let us first present our arguments concerning the testament.

Great is the power of a testament, and the last will of a father should be respected. But although testaments made by princes can be made more freely than those made by private persons and do not have to observe all usual the legal formalities, they must - in order to be credible - be received probate and produced. But the testament of Albrecht has never been received probate or produced.⁴ Unproven claims are to no purpose.

But even if the testament should be genuine, the Austrians cannot base their case on it since they themselves have freely chosen to disregard it. It is a womanly fault to shilly-shally, and first to say one thing and then another. Inconstancy does not befit a man at all.

Moreover, many things happened at that time because of which the testament neither could nor ought to be respected even if it had been valid. The Hungarians summoned a new King from Poland,⁵ brought him to Hungary, and crowned him (I do not presume to judge whether they did so rightly or not). The partisans of the new king held the castle of Pressburg where, according to the testament, the orphan boy was to be kept. How could the boy be safe where his enemies were masters? Who would have argued for entrusting the orphan to the Hungarians, when their majority preferred the rival king?

¹ "appetitus"

² Cf. Caesar's exhortation to the Roman Senate: *Conscript Fathers, all men who deliberate upon difficult questions ought to be free of hatred and friendship, anger and pity.* Sallustius: *Bellum Catilinae*, 51.1

³ "utiliter"

⁴ In his *Europa*, Piccolomini described Albrecht's death and the ensuing events, confirming that Albrecht actually made and sealed a testament, cf. Piccolomini: *Europa* (Brown), p. 56-57: *But on the journey, he grew sicker and sicker and, after sealing his will, he died at Neszmély on the 27th of October*

⁵ Władysław III (1424-1444): King of Poland from 1434, and King of Hungary from 1440, until his death at the Battle of Varna between the Hungarians and the Turks

[38] Bohemi, cum audissent¹ huius Alberti voluntatis mentionem^{2 3} fieri, deliramentum magis quam testamentum esse dixerunt, in quo⁴ Moravos sibi aequatos audiebant, quos subditorum numero habent. Restabant soli Moravi et Austriales, qui testamenti poterant amantes videri, quando et Hungari novum regem⁵ eligentes, et Bohemi ordinationem ejus damnantes illud rejecerant. Quis vero tantum regem solis Moravis et Austrialibus commisisset? Actum erat de puero, nisi manus imperatorias incidisset. Sed neque Austriales, ut ante diximus, neque Moravi ante hoc dissensionis tempus in eo testamento fixi fuerunt.

[39] Constabat insuper id⁶ testamentum quantum ad gubernationem Austriae ducatus⁷, de qua re quaestio nunc vertitur^{8 9}, adversus consuetudines priscas et jura patriae factum, quae pupillos principes sub tutela seniorum esse volunt¹⁰. His Albertus neque uti dux Austriae, neque uti rex Hungariae aut Bohemiae potuit derogare. At erat, dicit¹¹ fortasse quispiam¹², Romanorum rex, licuitque sibi ex causa consuetudini ea vice^{13 14} detrahere. Id, si quis astruat, non papyreis cedulis aut testibus rusticanis, sed authenticis litteris et sigillis probandum erit. Addamque¹⁵ postremo, quemadmodum ex causa fas¹⁶ fuit Alberto Austriae jus evertere, sic et Friderico potestas fuit, suadente atque urgente ratione, testatoris voluntatem infringere, jam Romanorum regi declarato. Cum ergo testamenti probatio sit anceps atque¹⁷ incerta; cum Austriales ab eo recesserint; cum rebus mutatis nequiverit observari testamentum¹⁸; cum Bohemi atque Hungari nihil in eo momenti posuerint¹⁹; cum Austriae consuetudinibus ac principum juribus esset adversum: nihil est, quod Austrialibus testamenti nominatio suffragetur.

¹ vidisset F

² mentionem *corr. ex.* intentionem A; intentionem D, F, G

³ voluntatis mentionem : mentionem voluntatis U3

⁴ qua U1

⁵ regni U1

⁶ hoc U1, U2, U3

⁷ Austriae ducatus : ducatus Austrie U1, U2, U3, V

⁸ agitur U3

⁹ quaestio ... vertitur : nunc quaestio vertitur F; nunc vertitur questio MU

¹⁰ Consuetudines de tutela pupillorum principum in Austria Hungariaque *in marg.* U3

¹¹ *omit.* MU

¹² ait *add.* MU

¹³ ea vice *omit.* B, E, MU

¹⁴ consuetudini ea vice : ea vice consuetudini G

¹⁵ addam MU

¹⁶ *omit.* F

¹⁷ et U3

¹⁸ *omit.* V

¹⁹ posuerunt U1, U3

[38] When the Bohemians heard about Albrecht's will, they called it a delirium rather than a testament, for in it they heard that the Moravians whom they consider as their subjects were treated as their equals. Since the Hungarians had elected another king¹ and the Bohemians had denounced the dispositions of the testament and rejected it, only the Moravians and the Austrians could accept the testament. But who would entrust so great a king to the Moravians and Austrians alone? The boy would have been finished if he had not come into the hands of the emperor. But, as already mentioned, before the present conflict neither the Austrians nor the Moravians have shown any concern about the testament at all.

[39] Moreover, in the matter of the government of the Duchy of Austria, that we shall speak about now, the testament clearly went against the old customs and laws of the country according to which orphan princes should be under the guardianship of the senior princes. Neither as Duke of Austria nor as King of Hungary and Bohemia, could Albrecht dispense from these rules. Possibly someone will say that in this case he could, as King of the Romans and with good cause, dispense from the customary rule. If anyone claims that this is what he actually did, they should prove it, and not by notes on paper or with peasant witnesses, but by authentic letters and seals. Finally, I add that if Albrecht² had the right, with good cause, to dispense from the law of Austria, then Friedrich – who had by then been declared King of the Romans – had the [same] power to annul the will of the testator, for good and urgent reasons.

[In conclusion:] the probation of the testament was doubtful and uncertain; the Austrians decided to disregard it; circumstances changed, and the testament could not be observed; the Bohemians and the Hungarians did not attach any importance to it at all; and it went against the customs of Austria and the laws of its princes. For all these reasons, the Austrian case cannot be supported by invoking the testament.

¹ And thereby rejected the testament

² As King of the Romans and Emperor Elect

[40] Qua confutata dicere de pactis¹ occurrit². Litteras, inquiunt Austriales, dedisse Caesarem sibi, quibus sancitum est, nisi certo modo sua majestas Austriam gubernaret, promissiones, quas ipsi³ praestitissent, invalidas atque inanes reddi. Fateamur ita esse, ut referunt, nam *veri periculum mihi non arrogo*. Sit tamen ita. Quid tum? Servari promissum oportuit, non nego⁴. Studiose agendum est⁵, ut ea, quae promittuntur⁶, opere compleantur. Nutare⁷ principis verba non decet. Verum si additur pacto, nisi Romam iveris, decem dato; non est promissi reus, qui domi manens decem dedit. “Hoc est quod volumus”, dicent illi. “Non rexit, ut promisit imperator. Soluti ergo ab his sumus, quae promisimus sibi. Sic pacto cavetur, obligantur et principes, dum paciscuntur.” Si actum est, ut narrant, quidni {49v} ruant promissiones? “At si promisso non sumus obnoxii,” dicent, “liberi ergo⁸ sumus, neque parere imperatori tenemur. Recte igitur jugum ejus excussimus.” Verum ego, quamvis promissiones extinctas judico, non tamen idcirco liberos Austriales affirmo. Pactiones, quoniam stricto jure censentur⁹, nil agunt, nil obligant extra casum, in quo loquuntur.

[41] Exponamus rem, ut¹⁰ gesta est¹¹: dum pacta percussa¹² sunt, de quibus agitur, petebat Fridericus administrationem ducatus Austriae, quae sibi jure tutelae debebatur. Negabant Austriales. Convenit utrimque^{13 14}, cessit petenti gubernatio. Fateamur non esse gubernatum ex promisso, quamvis et hoc¹⁵ postea refellemus. Quas pacto vires praebebitimus? Numquid propter ea¹⁶ adeo¹⁷ liberos Austriales praedicabimus, ut nihil Caesari debeant? Minime. Sed absolutos ab his, quae promiserunt, ne conveniri ex pacto valeant, non erit absurdum fateri. Quidquid in pacto dictum est, tollitur. Promiserunt: non tenentur ex promisso. Juraverunt: non ligantur ex juramento. Praestiterunt fidem: ruit et illa fides. Quid amplius? Ergo nihil Caesari¹⁸ debebunt? Non ita, inquam.

¹ De pactis *in marg.* A

² occurrit F

³ sibi U1, U2, U3

⁴ Servari debere principis promissa *in marg.* U3

⁵ quod Austrialibus *add.* U2

⁶ promittunt U2

⁷ nutare U1, U2

⁸ liberi ergo : ergo liberi MU

⁹ censetur F

¹⁰ aut V

¹¹ Alia narratio *in marg.* A

¹² secuta U1

¹³ utrique E

¹⁴ convenit utrimque : convenere utrique MU

¹⁵ haec MU

¹⁶ postea U1

¹⁷ ab eo U3

¹⁸ nihil Caesari : Caesari nil G

2.2. Pact between the Austrians and the emperor

[40] Having refuted this claim, we must now speak about the agreement. The Austrians say that the emperor had given them a letter confirming that if His Majesty did not govern Austria in the specified manner, the promises made by the Austrians would be null and void. Let us assume that this is correct, *for I do not presume to determine the truth of the matter*.¹ But what then? I do not deny that a promise should be kept, for we should always sincerely endeavour to fulfill our promises, and the words of a prince should not be fickle. But if you add to the agreement: "If you do not go to Rome, having given ten,"² then the emperor is not guilty of breaking his promise gave ten while at home.³ "But this is what we want," they will say. "The emperor did not rule as he had promised. Therefore, we are no longer bound by our promises to him. Thus it is stipulated in the agreement, and princes, too, are bound by their agreements." But even if what they say is a fact, why would the promises become void? "If we are not bound by the promise," they will say, "then we are free and under no obligation to obey the emperor. Therefore, we have lawfully thrown off his yoke." But what I claim is that even if the promises should have become void, the Austrians are still not free, for agreements, interpreted strictly, do not have any effect nor create any obligation beyond the matter in question.

[41] Let us now explain what actually happened. When the agreement in question was negotiated, Friedrich requested the administration of the Duchy of Austria that was his right as guardian. First the Austrians refused it, then the two parties came to an agreement, and in the end the government was transferred as requested. Let us, for the sake of argument, admit that the government did not, on all points, respect the terms of the agreement (though later we shall argue against this view). In that case, to what extent are the parties bound by the agreement? Does it then give the Austrians such freedom that they owe the emperor nothing? Absolutely not!

It may reasonably be held that since they are freed from their promises, they are not bound by the agreement: whatever was stipulated in the pact has been annulled. They made a promise: they are not obliged to keep that promise. They swore an oath: they are not bound by that oath. They made a pledge: the pledge has lapsed.

So, do they no longer have any obligations towards the emperor? Not so, I say.

¹ "nam veri periculum mihi non arrego." Expression of Solinus: *Veri periculum ad me non recipio*

² "decem dare": meaning unclear

³ The meaning of this passage is unclear

[42] Sed redibimus ad priores terminos, eritque¹ Fridericus ac si nihil Austriales promississent. Nec propterea gubernationem ducatus amittere debuit, quia soluta promissio fuit. Restabant enim et aliae obligationes, quibus retineri usque ad pubertatem pupilli Austriale regimen poterat. Erat jus civile, quod pupillorum tutelam proximioribus mandat. Erat jus patriae consuetudinis, quod pupillum principem seniori domus committit. Erat jus sacri imperii², ad quod³ vocatus⁴ postea Fridericus fuerat, cujus vigore gubernare Austriam Ladislaumque⁵ regere nulli magis quam sibi licebat. Austriales ergo, qui multis erant imperatori vinculis obligati, quamvis unum amputavissent⁶, non tamen oboedientiam subtrahere debuerunt, quae nexibus aliis tenebatur⁷ obnoxia. Evertimus, sicut arbitror, adversantium fundamenta, quae super litteris pacti jecerunt. *Sagittae parvulorum factae sunt plagae eorum.*

¹ erit G

² ius imperatoris *in marg.* A

³ ad quod : quod ad E

⁴ ad quod vocatus : quod advocatus MU

⁵ Ladislaum E, MU

⁶ amputasset U1; amputassent U2, U3

⁷ tenebantur B, E

[42] Let us turn back to the original situation, and [let us assume that] the Austrians had promised Friedrich nothing. Still, he would not lose the government of the duchy because the promise was not kept, for other obligations remained by virtue of which he could retain the government of Austria until the orphan boy had reached puberty. There was civil law which entrusts the guardianship of orphans to their closest relatives. There was the customary law of the country which entrusts the care of an orphan prince to the senior prince of his house. There was the law of the Holy Empire, to which Friedrich had been elected afterwards, and by force of which none had a better right than he to rule Austria and have charge of Ladislaus. So, even if the Austrians cut one of their several ties of obligation to the emperor, they still had other ties to him because of which they ought not withdraw their obedience.

I have now, I believe, destroyed the basis of the Austrian arguments concerning the letter of agreement. *The arrows of children are their wounds.*¹

¹ Psalms 63, 8

[43] Addemus tamen et alia contra pactiones¹, neque locum his ullum relinquemus. Administrationem cum Fridericus Austriae suscepit, cum communitate regionis sive² universitate contraxit, non³ cum duobus aut tribus: respublica⁴, res universitatis agebatur⁵, non paucorum. Si quid⁶ adversus contractum dicendum erat, universitatis aut majoris vel⁷ senioris⁸ partis reclamatio fuit, non duorum aut trium sive minoris⁹ partis. At eo tempore, quo reclamatio coepta est, Ulricus Eyzinger¹⁰ et pauci cum eo fuerunt, qui trans Danubium convenere. Pars major et sanior¹¹, cujus erat [50r] de republica consilium, cum Friderico sentiebat. Paucos, qui sequebantur Ulricum, universitatis abrumpere promissa non decuit. Nam si se liberos nullisque¹² Caesari promissionibus obnoxios dicere voluerunt¹³, angariare ceteros, quibus servanda fides videbatur, et universam invadere rempublicam nemo sapiens paucorum ambitioni permiserit. Quod si major pars conquesta fuisset, aut auscultasset ei Caesar, aut¹⁴ illi¹⁵ dixisset: "Si non teneris pacto, at¹⁶ jure patriae¹⁷, jure¹⁸ civili, jure imperii teneris." Quid plura?

¹ Rationes contra pactiones *in marg.* D, G

² suae E; suae et MU

³ nam MU

⁴ respublica : res peracta MU

⁵ agebatur F

⁶ si quid : sicut U1

⁷ vel G

⁸ senioris V

⁹ majoris G

¹⁰ Azingher *in marg.* A; Ulricus Eyzinger *in marg.* U3

¹¹ sanior *corr. ex senior* V

¹² nullis C; nullique F

¹³ voluerint MU

¹⁴ ut F

¹⁵ ille F

¹⁶ aut F, U1

¹⁷ jure patriae *omit.* U1

¹⁸ *omit.* V

[43] Let us add some other things concerning the agreement and leave no room for their arguments at all. When Friedrich took over the administration of Austria, he was dealing with the whole region, and not just with two or three people: the matter concerned the whole country and commonwealth, not a few individuals. If anything should be said against the treaty, the complaint would therefore have to be made either by the whole community or by a majority or by the sounder part,¹ and not by two or three people or a minority. But when they began to make complaints, it was only Ulrich Eyczing and a few followers who gathered across the Danube. The major and sounder part, whose responsibility it was to provide for the whole state, sided with Friedrich. The few who followed Ulrich did not have the right to break the promises of the whole community. For even if they wanted to declare themselves free and under no obligation to the emperor, no wise person would allow the ambitious few to harass the others, who wanted to keep their promises, and take over the whole state. Had it been the majority complaining, the emperor would either have heard them or said to them: "Even if you are not bound by the agreement, you are still bound by the law of the land, by civil law and by the law of the empire." What more needs to be said?

¹ "sanior pars"

[44] Aperiamus tandem quaenam¹ sint ea pacta, quibusve modis inita, quae superbos² adversarios reddunt³. Dicam brevissime. Principatus⁴ Austriae cum regimen imperator accepit, viros XII assumere promisit ex primoribus Austriae, quorum consilio ducatum regeret. Nisi hoc impleret, irritas esse promissiones Austrialium, quibus oboedientiam praestitissent, neque data⁵ illos fide aut iuramentis teneri. Elegit illos Caesar XII viros, qui gubernatores dicti sunt. At hi, cum aliquandiu gubernassent, postea tamen suoapte ingenio magistratu se abdicarunt⁶. Tunc ex consensu indigenarum⁷ mutata est facies reipublicae: quattuor et viginti⁸ gubernatoribus constitutis, quorum consiliis Austriam Caesar administraret. Sed neque pactiones ullae neque promissiones⁹ adhibitae¹⁰ sunt. Rursus et hi¹¹ post tempus gubernationem resignantes vacuum rempublicam dimiserunt. Quod Fridericus¹² animadvertens, sine quovis pacto, assentiente communitate¹³, gubernationem solus iniit. Sic¹⁴ res acta est. Quis modo non intelligat veritatem? Ordinatur gubernatio reipublicae certo modo, pacta intercidunt, mutatur forma regiminis et¹⁵ semel et iterum, neque¹⁶ pacta repetuntur. Quis non putaverit ab illis esse recessum?

¹ quae jam U1

² superos F

³ Pacta Caesaris cum Austrialibus *in marg.* D, G

⁴ Narratio tertia *in marg.* A

⁵ clara F

⁶ addicarunt E; abdicaverunt MU

⁷ provincialium U1, U2, U3; terrigenarum V

⁸ XXIII viri *in marg.* A

⁹ neque promissiones : promissionesve G

¹⁰ habite U3

¹¹ ii U1

¹² omit. V

¹³ communicare F

¹⁴ si U1

¹⁵ omit. F

¹⁶ nec U1

[44] Let us now look at the agreement itself and how it was concluded, since that is what makes our adversaries so arrogant. I shall tell you briefly. When the Emperor took over the government of the Principality of Austria, he promised to appoint 12 men among the magnates of Austria by whose counsel he would rule the duchy. If he did not fulfill this condition, the promises of the Austrians, by which they had sworn obedience, would be void and they would not be bound their pledge or oaths. The Emperor then chose 12 men, who were called governors. But when they had governed for some time, they abdicated the magistracy at their own initiative. Then, with the agreement of the people, the form of the government of the country was changed: now 24 governors were appointed by whose counsel the Emperor would administer Austria. [At that time,] absolutely no mention of the agreement nor of the promises was made. After yet another period, these governors, too, resigned, leaving the country without a government. When Friedrich was informed of it, he began to govern alone, without any [formal] agreement, but with the assent of the people. This is how the matter developed. Now, who does not know that this is true? A specific form of government of the country was established; the agreement became obsolete: the form of government was changed not once, but twice, and at no point did anybody mention the agreement. Who would not consider it to have lapsed?

[45] Quid¹ amplius? Annis XI Fridericus solus Austriam gubernavit², non tamen sine consilio indigenarum³. Oboediverunt omnes, fidem servarunt⁴, nemo se opposuit, nemo contradixit, nemo testamentum Alberti⁵ in medium adduxit⁶, nemo se absolutum promissionibus dixit, nemo litteras pactionum induxit⁷ ⁸. Unde ista post tantum temporis novitas? Contra dominum arma tulerunt⁹, qui etsi¹⁰ promisso, ut arbitrabantur, non erant amplius obligati, non tamen universitatis majorem partem faciebant. Nec erant adversus Austriae consuetudinem liberi, neque a civilibus legibus exempti, neque ab imperii jugo subtracti, sed Friderico¹¹, ut Austriae duci honorem, ut tutori pupilli oboedientiam, ut imperatori reverentiam et subjectionem debebant. Quas res neque litteris neque pacto sublatas monstrari potest. Sic adversantium duo, quae maxima rebantur esse, fundamenta diruta sunt.

¹ quidam F; quis U1

² Austriam gubernavit : gubernavit Austriam G

³ provincialium U1, U2, U3; terrigenarum V

⁴ servaverunt G

⁵ *omit.* V

⁶ abduxit D; aduxit F

⁷ indixit U3

⁸ nemo se absolutum ... induxit *omit.* MU

⁹ tulerunt *corr.* ex tulerint U2; tulerint U3; V

¹⁰ ex *add.* V

¹¹ Quid Federico deberent Austriales *in marg.* A

[45] What happened then? For 11 years Friedrich has governed Austria alone, but not without the advice of the people. All have obeyed him, all have been loyal, nobody opposed it, nobody spoke against it, nobody brought up Albrecht's testament, nobody claimed to be freed from their promises, nobody mentioned the letter of agreement. So why this upheaval, after such a long period? [A group of people] took up weapons against their lord, but though they considered themselves to be no longer bound by their promise, they were not the majority of the people. Neither were they free according to the custom of Austria, nor were they exempt from the civil laws, nor free of the yoke of the Empire. On the contrary, they owed respect to Friedrich as Duke of Austria, they owed him obedience as guardian of the orphan prince, and they owed him reverence and submission as emperor. These obligations cannot be shown to have been revoked by their letter or by the agreement.

Thus, we have demolished the two basic arguments of our adversaries, which they themselves considered to be the most important.

[46] Modo tertium evertamus¹, in quo domini utilitatem adducunt, et Austriales arma sumentes domini causas adjuvisse contendunt². Audite hic Hungari, obsecro, atque Bohemi; non hic vobiscum³ disceptamus, neque de regnis⁴ vestris nulla vos judicantes corrumpet affectio. De domino facta est mentio. Dominum⁵ suum Ladislaum regem Austriales appellant: recte, pulchre, vere - nemo inficias ibit. Verum ego duos esse temporales dominos Austrialibus assero, alterum imperatorem, alterum Ladislaum, atque hunc non tamquam regem, sed tamquam ducem. Legat historias⁶, qui mihi non credit. Nolo vetustiora referre: si quaeramus⁷, Ladislao quis Austriae principatum commiserit, ex successione dicent principem esse. Quod si progenitorum⁸ progenitoribus, unde sit haec potestas, investigemus, necessarium⁹ erit tandem ab imperio fateantur esse ducatum. Non est admodum vetus, quod referam. Tenuerunt¹⁰ Caesares hujus provinciae dominium¹¹, et hanc terram ducatus titulo donaverunt. Imperante autem Friderico II.¹², Albertus¹³ Austriae dux adversus Hungaros pugnans¹⁴ juxta fluvium Litham¹⁵ a suis occisus, cum non reliquisset haeredem, locum devolutioni ducatus¹⁶ fecit, quem Fridericus, quoad vixit, per vicarios administravit.

¹ De utilitate responsio *in marg.* D, G

² contemnunt F

³ nobiscum V

⁴ regionibus MU

⁵ Quid sit dominus Austriae *in marg.* A

⁶ historia U1

⁷ Historia de ducatu Austriae *in marg.* D, G

⁸ progenitorium F

⁹ necessario F

¹⁰ Narratio *in marg.* A

¹¹ dominum F

¹² Fredericus II *in marg.* A; Fridericus II. Cesar *in marg.* U3

¹³ Hungari. Litha. Albertus *in marg.* A; Albertus Austrie dux. Leyta fluvius *in marg.* U3

¹⁴ pugnans U1

¹⁵ Lithan A, C; Leithan U1; Leitham U2; Leytam U3

¹⁶ ductus U1

2.3. Interests of King Ladislaus

2.3.1. Austrians' disobedience towards Ladislaus' superior, the emperor, is not in the best interest of Ladislaus

[46] Let us now demolish their third argument, in which they advance the interests of their lord and claim that in taking up weapons the Austrians helped the case of their lord. Hungarians and Bohemians, I ask you to listen now: here we are not disputing with you, so please do not let passion taint your judgment concerning your own kingdoms.

As for the lord, the Austrians call King Ladislaus their lord, and they do so rightfully, nobly, and truly – that nobody will deny. However, I claim that the Austrians have two temporal¹ lords, one being the emperor, and the other being Ladislaus, and Ladislaus not as a king, but as a duke. Read the chronicles² if you do not believe me: I do not talk about ancient matters. If we ask how the Principality of Austria came to Ladislaus, [the chronicles] will tell you that he is prince by right of succession. If we examine from where the forefathers of the forefathers had their power, they must say that the duchy derives from the empire. What I report does not lie so far back. The emperors had the lordship of this region, and it was they who granted the country as a duchy. During the reign of Friedrich II,³ Duke Albrecht⁴ of Austria⁵ fought the Hungarians at the river Leitha⁶ and was killed by his own. As he had no heirs, the duchy devolved upon the empire, and Friedrich ruled it through vicars for the rest of his lifetime.

¹ I.e. secular as opposed to spiritual/religious

² "historiae

³ Friedrich II (Hohenstaufen) (1194-1250): Holy Roman Emperor

⁴ Not an Albrecht, but Duke Friedrich II of Austria

⁵ Friedrich II of Babenberg (1211-1246): From 1230 Duke of Austria and Styria. Died in the Battle of Leitha, 1246, under uncertain circumstances. With him the Babenberg dynasty expired

⁶ Battle of Leitha, 1246

[47] Eo mortuo, variis casibus vexata provincia in potestatem Ottokari¹ Bohemorum regis dilapsa est, ac demum virtute Rudolphi², Romanorum principis, ad imperium rediit, qui et Viennam³ obsidione⁴ cinctam⁵ ad deditionem compulit, et Ottokaro magno proelio victo et provinciam et vitam ademit. Nec diu post in conventu principum apud Augustam Vindelicam⁶ Albertum⁷ filium⁸ huic regioni ducem⁹ praefecit. Ab illo continuata successio est usque in¹⁰ Ladislaum¹¹ nostrum¹². Albertus in feudum¹³ ex patre¹⁴ Romanorum rege suscepit Austriam. Ab imperio igitur Austriae principatus est. At princeps et dominus Austriae Ladislaus est, concedo, ea tamen¹⁵ lege, ut sibi et dominum et principem Fridericum noverit, et quam exigit a subditis oboedientiam, eamdem ipse praestet imperatori. Nam etsi utile in eum transfusum est, directum tamen Austriae dominium penes imperium haeret. Caveant igitur, qui se¹⁶ fautores Ladislai¹⁷ praedicant¹⁸, ne dum uni se putant consulere suo domino, cum duos habeant, aut alterum offendant aut utrumque, quando et duci et imperatori subsunt.

¹ Octokarus *in marg.* A; Otokarus Bohemorum rex *in marg.* U3

² Rodulfus *in marg.* A; Rodulpus imperator *in marg.* D, G; Rudolfus *in marg.* U3

³ Viennam *in marg.* A

⁴ obsidionem F

⁵ cunctam U1

⁶ Augusta *in marg.* A; Augusta Vindelica *in marg.* U3

⁷ Albertus *in marg.* A

⁸ omit. V

⁹ omit. B, E, MU

¹⁰ ad MU

¹¹ Ladislaus *in marg.* A

¹² Unde ex quibus Ladislaus *in marg.* D, G

¹³ in feudum : inferendum U1

¹⁴ parte C

¹⁵ tandem F

¹⁶ qui se omit. E, MU

¹⁷ quid add. MU

¹⁸ praedicent MU

[47] When Friedrich died, the province suffered a number of calamities and eventually fell into the hands of the Bohemian King Ottokar,¹ but in the end it reverted to the empire, thanks to Rudolf, Prince of the Romans.² For Rudolph laid siege to Vienna and forced it to surrender, and having conquered Ottokar in a great battle,³ he took both his country and his life. Not long afterwards, in an assembly of princes held in Augsburg, he made his son Albrecht⁴ duke of this region⁵. From him it came to our Ladislaus through unbroken succession. Albrecht received Austria from his father, the King of the Romans, as a feudal possession. Thus, Austria is a principality under the empire. Ladislaus is the Prince and Lord of Austria – that I acknowledge – but only on condition that he recognizes Friedrich as his own lord and prince, and that he yields the same obedience to the emperor which he demands from his own subjects. For though the lordship of Austria has properly⁶ been transferred to Ladislaus, Austria is still a lordship directly dependent on the empire. So, let all who declare themselves to be the partisans of Ladislaus beware not just to support one lord, when they actually have two, and not to offend one or both of them, since they are subject to both the duke and the emperor.

¹ Ottokar II (c. 1233 – 1278): King of Bohemia from 1253 until his death

² Rudolf I (1218 – 1291): Originally a Swabian count. King of the Romans from 1273 until his death. Raised the Habsburg dynasty to a leading position. The first Habsburg to acquire the duchies of Austria and Styria

³ At Vienna, 1276

⁴ Albrecht I of Habsburg (1255 – 1308): Duke of Austria and Styria from 1282 and King of Germany from 1298 until his assassination

⁵ I.e. succession by inheritance

⁶ "utile"

[48] Quod si percunctetur¹ aliquis utri parendum sit, si alter alteri adversetur, nemo, qui perturbato sensu non fuerit, duci primas dabit: recta ratio Caesarem praefert. Durior² hic sermo fortasse videtur, at agnita ratione mitior³ fiet. Mandat Austriae dux omnes, {51r} qui ferre arma possunt, in bellum eant. Baro, qui feudum a duce recepit⁴, prohibet suos homines ne arma capessant. Quis non ducis mandata praetulerit? At quod duci baro, hoc imperatori dux erit. Indigne superiorem contemnit⁵, qui vult ab inferioribus honorari. Quod si quis hoc⁶ desitum et aliam inolevisse consuetudinem⁷ affirmaverit, respondebo cum Cypriano⁸, *consuetudinem⁹ ratione carentem erroris esse, non juris vetustatem*. Non prava¹⁰ consuetudo¹¹, sed honesta consideratio ducere homines debet. Indignum, absurdum, sceleratum est, quos tibi^{12 13} commendaverim populos, eos te mihi praeferre, tuique causa adversus me militare, quos meo nomine regis, ac si filius iubente paedagogo manus injiciat patri, aut episcopo mandante ferrum stringat in papam¹⁴ clericus¹⁵.

¹ percuntetur *corr. ex. percunctetur* A; percuntetur F; percuntetur U1, U2; percontetur U3

² dulcior F

³ minor B, E [NB: mitior MU]

⁴ accepit F

⁵ contemnunt U1

⁶ omit. A-G, V, MU

⁷ De consuetudine *in marg.* A

⁸ Ciprianus *in marg.* A; Cyprianus *in marg.* D, G, U3

⁹ Consuetudo *in marg.* C

¹⁰ parva U

¹¹ consuetudine F

¹² omit. V

¹³ sibi B, E

¹⁴ in *add.* U1

¹⁵ clerus C

[48] If somebody asks: “Who should be obeyed in the case of a conflict between them?”, nobody in his right mind would give priority to the duke: logic points to the emperor. This may seem a severe statement, but if the reason for it is understood, it becomes more acceptable. [Let us take an example:] the Duke of Austria commands all men able to bear weapons to go to war. A baron, who had received [his possessions as] a feud from the duke, forbids his men to do so. Who would not give greater weight to the command of the duke? But as the baron is to the duke, so is the duke to the emperor. It is unworthy to disobey the commands of one’s superior if one wants to be obeyed by his own inferiors. If someone argues that this rule has become obsolete and that another custom has grown up in its place, then I shall reply with Cyprian that *a custom is erroneous if it is not based on good reason; it is not erroneous because it is based on an old law*.¹ What men should follow is not a senseless custom, but honest reasoning. It would be unworthy, absurd, and criminal if those people whom I have entrusted to you should prefer you to me, and that those whom you rule in my name should fight against me. That would be like a son hitting his father at the command of his teacher, or like a cleric drawing his sword against the pope at the command of his bishop.

¹ Decretum, D.8.8 (col.15): *consuetudo sine veritate vetustas erroris est*. Cyprianus: *Ep. ad Pompejum*

[49] Parum fortasse ponderis nostris inesse verbis videtur, sed cedant apostolorum principi¹, qui² nostris³ dictis abrogant⁴ fidem. *Estote*, inquit in epistolis Petrus, *subjecti dominis vestris, sive regi tamquam praecellenti, sive ducibus tamquam ab eo missis*. Alia est oboedientia, quae regi, alia quae duci debetur. Qui duci contra regem oboedit, apostolici praecepti fit reus. Non enim duci ut a rege, sed contra regem misso parere convincitur⁵. *Non est potestas*, scribit ad Romanos Paulus⁶, *nisi a Deo. Quae autem sunt, a Deo ordinata sunt*⁷. Ordinem igitur habere⁸ humanas potestates oportet. *Excelso*, inquit Ecclesiastes, *excelsior est. Major potestas*, ut in *Confessionum* libris tradit Augustinus⁹, *minori*¹⁰ *ad oboediendum*¹¹ *praefertur*¹². Probe Rusticus apud Maronem: *Tu major. Tibi me aequum est parere Menalcha*¹³. Denique super illud Apostoli: *Qui resistit potestati, Dei ordinationi resistit*.

¹ Petrus *in marg.* A, G, U3; Petrus ... [*illeg.*] *in marg.* D

² nostris inesse ... qui *omit.* U1

³ nostri F

⁴ arrogant B, E, V; arrogat MU

⁵ conjungitur U1

⁶ Paulus ad Romanos *in marg.* A; Paulus *in marg.* D, G; Paulus apostolus *in marg.* U3

⁷ *omit.* U1

⁸ *omit.* V

⁹ Augustinus *in marg.* A, D, G, U3

¹⁰ maiori V

¹¹ obedientiam V

¹² profertur F

¹³ Menalca D, G

[49] Maybe our words seem not to carry much weight, but then let those who distrust our words heed the Prince of the Apostles, saying: *Be ye subject to your lords: whether it be to the king as excelling, Or to governors as sent by him.*¹ The obedience due to a king is different from the obedience due to a duke. Anyone who obeys his duke against his king is liable in terms of the apostolic precept, for he is guilty of obeying the duke as someone with a mandate against the king and not as someone with a mandate from the king. *There is no power but from God*, writes Paul to the Romans, *and those that are ordained of God.*² But human powers must have order: *He that is high hath another higher*, says Ecclesiastes.³ In his books of *Confessions*, Augustine says that *the greater power must be obeyed rather than the smaller.*⁴ And rightly says the peasant, in Maro⁵: *You are the greater one, Menalcas: it is right for me to defer to you.*⁶ And finally, concerning this matter, [we may quote] these words of the Apostle: *He that resisteth the power resisteth the ordinance of God.*⁷

¹ 1. Peter 2, 13. The text of the Vulgate is different and has a different meaning: *Be ye subject therefore to every human creature for God's sake: whether it be to the king as excelling, Or to governors as sent by him (subiecti estote omni humanae creaturae propter Dominum sive regi quasi prae excellenti sive ducibus tamquam ab eo missis)*

² Romans, 13, 1

³ Ecclesiastes, 5, 7: *excelso alius excelsior est*

⁴ Decretum, D.8.2. (col. 14). Cf. Augustinus: *Confessiones*, 3, 15

⁵ i.e. Virgil

⁶ Vergilius: *Eclogae*, 5.4

⁷ Romans, 13, 2

[50] Quaerit Augustinus, an procuratori¹ provinciae resistere fas sit, et asserit resistendum, si contra proconsulem jubeat, quia non potestas contemnitur, sed major ad oboediendum eligitur. Nec debet minor irasci, si major praelata est. Rursus si aliud proconsul, aliud jubeat imperator, praeferenda imperatoris mandata confirmat. Quod de proconsule, idem censere² de duce oportet. Quem si quis imperatori subditum nescit, jurisjurandi formam inspiciat, quod Romanorum regi sive Caesari universi principes imperii praestare jubentur. Qui se scit³ aliis esse praepositum, non moleste ferat alium sibi esse praelatum. Sic societatis humanae servantur foedera. Sic dulcedine pacis et civitates⁴ et provinciae regnaque potiuntur. Nolo⁵ id nunc introducere, quamvis est et ad propositum et notissimum: imperatorem posse ducatum sibi subjectum aut extinguere, aut in alterum⁶ transferre, aut apud se retinere, si vel causa deposcit, vel culpa requirit. Id nobis probasse sufficit, quia dominus est Austrialium Fridericus {51v} imperator, quodque mandatum ejus praeferendum⁷ erat Ladislai ne dicam Ulrici, rerum⁸ novatoris, praecepto.

¹ procurati E

² conserere U1

³ sit F

⁴ civitatis B, E

⁵ volo U1

⁶ alium F

⁷ referendum F

⁸ ejus ... rerum *omit.* E, MU

[50] Augustine asks whether it is right to oppose the procurator of a province and concludes that he should be opposed if he commands anything against the proconsul, for that is not disregarding the lawful power, but obeying the highest-ranking superior. The one who is lower-ranking should not be angered if a higher-ranking is preferred. And if the proconsul commands one thing and the emperor another, the command of the emperor must take precedence. What Augustine says about the proconsul must also apply to a duke. If someone does not know that a duke is the subject of the emperor, he should look at the form of the oath that all the princes of the empire are required to swear to the king of the Romans or the emperor. Anyone who knows that he has been set above others should not be offended that another has been set above himself.¹ This is the basis of a well-ordered society.² Thus do cities, provinces, and kingdoms obtain sweet peace.

I shall not now bring into the discussion something that is, otherwise, both relevant and well-known, viz. that the emperor can suppress any duchy subject to him, or transfer it to somebody else, or keep it for himself, if either there is some good cause or in the case of some fault. Suffice it that I have shown that Emperor Friedrich is the overlord of the Austrians, and that his command should be given precedence over any given by Ladislaus, not to mention the rebel Ulrich.

¹ Decretum, D.23.6. (col. 81), *Letter of Pope Leo I to Anastas. Thessal.* Quotation used in other letters and orations by Piccolomini

² "Sic societatis humanae servantur foedera"

[51] At¹ hujus domini² causam certum est Austriales nequaquam³ egisse. Cum dico Austriales, eos intelligo, qui Caesarem impugnaverunt, non eos, qui stabiles apud eum mansere, quamvis⁴ multi et⁵ nobiles et clari barones fuerint⁶, digni⁷ laude et gloria nominis⁸ sempiterna. Verum ceteri Austriales, quorum facta, non personas improbo, ex duobus dominis, qui super eos et in eos imperium habent, alterum, et majorem, et cui obnoxiores erant, offenderunt subtrahentes oboedientiam sibi, cunctisque praeceptionibus ejus obaudientes, quodque nullus potest non impium sceleratumque dicere, bellum adversus eum gesserunt. Quod nec imperante Ladislao movere⁹ licebat, quanto minus illo tacente? Qui dum pupillus est, semper tacere censetur, nesciens quid sibi antiquius sit. Docendi pueri, non sequendi; corrigendi, non adulandi sunt.

¹ ad E, MU

² dominii MU

³ Austriales nequaquam : nequaquam Austriales F

⁴ quique et MU

⁵ *omit.* V

⁶ fuerunt E, F, U1, MU; *omit.* G

⁷ *omit.* G

⁸ hominis U1

⁹ monere U1

[51] It is certain that the Austrians have not acted in the best interests of their lord. When I say “the Austrians”, I mean those who fought against the emperor, not those many noble and loyal barons, worthy of praise and the eternal glory of their name, who remained loyal to him. But the other Austrians, whose acts I condemn (but not their persons), have offended the greater one of the two lords having legitimate power over them and the one to whom they owe the greater loyalty, for they withdrew their obedience, ignored all his commands, and even made war against him – something that all must admit is impious and criminal. They had no right to do so even if Ladislaus himself ordered it, and how much less when he was silent? A child must always remain silent, since it does not know its own good. Boys should be instructed, not followed; they should be corrected, not flattered.

[52] Confitebuntur, ut opinor, Austriales se Friderici causam quamvis domini sui minime, sed Ladislai principis et domini, quem Caesari antefendum existimaverunt¹, utilitatem magnopere promovisse. Libet hoc² quoque discutere. Audiamus³, quae ista utilitas sit, quod bonum est, quod Ladislao quaesitum partumque narrant: “Noster⁴,” inquiunt, “dominus apud Fridericum in captivitate languebat, neque litteris neque moribus imbuebatur. Cibo potuque parcissime alebatur. Nulla erat ei jocandi facultas. Quin⁵ tenerrimus puer⁶ non sine vitae discrimine Romam ductus⁷ est. Thesauri ejus resque mobiles in praedam castra et vectigalia in rapinam⁸ ibant; neque Hungariae neque Bohemiae consulebatur. Liberavimus dominum nostrum, sua videre⁹ curareque potest. Nihil nunc ei deest. Venit ad homines, in lucem, in gloriam venit. Jam Hungari eum, jam Bohemi quaerunt. Festos dies ducit. Sibi et subditis¹⁰ vivit. Commune est omnibus gaudium. Quis haec aut bona neget¹¹ aut utilia? Sic causam domini, sic nostram et patriae commoditatem quaesivimus. Belle deducta res¹² est et potest videri vera¹³, si nihil adversum dicatur.” Verum nobis haec cuncta rimantibus longe diversa sententia est. Dicam, quod sentio. Arbitror et alios mihi assensuros, quos propria non perturbat affectio.

¹ existimaverunt *corr. ex* estimaverunt C; estimaverunt U1, U2, U3

² haec U1, U2, U3

³ Que sit utilitas Ladislao parata *in marg.* A

⁴ neque F

⁵ *omit.* U1; *quin add. in marg.* U2

⁶ *qum add.* U1

⁷ ducta F

⁸ pignus V

⁹ videt MU

¹⁰ subiectis V

¹¹ bona neget : neget bona F

¹² deducta res : res deducta V

¹³ bona F

2.3.2. Austrian complaints about the emperor's treatment of Ladislaus

[52] The Austrians will admit, I believe, that they did not at all defend the cause of Friedrich as their lord, whereas they certainly defended the interests of Ladislaus, their prince and lord, whom they considered to be preferred to the emperor. But this too may be questioned. Let us hear what advantage and benefit they claim to have sought and gained on behalf of Ladislaus: "Our lord," they say, "languished in captivity at Friedrich's court and was taught neither letters nor manners. He was given food and drink very sparingly. He had no opportunity to play. Though a tender child, he was brought to Rome at the risk of his life. His treasures and mobile property were plundered, and his castles and tax incomes were robbed. Neither Hungary nor Bohemia was being consulted. We liberated our lord, and now he can see to and manage his own affairs. Now he lacks for nothing. Now he has come to his fellow-men, he has come to light and glory. Already the Hungarians and the Bohemians come to him. Every day is a feast. He lives for himself and his subjects. All are happy. Who will deny that this is both good and advantageous? Thus, we have been working for the cause of our lord, for our own benefit, and for the benefit of our country. The matter has been conducted well, as is evident if nobody speaks up against it."

But as we examine all these claims, we must completely disagree. I shall now say what I think, and I believe that others, who are not led astray by personal feelings, will agree with me.

[53] De^{1 2} captivitate mirum est quod obicitur. Si non fuit illi quavis hora quocumque voluit ire libertas, non tamen captivus dici poterat. Puero non est omnis admittenda³ voluntas. Ex alieno arbitrio, non suo sensu ducere vitam pueros oportet.⁴ *Qui parcat virgae, odit filium. Mollis illa⁵ educatio, quam indulgentiam {52r} vocant, nervos omnes⁶ mentis et corporis frangit.* Dilectissimus apud Caesarem Ladislaus fuit et, ut filium regis decuit, gubernatus. Quod si non mille⁷ adolescentes aut mille⁸ pedisequas ministrantes habuit⁹, regio tamen apparatu et cultu honesto servatus est, praeceptoribus commissus modestis et prudentibus, educatus pudice, litteras¹⁰ simul et mores edoctus. Quid contendimus? Optime nutritum puerum habitus ipse pueri faciesque confirmat^{11 12}, in cuius ore venustas, in gestu gravitas, in affatu modestia, et in omni¹³ actu, quantum fert puerilis aetas, discretio singularis elucet. Quibus¹⁴ nudus extaret, si minus probatos habuisset altores¹⁵.

¹ Responsio ad obiecta Austrialium *in marg.* D, G

² per U1

³ amittenda U1

⁴ De pueris educandis *in marg.* U3

⁵ omit. B, E, MU

⁶ omnis U1

⁷ nulle V

⁸ nulle V

⁹ Educatio Ladislai regis *in marg.* U3

¹⁰ omit. F

¹¹ confirmant U1, U2, U3

¹² Qualis rex Ladislaus *in marg.* A

¹³ omne F

¹⁴ rebus *add.* U1, U2, U3

¹⁵ auctores V

2.3.3. Piccolomini's refutation

2.3.3.1 Ladislaus was not treated as a prisoner

[53] Their claims concerning captivity are astonishing. Ladislaus was not free to go wherever or whenever he wanted to, but he could not for that reason be called a prisoner. No child should be given complete freedom, nay, on the contrary, children must live according to another person's judgment, and not as they themselves wish to. *He that spareth the rod, hateth his son.*¹ *That soft upbringing which we call "indulgence" shatters every nerve of mind and body.*² The emperor loved Ladislaus greatly and raised him as befits the son of a king. He may not have been surrounded by a thousand young boys or thousand waiting women, but he was raised in royal style and given proper care; he was entrusted to modest and competent preceptors; he was raised chastely, and he was taught both letters and manners. But why do we argue? The excellent upbringing of the boy is evident in his very appearance: in his face there is grace, in his carriage there is dignity, in his speech there is modesty, and in his whole behaviour he shows singular discernment (as far as possible for a child). These qualities he would not have developed with less experienced educators.

¹ Proverbs, 13, 24

² Quintilianus: *Institutio oratoria*, 1.2.6. Also used by Piccolomini in his *De liberorum educatione* (Kallendorf, p. 139), written in 1450, and dedicated to King Ladislaus, then 10 years old

[54] Quod¹ si neque cibo, neque potu tanto refertus² est apud Caesarem, quanto nunc apud comitem³ repleti dictant⁴, nemo id sapiens vitio dabit. *Ventri* namque, sicut magno Basilio⁵ visum est, *non ad voluptatem, sed ad sustentationem porrigere conducit. Nam qui cenas semper atque coquos⁶ mente agitant⁷ epularumque gratia terras mariaque perscrutantur, miserabili admodum servitute premuntur⁸, et gravissimo domino tributa pendunt.* Satis est puero sufficientiam ministrasse. *Sufficientia⁹ vero non libidine voluptatum, sed naturae necessitate diffinienda est¹⁰.* Nimius autem vini usus ac cibariorum copia surgentem in pueris virtutem enecant. Neque jocus liberali et regio puero dignus negatus est, quamvis scurrarum et saltatricum¹¹ greges ad eum non sunt admissi¹², aetati namque¹³ id tenerae nocivum Caesar existimavit. Bene apud Satyrum¹⁴ quemdam¹⁵ scriptum est:

*Nil dictu¹⁶ foedum visuque¹⁷ haec limina¹⁸ tangat
intra¹⁹ quae²⁰ puer est, procul hac, procul²¹ ite puellae
leonum²² et cantus²³ pernoctantis parasiti.
Maxima debetur puero reverentia.*

¹ qui D, G

² refectus U1, U2, U3

³ communitatem MU

⁴ dictitant U1, U2, U3, V, MU

⁵ Basilius *in marg.* A; Magnus Basilius *in marg.* U3

⁶ cocos A, B, C, E, F, U2, U3

⁷ cogitant V

⁸ premunt U1

⁹ Sufficientia *in marg.* A; Quid sit sufficientia *in marg.* U3

¹⁰ omit. U1

¹¹ saltatorum MU

¹² amissi U1

¹³ enim U3

¹⁴ Iuuenalis *in marg.* A, U3

¹⁵ omit. V

¹⁶ dictum V

¹⁷ usuque V

¹⁸ lumina U1

¹⁹ inter U1, U2, U3

²⁰ inter quae : utraque V

²¹ omit. U1, U2, U3

²² leonum F

²³ cautus U1

2.3.3.2. Ladislaus was given proper nourishment

[54] When Ladislaus was with the emperor, he was not stuffed with food and drink as much as he is said to be now that he lives with the count.¹ But no wise person would consider that to be a fault. *For, as Basil the Great has said,² one must offer the belly sustenance, not pleasure. For those who are always worked up about dinners and cooks and who for the sake of a banquet scour every land and sea, are heavily burdened with miserable slavery and pay tribute to a most severe master.*³ It is enough to have given the boy sufficient nourishment. *And “sufficient” should not be defined by the joy of pleasure, but by the necessity of nature.*⁴ Too much wine and food will kill the growing strength in boys.

Neither were games, as befitting a freeborn and royal child, denied him. He was not, however, allowed to attend performances by troupes of comedians and dancing girls, for the Emperor considered [entertainments of this kind] to be harmful to a boy of tender age. Well it is said by the Satirical Poet:⁵

*Let no foul word or sight cross the threshold within which there is a boy.*⁶
Away with you, ye bawd damsels!
Away with the songs of the night-revelling parasite!
*You owe the greatest reverence to the young.*⁷

¹ Ulrich von Cilli

² Basil of Caesarea (ca. 329-379): Greek bishop of Caesarea Mazaca in Cappadocia, Asia Minor (modern-day Turkey). Doctor of the Church. Saint

³ Basil of Caesarea: *Ad adolescentes*, 9, 1. Also used by Piccolomini in his *De liberorum educatione* (Kallendorf, p. 155), written in 1450, and dedicated to King Ladislaus, then 10 years old

⁴ Basil of Caesarea: *Ad adolescentes*, 9, 19

⁵ Juvenalis, Decimus Junius Juvenalis (active in the late 1st and early 2nd century AD). Roman poet. Juvenal was one of Piccolomini's favourite classical authors

⁶ The text of Juvenal has "pater", i.e. a father - not a boy!

⁷ Juvenalis: *Satirae*, 14.44-47: *Nil dictu foedum visuque haec limina tangat, intra quae pater est, procul, a procul hac inde puellae lenonum et cantus pernoctantis parasiti. Maxima debetur puero reverentia*

[55] Sed objurgant Caesarem Austriales, qui¹ tenerrimo delicatoque puero grande iter commisit, asperum, periculosum. “Spem nostram,” inquiunt², “pacem, quietem, dominum nostrum ad Italiam hiemali tempore duxit.” En pulchram accusationem! At nondum Fridericus Styriam exierat³, neque Ladislaum secum ducere proposuerat, quando novitas in Austria coepta est. Quo pacto prospicere futura potuerunt, qui vix praesentia cernunt? Sed neque Ladislai transitus reprehensibilis est. Hiemale tempus, quod damnant⁴, Italiam intranti saluberrimum est. Nullum toto itinere periculum fuit. Numquam hujus viae Ladislaum poenitebit. Multa in hoc transitu vidit, quae sibi posthac et suis erunt subditis usui. Ulixem extollit antiquitas, *multorum mores hominum qui novit*⁵ *et urbes*. Laudabiliorem hunc futurum puto⁶, qui rebus magnis vel puer interfuit gravesque mores didicit. *Quo*⁷ *semel est imbuta recens, servabit odorem testa diu*.

¹ quia U1, U2, U3

² nostram inquiunt : inquiunt nostram U3

³ exierant A; exierunt F

⁴ quod damnant : quoddam nam F; quod damnat MU

⁵ qui novit *omit.* U1

⁶ futurum puto : puto futurum U2, U3

⁷ Oratius *in marg.* A

2.3.3.3. The journey to Rome was not dangerous for Ladislaus but highly advantageous

[55] The Austrians also reproach the emperor that he forced a great, difficult, and dangerous journey on a tender and delicate boy. "He brought," they say, "our hope, our peace, our quiet, our lord to Italy in wintertime." Indeed, a beautiful accusation!¹ When the rebellion broke out in Austria, Friedrich had not yet left Styria or decided to bring Ladislaus with him. How could those who barely know the present foresee what would happen in the future? At any rate, Ladislaus' journey is above criticism. Winter time, which they criticize, is actually the most healthy for people going to Italy. There was absolutely no danger during the entire trip.² Ladislaus will never regret this journey because he saw many things that will later be useful to himself and to his subjects. In antiquity, Ulysses was praised because *he knew the ways of many men and cities*.³ I believe that Ladislaus will be even more praiseworthy because although still a child he took part in great events and learnt dignified manners. *The jar will long keep the fragrance of what it was once steeped in when new*.⁴

¹ An example of the rhetorical device of irony

² It may be noted that in his oration "*Quam laetus quamque secundus*" [18], held on 9 March 1452 at the arrival of the imperial party in Rome, Piccolomini had said to the pope: *Laboriosum periculosumque fuit hoc iter Caesari. (Caesar's travel here has been difficult and risky)* (Sect. 2)

³ Homer: *Odyssey*, 1.3-4

⁴ Horatius: *Epistolae*, 1.2.69-70

[56] Nostri Austriales in plumis puerum, in deliciis, in voluptatibus {52v} existimant¹ nutriendum. Credo alterum Sardanapallum² ³ voluissent⁴ alere, inter mulierculas qui pensa⁵ distribueret⁶. At Caesar⁷ Hungaris atque Bohemis, fortibus ac⁸ pugnacibus⁹ viris, educare se regem norat, qui suum principem ad bella deducunt, ut Israel ad Samuelem¹⁰ ait,¹¹ jurat¹²: *Rex erit super nos, et erimus nos quoque sicut omnes gentes, et judicabit¹³ rex noster, et egredietur¹⁴ {62r} ante nos, et pugnabit bella nostra pro nobis.* Quorum ductor, nisi dura pati ab ineunte aetate didicerit, perseverare non poterit. Levissimum est, quod isti putant gravissimum. Spartiatae¹⁵ suos pueros publice verberibus admotis ad patientiam exercebant. Vetustiores Itali, ut est apud Virgilium¹⁶, *atos ad flumina primum deducebant, saevoque gelu durabant et undis¹⁷.* Et Achillem¹⁸ puerum venationibus exercitatum¹⁹ sub Chirone²⁰ magistro, silvarumque ferociores²¹ bestias insecutum tradunt. Quid mirum si Romam petiit Ladislaus, non extra mundum, sed centrum mundi? Nobilissimam orbis²² partem²³, Christianitatis caput, arcem²⁴ imperii, terrarum decus, morum ac²⁵ virtutis domicilium²⁶ visere ductus est²⁷. Super qua re si non sunt Austriales Caesari grati, at ipse rex Ladislaus aliquando et Hungari ac Bohemi venturo²⁸ tempore gratias agent.

¹ existimant *corr.* ex estimant A, C; extimant U1, V; estimant U2, U3

² Sardanapalum MU

³ Sardanapallus *in marg.* A, U3

⁴ voluisse U1

⁵ pensas F

⁶ distribuere(n)t A: distribuerent *corr.* ex. distribuerunt C; distribuerunt B, E [distribueret MU]; distribueret *corr.* ex distribuerent D; distribuerat U1

⁷ se *add.* V

⁸ atque F, V

⁹ pugnantibus V

¹⁰ Israel Samuel *in marg.* A; Samuel *in marg.* U3

¹¹ omit. B, C, E, F, MU

¹² omit. U1, U2, U3, V

¹³ nos *add.* U1, U2, U3

¹⁴ egreditur F

¹⁵ Spartiate *in marg.* A; Mos educandorum puerorum apud Spartatas *in marg.* U3

¹⁶ Virgilius *in marg.* A, U3

¹⁷ nudis U1, V

¹⁸ Achilles *in marg.* A, U3

¹⁹ excitatum MU

²⁰ Chiro *in marg.* U3

²¹ fortiores D, G

²² mundi F

²³ orbis partem : partem orbis U1, U2

²⁴ Italia *in marg.* A

²⁵ et U3

²⁶ virtutis domicilium : domicilium virtutis F

²⁷ Laus urbis Romae *in marg.* U3

²⁸ futuro G

[56] Our Austrians believe that the boy should be raised in feathers, in amusements and in pleasures. I think that they must have wanted to create another Sardanapalus¹ who distributed wool to little women. But the emperor knows that he is raising a king for the Hungarians and the Bohemians, strong and warlike men, who take their prince into battles, like the Isralians who said and swore to Samuel: *And we also will be like all nations: and our king shall judge us, and go out before us, and fight our battles for us.*² Unless their leader has learnt to tolerate hardships from an early age, he will not be able to endure them. But what the Austrians consider to be hard is in actually easy. The Spartans whipped their boys publicly in order to train them to be hardy. And according to Virgil, the old Italians

*brought their new-born sons to the rivers
and hardened them with the water's cruel cold.*³

And we are told that as a child Achilles was trained, under his teacher Chiros, by hunting and pursuing the savage beasts of the forests.

So why should anybody find it strange that Ladislaus went to Rome, a city which is not outside this world, but its center? He was brought to visit the noblest place in the world, the capital of Christianity, the fortress of the empire, the glory of all countries, and the home of morals and virtue. The Austrians may not be grateful to the emperor for this, but in time to come King Ladislaus himself and the Hungarians and the Bohemians will thank him.

¹ Sardanapalus: King of Assyria. In the account of Diodorus (II, 27), Sardanapalus is supposed to have lived in the 7th century BC, and he is portrayed as a decadent figure spending his life in self-indulgence

² 1. Samuel, 8, 20

³ Vergilius: *Aeneis*, 9.603-604: *natos ad flumina primum deferimus saevoque gelu duramus et undis*

[57] Quod autem expilatam Ladislai haereditatem murmurant¹ adversantes, asportatos thesauros², dilapidata³, impignorata bona, quis non intelligit majestatis crimen incurrere, qui falso Caesarem⁴ criminantur⁵? Apertus⁶ est Alberti thesaurus et inventus integer. Nihil inde receptum est, nisi quod incolarum⁷ consensu sorori⁸ regis Ladislai in Saxoniam nuptae dono est datum⁹. Nil¹⁰ ulterius alienatum, nihil¹¹ distractum¹², neque impignoratum est quidquam, nisi necessitate urgente. Quis nescit Alberto vita¹³ functo¹⁴ plurimos, qui sub eo stipendia meruerunt¹⁵, arma movisse pluraque postea insurrexisse adversus Austriam bella? Quid¹⁶ mirum, si pars pignori data est, ut totum servetur? Quis rem ullam¹⁷ gubernavit publicam, qui¹⁸ aliquando aut vendere aut hypothecare¹⁹ vectigalia non sit coactus? At Fridericus, etsi auri pondo LXX millia his dederit, qui sub Alberto militaverunt, etsi saepius exercitus pro pace ducatus habere coactus est magnosque sumptus facere, non ut²⁰ avus Ladislai Albertus, Alberti pater, qui Wilhelmum, Leopoldum, Ernestum, imperatoris Friderici patrem, et Fridericum patruos sub tutela gubernans, magnam Stiriae, Carinthiae²¹ ac Carniolae partem comitibus Ciliae, et in Suevia quidquid pupillorum fuit diversis et alienis gentibus impignoravit. Sed paucissima et levia principatus bona inscripsit pignori neque aliis quam indigenis²² ²³ inscripsit, atque²⁴ his potissime, qui contra Caesarem arma sumpserunt.

¹ murmurat G

² ac *add.* MU

³ dilapidatam E; dilapidatos MU

⁴ falso Caesarem : Cesarem falso U3

⁵ criminatur G

⁶ De thesauro Alberti *in marg.* A

⁷ provincialium U1, U2, U3; terrigenarum V

⁸ sororis F

⁹ est datum : datum est V

¹⁰ nihil V

¹¹ nil G, U1, U2, U3

¹² est *add.* U1, U2, U3

¹³ vitam V

¹⁴ defuncto D, G

¹⁵ meruerant U1, U2, U3, V, MU

¹⁶ De pignoribus *in marg.* A

¹⁷ rem ullam : ullam rem F

¹⁸ totum *add.* U1

¹⁹ apothecare F

²⁰ aut U1

²¹ Charintine D

²² terrigenis V

²³ inscripsit pignori ... indigenis *omit.* B, E, MU

²⁴ at F

2.3.3.4. Ladislaus was not robbed of his inheritance

[57] Our adversaries murmur that Ladislaus' heritage has been robbed, his treasures taken away, and his possessions mortgaged. Everybody understands that those who make such false accusations against the emperor commit a crime against majesty. The treasure of Albrecht has been opened and found to be complete. Afterwards nothing was taken from it, except for the dowry given, with the consent of the people, to King Ladislaus' sister¹ when she married into Sachsen. No more has been spent, nothing has been taken away, and nothing has been mortgaged except in case of urgent necessity. Who does not know that when Albrecht died, many people who were owed their pay from him, took to weapons and repeatedly made war against Austria? Why would it be strange if some possessions were mortgaged in order to save the whole?² Who ever governed a state without being sometimes forced to sell or to pledge tax incomes? Friedrich gave 70.000 pounds of gold to those who had fought under Albrecht, and he often had to raise armies for the sake of peace in the duchy and to incur great expenses on this account. Still he did not do as Albrecht³, the grandfather of Ladislaus and the father of Albrecht, who as guardian of Friedrich's own father, Ernest⁴, and his uncles, Wilhelm⁵ and Leopold⁶ and Friedrich⁷, mortgaged a large part of Styria, Carinthia, and Carniola to the counts of Cilli, and all the possessions of the orphan princes in Swabia to various and foreign people. The emperor has only mortgaged some few and insignificant possessions of the [Austrian] principality, and not to foreigners, only to Austrians, and particularly to those people who have now taken to arms against him.

¹ Anna of Bohemia and Austria (1432-1462): Duchess of Luxembourg in her own right. In 1446, she married Wilhelm of Saxony

² Koller, p. 63

³ Albrecht IV (Habsburg) (1349-1395): Duke of Austria

⁴ Ernest (1377-1424): Duke of Styria, Carinthia, and Carniola (collectively Inner Austria) from 1406 until his death

⁵ Wilhelm of Habsburg (ca. 1370-1406): Duke of Austria, ruler of Styria, Carinthia, and Carniola

⁶ Leopold IV of Habsburg (1371-1411): Duke of Further Austria

⁷ Friedrich IV (1382-1439): Duke of Austria, ruler of Further Austria and Tyrol

[58] Quod¹ si justis de² causis {53r} inscriptiones factae sunt, cur impugnant? Si perperam, cur³ receperunt? Sed – ajunt - Stiriensi cuidam magistro camerae non parvum oppidum pignori datum esse. Id scilicet dolent, quia non ipsi receperunt. Justum erat, honestum, sanctum pignus, si cui⁴ ex Austria fuisset inscriptum! Non damnum domino datum, sed sibi⁵ subtractum queruntur lucrum. Quod si Ladislaus, postquam adoleverit, rem suam diligenter examinaverit, nullum haereditatem suam magis⁶ expilasse comperiet quam plerosque ex his, qui modo suam ajunt se causam agitare.

[59] Sed jam de rebus Hungaricis ac⁷ Bohemicis⁸ aliquid inseramus, quas isti neglectas Caesari culpitant. Inhaerent moribus suis, jure an injuria clamitent⁹, nihil pensi habent. Quid aliud Hungari petiverunt, quid¹⁰ Bohemi, nisi¹¹ Ladislaum ad se mitti? “Non est missus; male cum regnis actum¹² est.” At cujus consilio negata est missio nisi Austrialium? Quaecumque vel Hungaris vel Bohemis responsa sunt data, ex Austrialium officina prodierunt. Quidquid in hac parte culpant Austriales, in sese vertant necessarium est. Verum si parvipendisset imperator res Hungaricas ac Bohemicas, parum hodie dominiorum¹³ hunc¹⁴ puerum respiceret. Neque pauci, neque impotentes fuerunt, qui¹⁵ regna haec magno studio multisque artibus invadere conabantur, quibus Caesar et apud magnates regnorum et apud sedem apostolicam semper opposuit obiices, et nisi solers Friderici cura intervenisset, Ladislaus ipse immaturo¹⁶ et acerbo funere raptus fuisset - tot erant, qui quaerebant animam pueri. *Summus* namque *locus nulla non arte petitus*¹⁷ invenitur.

¹ qui D, G

² omit. F

³ si F

⁴ si cui : sicut F

⁵ ubi E

⁶ omit. U1

⁷ atque MU

⁸ Bohemis U1

⁹ calamitent U1; clament MU

¹⁰ quod F

¹¹ regem add. U1, U2, U3, V

¹² actus F

¹³ dominorum U1

¹⁴ omit. MU

¹⁵ quia F

¹⁶ in maturo A, C, D

¹⁷ peritus V

[58] If the emperor made these pledges legitimately, why do they criticize him? And if they were made illegitimately, why did they accept them? Some claim that a certain chamberlain from Styria was granted a big city in mortgage. What pains them is that they did not get it themselves. If only an Austrian had been given the mortgage, then it would have been legitimate, honest and decent! What they complain about is not the loss to their lord, but the profit they missed. But when Ladislaus grows older and examines his possessions carefully, he will see that many of those who now claim to act in his interest are the ones who most plundered his heritage.

2.3.3.5. Hungarians and Bohemians were not slighted

[59] But let us now say something about their criticism that the Hungarian and Bohemian affairs have been neglected by the emperor. It is their custom to raise trouble, rightly or wrongly, but always thoughtlessly. For what the Hungarians and the Bohemians asked for was that Ladislaus should be sent to them. "He was not sent to them, therefore these kingdoms have been treated badly!" But it was precisely the Austrians themselves who counselled the emperor not to send Ladislaus to them. All the answers given to Hungarians and the Bohemians were crafted in the Austrian workshop. So, all the Austrian reproaches [against the emperor] in this matter fall back on themselves. And if the emperor had really neglected the affairs of Hungary and Bohemia, these dominions would today have very little concern about the boy. For many powerful men tried, with great energy and many intrigues, to usurp these realms, but the emperor has constantly opposed them in his dealings both with the magnates of the realms and the Apostolic See. And if Friedrich had not handled the matter aptly, Ladislaus would have died an early and bitter death: so many were there who wanted the boy's life.¹ *For the highest place is pursued by every kind of means.*^{2 3}

¹ i.e. to kill him

² Juvenalis: *Satirae*, 10.110

³ Ladislaus actually died a few years later in Prague, at the age of 18. Many believed that he had been poisoned at the orders of then governor of the realm, Georg Podiebrad, who afterwards became king in his place

[60] Instemus adhuc: ubi est haec utilitas regi parta? “In libertatem,” inquiunt, “in honorem venit.” Non intelligo, quae sit haec¹ libertas. Regitur, non regit. Audit, non consulit. Ducitur, non ducit. Bene est. Hoc illi aetati convenit. Idem apud Fridericum fuit. Quid de honore? Gubernationi Friderici subjacuit. Nunc Ulrici, comitis Ciliae, regimen fert. Magnus princeps est² comes, alto sanguine natus, multa vi corporis et animi, proximus pupilli consanguineus³. Pulchre apud eum est, non inficior⁴. Non succensebit⁵ tamen mihi Ulricus, si Caesarem sibi praetulerim, si pulchrius atque honestius dixerim regem, qui pupillus sit, sub imperatoris magisterio quam sub comitis esse. Praetereo quantas ejus pecunias effuderint,⁶ quot⁷ ejus bona dilapidaverint, quot⁸ damnis atque incommodis⁹ ejus haereditatem afflixerint.

¹ *omit.* U3

² et B

³ cum sanguineus E

⁴ inferior F

⁵ successebit E

⁶ effunderint A, D, F, G

⁷ quod MU

⁸ quod MU

⁹ incommoditatibus G

2.3.3.6. Ladislaus has not gained greater freedom and honour

[60] Let us pursue this issue further. What is the advantage that the Austrians have gained for their king? “He has now come into freedom and honour”, they say. I really do not understand what they mean by freedom in this case. He is being ruled, he does not rule. He hears, he does not decide. He is being led, he does not lead. And that is good, for this is how things should be at his age. And that is exactly how it was at Friedrich’s court!

What about his honour? Before, Ladislaus was under the government of Friedrich, now he is under the rule of Count Ulrich of Cilli. The count is certainly a great prince, born of high blood, with great physical and mental strength, and a close relative of the boy. The arrangement is excellent, I do not deny it. However, Ulrich will not be angry with me if I prefer the emperor to him, and if I say that it is an even more excellent and honourable arrangement for an orphan king to be governed by of an emperor than by a count.

I shall leave aside how many of Ladislaus’ funds the Austrians have spent, how many of his possessions they have squandered, and how many losses and troubles they have caused with respect to his inheritance.

[61] Ad eos festinat oratio, qui suam et patriae utilitatem in¹ medium deducunt. Hic ego non negaverim aliquos Austriales ditiores² effectos³. Quis enim non sua magis quam communia quaerit? In⁴ omni populo et⁵ quocumque⁶ sub axe Catilinam⁷ reperies, Catonem⁸ atque Fabricium⁹ rara civitas dabit. Sed non habet veram utilitatem census {53v} per injuriam auctus. *Nemo habet*, inquit Augustinus¹⁰, *injustum lucrum sine justo damno. Ubi lucrum, ibi¹¹ et damnum. Lucrum in arca, damnum in conscientia. Tulit vestem, et perdidit fidem, acquisivit pecuniam et perdidit justitiam*. Hos ego ad conscientiam remitto,

quos diri¹² conscia¹³ facti mens habet¹⁴ attonitos¹⁵ et surdo verbere caedit.

Sapientes nihil utile dicunt, quod non sit idem honestum¹⁶. Nec plura de istis.

¹ et F

² dictiores F

³ effectus B, E

⁴ non U1

⁵ omit. U1

⁶ quodcunque E

⁷ Cathelinam in marg. A; Catilina in marg. U3

⁸ Cato in marg. A, U3

⁹ Fabricius in marg. A, U3

¹⁰ Augustinus in marg. A; Divus Augustinus in marg. U3

¹¹ ubi U1

¹² dixi G

¹³ consciam F

¹⁴ habes M; omit. U1

¹⁵ attonitas A, B, C, D, E, F, G; attonitos corr. ex attonitas U3

¹⁶ Quid sit utile in marg. U3

2.3.3.7. Austrian rebellion did not profit Austria

[61] My oration now hastens on towards those who bring up their own benefit and the benefit of their country. I do not deny that some Austrians have become richer, for everybody is more concerned about his own affairs than the affairs of the community. *In every people, everywhere, you will find a Catiline.*^{1 2} It is a rare city that gives us a Cato³ and a Fabricius.⁴ But there is no true profit in wealth acquired unjustly. According to Augustine, *nobody gains an unjust profit without a just blame. Where there is profit, there is guilt: profit in the chest, guilt in the breast. He dressed well, but lost faith. He got money, but lost justice.*⁵ I leave that man to his own conscience

*whose mind is ever kept in terror by the consciousness of an evil deed which lashes him with unheard blows.*⁶

*The wise men say that nothing is advantageous that it is not also morally good.*⁷

But no more about this.

¹ Catilina, Lucius Sergius: (108–62 BC): Roman Senator, best known for the second Catilinarian conspiracy, an attempt to overthrow the Roman Republic, and in particular the aristocratic Senate

² Juvenalis: *Satirae*, 14.41-42: *et Catilinam quocumque in populo videas, quocumque sub axe*

³ Cato, Marcus Porcius (Cato the Elder) (234-149 BC): Roman statesman and censor

⁴ Fabricius Luscinus Monocularis, Gaius: Roman consul (278 BC and censor (275 BC). Traditionally known for his austerity and incorruptibility

⁵ Augustinus: *Homiliae in festo ss. innocentium*, 3, 2

⁶ Juvenalis: *Satirae*, 13.193-194

⁷ Cf. Cicero: *De officiis*, 3.3.11

[62] Perscrutandum modo est ex hac Austrialium novitate numquid patriae commoditatis aliquid accesserit, ut adversantes gloriantur¹? Verto me omnes in² partes: ex novitate nihil video boni natum, mali plurimum sese offert. Diu Caesar apud Austriales, apud Viennam versatus est. Nulli umquam aut domum, aut agrum, aut liberos, aut uxorem³, aut pecuniam abstulit, quamvis hoc esse jus regis Israelitico populo Samuel affirmaverit⁴. Fuit⁵ apud eos inter illustres viros, consuluit patriae, pepercit afflictis, fera⁶ caede abstinuit, tempus irae dedit, pacem tenuit, libertatem fovit, religionem auxit. Nihil est, quod Caesari valeant imputare, nisi fortasse nimiam lenitatem; mitior⁷ enim fuit, quam regem decuit. Numquam dominum, semper patrem experti sunt. Feroces eos regia mansuetudo fecit. Creverunt opes illo regente, et hujus urbis deliciae⁸, *aureaque, ut perhibent, sub*⁹ *illo rege fuerunt saecula, sic placida*¹⁰ *populos in pace regebat. Aegre laetis rebus invidia*¹¹ *est*¹². Nulla mutandi regiminis necessitas affuit, mortalium¹³ commune vitium traxit Austriales. Qui populis imperat, diu placere non potest. Vetus¹⁴ imperium odiosum est; *et*¹⁵ *qui mos*¹⁶ *populis venturus amatur.*

¹ gloriantur F

² ad G

³ uxores D; [uxorem G]

⁴ Samuel *in marg.* A, U3

⁵ Qualis fuerit dominatio Frederici apud Viennam *in marg.* A; Laus Friderici Cesaris in regni gubernatione et in tutela Ladislai regis *in marg.* U3

⁶ *omit.* F

⁷ minor D, G

⁸ *add. in marg.* C; divitiae *add.* C

⁹ illo rege ... *sub omit.* U1

¹⁰ placita U1

¹¹ invida E

¹² *omit.* G; deest MU

¹³ mortale D, G

¹⁴ verus F

¹⁵ Ex Statio *in marg.* A

¹⁶ mox F

2.3.3.8. Austrian rebellion was shameful

[62] We must now carefully examine whether the rebellion of the Austrians has truly benefited their country, as our adversaries boast. Looking at the matter from all sides, I see no good results of the rebellion, only bad. Long did the emperor stay with the Austrians, in Vienna. Never did he take anybody's house, field, children, wife or money, though, according to Samuel, this was a royal prerogative in Israel.¹ He met with distinguished men, took counsel concerning the country, had compassion for the afflicted, abstained from cruel murder, was slow to anger, kept the peace, supported freedom, and favoured religion. They can accuse the emperor of nothing except, possibly, excessive mildness. For he was really more lenient than a king ought to be.² They never felt him as their lord, but always as their father. His kingly leniency made them wild. Under his rule, the wealth and delights of this city increased, *and under his reign were the golden ages men tell of: in such perfect peace he ruled the nations.*³ *But envy is sick at another man's fortune.*⁴ Though there was no reason for changing the government, the common vice of men enflamed⁵ the Austrians. Rulers cannot stay popular for a long time. An old government becomes hateful, and – *as is the way of the populace: the man of the future is the favourite.*⁶

¹ 1. Kings, 8, 11-17

² On the need for strong princely rule, particularly in the case of Friedrich III, see Piccolomini's oration "*Si putarem*" [5], sect. 5

³ Vergilius: *Aeneis*, 8.324-325

⁴ Statius: *Thebais*, 1.126-127

⁵ "traxit"

⁶ Statius: *Thebais*, 1.170

[63] At¹ novitate facta bellum exortum est, bellum intestinum, bellum civile, crudele², horridum.

Signa, pares aquilas, et pila minantia pilis

*Fraternas³ acies, alternaque regna profanis
decertata odiis.*

Filium contra patrem, fratremque fratri⁴ insidiantem vidimus, rapinas, incendia, caedes et scelus omne permissum. Quae tanta⁵ ex bello potest utilitas emergere, ut non belli⁶ superetur incommodis?

*Squalent⁷ abductis⁸ arva colonis,
et curvae rigidum falces vertuntur in ensem⁹.*

Violantur virgines¹⁰, matresfamilias ad stuprum rapiuntur, incestantur moniales, caeduntur liberi in complexu parentum, neque profanis parcutitur neque sacris.¹¹ Stultum est, cum pace certa fruaris, bello et armis incertam quaerere. Extremum malorum et anceps remedium est bellum, nec viribus quamvis magnis confidere oportet. *Fortuna belli semper in lubrico loco¹² est¹³ et¹⁴ dubio¹⁵, Martis incertae¹⁶ vices.*

¹ hac V

² Bellum crudele in marg. A

³ Austrie mala in marg. D, G

⁴ omit. U1

⁵ tamen MU

⁶ bellis B, E

⁷ scalent U1

⁸ adductis U1, U2

⁹ in ensem : ensem F

¹⁰ imagines G

¹¹ Quid bella pariant in marg. A; Belli incommoda in marg. U3

¹² omit. G

¹³ in lubrico ... est : est in lubrico loco E, MU

¹⁴ omit. V

¹⁵ dubie U1, U2, U3, V

¹⁶ incerti U1, U2, U3, V

[63] The rebellion led to war, a domestic war, a civil, cruel, and horrible war:

*Standards confronted hostile standards,
eagles were matched against each other,
and pilum threatened pilum,*¹

*fraternal warfare, and alternate reigns fought for in unnatural hate.*²

We have seen a son plotting against his father, and a brother against his brother, and robberies, arson, murders: every crime was allowed. What advantage of war is so great that it is not surpassed by its disadvantages?

*Our lands, robbed of the tillers, lie waste,
and curved pruning hooks are forged into straight blades.*³

Virgins are raped, mothers of families are carried off to debauchery, nuns are abused, children are killed in the embrace of their parents, and neither the holy nor secular things are spared.⁴ When you have stable peace, it is really foolish to seek an uncertain peace with war and weapons. War is an extreme and doubtful remedy of evils, and even great strength should be distrusted. *The fortune of war is slippery and doubtful, and the vicissitudes of Mars are unsure.*⁵

¹ Lucanus, 1.6-7: *infestisque obvia signis signa, pares aquilas et pila minantia pilis*

² Statius: *Thebais*, 1.2

³ Vergilius: *Georgica*, 1.507-508

⁴ This topos from the classical *urbs capta* descriptions Piccolomini would reuse – again and again – in his later crusading orations, when describing the Turkish conquest of Constantinople

⁵ Seneca: *Phoenissae*, 625-630: *Nunc belli mala proponere, dubias Martis incerti vices. Licet omne tecum Graeciae robur trahas, licet arma longe miles ac late explicet, fortuna belli semper ancipiti in loco est*

[64] Nec propterea jactandum est, quod ex sententia cesserit¹ Austrialibus². Namque si metiri consilia velint, non suam {54r} virtutem, sed Caesaris mansuetudinem³ laudabunt. Sciebant et arma et homines et equos et pecuniam Caesari non deesse; multos et magnos Austriae barones sentire cum eo⁴; Hungaros indutias secum⁵ habere; Bohemos⁶ praeter dominum de Rosis eam dissensionem detestatos esse; Caesarique benevolos principes et civitates imperii⁷ complures, si vocarentur, non deserere⁸ et dominum et consanguineum. Sed abhorruit Caesar⁹ domesticum bellum, noluit civilem fundere sanguinem, pepercit patruelis agris. Omnis in Austriam ruebat furor. Misertus est communis populi, noluit paucorum culpam in multorum redundare ruinam. Austriales igitur, quamvis magnum aliquid fecisse se dicant, non tamen prudentiae suae possunt ascribere¹⁰, quod ex moderatione Caesaris noscuntur accipere, qui cum posset¹¹ injurias ulcisci, maluit oblivisci.

[65] Carthaginenses^{12 13} quidem duces suos, qui sine certa ratione pugnaverant, etiam victores, aut securi percutiebant, aut crucibus affigebant¹⁴, quod vicissent diis immortalibus, quod pugnassent temeritati imputantes. Sed nihil ad nos haec. Mihi, etsi princeps egregius videtur, qui hostem conterit, non minus tamen laudandus apparet, qui vincere posse contentus¹⁵, vindictam Deo dimittit¹⁶. Nos horum idcirco meminimus, quia ex omni parte liquet non tantum injuste et inutiliter, sed imprudenter quoque Austriales, qui se magnopere jactitant, res innovasse.

¹ censent U1; cessent U3; excesserit V

² nec ... Austrialibus *omit.* F

³ Mansuetudo Cesaris *in marg.* A

⁴ et *add.* F

⁵ indutias secum : secum indutias MU; indutias secum *corr. ex* secum indutias D, G

⁶ indutias secum ... Bohemos *omit.* U1

⁷ impii F

⁸ desere U1

⁹ *omit.* V

¹⁰ adscribere MU

¹¹ possit F

¹² Carthaginenses MU

¹³ Carthaginenses *in marg.* A; Mos Carthaginensium *in marg.* U3

¹⁴ affligebant *aut* affigebant A; affligebant B, C, E, U1; affigebant D, G

¹⁵ laudandus apparet ... contentus *omit.* U1

¹⁶ committit V

[64] The Austrians should not boast of their success, for if they examined the matter carefully, they would not praise their own strength, but the emperor's clemency. They knew that the emperor did not lack weapons, men, horses and money; that many and great barons of Austria supported him; that the Hungarians had an armistice with him; that, except the Lord of Rosenberg,¹ the Bohemians disapproved of this conflict; and [finally], that many princes and imperial cities sided with the emperor and would not desert their lord and relative if called upon. But the emperor, abhorring civil war and not desiring to shed the blood of the people, spared the lands of his cousin. Total madness consumed Austria, but the emperor took pity on the common people, not wanting to turn the crime of a few into the ruin of many. So, although the Austrians are boasting of a great feat, they certainly cannot ascribe to their own clever designs what they should know they only got because of the emperor's moderation: he could have avenged their crimes, but he preferred to forget them.

[65] The Carthaginians either beheaded or crucified those of their generals who went into battle without the certainty of victory, even if they had been victorious, *attributing their winning to the the immortal gods, and their fighting to their own temerity.*² But this is not our concern. Though I consider that it is a great prince who conquers his enemies, I think that the one who is content with being able to conquer and who leaves the vengeance to the Lord³ is just as praiseworthy. We are reminding you of this because it is quite clear that the Austrians, though they boast of it, rebelled not only unjustly, but also superfluously and imprudently.

¹ Ulrich II. of Rosenberg [Oldřich II. z Rožmberka] (1403-1462): Bohemian noble and politician, onetime governor of Bohemia

² Valerius Maximus, 2.7.ext. 1: *Leniter hoc patres conscripti, si Carthaginensium senatus in militiae negotiis procurandis violentiam intueri velimus; a quo duces bella pravo consilio gerentes, etiam si prospera fortuna subsecuta esset, cruci tamen suffigebantur, quod bene gesserant deorum immortalium adiutorio, quod male commiserant ipsorum culpae imputante* (This action of the Conscript Fathers was mild if we care to look at the violence of the Carthaginian senate in ordering military affairs. By its command generals who mismanaged campaigns were crucified even if fortune had turned in their favour. It attributed their success to the aid of the immortal gods, their mistakes to their own fault)

³ See Romans, 12, 19

[66] Nunc quantum dedecus quantamque¹ ignominiam ab his Austria suscepit referemus, qui Caesari² obumbrare gloriam ingenti, insolita et inaudita contumacia³ praesumpserunt. Idque palam fiet, si prius quantum splendoris et famae suo generi, suae familiae et Austriali terrae Fridericus attulerit, ante oculos omnium posuerimus. Quod neque longis neque taediosis, ut spero, verbis efficiam. Meo iudicio neque parum honoris neque parvum⁴ ⁵nomen⁶ Austrialibus superioribus gestis suis Fridericus⁷ attribuit, qui duodeviginti natus annos⁸, adeptus paternam⁹ haereditatem, nullius magisterio subjectus, non, ut assolet, *imberbis juvenis, tandem custode relicto*¹⁰ *gaudere canibus et equis*¹¹ *et aprici gramine campi*, sed Jerusalem petere ac dominicam¹² visere sepulturam¹³ et terram, ubi steterunt pedes ejus, qui nos a morte redemit, exoculari decrevit. Reversus in patriam subditorum paci consuluit, infantem pupillum, orphanum Ladislaum, Hungarico discrimini subripuit.

¹ quantam U1, U2, U3

² Caesaris V

³ contumelia MU

⁴ parum A, B, D, E, F, MU; parvum C, G

⁵ honoris neque parvum *omit.* V

⁶ nominis MU

⁷ Brevis narratio gestorum Frederici *in marg.* A; Federici gesta *in marg.* D; Friderici gesta *in marg.* G; Annos duodeviginti natus patri successit Fridericus *in marg.* U3

⁸ Exoratio *in marg.* A

⁹ patriam MU

¹⁰ remoto MU [*as in Horace*]

¹¹ et equis *omit.* B, E, MU

¹² dominicum MU

¹³ sepulcrum MU

[66] Let us now talk about the great shame and ignominy that have befallen the Austrians who with immense, extraordinary and unheard of contumacy have dared to cast a shadow over the emperor's glory. This will become quite evident if we start by describing how greatly Friedrich has contributed to the splendour and fame of his house, his family and the land of Austria. It will not be lengthy or tedious. I consider that by his past deeds Friedrich has given great honour and glory to the Austrians. When he reached the age of 18, he came into possession of his paternal inheritance. Though being no longer subject to any master, he did not - as usually happens – *like a beardless youth freed at last from his tutor, find joy in horses and hounds and the grass of the sunny Campus*,^{1 2} but decided to go to Jerusalem to visit the tomb of Our Lord and kiss the earth trodden by the one who saved us from death. Returning to his country, he negotiated a peaceful settlement for his subjects, and saved the orphaned infant, Ladislaus, from danger in Hungary.

¹ i.e. Campus Martius

² Horatius: *Ars poetica*, 161-162: *Imberbis juvenis, tandem custode remoto, gaudet equis canibusque et aprici gramine Campi*

[67] Communi voto in¹ imperatorem electus, quamvis duo de Romano pontificatu contenderent², ab utroque {54v} tamen rex Romanorum appellatus est. Apparatu magnifico in superiorem atque inferiorem Alamaniam profectus, Francfordiae cum electoribus convenit. In³ Aquisgrano⁴ summo favore principum civitatumque applausu coronatus Basileam⁵ petiit, Burgundiam intravit, Sabaudiam invisit. Repetita domo Gunzenses⁶, qui Austriam Styriamque vexabant bello delevit. Ad unionem inde conversus ecclesiae neutralitatem, qua natio⁷ Germanica non sine animarum periculo utebatur, alto consilio substulit, unde secutam unionem nullus ambigit. Nam qui apud Basilienses papatum arripuerat Amedeus⁸, spem Germanicam ubi amisit, mox Nicolao papae⁹ quinto manus dedit¹⁰, ex ejus arbitrio leges pacis amplexus.

¹ *omit.* V

² Divisio ecclesie *in marg.* A; Friderici Cesaris res initio Imperii gestae *in marg.* U3

³ *omit.* MU

⁴ Aquisgrani A, B, C, D, E, F, U1, U2, U3, MU; Aquisgrano G

⁵ Basilicam F

⁶ Gurizenses G; Gurzenses U3

⁷ ratio E

⁸ Amedeus. Nicolaus papa *in marg.* A; Amedeus. Nicolaus V. pontifex maximus *in marg.* U3

⁹ papa F; *omit.* MU

¹⁰ Unio ecclesie *in marg.* A

[67] He was then elected emperor, unanimously,¹ and although at that time two men were contending for the papacy, they both named him King of the Romans. In magnificent state he went to Upper and Lower Germany and met with the [prince] electors in Frankfurt. In Aachen he was crowned² with the full support of princes and cities alike. He then went to Basel, entered Burgundy, and visited Savoy. When he came home, he defeated the people of Günz who had been warring against Austria and Styria. Then, turning to the matter of the unity of Church, he very wisely³ ended the state of Neutrality⁴ of the German nation, so perilous to the souls [of its people].⁵ This is undoubtedly what led to the reunion of the Church, for when Amadeus,⁶ who had usurped the papacy in Basel,⁷ lost hope of Germany,⁸ he soon reconciled himself with Nicolaus V and accepted the conditions of peace offered by him.

¹ 2 February 1440

² As King of Germany. 1442

³ "alto consilio"

⁴ i.e. German neutrality between the Roman pope, Nicolaus V, and the Council of Basel, with its antipope, Felix V

⁵ On the role of Piccolomini and particularly of his mentor, the imperial chancellor, Kasper Schlick, in this affair, see Piccolomini's oration "*Si Putarem*" [5]

⁶ i.e. Felix V

⁷ Piccolomini himself was a member of the council and had been an official at the conciliar conclave which elected the antipope

⁸ i.e. of the Germans abandoning neutrality and joining his own cause

[68] Ex hinc quamvis Italia duas in¹ partes scissa saevis divisionibus quateretur, sic eo profectus est, ut nulli parti suspectus haberetur, sed² honores utrimque maximos reportavit, certantibus Italis utra³ pars novellum Caesarem magnificentius admitteret. Libet hic paululum immorari, ut intelligant, non Austriales tantum, sed omnes Theutones, quos genti suaeque nationi⁴ titulos Fridericus acquisiverit. Exceptus est in Italia Caesaris adventus ab omnibus principibus, civitatibus, populis incredibili honore atque amore. Nihil relinquebatur, quod ad ornatum portarum, itinerum locorumque omnium, qua Caesar transiturus erat⁵, excogitari posset. Multitudo patrum cum liberis et omni familia obviam procedebat⁷. Sacrificia pro salute sua ubique fiebant. Tricliniis stratis omnia fora, templa tectaque domorum occupabant, ut vel⁸ expectatissimi triumphi laetitia percipi posset. Ad placandum⁹ magnificandumque suum principem opulentiores magnificentia, tenuiores cupiditate certabant. In hoc transitu Caesareo et¹⁰ coronatione¹¹ Romae¹² celebrata¹³, nihil est solitae sollemnitatis omissum, sed accesserunt multa, quae rem amplius atque amplius illustrarunt. Quietus ac¹⁴ pacificus transitus¹⁵ ex tanta multitudine diversorum populorum, gentium, nationum, neque rixa¹⁶ neque morbo¹⁷ quispiam desideratus est. Sumptus omnibus in locis publicitus et ubertim ministrati¹⁸.

¹ duas in : in duas V

² Introitus in Italiam *in marg.* A; Caesaris adventus in Italiam *in marg.* U3

³ utraque V

⁴ natione F

⁵ omnia V

⁶ Caesaris transitus per Italiam *in marg.* U3

⁷ procedebant G

⁸ ut vel : vel ut V

⁹ placendum MU

¹⁰ *omit.* V

¹¹ Coronatio Cesaris *in marg.* A

¹² Romane E

¹³ cerebrata V

¹⁴ atque U3

¹⁵ status F

¹⁶ oborta *add.* MU

¹⁷ *omit.* MU

¹⁸ ministranti V

[68] Later, though Italy was divided between two parties¹ and torn asunder by its internal conflicts, the emperor proceeded in such a manner that none of the parties feared him, and he received great honours from both sides. Indeed, the Italians vied with each other in giving the most magnificent welcome to the new emperor. It is appropriate to dwell on this point so that not only the Austrians, but all Germans may appreciate the great titles that Friedrich acquired on behalf of his people and nation. In Italy all princes, cities and peoples received the emperor with incredible honour and love.² Everything was done to embellish all gates, routes and places through which the emperor was to pass. Everywhere a multitude of fathers with their sons and all their family came to greet him. Everywhere masses were celebrated for his welfare. Banquet halls³ were erected on all squares, and people flocked to the temples and massed on the roofs in order to enjoy his much-awaited triumphal entry. Wealthy people competed in pleasing and praising their prince with magnificence and the less wealthy with enthusiasm.⁴ During this imperial progress and the coronation in Rome, none of the usual solemn rites was omitted, and many were even added that gave greater splendour to the event. The progress was peaceful and tranquil, and though many different peoples and nations were represented, nobody lost their lives through fights or disease. Everywhere expenses were covered by the local authorities - and generously so.

¹ Piccolomini probably refers to the Guelphs and the Ghibellines, and to the Milan/Naples alliance against Venice/Florence/the Papal States

² Partly thanks to the ambassadorial efforts of Piccolomini himself who had prepared the emperor's progress in Italy, obtaining safeconducts from the states through which he had to pass

³ "triclinia"

⁴ Cf. the description of Piccolomini's own papal progress, travelling to and from the Congress in Mantua in 1459, CO, II, IV

[69] Apud Ferrariam totius Lombardiae conventus Caesari cum muneribus occurrit. Princeps illius urbis in reditu dux Mutinae Regique¹ creatus, quod bene factum, bene locatum omnis Italia dixit. Bononienses, qui neque se sibi credunt, Friderici fidem secuti sunt². Florentia, quae ceteris imperatoribus portas clausit, huic omnia patefecit³, ubi et legati⁴ apostolici, magni et excellentes viri, germanus⁵ papae, Bononiensis et Sancti Angeli cardinales⁶ obviam facti. Apud urbem Senam⁷ ex ultimis Hispaniarum finibus longa et periculosa navigatione adducta⁸ sponsa regia et pulcherrima virgo⁹, Leonora¹⁰, ex vetusta¹¹ Portugalliae domo.

¹ Regique U1

² *omit.* U1, U2, U3, V

³ patefaciens V

⁴ et *add.* V

⁵ Germanus B

⁶ Cardinales *in marg.* A

⁷ Sena *in marg.* A

⁸ advecta MU

⁹ Conveniunt Sene Caesar et Leonora uxor *in marg.* U3

¹⁰ Leonora imperatrix *in marg.* A, U3

¹¹ vesta G

[69] In Ferrara, all of Lombardy met the Emperor, bringing gifts. On his way back [to Austria], the emperor made the prince of this city¹ Duke of Modena and Reggio, to the universal applause of all Italy.² The Bolognese, who do not even trust themselves, had faith in Friedrich. Florence formerly closed its gates to other emperors, but to him they laid everything open. Here, he was met by the apostolic legates, the Cardinal of Bologna, brother of the pope,³ and the Cardinal of Sant'Angelo,⁴ [two] great and excellent men. To Siena had been brought, after a long and perilous sea voyage from the farthest regions of Spain, the royal bride and beautiful maid, Leonora, of the ancient House of Portugal.⁵

¹ Borso d'Este (1413 - 1471): illegitimate son of Niccolò III d'Este, Marchese of Ferrara, Duca di Modena e Reggio, to whom he succeeded in 1451. His mother was Stella of the Tolomei family which was related to the Piccolomini family

² Piccolomini himself was highly instrumental in this affair

³ Calandrini, Filippo (1403-1476): Cardinal. Half-brother of Pope Nicolaus V. Created cardinal by him in 1448, from 1451 with the title church of San Lorenzo in Lucina. Friend of Piccolomini

⁴ Carvajal, Juan (1399/1400-1469): Appointed Cardinal Deacon of Sant'Angelo in Pescheria by Pope Eugenius IV in 1446. Friend of Piccolomini

⁵ Leonora of Portugal (1434-1467): Empress of the Holy Roman Empire. Portuguese infanta (princess), daughter of King Duarte of Portugal and his wife Leonora of Aragon. She was the consort of Holy Roman Emperor Friedrich III and mother of Emperor Maximilian I

[70] Apud Romam¹, ut omittam² cives, nobiles, senatores, principes, praelatos occurrentes, collegium cardinalium ad primum lapidem extra ordinem³ Caesari obviam datum. Ingressus sequenti die magnificentissimus Nicolao pontifice maximo cum cardinalibus et⁴ clero apud basilicam Sancti Petri expectante, cujus beatissimos pedes Caesar in honorem piscatoris et salvatoris Christi reverentiam exosculatus est. Coronatio Romana in decimam diem suspensa. Corona Longobardorum⁵ in capella principis apostolorum, cum⁶ Mediolani pestis vigeret, biduo ante Romanam suscepta. Sponsalia sacro maximi sacerdotis ore benedicta. Coronatio augustalis eo die revolutis annis peracta, quo Nicolaus ipse pontifex⁷ papale diadema suscepit⁸. Augustus simul et Augusta coronati, et quamvis ornamenta⁹ essent Caesari ditiora et ornatiores, ea tamen die magni Caroli pallio, tunica, ense, pomo, corona¹⁰ ex sacrario Norimbergensi receptis et Romam delatis, quasi plus majestatis veteribus quam novis esset ornatibus, usus est Fridericus. Comitatus Caesaris¹¹ et nobilissimus¹² et splendidissimus¹³: hinc Ladislao¹⁴ patrueli¹⁵ rege, inde Alberto, Germano duce¹⁶, throno Caesaris¹⁷ assistentibus¹⁸. Legationes ex tota Italia. Milites admodum multi cum principes tum magni nobiles in ponte percussi. Sollemnitas in noctem producta.

¹ Roma *in marg.* A; Ingressus Cesaris in urbem *in marg.* U3

² obmittam A, B, C, D, E, U2

³ urbem G; extra ordinem : ex ordine U1

⁴ *omit.* V

⁵ Corona Lombardie *in marg.* A

⁶ *omit.* U1

⁷ Nicolaus ... pontifex : pontifex ipse Nicolaus MU

⁸ suscepit MU

⁹ Ornamenta Caroli magni *in marg.* A; Coronatio Caesaris; Leonorae uxoris *in marg.* U3

¹⁰ *omit.* B, E, MU

¹¹ comitatus Caesaris : Caesar MU

¹² nobilissimis V

¹³ splendidissimis V

¹⁴ Ladislai V

¹⁵ patruele U1

¹⁶ duci MU

¹⁷ ex *add.* V

¹⁸ assidentibus MU

[70] Outside Rome, at the first milestone, the emperor – as a very special gesture - was met by the College of Cardinals, not to mention a crowd of citizens, nobles, senators, princes and prelates. The next day he made a magnificent entry: the Supreme Pontiff, Nicolaus, awaited him at the Basilica of Saint Peter together with the cardinals and the clergy, and the emperor kissed [the pope's] holy feet in honour of the Fisherman¹ and in veneration of Christ Our Saviour. The Roman coronation was adjourned to the tenth day. The crown of Lombardy he received two days before, in the Chapel of the Prince of the Apostles – because of an outbreak of the plague in Milan.² The High Priest³ personally blessed the marriage. The imperial coronation took place on the same day as the papal coronation of Nicolaus years before.⁴ The emperor and the empress were crowned together. Though the emperor possesses richer and more splendid ornaments, on that day he used the pallium, tunic, sword, apple and crown of Charlemagne,⁵ brought to Rome from the treasury in Nürnberg, as if the old ornaments had greater majesty than the new. The party of the emperor was most noble and impressive: on one side his cousin, King Ladislaus, and on the other his brother, Duke Albrecht⁶, assisted at the throne of the emperor. There were delegations from all of Italy. A great number of princes and grand nobles were knighted on the Ponte Sant'Angelo. The festivities continued into the night.

¹ i.e. Saint Peter

² An emperor was usually crowned with the Iron Crown of Lombardy – in Lombardy - before receiving the imperial crown in Rome. Not wishing to meet with the Duke of Milan, Francesco Sforza, who had usurped the Dukedom of Milan, formally a fief of the empire, Friedrich preferred to receive the crown of Lombardy in Rome – in spite of the protests of the Milanese ambassadors. The plague in Milan was flimsy pretext

³ i.e. the pope

⁴ In 1447

⁵ Charlemagne (742/747/748-814): also known as Charles the Great

⁶ Albrecht VI of Habsburg (1418-1463): Archduke of Inner Austria (i.e. the duchies of Styria, Carinthia and Carniola) from 1424 and of Austria from 1457 to his death

[71] Exacta festivitate, petita Neapolis¹, visus Alfonsus, rex Aragonum et Siciliae, imperatricis² avunculus, nostri³ *decus* splendor et *aevi*, apud quem recepti honores, non sunt qui verbis referri queant. Ut vicit oculos varietas, sic superat magnitudo sermonem. Quid plura? Remensus iter Venetias⁴ more triumphantis intravit, ubi nullus ante visus fuerat imperator, nisi fugitivus aliquis, et Fridericus⁵ primus pacem ab Alexandro, papa Senensi, petens, et⁶ filius bello captus. At Friderico nostro et conjugii tantus honor a Venetis exhibitus est quantus⁷ antea nulli. Haec, nisi fallor, et ingentia, et rara, et singulari et laudabili nota digna sunt, ac⁸ non solum Friderico et suo sanguini atque Austriaci nomini, sed omnibus Alamanis honorem maximum excellentemque gloriam pepererunt.

¹ Neapolis *in marg.* A; Profectio Caesaris ad Alfonsum regem *in marg.* U3

² quum *add.* V

³ vestri V

⁴ Venetiae *in marg.* A; Ingressus Caesaris in urbem Venetiarum *in marg.* U3

⁵ Fredericus *in marg.* A; Fridericus primus *in marg.* U3

⁶ pacem ab ... petens et *omit.* V

⁷ *omit.* V

⁸ at F

[71] After these festivities, they went to Naples to visit the empress' uncle, King Alfonso of Aragon and Sicily,¹ *ornament* and splendour of our *age*,² who received them with indescribable honours: the splendour overcame the eyes, just as the greatness surpassed speech. What more can I say? On the way back [to Austria], the emperor entered Venice in triumph. No other emperor had been seen there before except as a fugitive, or when³ Friedrich I⁴ went to sue for peace from the Sienese⁵ pope, Alexander⁶, after the capture of his son. But to our Friedrich and his wife the Venetians showed greater honour than they had shown to anybody else before.

Unless I am mistaken, all these events are immensely important, extraordinary and worthy of singular note and praise. They gave great honour and surpassing glory not only to Friedrich, his family, and the name of Austria, but also to Germany as a whole.

¹ Alfonso V the Magnanimous (1396-1458): King of Aragon, Valencia, Majorca, Sardinia and Corsica, Sicily and Count of Barcelona from 1416, and King of Naples (as Alfonso I) from 1442 until his death

² Vergilius: *Eclogae*, 4, 11: *decus hoc aevi*

³ 1176/1177

⁴ Friedrich I Barbarossa (1122-1190): Holy Roman Emperor from 1155 until his death

⁵ Here speaks the Sienese author

⁶ Alexander III [Roland of Siena] (ca. 1100/1105-1181): Pope from 1159 to his death - in competition with various antipopes supported by Emperor Friedrich I

[72] Verum cum ceteri omnes honoraverint Fridericum, *in propria venit, et sui eum non receperunt*. Austriales enim Fridericum veluti triumphatorem ex Italia redeuntem¹, illustratorem Alamaniae, ornatores Austriae, sui generis sublimatores, maledictis ac malefactis² exceperunt, omnemque suae terrae gloriam extinguere sunt aggressi. Haecine³ patriae utilitas, aut commoditas regionis, ubi gentis honor confunditur, ubi⁴ gloria communis retunditur? Neque utilitas honoris, neque honor utilitatis expers esse potest.

[73] O, si Austria loqui posset, {55v} nonne hosce homines ingratos filios appellaret, ac⁵ talibus vocibus increparet: “Cur, stulti homines, vestrum principem persequimini, qui vos domi quietos tenuit, foris⁶ honoratos fecit? Quattuor⁷ ante hunc ex filiis meis Romanam rem acceperunt, Rudolfus, Albertus, Fridericus et alter Albertus. Ex his Romae nullus coronatus est, neque ingressus⁸ Italiam. Solus hic et mihi et vobis hoc coronationis⁹ attulit decus. Ergo apud vos¹⁰ beneficia pro maleficiis habentur, nec vobis pacem, nec principi fidem servatis. Vos mihi, vos¹¹ principibus, vos filiis vestris partem excluditis gloriam. Meum nomen, quod apud omnes gentes illustre Fridericus reddiderat, turpi nota obfuscatis, atque ignem¹² mihi et vobis suscitatis¹³, quem nescio, quando possitis extinguere. Ergo ego, nisi vos peperissem, omnes per circuitum me gentes¹⁴ admirarentur felicemque dicerent, ingenti laude et secunda pace gaudentem.” Sic suos¹⁵ filios, si capax vocis esset, Austria compellaret¹⁶. Sed nec minora his aliquando Ladislaus eruptabit¹⁷, neque Albertus aut¹⁸ Sigismundus, Austriae duces, singulari virtute praestantes, silebunt, quibus Austriae dedecus atque honor in communi¹⁹ cedit, qui famam et²⁰ infamiam cum Friderico aequa lance suscipiunt.

¹ Laus Frederici *in marg.* A

² ac malefactis *omit.* U1

³ haec sive U1

⁴ gentis ... ubi *omit.* G

⁵ si *add.* G

⁶ fortis E

⁷ Quattuor imperatores ex Austrialibus *in marg.* D, G; Quatuor ex Austrialibus F

⁸ in *add.* E

⁹ hoc coronationis : coronationis hoc V

¹⁰ nos U1; *omit.* V

¹¹ *omit.* V

¹² et *add.* V

¹³ excitatis C; fuscatis V

¹⁴ me gentes : gentes me C

¹⁵ vos F

¹⁶ appellaret G

¹⁷ eruptabit C, G, U3; proferet MU

¹⁸ neque MU

¹⁹ commune U3

²⁰ atque MU

[72] But when everybody else had honoured Friedrich, *he came unto his own: and his own received him not.*¹ Though Friedrich returned from Italy as a triumphator who had increased the glory of Germany, the honour of Austria and the nobility of his family, the Austrians received him with evil words and evil deeds, endeavouring to destroy all the glory of their country. But what benefit is there for a country and what advantage for a region where the honour of the people is besmirched, and the common glory pales? There can be no benefit without honour, and no honour without benefit.

[73] If Austria could speak,² she would call these men³ ungrateful sons and rebuke them thus: “Why, stupid men, do you persecute your prince, who has kept you in peace at home and in honour abroad? Before this time, four of my sons ruled the Roman Empire, Rudolf⁴, Albrecht⁵, Friedrich⁶ and the second Albrecht⁷. None of them was crowned in Rome, none of them went to Italy. Only this one has brought me and you the honour of an [imperial] coronation. But you seem to consider good deeds as bad, and you keep neither the peace nor the oath to your prince. The glory that has accrued to me, to your princes and to your sons, you throw away. My name that Friedrich had made illustrious in the whole world you have sullied. And you have caused a conflagration – both for me and yourself: I do not know when you will be able to extinguish it. If I had not given birth to you,⁸ all the peoples around us would have admired me and called me blessed, enjoying immense praise and a secure peace.”

Thus Austria would have rebuked her sons if she had been able to speak. But at some future time, Ladislaus will not be less outspoken, and neither will Albrecht⁹ nor Sigismund¹⁰, dukes of Austria, men of singular virtue, be silent, for they share both the honour and shame of Austria with Friedrich, as they also share both fame and infamy.

¹ John, 1, 11. In the gospel these words refer to Christ

² In a number of cases, Piccolomini uses the rhetorical ploy of letting some supreme authority speak on his behalf, like God (*Si putarem*), or the Church (*Audivi*), or Austria as here (the rhetorical device of personification, see Collected orations of Pope Pius II, sect. 7.9.1.

³ i.e. the Austrian insurgents

⁴ Rudolf I of Habsburg

⁵ Albrecht I of Habsburg

⁶ Friedrich I of Habsburg

⁷ Albert II of Habsburg

⁸ i.e. the insurgents

⁹ Duke Albrecht, the emperor's brother

¹⁰ Sigismund of Habsburg (1427-1496): Archduke of Austria, and Duke of Tyrol from 1446 to 1490. Later excommunicated by Piccolomini (as Pope Pius II)

[74] At¹ vos hic, vos principes Alamaniae compello, nobiles proceres², illustre genus, clarissimam gentem. Quid hic dicetis, rogo? Vobisne Austriales laudandi videntur, qui dominum vestrum³ contemnere atque confundere nituntur? Cum vobis imperium sedes apostolica tribuit, tunc nationem⁴ vestram ceteris anteposuit. Attendite, obsecro, ne tantam excellentiam amittatis. *Imperium quibus artibus ab initio partum est, his facile retinetur*, contrariis perditur. Vestrum est providere, ne tanta majestas apud vos contemnatur. Ex corpore vestro⁵ sunt Austriales. Si Caesarem dehonestant, in vos culpa redundat. Non potest imperium sine⁶ nota vestra⁷ contemni. Non remanet dignitas, ubi spernitur. Transferri potest imperium⁸, perire brevi non potest, quod Christi voce probatum est⁹, quod suis orationibus omnis ecclesia juvat. Interest vestra magnopere sic agere, ne¹⁰ dignitas imperatoria sub vestris oculis atque in vestris manibus pessumdetur¹¹: illam quippe nostri majores, veteres¹² sanctique Christiani semper magnopere venerati sunt.

[75] Et quamvis essent gentiles ab initio nascentis ecclesiae Caesares, tamen pro salute imperatorum sine intermissione preces ad Deum fundebant. Quod si mihi non creditur, veritatis¹³ astipulatorem¹⁴ Tertullianum adduco. *Denique*, inquit ille, *sine monitore¹⁵ pro omnibus semper imperatoribus Deum precantes sumus. Vitam illis prolixam, imperium securum, domum tutam, exercitus fortes, senatum fidelem, populum probum {56r} orbem quietum¹⁶ optamus.* Et post addit: *Est et alia major necessitas orandi nobis pro imperatoribus et omni statu imperii rebusque Romanis, qui vim maximam universo orbi et¹⁷ imminemtem Romani imperii commeatu¹⁸ scimus retardari. Itaque nolumus¹⁹ experiri, et dum precamur differri, Romanae diuturnitati²⁰ favemus.*

¹ ac aut at A

² omit. V

³ nostrum B, E, MU

⁴ rationem U1

⁵ nostro V

⁶ siue U1

⁷ nostra V

⁸ potest imperium : imperium potest G, MU

⁹ unde omnis vestra nobilitas est, vestra excellentia, vestra sublimitas add. U2 [sic!]

¹⁰ omit. F

¹¹ unde omnis vestra nobilitas est, vestra excellentia, vestra sublimitas add. U1, U2, U3, V

¹² omit. U1

¹³ veritas D

¹⁴ adstipulatorem MU

¹⁵ promonitore V

¹⁶ quietum corr. ex quietam A; quietam C

¹⁷ omit. U1, U2, U3, V

¹⁸ commeatus C

¹⁹ nolumus aut noluimus A; noluimus B, D, G; nolumus C; voluimus E, M; volumus F, U1

²⁰ diturnitate V

[74] But you who are here today, you princes of Germany, you noble lords, you illustrious race, you exalted people, you I challenge! What can you say, I ask? Do you really think that the Austrians should be praised for endeavoring to spurn and ruin your lord? When the Apostolic See bestowed the empire on you, it set your nation above all others. Beware, I beg you, not to lose this eminent position. *You will easily keep the empire if you behave as you did when you acquired it,*¹ but if you do the opposite, you lose it. It is your task to ensure that this great majesty is not slighted by your people. The Austrians are part of you. If they shame the emperor, the blame falls back on you. The empire cannot be slighted without dishonour to yourselves. When high authority² is scorned, it ceases to exist. In the short run, imperial rule cannot perish, since it has been sanctioned by the words of Christ, and because it is supported by the prayers of the whole Church: it can, however, be transferred to others.³ It is very much in your own interest to ensure that the imperial office, so highly revered by our forefathers, the holy Christians of old, does not founder before your eyes and while it is in your hands.

[75] Even when the emperors were pagan, in the early period when the Church was born, Christians prayed continuously for their prosperity. If you do not believe me, I call on Tertullian as witness of truth: *Without ceasing, he said, for all our emperors we offer prayer. We pray for life prolonged; for security to the empire; for protection to the imperial house; for brave armies, a faithful senate, a virtuous people, the world at rest.*⁴ Later he adds: *There is also another and a greater necessity for our offering prayer on behalf of the emperors, nay, for the complete stability of the empire, and for Roman interests in general. For we know that a mighty shock impending over the whole Earth — in fact, the very end of all things threatening dreadful woes — is only retarded by the continued existence of the Roman empire. We have no desire, then, to be overtaken by these dire events; and in praying that their coming may be delayed, we are lending our aid to Rome's duration.*⁵

¹ Sallustius: *Bellum Catilinae*, 1.2.4

² “dignitas”

³ A veiled threat by Piccolomini, however completely unrealistic!

⁴ Tertullianus: *Liber apologeticus*, 30. Translation quoted after the Christian Classics Ethereal Library

⁵ *Ibid.*, 32

[76] At¹ Austriales, ut eo redeam ex quo² sum digressus, spreto salvatore³, qui *reddi Caesari, quae Caesaris⁴ essent*” praecepit; contempto Petro, qui *regem honorari* mandavit, postergato Paulo, qui *omnem animam sublimioribus esse subjectam potestatibus* voluit, refutato Augustino⁵, qui *“generale pactum societatis humanae dicit regibus obtemperare;* abjectis legibus, quae mundi dominum⁶ imperatorem affirmant; irrisis canonibus, qui Romanum Caesarem cunctis principibus ac regibus anteponunt, Fridericum imperatorem ex Austria natum spernere atque armis impetere praesumpserunt. Quibus rebus neque suis dominis, ut ostensum est, neque sibi neque patriae consuluerunt, sed contemptum, ignominiam, dedecus et infamiam perpetuam praesenti genti et omni posteritati quaesiverunt. Ac tantum de utilitate domini dictum existat.

¹ *omit.* D, G

² ex quo : unde MU

³ Salvator. Petrus. Paulus *in marg.* A; Petrus apostolus. Paulus apostolus *in marg.* U3

⁴ Caesari F

⁵ Augustinus. Leges. Canones *in marg.* A; Divus Augustinus *in marg.* U3

⁶ mundi dominum : dominum mundi F

[76] But, returning to the point from where I digressed: by daring to scorn Emperor Friedrich, born of Austria, and attacking him with arms, the Austrians have spurned Our Saviour who gave us this command: *Render therefore to Caesar the things that are Caesar's*;¹ they have shown contempt of Peter who bade us *honour the king*;² they have ignored Paul who wanted *every soul to be subject to higher powers*;³ they have rejected Augustine who said that there is *a general pact of human society to obey its king*;⁴ they have discarded the laws which say that the emperor is the lord of the world; and they have derided the canons which set the Roman Emperor above all princes and kings. In doing so, they have neither benefited their lords, as we have shown, nor themselves nor their country, but have earned contempt, disgrace, shame and perpetual infamy not only for the present generation, but also for posterity. I have now said enough concerning the interests of their lord.

¹ Marc, 12, 17

² 1. Peter, 2, 17

³ Romans, 13, 1

⁴ Decretum, D.8.2 (col. 14). Augustine: *Confessiones*, 3, 8, 15: *generale quippe pactum est societatis humanae oboedire regibus suis*

[77] Quarto jam loco regis se dignitas¹ offert, qua nostri adversantes contra Caesarem sese muniunt. "Principem nostrum," inquiunt², "sub tutela contra jus gentium tenuit imperator, qui non solum dux Austriae, sed Hungariae quoque ac³ Bohemiae rex habetur. Maxima illum et potentissima haec regna respiciunt. Regem⁴, qui coronatus sit, neque sub tutoribus neque sub curatoribus esse decet. Ex Bononia, Padua ceterisque scholis Italiae⁵ assunt⁶ consilia: injustus Caesar, qui se regis coronati tutorem gessit; justi⁷ Austriales, qui tutelam injustam justo bello repulerunt." At si militat haec ratio, Hungaris ac Bohemis, non Austrialibus victoriam parabit. Austriales sub duce sunt, illi sub rege, et⁸ quamvis eadem sit⁹ persona ducis et¹⁰ regis, Austriales¹¹ tamen, non nisi quia¹² dux est, Ladislai jus respicit¹³. Nam etsi¹⁴ arma sumere adversus Polonos aut alios Hungariam¹⁵ vastantes juberentur, dicerent se minime obligatos: non esset igitur huic argumentationi respondendum, quae non juvat eos, contra quos agimus. Refellemus¹⁶ tamen et hanc sagittam, ne sibi blandiantur. Neque mihi Hungarorum nobilitas succensebit, quamvis ejus opinioni resistam. Nam etsi regno potenti¹⁷, et glorioso, et apostolicae sedis devoto et Christianae religionis adamantino scuto favendum est, veritatem tamen praeferre¹⁸ oportet. Nihil hic¹⁹ de Bohemis dico, quia litis²⁰ hujus minime consortes existunt.

¹ dignitatis V

² nostrum inquiunt : inquiunt nostrum G

³ hac V

⁴ De rege an debeat habere tutorem *in marg.* A

⁵ scholis Italiae : Italiae scholis G

⁶ adeunt MU

⁷ justitia U1

⁸ omit. V

⁹ eadem sit omit. F

¹⁰ ac G

¹¹ Austrialis F

¹² qua U1, U2, V; quia *corr. ex qua* U3

¹³ respiciunt MU

¹⁴ si G

¹⁵ Regnum Hungarie *in marg.* A; Laus regni Hungariae *in marg.* U3

¹⁶ revelemus U1; revellemus U2; revellemus *corr. ex revelemus* U3

¹⁷ patenti V

¹⁸ proferre F; praeferri G

¹⁹ omit. B, E, MU

²⁰ ditis U1

2.4. Dignity of King Ladislaus

[77] Fourthly, there is the matter of the King's dignity which our adversaries use as a weapon against the emperor. They say that "it was against the law of peoples for the emperor to keep our prince under guardianship, for the prince is not only Duke of Austria, but he is also King of Hungary and Bohemia. These great and powerful kingdoms are his. Someone who has been crowned as king should not be subject to guardians or supervisors. We have statements from Bologna, Padua and other Italian universities to the effect that it is unlawful for the emperor to act as guardian of a crowned king, and lawful for the Austrians to end the unlawful guardianship through a just war." But if this argument is valid, then it favours the Hungarians and the Bohemians, not the Austrians. For the Austrians are subject to a duke, it is the others who are subject to a king. And though the duke and the king is the same person, it is only the rights of Ladislaus as duke that are relevant for the Austrians. If the Austrians were asked to take up arms against the Poles or other people laying waste to Hungary, they would say that they had no obligation to do that. It is not really necessary to reply to this argument since it does not support the claims of our opponents. But even so, let us also destroy this arrow so that they will not flatter themselves.¹

And the Hungarian nobles will not get angry at me though I argue against them, for even if they must be favoured as a powerful and glorious kingdom, devoted to the Apostolic See and an adamant shield of the Christian religion², truth must be upheld. I say nothing about the Bohemians, as this conflict does not concern them at all.

¹ I.e. on their cleverness or the rightness of their cause

² I.e. against the Turks

[78] Nescimus quae sint [56v] ex Italia consilia sive reposita prudentum. Non parvipendimus viros doctos, neque scholarum gravibus iudiciis derogamus. Viderint, qui recipiunt, et qui dant consilia, ne fallantur aut¹ fallant. Nos Paulum² apostolum, vas electionis, doctorem gentium, veritatis magistrum sequimur. Verba ejus haec sunt: *Quanto³ tempore haeres⁴ parvulus est, nihil differt a servo, cum sit dominus universorum, sed sub tutoribus et actoribus⁵ est usque ad praefinitum⁶ tempus a patre.* Quod de patre dicitur, hoc de lege seu consuetudine intelligitur, si testamentum desit. Non distinguit apostolus inter regios et alios parvulos, nec nos quidem oportet distinguere. Inveniuntur et juniores nostri⁷ saeculi⁸ doctores, qui pupillis regibus ac principibus tutores asserunt dandos: Bartholus⁹ Perusinus, Nicolaus Panormita, Johannes Imolensis et Antonius Butrianus. Et Bartholo quidem, quanto majoris est dignitatis pupillus princeps, tanto digniorem exigere tutorem videtur: neque ab re, nam quanto major est persona pupilli, dignior, excellentior, tanto habenda est diligentior cura. Utile pupillis est habere tutores. Tutori¹⁰ onus est tutela, ideo quibusdam personis excusatio permittitur. Pupilli, ne tutoribus subsint, nulla lege cavetur, sive duces fuerint¹¹ sive reges, sive coronati sive non¹².

¹ ut F

² Paulus *in marg.* A; Paulus apostolus *in marg.* U3

³ De tutoribus et curatoribus pupillorum *in marg.* D, G

⁴ haberes U1

⁵ auctoribus et F; auctoribus U1, U2, U3

⁶ perfinium D

⁷ juniores nostri : nostri juniores G

⁸ omit. B, E, MU

⁹ Bartholus. Nicolaus. Iohannes. Antonius *in marg.* A; Bartolus Perusinus. Nicolaus Panormita. Joannes Imolensis. Antonius Butrianus *in marg.* U3

¹⁰ omnes *add.* F

¹¹ fuerunt B, C, E

¹² sive coronati sive non *add. in marg.* A, C, D [A, C by another hand]; omit. U1, U2, U3, V

[78] We do not know what counsels and responses the Austrians have received from experts in Italy. Certainly, we do not belittle learned men, nor do we disparage the weighty judgments of the universities. But let those who receive and those who give counsel take care not to be deceived or to deceive. We, on our part, follow the Apostle Paul, the vessel of election,¹ the doctor of the peoples, the teacher of truth, who says: *As long as the heir is a child, he differeth nothing from a servant, though he be lord of all, But is under tutors and governors until the time appointed by the father.*² What is said about the father also applies to law or custom, if there is no testament. The apostle does not distinguish between child kings and other children, so neither should we. In this age, too, there are doctors who state that orphan kings and princes should be given guardians, i.e. Bartolo of Perugia³, Niccolò of Palermo⁴, Giovanni of Imola⁵ and Antonio of Budrio⁶. Bartolo even says that the higher the rank of the orphan prince, the higher should be the rank of the guardian. This is quite sensible, for the greater, the higher and the more excellent the person of the orphan, the greater should be the care taken of him. It is advantageous for orphans to have guardians, but guardianship is such a burden on the guardian that some people may be excused from it. No law sanctions that orphans, be they dukes or kings, crowned or uncrowned, should not be subject to a guardian.

¹ Acts, 9, 15

² Galatians, 4, 1-2

³ Bartolo da Sassoferrato (1314-1357): Italian law professor. Taught at the University of Perugia

⁴ Niccolò Tedeschi [Panormitano] (1386-1445): Italian law professor, archbishop, and cardinal appointed by the antipope Felix V

⁵ Giovanni Nicoletti [da Imola] (d. 1436): Italian law professor

⁶ Antonio da Budrio (1338-1408): Italian law professor

[79] Alexandro Macedone, qui non rex^{1 2} tantum Graecorum, sed orbis imperator fuit, ab hac luce raptus, qui sub eo duces fuere, curam successoris habentes, expectari partum Roxanis decreverunt, quae mense octavo jam exacto matura ex Alexandro erat, et si puer natus esset, hunc dari successorem patri. Tutores autem Leonatum, Perdicam, Cratheran³ et Antipatrem⁴ constituerunt. Lycurgus, Spartanarum lator legum, ex quibus Romanae⁵ magna ex parte manant, mortuo fratre suo⁶ Polibite⁷, Spartanorum rege, Carilli nepotis tutelam suscepit, cui ad aetatem provecto regnum summa fide restituit. Olympias⁸, Pyrrhi Epirotae regis filia, amisso marito eodemque fratre Alexandro, tutelam filiorum ex eo susceptorum et regni⁹ curam in se recepit¹⁰. Et ut ora omnium conticescant, Augustus Octavianus, ut est apud Suetonium, *rectorem solitus erat apponere regum*¹¹ *filiis aetate parvis aut mente captis, donec adolescerent aut resipiscerent, ac plurimorum liberos et educavit simul cum suis et instituit.*

¹ *omit.* U1

² non rex : rex non U3

³ Cratheram E; Cratherum U1, U2, U3, MU

⁴ Antipatrum U2, U3

⁵ Romanorum leges ex Lycurgi legibus *in marg.* D, G; Lycurgus *in marg.* U3

⁶ sub MU

⁷ Polibetus. Carillus *in marg.* A; Polybetes. Carillus *in marg.* U3

⁸ Olympias. Pyrrhus *in marg.* A, U3; Olympias Pyrrhi *in marg.* D, G

⁹ et regni : regni et F

¹⁰ suscepit U1, U2, U3

¹¹ Sub tutoribus fuere *in marg.* D

[79] Alexander of Macedon¹ was not only King of the Greeks, but also emperor of the world. When he was taken from this world, his generals, charged with his succession, decided to await Roxane's² delivery, as she was in the eighth month of her pregnancy by Alexander³: if a boy was born, he would become the successor of his father. As guardians they appointed Leonatus, Perdiccas, Craterus and Antipater.⁴

Lycurgus⁵ gave the laws of Sparta from which the Roman laws largely derive. When his brother Polydectes,⁶ King of Sparta, died, he became the guardian of his nephew Charilaus.⁷ When Charilaus came of age, Lycurgus, with complete loyalty, handed over the kingdom to him.⁸

Olympias⁹, daughter of King Pyrrhus of Epirus,¹⁰ became the guardian of his sons and took over the government after the death of her husband and brother, Alexander¹¹.

And so that all tongues may fall silent: according to Suetonius¹², Augustus Octavian¹³ *regularly appointing a guardian for such as were too young to rule or whose minds were affected, until they grew up or recovered; and he brought up the children of many of them and educated them with his own.*¹⁴

¹ Alexander III of Macedon (356-323 BC), commonly known as Alexander the Great

² Roxana (ca. 340 BC-310 BC): Sogdian princess of Bactria, who married Alexander in 327 BC, after his victory over the Persian King Darius III

³ Alexander IV (323-311 BC): Posthumous son of Alexander the Great. Murdered at the age of 12

⁴ Generals of Alexander the Great

⁵ Lycurgus: Legendary lawgiver of Sparta. If he was a historical person, he may have lived in the 8th century BC

⁶ Polydectes (8th c. BC): King of Sparta from ca. 830 to ca. 800 BC

⁷ Charilaus [Charillus] (8th c.): King of Sparta. He is generally shown as the successor of his grandfather Polydectes, though Pausanias implies that Charilaus' father Eunomus preceded Charilaus. Supposedly pupil of Lycurgus

⁸ See Plutarch: *Parallel Lives* / Lycurgus, 2-3

⁹ Olympias (3rd c. BC): Daughter of Pyrrhus I, King of Epirus. She was the wife of her own paternal half-brother Alexander II. After his death she assumed the regency of the kingdom on behalf of their two sons. Thus, she was the guardian of her own sons who were also her nephews

¹⁰ Pyrrhus [Pyrrhos] (ca. 319-272 BC): Greek general and statesman. King of Epirus (r. 306-302, 297-272 BC) and Macedon (r. 288-284, 273-272 BC)

¹¹ Alexander II (3rd c. BC): King of Epirus from 272. Married to his half-sister Olympias

¹² Suetonius Tranquillus, Gaius (ca. 69-after 1229: Roman historian

¹³ Augustus (Gaius Octavius) (63 BC-14 AD): Adoptive son of Julius Caesar. Founder of the Roman Empire, ruling from 27 BC until his death

¹⁴ Suetonius: *Vitae Caesarum* / *Augustus*, 48

[80] Videmus et nostri temporis regios pupillos in tutela esse proximorum, sive Hispaniae, sive Galliae sive Britanniae mores advertimus. Comes Palatinus, dux Bavariae, princeps elector, dignitate ac potestate par regibus¹, hodie sub tutela est patrui. Sed admittunt² hoc aliqui, si vel de regno tutores [57r] fuerint, vel in regno, nam pupillum extra regnum et ab his, qui non sint regnicolae, nullo pacto gubernari concedunt. Verum, qui sapiunt, omnia tempori, omnia rationi, omnia necessitati coaptant. Norunt omnes, quae fuerunt³ hactenus in Hungaria ac⁴ Bohemia novitates⁵. Quis aut regnicolis aut in regnis curam pueri committendam suasit? Fuit Austrialium quidem semper adversa sententia. Sed neque juris id⁶ praecipit⁷ auctoritas, neque⁸ consuetudinis observantia tenet.

¹ legibus F

² amittunt B, F, U1

³ querunt V; fuerint MU

⁴ hac F

⁵ novitas E

⁶ juris id : id juris D, G

⁷ precepit U1

⁸ juris *add.* U2, U3

[80] Also in our own time, we see royal orphans under the guardianship of their relatives, whether we consider the customs of Spain, France or England.

The Count Palatine¹, who is a duke of Bavaria and prince elector, equal to kings in dignity and power, is today under the guardianship of his uncle.²

Some concede this on the condition that the guardians are from or in the kingdom itself, for they do not accept an orphan king to be governed from outside the kingdom or by people who are not subjects of the kingdom. However, the wise adapt all matters to the given situation,³ or to reason, or to necessity. Everybody knows about the turmoils reigning in Hungary and Bohemia until now.⁴ Who would have argued for entrusting the care of the boy to subjects of these kingdoms or for him to be kept there? The Austrians, certainly, were always against it, and neither the authority of the law nor the observance of customs would demand it.

¹ Philip (1448-1508): Elector Palatine of the Rhine, from the house of Wittelsbach, from 1476 to his death

² Friedrich I (1425-1476): Count Palatine of the Rhine and Elector Palatine from the House of Wittelsbach from 1451 to his death

³ "tempus"

⁴ At the time of Ladislav's birth

[81] Pompejus¹, Romanus, Ptolomaei², regis Aegypti, et³ Scipio⁴, quamvis Africanus cognomine, tamen Romanus origine⁵, filiorum Massinissae⁶, regis Numidiae, tutelam gessit. Et ne vetustioribus immoremur, Otto, marchio Brandenburgensis, Wenceslai, Ottokari regis Bohemiae, filii, cum esset annorum VII, favente Rudolfo, Romanorum rege, tutelam suscepit atque illum extra Bohemiam enutrivit. Quanto magis imperator⁷ patruelis tutor accipiendus est? Et quis est, qui turbato regno educari pupillos in alia regione prohibeat⁸, quando vel parentes ipsos legimus impuberes filios extra regnum alendos⁹ misisse, ut tutius servarentur? Demetrius¹⁰, rex Syriae, cum sibi novercantem fortunam intelligeret, duos filios apud Gradum¹¹, hospitem suum Cretensem, cum magno auri pondere commendavit, ut belli periculis eximerentur. Et Priamus¹² Ilio obsesso Polydorum in Thraciam mandavit alendum.

¹ Pompeius. Tholomeus *in marg.* A; Gneus Pompeius. Ptolemeus *in marg.* U3

² Tholomei A, U2; Ptholomei B, D, E, F, U1; Ptolomaei G; Ptolemei U3

³ omit. U1

⁴ Scipio. Maxmissa *in marg.* A; Scipio *in marg.* U3

⁵ omit. F

⁶ Massinissae A, B, E, U2, U3; Maximissae F; Masimisse U1

⁷ imperatorum E

⁸ prohibeat *corr. ex* prohibebat; prohibebat E

⁹ regnum alendos : alendos regnum V

¹⁰ Demetrius rex Syrie. Gradus *in marg.* A; Demetrius rex Syriae *in marg.* U3

¹¹ Gradum D

¹² Priamus. Polidorus *in marg.* A; Priamus, Polydorus *in marg.* U3

[81] Pompey, a Roman,¹ had the guardianship of Ptolemy, a King of Egypt²; and Scipio, of Roman origin though he was called Africanus³, had the guardianship of the sons of Massinissa, King of Numidia⁴.

And, so as not to dwell on the ancients alone: Otto, Margrave of Brandenburg⁵, with the blessing of Rudolf, King of the Romans,⁶ accepted the guardianship of seven-year-old Wenceslaus⁷, son of King Ottokar of Bohemia⁸, and brought him up outside Bohemia.

How much more acceptable isn't the emperor as his cousin's guardian? And who, seeing kingdoms in turmoil, would forbid that orphan [princes] be raised in another region, when we read that the parents themselves sent their underage sons to be raised outside their own kingdom so that they would be better protected? When King Demetrius of Syria⁹ saw his fortunes falter, he entrusted his two sons to his Cretan guest-friend, Gradus, with a great sum of money, in order to free them from the perils of war. And when Troy¹⁰ was beleaguered, Priam¹¹ sent Polydorus to be raised¹² in Thracia.

¹ Pompeius Magnus, Gnaeus (106-48 BC): military and political leader of the late Roman Republic

² Ptolemy XIII Theos Philopator (ca. 62-ca. 47 BC): King of Egypt from 51 BC. One of the last members of the Ptolemaic dynasty (305-30 BC) of Egypt

³ Scipio Africanus, Publius Cornelius (236-183 BC): general in the Second Punic War and statesman of the Roman Republic. Defeated Hannibal at the final battle of the Second Punic War at Zama, a feat that earned him the agnomen Africanus

⁴ Masinissa [Massena](ca. 240-ca. 148 BC): first King of Numidia. First an ally of Carthage against Rome, he later became an ally of Rome against Carthage

⁵ Otto IV (ca. 1238-1308 or 1309): Margrave of Brandenburg from 1266 until his death

⁶ Rudolf I (1218-1291)

⁷ Wenceslaus II Přemyslid [Václav II] (1271-1305): King of Bohemia from 1278 to his death. Duke of Krakow (1291-1305) and King of Poland (1300-1305)

⁸ Ottokar II (ca. 1233-1278): King of Bohemia from 1253 until his death

⁹ Demetrius I or II

¹⁰ "Ilium"

¹¹ Priam: King of Troy during the Trojan War

¹² Polydorus: Prince of Troy. Youngest son of King Priam

[82] Quod autem de corona dicitur, ridendum magis quam confutandum videtur. Ladislaus non puer solum, sed infans, ut natus et¹ baptizatus est, coronam accepit. Neque annos corona neque sermonem neque discretionem pupillo dedit. Quae ista stultia? Quae barbaries? Quae feritas? Pupillum regem, quia coronatus sit, tutela vacuum relinquet²? Unde nova haec³ praecepta irrepunt? Tertius e caelo cecidit Cato⁴, qui hunc rigorem tradit. Unde ista sapientia? Iterum⁵ Prometheus ex sinu Minervae novum furatus est ignem. Novus Solon novas leges edit⁶. Sustinebo, si quis dicat pupillum regem non esse coronandum, quia reges a regendo dictos accepimus. Abusive regem, qui regitur, appellamus. At coronatum infantem non egere tutela, dementis est dicere. Nec⁷ quemquam movere debet, quod in libris Regum⁸ hunc aut illum in pupillari aetate legimus regnare coepisse, nam id non aufert tutorum curam. Numerantur enim anni a morte patris, et regnare videtur is⁹, cuius nomine res geruntur¹⁰, quamvis non regat¹¹ tunc rex¹², sed regatur sicut Joas^{13 14}, qui VII annorum accepit regnum et bene rexit. Non enim ipse¹⁵, sed tutores sive actores gubernarunt¹⁶.

¹ ut U1, U2, U3, V

² reliquet A, C

³ nova haec : haec nova D, G

⁴ Cato. Prometheus. Minerva. Solon *in marg.* A; Prometheus. Solon *in marg.* U3

⁵ omit. U1

⁶ dedit U1, U2, U3

⁷ ne A, C, F

⁸ In libris regum in pupillari etate regnarunt *in marg.* D, G

⁹ his U1

¹⁰ is cuius ... geruntur *omit.* V

¹¹ non regat *omit.* V

¹² Ladislaus *add.* G

¹³ *em.*; Johas mss.

¹⁴ Johas *in marg.* A, D, G, U3

¹⁵ *omit.* B, E; is MU

¹⁶ gubernarint V

[82] What the Austrians say about the crown is ridiculous and does not merit to be refuted. When Ladislaus received the crown, he was not only a child, he was a newborn baby, just baptized. The crown bestowed neither age, nor speech nor discernment on the orphan boy. What foolishness is this? What barbarity? What primitivity? Should the fact of being crowned exempt an orphan king from guardianship? Where do these new rules come from? Whoever shows such rigidity has fallen from the skies as a third Cato.¹ Where does this wisdom come from? Once again a Prometheus² has stolen fire from the bosom of Minerva.³ A new Solon has given new laws.⁴

I would support the claim that a king should not be crowned as a minor, for rulers⁵ are called rulers because they actually rule. To call someone a king when he does not govern, but is being governed by others, is inappropriate. And it is madness to claim that a crowned infant does not need guardianship. It is of no importance that we read in the Books of Kings that this or that king began to reign when he was underage, for this does not mean they were not under guardianship. Their years are counted from the death of the father, and he is considered to reign in whose name things are done, though he does not rule in person, as king, but is himself being ruled. This is what happened in the case of Joas⁶ who took over the rulership when he was seven years old and who governed well. But he did not rule personally; it was his guardians and governors who ruled.

¹ Juvenalis: *Satirae*, 2.40: *tertius e caelo cecidit Cato*

² Prometheus: (Greek myth.) A Titan who sided with Zeus and the ascending Olympian gods in the vast cosmological struggle against Kronos and the other Titans. He later stole the fire from Olympus to help mankind

³ Minerva: (Roman myth.) Goddess of wisdom and sponsor of arts, trade and strategy. Later equated her with the Greek goddess Athena

⁴ Solon (638-558 BC): Athenian statesman, lawmaker, and poet

⁵ "reges"

⁶ Joas [Jehoash]: (fl. ca. 800 BC): (Bibl.) The eighth king of Judah

[83] Alioquin dicere cum scriptura possumus: *Vae*¹ *terrae, cuius rex puer est*. Et Isaias² comminationis usus modo: *Dabit*³ *pueros*, inquit, *principes eorum*, [57v] quibus cum⁴ suorum bonorum⁵ administrationem leges interdicant, stultus videri potest, qui reipublicae his curam committit. In re nota omnibus moror fortasse nimis, quis tamen se contineat? Cum fuit apud Caesarem Ladislaus, et intellexit, et sapuit, et gubernatione⁶ regnorum iudicatus⁷ est dignus. Nunc apud comitem si⁸ quis voluntatem ejus⁹ habuerit, nisi comes et qui primores cum eo¹⁰ sunt¹¹ assensum dederint, non est voluntas. “Puer est, nescit, quae sibi utilia sunt. Omnibus idem est,” ajunt. En quanta iniquitas! Senescunt omnes alii, Ladislaus tempore puerescit, et qui apud Caesarem fuit adultus, apud comitem est infantulus. Is tamen et rex et¹² coronatus est. Cur sibi tutores datis? Nonne ex opere vestro commentimini¹³? “Gubernatores,” inquiunt, “damus sibi, non tutores.” Ergo de nomine quaestionem habemus, non de rebus. Vincite, et inanem ferte gloriam vobiscum¹⁴. Vulgaris plebis suffragio gaudete. Nos apud viros graves et apud optimum Deum sententiam obtinebimus: pupillo, quantumcumque regi¹⁵ magno, tutoribus opus esse.

¹ *omit.* V

² Ysaïas *in marg.* A; Esaias *in marg.* U3

³ dabat V

⁴ enim V

⁵ suorum bonorum : bonorum suorum G, U3

⁶ gubernatio F

⁷ factus B, E, MU

⁸ *omit.* MU

⁹ voluntatem ejus : ejus voluntatem D, G

¹⁰ *omit.* V

¹¹ sint V; suum MU

¹² *omit.* B, E, MU

¹³ conuicium U1; convincimini U2, U3, V

¹⁴ ferte ... vobiscum : gloriam vobiscum ferte MU

¹⁵ *omit.* U1

[83] Otherwise, we could say with the Scripture: *Woe to thee, O land, when thy king is a child.*¹ And Isaiah² used this threat: *He will give children to be their prince.*³ When the laws forbid surrendering to children the management of their own property, only a fool would entrust the state to them. Maybe I am dwelling too much on something known to all, but how can one stay silent on this?⁴ When Ladislaus was with the emperor, he showed intelligence and wisdom, and he was considered able to govern kingdoms. Now that he is with the count,⁵ he can do nothing without the assent of the count and the magnates in his company.⁶ “He is a boy,” they say, “he does not know his own best interests. It is the same as with all other [children].” This is really bad! Everybody else grows older, but Ladislaus grows younger all the time. He grew up at the emperor’s court, but now, at the count’s, he is considered to be a baby! But he is both a king and crowned [you said]: then why do you give him supervisors? Your actions show that you are lying. “We do not give him supervisors, but tutors,” they say. So, now it is matter of words, not of facts! [By all means,] be victorious and take your vainglory with you. Enjoy the applause of the common people. We, on our part, will obtain judgment from serious men and from Great God: an orphan, be he ever so great a king, needs guardians.

¹ Ecclesiastes, 10, 16

² Isaiah: (Bibl.) Prophet who lived around the time of 8th-century BC in the Kingdom of Judah

³ Isaiah, 3, 4. NB: The Vulgate has “dabo” (I will give), not “dabit” (He will give)

⁴ I.e. in the face of the preposterous claims of the adversaries

⁵ Count Ulrich of Cilli

⁶ “voluntas”

[84] Atque sic quattuor causas, Austrialibus quae videbantur adversus Caesaream majestatem praebere colorem, et futes et inanes ac¹ derisione dignas esse liquet², quando nec testamento juvare se possunt neque³ pactionibus⁴, neque verum est eos sui domini aut patriae utilitatem promovisse⁵, nec domini⁶ ⁷ dignitas adjumentum praestabat⁸, ut pupilli regis tutelam evertere possent⁹. Iniquam¹⁰ causam igitur¹¹ promovebant. Iniqui erant, injusti, indigni favore, digni odio. Bene igitur, qui male agunt, summi sacerdotis baculo cohibentur.

¹ et U3

² liquebit V

³ nec E, MU

⁴ pactione U1, U2, U3, V

⁵ prouenisse U1, U2

⁶ aut patriae ... nec domini *omit.* F

⁷ diu U1, U2; dum U3

⁸ praestabit B, E, F, G, MU

⁹ possint MU

¹⁰ De bello *in marg.* A

¹¹ causam igitur : igitur causam U1, U2, U3, V

[84] Thus, the four claims that seemed to substantiate the Austrian complaints against His Imperial Majesty are manifestly void, ridiculous and without any merit: they can neither be based on the testament nor on the agreement. Moreover, it is not true that they have acted for the good of their lord and their country. And, finally, the dignity of the lord does not justify overturning the guardianship. Thus, they have championed an evil cause, and they themselves were evil, unjust, unworthy of favour¹, but worthy of contempt. And thus it is right that these evildoers are restrained by the staff of the High Priest.²

¹ "optimus"

² I.e. by the papal monitorium against the Austrian insurgents against the emperor

[85] Quod si omnino injustus Caesar adversus Austriales fuisset, ut adversarii garriunt, non tamen gerendi belli potestatem habebant. Sine cognitione, sine auctoritate, sine principe bellum gesserunt. Quis indixit? Quis auctoritatem interposuit? Quattuor¹ sunt Austriae principes. Adversus unum dimicatum est. Ex tribus aliis nemo decretum interposuit. Res mali exempli est, plena periculi, inimica quietis. Populus in dominum sumit² arma. Plebs principi resistit. Si tumultu licet res agere, quis principum tutus³ erit? Quae manere respublica poterit? Quis nescit injustum esse bellum, quod non est principis auctoritate mandatum⁴? Notum est illud Augustini⁵ contra Manichaeos. Sic enim ait: *Ordo autem ille naturalis mortalium paci accomodatus hoc poscit, ut suscipiendi belli auctoritas atque consilium penes principes sit.* Qui sine mandato superioris, injussu principis⁶ arma capessunt, non justī belli praemia, sed latronum atque sicariorum supplicia demerentur. Neque mihi quispiam aut Ulricum aut alterum factionis ducem nomine principis anteponat, indicendi qui belli potestatem habuerit. *Nam principatus, ut Leo scribit, quem seditio extorsit - ut hic - aut ambitus occupavit, etiam si moribus atque actibus non offendit, ipsius tamen initii sui est perniciosus exemplo, et vix bono peraguntur exitu, quae malo sunt inchoata⁷ principio.*

¹ Quattuor sunt Austrie principes *in marg.* A

² sunt U1

³ situs U1

⁴ quis nescit ... mandatum *omit.* F

⁵ Augustinus *in marg.* A, D, G; Divus Augustinus *in marg.* U3

⁶ injussu principis *omit.* D, G

⁷ inchoato A; inchoata *corr. ex inchoato* C; inchoata B, D, E, F, G, MU; inchoata U3

[85] But even if the emperor had been completely unjust towards the Austrians, as our adversaries are babbling, they could not legitimately go to war. They went to war without cognizance, without authority, without a prince. Who declared the war? Who lent his authority? There are four princes of Austria.¹ One they fought against. None of the other three issued a decree in support of it. This affair is a bad example, full of danger and leading to unrest. The people took up arms against their lord, the people resisted their prince. But if it is permissible to act through rebellion, what prince will be safe? What state can subsist? Who does not know that a war is unjust if it has not been sanctioned by princely authority? There is a well-known statement of Augustine against the Manicheans: *The natural order which seeks the peace of mankind, ordains that the monarch should have the power of undertaking war if he thinks it.*² So, those who take arms without a mandate from their superior and without a command from their prince do not merit the rewards of war, but the punishment of robbers and murderers. And let nobody bring forward Ulrich³ or any other leader of a faction as acting in the name of a prince having the authority to declare war. For, as Leo writes: *For even if it does not offend in terms of morals and behaviour, a princely power that has been taken over by rebellion, as in the present case, or because of ambition, is a bad example because of its beginning, and rarely do things end well that begin badly.*⁴

¹ Emperor Friedrich III, King Ladislaus, Duke Albrecht VI of Austria, and Duke Sigismund of Tirol

² Augustinus: *Contra Faustum*, 22, 75. Translation quoted after the Christian Classics Ethereal Library

³ Ulrich Eyczing

⁴ Decretum, C.1.1.25 (col. 369). Leo ad Mauros episcopos

[86] Quod si replicent Austriales “Oppressi fuimus injuste¹, princeps² noster et puer et captivus erat. Ceteri domus³ Austriae principes⁴ nolebant manus apponere, nonne potuimus jura domini nostri, quae verbis non⁵ dabantur, armis vindicare? An propterea peribit respublica, quia princeps aut deest aut negligit?” Confundunt sese verbis suis. Cur enim ceteri principes nolebant manus apponere⁶, nisi quia rem esse injustam intelligebant? Ceterum numquid poterant Austriales, priusquam arma sumerent summo pontifici querimoniam facere ac justitiam petere, aut alios hortari Germaniae principes, qui jus suum audirent, et quae⁷ sana essent, imperatori consulerent⁸? Aut juris viam coram papa Caesar⁹ amplexus fuisset, aut aliorum principum¹⁰ suasibus¹¹ auscultasset. Aut si neutrum fecisset¹², excusationem aliquam et apud Deum et apud homines Austrialibus reliquisset. At illi ne¹³ utique veriti dominorum fallere dextras, sine fide, sine pietate, sine pudore, sine cura juris, nullius auctoritate, sed propria temeritate sumentes arma suum principem ex tutela sui principis excluserunt. Adversus quos missam Romani pontificis admonitionem ex eo capite, quia¹⁴ bene agentes visa sit impedire, neque juste¹⁵ reprehensam, neque rite repulsam fuisse, satis, ut arbitror, doctum¹⁶ atque monstratum est.

¹ *omit.* V

² *igitur add.* F

³ *omit.* G

⁴ Austriae principes : principes Austriae G

⁵ *omit.* F

⁶ *appone* G

⁷ *et quae* : quae et F

⁸ *consulere* F

⁹ *coram papa Caesar* : Caesar coram papa G

¹⁰ *principibus add.* F

¹¹ *suasionibus* F

¹² *fecissent* D

¹³ *non* MU

¹⁴ *quod* MU

¹⁵ *justam* F

¹⁶ *dictum* MU

[86] If the Austrians reply that “we were oppressed unjustly. Our prince was a boy held in captivity. The other Austrian princes would not help us. Could we not then vindicate the rights of our lord by arms since we could not secure them by words? Should a state perish because its prince is absent or neglectful?” Their own words speak against them. The other princes would not help them because they saw that their cause was unjust. And why could the Austrians not, before taking arms, submit their complaint to the Supreme Pontiff and ask for justice, or why did they not ask the other German princes to hear their just cause and give sound advice to the emperor? The emperor would either have accepted a judicial procedure before the pope, or he would have listened to the arguments of the other princes. Had he done none of these, he would have given the Austrians a [legitimate] excuse before God and men. But these people did not fear betraying their lords: without loyalty, without piety, without shame, without respect for the law¹ they took up arms, not on the authority of [a legitimate superior], but on their own reckless initiative, and they forcibly removed their prince² from his own prince’s guardianship.³

I believe I have now sufficiently demonstrated that the Austrians have neither justly refuted nor properly rejected the admonition sent to them by the Roman Pontiff, because they opposed those who were acting well.

¹ An example of the classical rhetorical device of *accumulatio*

² I.e. Ladislaus

³ I.e. the emperor

[87] Quibus ex rebus, velut¹ ex asperrimis scopulis tempestuosoque mari navis² educta, jam quietior et securior ad tertium membrum³ navigabit oratio. In eo, si rite⁴ memini aut si bene audiui, hoc papae imputant adversantes, quod se⁵ neque auditis neque vocatis grave monitorium, durum, asperum adversus eos emissum⁶ sit⁷ ⁸. Proh, qualis iniquitas, qualis insolentia, qualis arrogantia! Spoliarunt inferiores superiorem, subditi principem, servi dominum, filii patrem inauditum, invocatum.⁹ Sine iudice, sine juris ordine, nullo cognoscente, sine culpa, sine causa, sine modo invaserunt armati principatum, expugnaverunt arces, exegerunt¹⁰ vectigalia, legerunt magistratus, iudicaverunt¹¹ sanguinem, curiam occupaverunt, iudices ordinarios abjecerunt¹², et audent dicere: Non sumus auditi¹³. Lex Christi, lex evangelica, ubi est: *Quod vobis non vultis fieri, alteri ne*¹⁴ *feceritis*. Si aures habent, sic¹⁵ magister jubet. *Eadem quippe mensura qua mensi fueritis*, inquit [58v] apud Lucam dominus, *remetietur vobis*. Inauditum principem¹⁶ repulerunt? Inauditi damnantur. Sine ratione peccarunt? Cum ratione puniuntur. Ferant papae sententiam, qui sui principis iudicant innocentiam¹⁷. *Non est discipulus supra magistrum*. Dimittant, et dimittetur eis. Non condemnent, et non condemnabuntur. In quo iudicio iudicant homines, in eodem¹⁸ sunt iudicandi. Neque aliis legem imponere debent, quam ipsi negligant observare. Neque beneficio legis est dignus, qui committit in legem. Sileat igitur vox illa: “Non sumus auditi.” Merito namque non inveniunt, qui non praebent audientiam.

¹ veluti G

² navi U1, U2, U3

³ Tertium membrum *in marg.* D

⁴ recte MU

⁵ si B, E, F, U1; sit MU

⁶ missum U1

⁷ *omit.* MU

⁸ adversus eos emissum sit : emissum sit adversus eos G

⁹ non vocatum MU

¹⁰ *em.*; exigerunt mss.; exegerunt MU

¹¹ indicaverunt U1

¹² obiecerunt F

¹³ *omit.* V

¹⁴ non D, G, E

¹⁵ si V

¹⁶ principum U1

¹⁷ qui sui ... innocentiam *omit.* F

¹⁸ eo F

3. Papal monitorium is lawful

[87] Like a ship that is brought away from ragged cliffs and a stormy sea, my oration will now tranquilly and safely move towards its third part. If I remember correctly and have heard it rightly, our adversaries accuse the pope of having issued a strict, hard and severe *monitorium* against them without having heard or summoned them. Oh, what iniquity, what insolence, what arrogance! ¹ Inferiors despoiled their superior, subjects their prince, servants their lord, sons their father. Without hearing, without summons, without judge, without legal procedure, without judicial investigation, without reason, without cause and without restraint they invaded the principality with weapons in hand, conquered fortresses, collected taxes, appointed magistrates, judged capital cases, occupied the court, repelled the ordinary judges.² And still they dare to say: "We have not been heard." Where is the law of Christ, the law of the gospel that says: *What you would not that men should do to you, do not do to them.*³ If they have ears, this is what the master commands. In Luke, the Lords say: *For with the same measure that you shall mete withal, it shall be measured to you again.*⁴ Did they reject their prince without a hearing? Then they shall themselves be condemned without a hearing. Did they sin without reason? Then they shall be punished with reason. They who judge their innocent prince shall suffer the pope's sentence. *The disciple is not above his master.*⁵ Let them forgive: and they shall be forgiven.⁶ Let them not condemn, and they shall not be condemned.⁷ They shall be judged with the same judgement with which they judge others. And they shall not impose upon others a law that they do not observe themselves. No one who breaks the law is worthy of being helped by it.⁸ So, let them stop saying: "We have not been heard." For it is quite just that those who do not give a hearing should not have one themselves.

¹ An example of the classical rhetorical device of *exclamatio*

² An example of the classical rhetorical device of *accumulatio*

³ Matthew, 7, 12; Luke, 6, 31

⁴ Luke, 6, 38

⁵ Luke, 6, 40

⁶ Luke, 6, 37

⁷ Luke, 6, 37

⁸ Legal axiom, also used in the oration "*Si putarem*"

[88] Sed neque hoc admittimus, quod denegata praedicant audientia. Miserunt enim plures nuntios Romam, qui pontifici maximo omnes rationes, quibus moti fuerant adversus Caesarem, aperuerunt exposueruntque supradictas omnes causas, et alia multa dixerunt. Judicavit autem papa non esse fundamentum, quod afferebatur, sufficiens motosque leviter Austriales. Quos si ratione usos agnovisset, non solum eorum propositum non impedivisset, sed etiam adjuvisset, quia¹ nihil ab illa sede solet exire non justum.

¹ Qualis papa *in marg.* A

[88] But actually we do not admit their claims of having been denied a hearing. For they sent many envoys to Rome who related all their reasons for moving against the emperor, explained the abovementioned issues, and said many other things to the Supreme Pontiff. But the pope judged that their motives, as explained, were not sufficient and that the Austrians had acted without reasonable cause.¹ Had he seen that they acted with good reason, he would not only not have restrained their endeavours, he would even have assisted them. For nothing unjust comes from that see.

¹ "leviter"

[89] Sciunt¹ insuper Austriales oratores suos Romam misisse² atque auditos in consistorio³ dixisse universa, quae voluerunt. Sed ajunt exivisse monitorium de curia priusquam oratores applicuissent. Fatemur, non decet negare, quod verum est. Nondum tamen insinuaturn fuerat neque publicatum. Austrialibus nihil nocebat, quod in occulto latebat. Quod si oratores sufficientes adduxissent causas ac probabile factum Austrialium⁴ ostendissent, non sivist⁵ Romanus pontifex executioni monitorium demandari, revocasset, extinxisset aut, quod moris esse consuevit, in⁶ vim citationis resolvisset. At oratores nihil aliud exposuerunt quam priores nuntii, nisi quia causam non pertinere ad examen apostolicum videbantur astruere, et scandala quaedam comminabantur, si monitorio locus daretur.

[90] Pontifex autem⁷ Nicolaus, ut est egregio atque alto pater ingenio bonisque omnibus disciplinis ornatus, cui scripta quaevis antiquiora ac nova explorata, comperta meditataque sunt, scite atque subtiliter ratiocinatus⁸, et causam sui esse tribunalis ostendit et Gregorii⁹ magni verba subjecit, qui super Ezechielem¹⁰ scribens: *Utilius, inquit, scandalum nasci permittitur, quam veritas relinquatur*. Obtulitque de Friderico imperatore iudicium, si vellent Austriales juris inhaerere tramitibus. Quod cum legati declinassent, monitorium, quod¹¹ causa cognita et ad calcem intellecta decreverat, {59r} publicari permisit, si modo legitime publicatum est, quod nunc non agimus.

¹ sciant G

² misisse *corr. ex misse* A, C; ivisse U1, U2, U3

³ concistorio E, MU

⁴ Austriales G; *omit.* M

⁵ sinisset U1, V; iussisset MU

⁶ *omit.* MU

⁷ *omit.* G

⁸ est *add.* G

⁹ Gregorius *in marg.* A; Gregorius utilius scandalum *in marg.* D; Gregorius utilius scandalum etc. *in marg.* G; Divus Gregorius *in marg.* U3

¹⁰ Ezechiel *in marg.* A

¹¹ quo F

[89] Moreover, the Austrians know very well that they sent orators to Rome and that they were heard at a consistory where they said all they wanted. But they say that the monitorium had already been issued by the Curia before the orators arrived. This we admit, one should not deny the truth. However, the monitorium had not yet been formally communicated or published. So, as it was still confidential, it did not hurt the Austrians. If the orators had shown sufficient cause and proven the legitimacy of the Austrian actions, the Roman Pontiff would not have allowed the execution of the monitorium, but would have recalled it, annulled it or, following usual practice, decided to issue a legal summons. But these orators said no more than the previous envoys excepting claims that the matter fell outside papal jurisdiction and threats of a scandal if the monitorium came into effect.

[90] But Pope Nicolaus, a father of great and excellent intellect and endowed with all the good disciplines, having searched, investigated and pondered a number of old and new writings, and after mature and thorough reflection, proved that this matter pertained to his tribunal and added the words of Gregory the Great who wrote, in his commentary on Ezekiel: *It is better to allow scandal than to desert truth.*¹ The pope offered to adjudicate in the matter of Emperor Friedrich, if the Austrians wanted to pursue the matter legally. When the legates declined this, the pope allowed the monitorium to be published, since by then the case had been investigated and was thoroughly understood. Whether it was published lawfully is not up for discussion here.

¹ Gregorius I: *Homiliae in Ezechielem*, 7, 4-5. MPL, LXXVI, col. 841

[91] At audio nescio quid murmuris, sic meis auribus sonus perstrepat. Adversarios hoc modo dicturos sentio: “Nemo ante verum et iustum iudicium condemnandus est¹ ². Nam Deus omnipotens, cujus oculis manifesta sunt omnia, ut nos a praecipitandae sententiae prolatione compesceret, auditis Sodomitarum³ ⁴sceleribus: *Descendam*⁵, inquit, *et videbo utrum*⁶ *clamorem, qui venit ad me*⁷, *opere compleverint: an non est, ita ut sciam*. Verum haec⁸ auctoritas, si recte intelligitur, consona est monitorio, non adversa. Non vult sententiam Deus ferre, nisi haerentes fixosque malo Sodomitas intelligat. Idem quoque Nicolaus papa negat se damnaturum Austriales, nisi propositi tenaces agnoscat. Ideo quasi descendens⁹ visurus pertinaciam, ceu Deus angelum ad Sodomitas, sic monitorium ad Austriales mittit. Suadet usurpata relinquat, et intra XL dies spoliata Caesari damna resarciant¹⁰: nisi fecerint, sententiam comminatur. Sororium¹¹ atque omnino simile huic aliud scriptura praebet exemplum. Cum peccasset Ninivitarum¹² civitas, ac malitiae clamor ascendisset ad dominum, Jonam¹³ misit prophetam, qui diceret: Adhuc XL dies et Ninive subvertetur¹⁴, nisi poenitentiam ageret¹⁵.

¹ omit. C

² Neminem condemnandum ante verum iudicium *in marg.* U3

³ Sodomit... *passim* A, C, F, MU; Sogdomit... *passim* B; Sobdomit... *aut* Sogdomit... *passim* D; Sodom... *aut* Sogdomit... *passim* G

⁴ Sodomite *in marg.* A

⁵ Angelus ad Sodomitas *in marg.* D, G

⁶ verum V

⁷ ad me omit. V

⁸ hac F

⁹ descendens E

¹⁰ resarciatur E

¹¹ sororum U1

¹² Ninivite. Jonas *in marg.* A

¹³ Jonas ad Ninivitas *in marg.* D, G; Ninivite. Jonas propheta *in marg.* U3

¹⁴ convertetur G; subverteretur U1

¹⁵ nisi poenitentiam ageret omit. V

[91] But I hear people grumbling! Their buzz has reached my ears, and I perceive that our adversaries will be saying something like this: “Nobody should be condemned prior to a true and just judgment. For when omnipotent and all-seeing God heard of the crimes of the Sodomites¹, he said – in order to restrain us from making hasty judgments: *I will go down and see whether they have done according to the cry that is come to me; or whether it be not so, that I may know.*² But if this authoritative statement³ is understood correctly, it actually agrees with the *monitorium* and does not contradict it. For God does not want to pass judgment unless he sees that the Sodomites persist in clinging to evil. In the same way, Pope Nicolaus refuses to condemn the Austrians unless he sees that they stubbornly maintain their present course. Therefore, as if descending to see for himself if they persist, he sends a monitorium to the Austrians just as God sent an angel to the Sodomites. He insists that within 40 days the Austrians must give up what they had unrightfully appropriated over and restore what they had taken from the emperor. Unless they do so, he threatens them with a judgment. Scripture provides another related and completely similar example: when the city of the Ninivites⁴ had sinned and clamours of their evil had reached the Lord, he sent the Prophet Jonah to tell them that Nineveh would be destroyed in 40 days unless they did penance.

¹ Cf. the biblical story of Sodom and Gomorra, cf. Genesis 18-19

² Genesis 18, 21

³ “auctoritas”

⁴ Cf. the biblical story of the prophet Jonah and Ninive, cf. book of Jonah

[92] Eadem vox monitorii est: Adhuc XL dies et Austriales nominatim descripti subvertentur¹, idest excommunicationis² gladio³ ferientur⁴, si Sodomitarum magis⁵ obstinationem quam Ninivitarum voluerint imitari correctionem. Utrum⁶ autem excommunicationis⁷ vis⁸ insit⁹, ex¹⁰ habita notitia pendet, quem locum modo praeterimus. Adjiciam¹¹ alia propter adversantes, qui docti videri magis quam esse cupiunt. Sciunt¹² juris interpretes in his, quae notoria¹³ sunt facti permanentis¹⁴, neque servari judicarium ordinem, neque accusationem, neque citationem requiri. Nam et Paulus¹⁵ apostolus Corinthium¹⁶ quemdam de coetu¹⁷ fraternitatis exclusit atque absentem et inauditum sine mora in¹⁸ *interitum carnis* tradidit, quia novercam suam uxoris loco publice retinebat. Cur non vocavit hominem Paulus? Cur non testes¹⁹ examinavit? *Idcirco*, inquit Ambrosius, *quia crimen*²⁰ *nulla poterat tergiversatione celari*. Quis igitur papam arguat²¹, qui sanctum imitatur apostolum, quo si est merito minor, auctoritate non est inferior? Sed neque Paulus illi, ut Nicolaus istis emendationis tempus indulget²². Notorium²³ Corinthii²⁴ crimen, notorius Austrialium fuit²⁵ excessus. Quod Paulo hoc et Nicolao licuit, neque citationem neque judicarium strepitum notorius²⁶ expetebat excessus.

¹ eadem vox ... subvertentur *omit.* V

² excommunis U1, U2

³ vinculo B, E, MU

⁴ vincientur MU

⁵ *omit.* F

⁶ *omit.* U1; verum V

⁷ excommunicationi U1, U2, U3, V

⁸ ius V

⁹ vis insit *omit.* U1 [blank space]

¹⁰ *omit.* V

¹¹ additiam B; addiciam E, U1, U2

¹² In notoriis ordo judicarius non servatur *in marg.* D, G

¹³ De notorio *in marg.* A

¹⁴ permanente V

¹⁵ Paulus *in marg.* A, G; Paulus apostolus *in marg.* U3

¹⁶ Corinthum U2; Corinthium corr. ex Corinthum U3

¹⁷ de coetu : deceptu U1

¹⁸ *omit.* F, V

¹⁹ non testes : testes non V

²⁰ *omit.* U1

²¹ arguit V

²² inclusit F, U1

²³ Nothorinis U1

²⁴ Chorinti A; Corinthi B, D, E, F, U1, U2, U3; Corinthii corr. ex Corinthi C; Corinthii G, MU

²⁵ *omit.* C

²⁶ Austrialium *add.* F

[92] The monitorium says the same: In 40 days the Austrians named directly will be destroyed, that is they will be struck with the sword of excommunication, in case they prefer to imitate the obstinacy of the Sodomites rather than the conversion¹ of the Ninivites. Whether the excommunication will become effective depends on whether the people concerned have been informed of the monitorium, but this issue is not for now. I shall add a couple of other things for the sake of our adversaries, who would rather appear to be learned than actually to be learned. Jurists know that in the case of a notorious permanent fact there is no need for an ordinary legal procedure nor for a formal accusation or summons. For the Apostle Paul excluded a Corinthian from the community of brethren and without hesitation gave him over - though he was absent and had not been heard - to *bodily destruction* because he had publicly taken his stepmother for a wife.² Why did Paul not summon the man? Why did he not hear witnesses? *Because*, says Ambrose, *the crime could in no way be covered up*.³ Who will accuse the pope when he imitates the holy apostle: his merits may be smaller than Paul's, but his authority is just as great as Paul's.⁴ Just as Paul did not grant time for amends to the Corinthian, thus Nicolaus did not grant it to the Austrians. Notorious was the crime of the Corinthian, and notorious was the transgression of the Austrians. What Paul could rightfully do, Nicolaus could do too: the notorious transgression did not require legal summons or legal brawl.

¹ "correctio"

² 1. Corinthians, 5, 1-5

³ Decretum, C.2.17 (col. 445)

⁴ As the pope is the vicar of Christ himself. Traditional formula supporting the claim of papal supremacy

[93] Notorium¹ autem facti ajunt doctores esse, cujus evidentia probabiliter negari non potest. Negari {59v} autem simpliciter omnia possunt, nam plerique Dei majestatem et inferos et animas immortales negant, ut Epicuri²

*in fortunae qui casibus omnia ponunt,
et nullo credunt mundum rectore moveri,
natura volvente vices et lucis et³ anni.*

At cum factum negari probabiliter nequit, id volunt esse notorium. Est igitur et in casu nostro notorium⁴, at super notorio facto monitorium est emissum. Quoenim pacto negari potest facti⁵ narratio, quam monitorium continet? Libet hoc ipsum prosequi.

[94] Praebete, obsecro, aures, magnanimi atque optimi principes ac doctissimi et sacerrimi⁶ patres. Evidentiam facti ante oculos ponam. Narratur in monitorio Ladislaum Alberti filium pupillum esse. Negent, si possunt, Austriales. Narratur consuetudinem domus Austriae pupillorum principum⁷ tutelam seniori et⁸ proximiori familiae principi ex antiquo mandare⁹. Negent, si possunt, Austriales. Narratur Fridericum Caesarem majorem esse domus Austriae, proximiorum Ladislao ex familia principem. Negent, si possunt, Austriales. Narratur eum annis XI et amplius tutelam gessisse Ladislai ac ducatum Austriae gubernasse. Negent, si possunt, Austriales. Narratur eumdem quoque, dum se itineri accingeret imperialem coronam Romae¹⁰ petiturus, in possessione vel quasi administrationis¹¹ tutelae in Austria fuisse. Negent, si possunt, Austriales. Narratur Austriales quosdam, dum Caesar iter ad urbem continuaret¹², fecisse mutationem, spoliassse illum administratione ducatus, arma sumpsisse, expugnasse arces, vectigalia exegisse, curiam, forum, judicia invasisse. Negent, si possunt, Austriales.

¹ Notorium *in marg.* C; Notorium cuius evidentia etc. *in marg.* D; Notorium quid *in marg.* G; Quid sit monitorium *in marg.* U3

² Epicurei MU

³ *omit.* A, C, E, F; *suprascr.* D

⁴ *omit.* G

⁵ notorio *add.* F

⁶ doctissimi et sacerrimi : sacerrimi doctimissimique MU

⁷ principium A

⁸ ac MU

⁹ mandato V

¹⁰ Romam F

¹¹ administrationes E; administratione MU

¹² continuerat E

[93] The doctors say that a notorious fact is one whose evidence cannot be plausibly denied. Of course, everything may simply be denied. (For example many, like the Epicureans,^{1 2} deny the majesty of God, [the existence of] hell, and the immortality of souls:

*they hold that that all things are subject to the chances of Fortune,
and believe that the world has no governor to move it,
but that Nature rolls along the changes of day and year.³⁾*

But the doctors maintain that when a fact cannot plausibly be denied, then it is notorious. Thus in the present case there is a notorious fact, and a monitorium has been issued concerning this notorious fact. For how can the statement of the facts contained in the monitorium be denied? Let us look closer into this matter.

[94] Hear, I ask you, magnanimous and excellent princes and learned and holy fathers: I shall put the evidence before your eyes. In the monitorium it is stated that Ladislaus is the orphan son of Albrecht. Let the Austrians deny that if they can. It is stated that it is the old custom of the House of Austria to entrust the guardianship of orphan princes to a senior and closely related prince in the family. Let the Austrians deny that if they can. It is stated that Emperor Friedrich is the head of the House of Austria and the prince who is the closest relative of Ladislaus. Let the Austrians deny that if they can. It is stated that Friedrich has exercised guardianship over Ladislaus and governed the Duchy of Austria for more than eleven years. Let the Austrians deny that if they can. It is stated that when Friedrich was preparing to go Rome to be crowned as emperor, he was for all practical purposes in actual possession of the administration of Austria.⁴ Let the Austrians deny that if they can. It is stated that while the emperor was travelling to Rome, some Austrians rebelled, deprived him of the administration of the duchy, took up weapons, conquered fortresses, exacted taxes and seized the government building, the place of assembly, and the law courts. Let the Austrians deny that if they can.

¹ Epicureanism: A system of philosophy based upon the teachings of the ancient Greek philosopher Epicurus, founded around 307 BC. Epicurus was an atomic materialist, following in the steps of Democritus. His materialism led him to a general attack on superstition and divine intervention. Epicurus believed that what he called "pleasure" is the greatest good, but the way to attain such pleasure is to live modestly and to gain knowledge

² "Epicuri"

³ Juvenalis: *Satirae*, 13.86-88

⁴ As Ladislaus' guardian

[95] Hisce in rebus fundatum est monitorium. Si falsa sunt haec, si negari, si ulla celari tergiversatione¹ possunt, damnamus et nos etiam monitorium. At si legati fassi² sunt haec³, si vicini omnia norunt, si manet adhuc spoliū, si evidens est omnibus, quod narratur, si sunt aperta, manifesta, liquida, notoria, quae monitorium continet, quis papam arguere potest, si concedit imperatori, quod obscuro cuivis homini negari non potest⁴? Saepe cancellaria privatis personis similia mandata concedit, saepe civitates, saepe provinciae, saepe regna minoribus de causis novimus interdicta. Quis apostolicae sedis praesidium quaeret⁵, quis erit usquam tutus, si propter scandalum evitandum iustitia denegetur imperatori? Sixtus⁶, ut in decretis habetur, ad⁷ episcopos Hispaniae persimile monitorium direxit. Mandat enim res ablatas, ut quibusdam aliis episcopis restituant⁸; et adjiciens comminationem⁹ ait: *Si non vultis et vos et principes vestri a collegio nostro¹⁰ et membris ecclesiae separari*. Non ergo insolitum papae¹¹ {60r} monitorium, non injustum, non durum, sed usitatum, sed aequum, sed mitissimum; nec¹² ferit quemquam¹³ nisi qui post XL dies, sprete censura apostolica, sua negligentia, sua culpa se jugulat. Sic ergo tria, quae ab initio adversus adversarios ostendere promisimus, impleta sunt, trisque¹⁴ ipsorum¹⁵ objectiones evertimus¹⁶, quas apostolico monitorio imputabant:

¹ celari tergiversatione : tergiversatione celari MU

² falsi U1

³ omit. U1

⁴ si concedit ... potest omit. B, E, MU

⁵ queretur E, MU

⁶ Sixtus in marg. A; Sixtus Hispanis episcopis in marg. D; Xystus Hispanis episcopis in marg. G; Sixtus pontifex maximus in marg. U3

⁷ ab A

⁸ restituatur U1

⁹ comminationem corr. ex communicationem A, C; comminationem F; communicationem C

¹⁰ vestro U1

¹¹ omit. F

¹² nec corr. ex non A, C; non D, G, U1, U2, U3, V

¹³ quendam F

¹⁴ tris F; tresque MU

¹⁵ eorum U

¹⁶ enarramus F

[95] The monitorium is based on these facts. If they are false, if they can be denied, if they can be somehow circumvented, then we too reject the monitorium. But if the [Austrian] legates have admitted them, if the neighbours know them all, if there still remains any spoils,¹ if what is told is evident to all, and if the facts mentioned in the *monitorium* are public, manifest, clear and notorious, then who can criticise the pope for granting the emperor something that cannot be denied even to lowly and undistinguished persons? Chanceries often issue similar orders to private persons, and we know that often prohibitions have been² sent to cities, provinces and kingdoms even in small matters. Who will seek the protection of the Apostolic See, who will ever be safe if justice is denied the emperor in order to avoid scandal? In the Decrees³ it is stated that Sixtus⁴ sent a very similar monitorium to some Spanish bishops commanding them to restore certain properties to some other bishops. He adds the threat: ... *if you do not wish that you and your princes be separated from communion with us and the members of the Church.*⁵ Therefore, the papal monitorium is neither unusual, nor unjust, nor hard, but lenient, normal, reasonable and mild. It only strikes those who by disregarding the apostolic censures after forty days incur destruction through their own negligence and fault.

As promised in the beginning, we have now completed our argumentation against the adversaries concerning the three issues, and we have defeated their three objections against the apostolic monitorium:

¹ I.e. robbed properties which have not been restored to the Emperor

² Or: have been placed under interdict

³ The Decretum Gratiani

⁴ Sixtus II (d. 258): Pope from 257 to his death

⁵ Decretum, C.9.3.19 (col. 611). Sixtus Papa II Ispaniorum Episcopis (ep. I, c. 4). *Decretals of Pseudo-Isidore*

[96] Nam cum crederent illud de rebus apostolicae sedi minime pertinentibus emissum¹ agere², ostendimus³ litem, quam Caesar adversus Austriales habet, Romani tribunalis examini non solum ex plenitudine⁴ potestatis, sed ex communi etiam jure pertinuisse. Cum dicerent⁵ monitorium adversus res justas et utiles emanasse, iniquis et inutilibus obviare⁶ illud conatibus voluisse monstravimus⁷. Cum praedicarent monitorium contra inauditos emissum non obligare, et auditos⁸ Austriales fuisse docuimus, etsi audientia defuisset⁹, censuras nihilominus in rebus notoriis habuisse vigorem. Ac tantum ad objecta compellationesque probrosas atque adversantium¹⁰ latratus respondisse sufficiat.

¹ ~~emissum~~ *add. in marg. A; emissum add. in marg. C; omit. B, D, E, F, G, U1, U2, U3, V, MU*

² *agere add. in marg. A; omit. C*

³ ostendimus *corr. ex ostendamus A, C; ostendamus B, E, F, MU*

⁴ ex plenitudine : explitudine E

⁵ diceretur V

⁶ obviaret U1

⁷ monstrabimus E, MU

⁸ emissum ... auditos *omit. F*

⁹ fuisset F

¹⁰ adversantium E

[96] They have claimed that the monitorium, which had been issued, concerned matters that in no way pertained to the Apostolic See, but we have shown that the emperor's conflict with the Austrians actually does pertain to the Roman tribunal not only by virtue of [the pope's] plenitude of power, but also by virtue of common law. They claimed that the monitorium was issued against a cause, which was just and legitimate, but we have shown that it is intended to obviate the Austrians' evil and illegitimate endeavours. They claimed that a monitorium issued against persons who had not been heard was not binding, but we have shown that the Austrians have indeed been heard, and that - even if they had not been - censures in matters of public notoriety are valid.

We need say no more against the objections and shameful ravings against the monitorium and the bawling of our adversaries.

[97] In praesentiarum vero, quoniam injuste Austriales Romanum pontificem criminati sunt, haud aegre ferre debebunt, si nos eos juste accusabimus, ostendentes illos, qui Romanum imperium enormi laeserunt vulnere, sedem quoque apostolicam¹ percutere voluisse, ut qui totius monarchiae gloriam majestatemque persequuntur, quorum gesta, etsi bono consilio coepta fuissent, tamen, quia Romanus pontifex prohibebat, aut cessare illos aut subsistere decuit. *Licet enim*, ut Gregorii² sententia est, *numquam fieri malum debeat, bonum tamen aliquando, quod agitur, per oboedientiam intermittitur*. Et Carolus³ imperator *In memoriam*, inquit, *beati Petri apostoli honoremus sanctam Romanam ecclesiam et apostolicam sedem, ut quae nobis mater est sacerdotalis⁴ dignitatis, esse debeat ecclesiasticae magistra rationis. Quare servanda⁵ est cum omni mansuetudine humilitas, et licet vix ferendum ab illa sede sancta imponatur jugum, tamen feramus et pia devotione toleremus⁶*.

[98] At nostri Austriales erecta cervice, cristato capite, rebellibus humeris, “Quid nobis et papae?” dicunt⁷. “Celebret⁸ ipse missas, nos arma tractabimus. Nihil ad eum de nobis. Si quid praecipit⁹, appellamus.” Proh sceleratas atque horrendas voces! Quid pejus aut Valdensis¹⁰ haereticus aut Saracenus infidelis exclamet¹¹? Dent veniam Austriales, oro: non ipsos sed facta dictaque insectamur, et¹² consulentibus magis¹³ quam¹⁴ facientibus irascendum putamus. “Appellavimus a monitorio,” dicunt. Quo consilio, qua ratione, quo vultu¹⁵, qua audacia illudere apostolicae sedi, irridere majestatem illam, Christi contemnere tribunal volunt¹⁶? Non {60v} Austrialium hanc mentem, sed consultorum fuisse conector, quamvis et isti passionibus jactati, quae voluerunt, facile crediderunt.

¹ Romanam V

² Gregorius *in marg.* A, D, G; Divus Gregorius *in marg.* U3

³ Carolus imperator *in marg.* A; Carolus *In memoriam in marg.* D, G; Carolus Caesar eiusque sententia de pietate in *ecclesiam in marg.* U3

⁴ *omit.* F

⁵ observanda F

⁶ Vide auctoritatem hanc bene *in marg.* A

⁷ dicuntur F

⁸ celebre F

⁹ praecepit U1

¹⁰ Valdenses *in marg.* A; Heretici Valdenses *in marg.* U3

¹¹ exclamat E, G, MU

¹² *omit.* U1, U2, U3

¹³ *omit.* U1

¹⁴ ipsis *add.* U1

¹⁵ quo vultu *omit.* B, E, MU

¹⁶ voluntur F

[97] Now, since the Austrians have accused the Roman Pontiff unjustly, they should not take offense if we accuse them justly, showing that those who have greatly wounded the Roman Empire also intended to strike at the Apostolic See, as they attack the glory and majesty of all monarchy. Though they may have started out with good intentions, they should have stopped or interrupted their activities when the Roman Pontiff forbade them. For as Gregory¹ says: *Evil should never be done, but sometimes something good that is being done should be put off out of obedience.*² And the Emperor Charles³: *In memory of the blessed Apostle Peter, let us honour the Holy Roman Church and the Apostolic See. As she is our mother by virtue of her priestly dignity, she should also be our teacher by virtue of her ecclesiastical office. Therefore, we should be subservient to her with all meekness, and even when a barely tolerable yoke is put upon us by that Holy See, we should carry it and bear it with pious devotion.*⁴

[98] But our Austrians, with stiff necks, raised crests and rebellious shoulders, say: "What does the pope have to do with us? Let him celebrate his masses, while we handle our weapons. He has no say over us. If he issues any commands, we appeal." Oh, what criminal and horrible words! The Waldensian heretic⁵ or the Saracen infidel could not say anything worse. May the Austrians forgive us, for we do not pursue them personally, but their words and actions, and we think that our anger should be directed more against those who advised, than against those who acted. "We have appealed against the monitorium," they say. With what intent, with what reason, with what sentiment,⁶ and with what temerity do they wish to ridicule the Apostolic See, scorn its majesty and mock Christ's tribunal? I believe that this is not the intention of the Austrians, but of their advisers, though the Austrians themselves, moved by passionate feelings, easily believed what the advisors wanted them to.

¹ Gregorius I

² Decretum, C.11.3.99. (col. 671). Gregorius I *in Iob*, lib. 35, c. 12

³ Charlemagne. The document quoted is a late forgery

⁴ Decretum, D.19.3. (col. 60)

⁵ The Waldensians: a Christian movement which started in Lyon and spread to the Cottian Alps in the late 1170s. Preached poverty. Later declared heretic by the Church

⁶ "vultu"

[99] Ad quos confutandos necesse mihi est illud attingere¹ membrum², quod de appellatione³ dicturum quarto loco promisi. Ad⁴ quam rem jam benignas⁵, precor, aures⁶ adhibete⁷. Appellationis remedium ob communem utilitatem inventum est⁸, ut qui perperam opprimuntur, refugium habeant. Appellationem autem partem⁹ esse justitiae nemo dubitat¹⁰, cum vero *justitia sit habitus animi, qui communi utilitate servata*¹¹ *suam cuique tribuit dignitatem*. Non est appellatio recipienda, quae communi¹² bono adversa est. Eam ob causam tria potissimum considerare oportet appellantem¹³: ut sit immodice¹⁴ atque injuste¹⁵ gravatus; ut de minori iudice¹⁶ superiorem appellet; atque ut eum appellet, qui commode possit adiri. Horum si unum defuerit, nihil est, quod appellationi tribuat vires. Exinde cavendum est, ne quid appellatione pendente is innovet, qui appellavit¹⁷.

¹ attingere *add. in marg.* A, C

² membrum attingere : attingere membrum F, U1, U2, U3, V

³ De appellatione *in marg.* A

⁴ Ad Austrialium appellationem *in marg.* D, G

⁵ jam benignas : benignas jam G

⁶ precor aures : aures precor MU

⁷ adhibere V

⁸ Quare inventa sit provocatio *in marg.* U3

⁹ *omit.* U1

¹⁰ Quid sit provocatio vel appellatio *in marg.* U3

¹¹ servatam MU

¹² utilitate servata *add.* U1

¹³ Quomodo sit appellandum et cur *in marg.* U3

¹⁴ in modice A, C, F

¹⁵ atque injuste : et juste F

¹⁶ iudicem F

¹⁷ Pendente appellatione nichil innovari deberetur *in marg.* U3

4. Austrian appeal against the monitorium is invalid

[99] To completely refute the claims of these people, I must now begin the fourth part [of my oration], where – as promised – I shall speak about the appeal. I ask you to hear me kindly.

The remedy of appeal was invented for the public good so that those who are wrongly oppressed may have a refuge. Nobody doubts that the appeal is an integral part of justice, since *justice is a habit of mind which gives every man his desert while preserving the common advantage*.¹ Therefore, an appeal that goes against the common good should be rejected. The appellant should especially consider three conditions: firstly, that he must have been unreasonably or unjustly oppressed; secondly, that he must appeal from a lower judge to a higher judge; and thirdly, that he must appeal to someone who would be easy to reach. If just one of these conditions is not fulfilled, the appeal is not valid. Moreover, the appellant should ensure that he does not himself change [the *status quo*] while the appeal is pending.

¹ Cicero: *De inventione*, 2.53.160: *Iustitia est habitus animi communi utilitate conservata suam cuique tribuens dignitatem*

[100] At nihil horum Austriales observarunt¹. Nihil est ergo, quod appellationi² vis³ insit, quando nec gravamen senserunt, nec superiorem appellaverunt, nec iudicem, qui posset adiri, nec novitates omiserunt⁴. Ob quam rem monstri simile videri⁵ potest in civitate splendida et scholam habente quempiam inveniri, qui talem appellationem tueri praesumat. Non est Australium haec praesumptio. Ex aliorum officina haec⁶ prodeunt⁷. Litterati sunt, qui has appellationis sagittas emittunt, quorum caecitatem sive⁸ malignitatem hoc in loco retundemus, quando *nulla est civitas malorum hominum omnino vacua*, ac rarum est⁹ sine Juda collegium. Omnis exercitus suum Sinonem habet. Excutiamus igitur hujus appellationis vires.

¹ observaverunt F, MU

² appellationis B, E, M

³ jus F, MU

⁴ obmiserunt U1, U2, U3, V

⁵ simile videri : videri simile V

⁶ tela *add.* U1, U2, U3, V

⁷ O *add.* U1

⁸ seu F

⁹ *omit.* C

[100] But the Austrians have respected none of these conditions. Therefore, the appeal has no validity since they were not being oppressed, they did not appeal to a higher court, they did not appeal to an accessible judge, and they did not maintain the status quo. It is shocking that there should be somebody in this splendid city¹ - one which even has a university² - who would presume to support such an appeal. This is not an effrontery fabricated by the Austrians. The appeal has been crafted in another workshop. It is educated people who launch these arrows of appeal, but here we shall quell their blind obstinacy and malice. Indeed, *no city is completely free of evil men*,³ and rarely do you find a group without its Judas. Every army has its Sinon.⁴

But let us now examine the validity of this appeal.

¹ I.e. Vienna

² "schola"

³ Leonardo Bruni: *Laudatio Florentiae Urbis* (1404, recirculated 1434), ch. 51: *Nulla unquam civitas adeo bene morata aut instituta fuerit ut malorum hominum esset omnino vacua*. Also used in Pier Candido Decembrio: *De laudibus Urbis Mediolanensis* (1436), p. 1021: *Verum tamen nulla civitas adeo bene morata aut instituta fuerit quae malorum hominum, ut ipse [L. Bruni] professus es, omnino careret*

⁴ I.e. a traitor. Sinon was a Greek soldier who pretended to have deserted the Greek army. As a Trojan captive, he treacherously persuaded the Trojans to bring a wooden horse, filled with Greek soldiers inside, into the city, Vergilius: *Aeneis*, 2.67 ff.

[101] Quid de primo membro putabimus? Oppressine sunt Austriales ex monitorio? Si memoria¹ tenemus, quae prius dicta sunt, nullum gravamen, nulla oppressio intervenit, quia injuste agentes juste prohibebantur, et officium erat Romani pontificis prohibere. *Nam qui non vetat peccare, cum possit, jubet. Ante sententiam quicumque appellat, rejiciendus est, nisi rationabilem causam habuerit, quae si probata esset, legitima reputari deberet.* Sic in generali concilio decrevit Alexander. At Austriales - ut praemissum² est³ - super notorio movebantur⁴ excessu. Quis potest affirmare gravatum, qui salubre jussus⁵ est acceptare mandatum? Quod si raptorem alienae rei ac fornicatorem manifestum⁶ vetant canones appellare, si publico in excessu adversus clericos facto contra delinquentes ad excommunicationem denuntiationis⁷ proceditur, si minores iudices appellationes hujusmodi non admittunt: quanto magis⁸ apud majores et apud {61r} principes⁹ appellationis subterfugio carebunt, qui et¹⁰ raptores et invasores manifesti noscuntur. Omnia mala exempla¹¹ ex bonis originem habent. Appellationem, quae fuit ad repellendas¹² introductas¹³ vexationes, ad injurias isti fovendas trahunt.

¹ memoria *add. in marg. [later hand]* A, C; memoria F; *omit.* B, D, E, G, U1, U2, U3, V, MU

² pessimum U1

³ erat V

⁴ movebantur U1, U2, U3, V

⁵ visus G

⁶ manifeste G

⁷ excommunicationem denuntiationis : excommunicationis denuntiationem MU

⁸ et *add.* MU

⁹ majores ... principes : principes et apud majores MU

¹⁰ *omit.* U1

¹¹ mala exempla : exempla mala C

¹² repellendas V

¹³ introductas U1, U2

4.1. Austrians were not molested by the monitorium

[101] What should we think about the first argument? Were the Austrians molested by the monitorium? If we remember what was said before, there was no harm and no oppression whatsoever, since it was people acting unjustly who were forbidden to do so, and it was the responsibility of the Roman Pontiff to forbid it. *One who does not forbid wrongdoing, when he has the power, commands it.*¹ And *whoever makes an appeal before the judgement must be dismissed, unless he has a reasonable cause, which – if proven – must be considered legitimate.* This Alexander decided in a general council.² But as we have seen, the Austrians were admonished because of a notorious [misdemeanour]. Who can claim that someone is being molested when he is ordered to accept a command that is to his own advantage? If the canons prevent a manifest robber and a manifest fornicator from making an appeal, if in public transgressions against clerics the delinquents are excommunicated directly, if inferior courts do not allow appeals of this kind, then how much more should people known as notorious robbers and intruders be denied the stratagem of appealing to superior courts and princes? All bad examples have their origin in something good. Appeals were introduced to save people from being molested, but the Austrians use them to cause injuries.

¹ Seneca: *Troades*, 291

² Quotation not identified

[102] Sed transeamus ad iudicem, qui appellatur. Majorem hunc esse oportet, ut diximus, eo a quo est appellatum. Nam majoribus quidem regendi et jubendi potestas, minoribus¹ obsequendi² necessitas est³ ⁴. Inferior sedes superiorem non obligat. Appellanti non minus aut par⁵ tribunal adeundum est⁶. In parem⁷ pari non est imperium. *Placuit*, inquit Julius⁸ papa, *ut a quibuscumque*⁹ *ecclesiasticis iudicibus ad*¹⁰ *alios iudices ecclesiasticos, ubi est major auctoritas, provocatum fuerit, audientia*¹¹ *non denegetur*. Quod si minorem aut aequalem quis iudicem appellaverit, videtur¹² auctoritate Julii repellendus, cujus auctoritati¹³ et ratio quadrat. Nisi enim major, qui appellatur, fuerit, nec exequi sententiam poterit, nec plus sapere videbitur illo, a quo appellatur. In casu autem nostro¹⁴ ab eo iudice¹⁵ appellatum est, qui nullum habet in terris superiorem. Nulla est igitur appellatio. Nec leges audiunt nec canones appellantes a principe. In ecclesia vero habere principatum Romanum¹⁶ praesulem¹⁷ nemo doctae mentis ignorat. Non est igitur fas a Romano pontifice appellare.

¹ *omit.* B; vero *add.* MU

² obediendi MU

³ sit V

⁴ appellatum nam ... necessitas est *omit.* F

⁵ *omit.* F

⁶ *omit.* C

⁷ in parem : imparem D, F, G

⁸ Julius *in marg.* A; Julius papa *in marg.* D, G; Julius pontifex maximus et eius decretum de iudice ad quem debeat quis appellare *in marg.* U3

⁹ quibusdam F

¹⁰ at F

¹¹ audientiam E

¹² nudetur MU

¹³ Julii ... cujus auctoritati *omit.* E, MU

¹⁴ vestro U1

¹⁵ iudices U1

¹⁶ Romanus MU

¹⁷ praesul MU

4.2. Austrians could not appeal to a higher judge

[102] But let us pass on to the judge to whom an appeal is made. As we have said he must be superior to the one from whom the appeal is made. For superiors must have the power to rule and command, and inferiors the obligation¹ to obey. An inferior instance does not bind a superior one, and an appellant must not appeal to a lower or equal court. Equals do not have power over each other. Pope Julius said: *When an appeal is made from any ecclesiastical court to another ecclesiastical court of higher authority, a hearing must not be denied.*² So, when someone makes an appeal to a lower or equal court, it must – on Julius' authority - be dismissed. And reason agrees with this authoritative statement for if the judge to whom an appeal is made is not a superior one, then he will neither be able to execute the judgment nor be more knowledgeable than the one from whom the appeal is made. But in our case the appeal was made from the judge who has no superior on Earth. Therefore, the appeal is invalid. Neither laws nor canons allow appeals from a prince.³ And all educated men know that in the Church the Roman Bishop is the prince. Therefore, it is not right to make an appeal from the Roman Pontiff.

¹ "necessitas"

² Decretum, C.2.6.9. (col. 468)

³ I.d. from a prince to any another judge

[103] Quod autem princeps ecclesiae Romanus praesul¹ existat, compluribus auctoritatibus intelligere licet. *Quamvis omnes*, inquit Pelagius², *per orbem ecclesiae institutae*³ *unus Christi thalamus sint*⁴, *tamen sancta Romana ecclesia catholica et apostolica nullis synodicis constitutis ceteris ecclesiis praelata est*⁵, *sed evangelica domini voce et salvatoris nostri principatum obtinuit, 'Tu es,' inquit*⁶ *dominus, Petrus, et super hanc petram aedificabo ecclesiam meam.'* Et Anacletus⁷ de⁸ Petro dicit: *Hic ergo ligandi atque solvendi potestatem primus accepit a Domino, primusque ad fidem populum virtute suae praedicationis adduxit. Ceteri vero apostoli cum eodem pari consortio honorem*⁹ *susceperunt*¹⁰, *ipsumque principem eorum esse voluerunt.* Sed voluerunt quippe, quod salvator ipse¹¹ voluerat, sicut et Anacletus¹² ipse testatur alibi dicens: *Prima sedes est caelesti beneficio Romana ecclesia, quam, ut memoratum est, beatissimus Petrus et Paulus suo martyrio consecraverunt*¹³. Et iterum: *Haec apostolica ergo sedes caput et cardo, ut praefatum est, a domino et non ab alio constituta est; et sicut cardine hostium regitur, sic hujus sanctae apostolicae sedis auctoritate omnes ecclesiae*¹⁴, *domino disponente, reguntur.*

¹ De principatu papae *in marg.* A

² Pelagius *in marg.* A; Pelagius Romana ecclesia *in marg.* D, G; Sententia Pelagii de excellentia Romanae sedis *in marg.* U3

³ constitutae B, E, MU

⁴ sunt U3; sit V

⁵ De Romane ecclesie principatu *in marg.* D; De principatu Romane ecclesie *in marg.* G

⁶ inquit MU

⁷ Anacletus *in marg.* A, U3

⁸ sancto *add.* U3

⁹ et potestatem *add.* U1, U2, U3, V

¹⁰ acceperunt U3

¹¹ salvator ipse : ipse salvator G

¹² Anacletus *in marg.* A, D, G

¹³ consecrarunt B, U3

¹⁴ Subiectas esse Romane ecclesie omnes per orbem ecclesias *in marg.* U3

[103] That it is the Roman Bishop who is the prince of the Church may be seen from several authoritative statements. Pelagius¹ says: *Though all the churches established on earth together form the one chamber of Christ, the Catholic and Apostolic Church of Rome has not been set above all the other churches merely by some synodal decision; no, it has obtained its primacy by the word of Our Lord and Saviour in the gospel when he said: Thou art Peter; and upon this rock I will build my church.*^{2 3}

And Anacletus said about Peter: *He was the first one who received the power to bind and to loose from the Lord, and the first one who by his preaching brought people to the faith. The other apostles were honoured equally together with him, but they wanted him to be their prince.*⁴

But, indeed, they only wanted what the Saviour himself had wanted, as Anacletus testifies in another place, saying: *By the grant of Heaven, the Primary See is the Roman Church that, as it is remembered, was consecrated by the blessed Peter and Paul through their martyrdom.*⁵ And again: *Therefore, as said before, the Apostolic See has been set up as the head and the hinge by Our Lord himself, and by nobody else. And like the gate is governed by the hinge, thus all the churches are governed by the authority of this Holy and Apostolic See, under the rule of Our Lord.*⁶

¹ Rather: Gelasius

² Matthew, 16, 18

³ Decretum, D.21.3. (col. 70). Papa Gelasius omnibus orthodoxis

⁴ Decretum, D. 21.2. (col. 69-70)

⁵ Decretum, D.22.2. (col. 74). Anacletus ad omnes episcopos. From the Decretals of Pseudo-Isidore

⁶ Decretum, D.22.2. (col. 74). Anacletus ad omnes episcopos. From the Decretals of Pseudo-Isidore

[104] Et ne multa inculcemus, Christiani¹ nomen amittit, qui caput ecclesiae militantis Romanum praesulem non recognoscit. Si ergo princeps est in ecclesia {61v} catholica Romanus pontifex nec superiorem habet, nec parem, nam ecclesia militans instar triumphantis ordine hierarchico² instituta³ neque biceps neque multiceps esse potest. Unus in caelo Deus, unus in terra vicarius, caput ecclesiae, populi princeps, Christiani ductor exercitus, Romanus praesul⁴, in cuius auditorio non habet appellatio vocem. Potuissent fortasse supplicantes ad papam Austriales recurrere, appellantes minime. Non est hic plebejus aliquis magistratus aut⁵ pedaneus⁶ iudex est, sed comite major, duce superior, rege celsior⁷, imperatore sublimior. Et audent appellare? Quis horum non miretur audaciam, non confundat arrogantiam, non damnet ac vituperet temeritatem? Si quis ab Austriae duce appellare praesumeret, ne dicam ab⁸ rege Bohemiae vel Hungariae, mox appellationis poenam⁹ in carcere cogeretur accipere. Majorem in Austria ducem, quam papam¹⁰ in ecclesia¹¹ putant. Frustra igitur conditae leges, in cassum promulgati¹² canones. Leges non imperatoris dumtaxat¹³, sed praefecti¹⁴ praetorio sententiam appellationi subducunt. Isti jussionem apostolicam provocationi subjiciunt. Sacri canones primae sedis iudicium cunctis mortalibus anteposunt; isti submittunt, atque illi superiorem constituunt, quem constat omnibus esse¹⁵ superiorem¹⁶.

¹ Christiani nomen amittit *in marg.* D, G

² hierarchico A, B, C, D, B, U3; hierarchio E; hierarchico F, G, MU; gerarchico U1, U2

³ instituta *corr. ex* constituta D; constituta G

⁴ Papa quam magnus sit *in marg.* A

⁵ fortasse supplicantes ... magistratus aut *omit.* E; potuissent fortasse ... magistratus aut : ille non MU

⁶ Pedaneus iudex *in marg.* D

⁷ excelsior C

⁸ a B, G

⁹ appellationis poenam *em. Muratori*; apostolos codd.

¹⁰ papa U1

¹¹ ecclesiam E

¹² promulgata F

¹³ tantum U3

¹⁴ profecti F

¹⁵ submittunt ... esse : sub B, E, MU

¹⁶ superiore MU

[104] But let us not belabour this issue: anyone who does not recognise the Bishop of Rome as head of the Church Militant loses the name of Christian. So, if the prince in the Catholic Church is the Roman Pontiff, he has no superior or equal. For just like the Church Triumphant, the Church Militant is ordered hierarchically, and it cannot have two or more heads. In Heaven there is but one God, and on earth there is but one Vicar, the head of the Church, the prince of the people, the leader of the Christian army, the Bishop of Rome, in whose court the word “appeal” may not be heard. The Austrians might have had recourse to the pope as supplicants, but not as appellants. For he is not some magistrate of the people or a commonplace judge; no, he is greater than a count, superior to a duke, higher than a king, and more exalted than an emperor. And the Austrians dare to appeal? Who will not be astonished at their audacity and dismayed by their arrogance? Who will not condemn and reproach their effrontery? If anybody dared to appeal from the Duke of Austria, not to mention the King of Bohemia or Hungary, he would have to suffer punishment for the appeal in prison.¹ The Austrians think that a duke in Austria is greater than the pope in the Church. Thus, the laws have been passed in vain, the canons have been promulgated to no purpose: not only do they appeal the laws of the emperor and the judgment of the local magistrate,² but they also appeal the apostolic commands. The holy canons place the judgment of the First See above all men, the Austrians put it below them, and they make someone else superior to him who is clearly superior to all others.

¹ The manuscripts have: “*apostolos in carcere ... accipere*”, i.e. “*to receive the apostles in prison*”, which gives no meaning. In his edition of ms. E, Muratori has emendated “*apostolos*” to “*appellationis poenam*”, which has been retained in the main Latin text, though it is clearly a conjecture

² “*praefecti praetorio*”

[105] Audiamus tamen cui superioritatem attribuant, si quid afferant hoc¹ auditorio dignum, si quas res² habent³, quas⁴ sibi sperent praesidio atque adjumento futurum. “Generale⁵ concilium,” inquiunt, “papa dignius⁶ atque superius est, quod eum judicat⁷, si aut haeresim sapit, aut schisma nutrit, aut universalem scandalizat ecclesiam⁸, ceu Constantiae diffinitum⁹ ac Basileae comprobatum est¹⁰.” Sit¹¹ ita. Nolumus¹² hoc disputationis ingredi pelagus neque hos¹³ griphos¹⁴ aggredi¹⁵. Anceps quaestio et in utramque partem a prudentibus viris arbitrata¹⁶ est. Utcumque sit, constat uno¹⁷ solum casu certum et indubitatum papam¹⁸ subesse concilio¹⁹. Nam si quis in apostolatu sedens in haeresim labitur²⁰, mox papatu excidit, minorque redditur quolibet Christiano. Nec jam papa dicendus est, si schismaticus est: aut²¹ eodem morbo laborat, aut in papatu est dubius.

¹ haec F

² quas res : quid MU

³ habeant B, E

⁴ quod MU

⁵ Generale concilium *in marg.* A; Adversarii concilium *in marg.* D, G

⁶ dignus F

⁷ judicant U1

⁸ scandalizat ecclesiam : ecclesiam scandalizat V

⁹ definitum MU

¹⁰ omit. G

¹¹ si F, E, MU

¹² volumus U1

¹³ hoc U1

¹⁴ *em.*; Grippos A, B, C, D, E, F, G; Gryppos E; Gryphos MU

¹⁵ griphos aggredi : grippos aggredi *corr. ex* aggredi grippos A, C; aggredi grippos U1, U2, U3, V

¹⁶ arbitratum MU

¹⁷ In uno casu tantum papa subest concilio in heresi *in marg.* D, G

¹⁸ papa E

¹⁹ Papa sub concilio *in marg.* C

²⁰ Qua causa subiiciatur pontifex maximus generali concilio *in marg.* U3

²¹ ut F

[105] But let us hear whom they consider to be superior to the pope - if they can say something that is worthy of this assembly, and if they have something they hope may strengthen their case. "In Konstanz it was declared and in Basel it was confirmed that in the case where the pope falls into heresy, or fosters a schism, or scandalizes Universal Church, the general council has greater authority than the pope, is superior to him, and should judge him." Let this stand for now since it is not the moment to enter this sea of disputation or to tackle these conundrums. The question is doubtful, and it has been argued in both directions by wise men. But however it may be, it is clear that only in this one case is a certain and undoubted pope subject to a council: if somebody occupying the papacy¹ falls into heresy, he immediately ceases to be pope and becomes less than any Christian. And if he is a schismatic he cannot be called a pope, for either he suffers the same affliction² or his right to the papacy is in doubt.

¹ "apostolatu"

² "eodem morbo laborat", i.e. as a heretical pope

[106] Certus autem¹ atque indubitatus pontifex, ut² Constantiense decretum innuit, numquam deferri concilio potest, nisi universalem ecclesiam scandalizaverit, quod tunc fieri videretur, cum multi ex diversis mundi partibus conquererentur. Idque posset accidere, si papa vel sacerdotibus uxores restitueret, vel iudicium sanguinis committeret, aut³ novum ritum non placentem communitati⁴ fidelium⁵ introduceret. Nihil autem horum nunc agitur. Non est igitur concilium papa⁶ majus, {62r} neque⁷ appellationi⁸ est locus, nec⁹ moveri debemus, quia diebus nostris etiam in minoribus causis et ad Constantiense et ad Basiliense concilium vidimus appellari. Nam quae fiunt extra ordinem, intempestive, temere, tumultuarie, neque jus pariunt neque vim consuetudinis afferunt. Inter¹⁰ episcopos ceterosque patres conscriptos vidimus in Basilea¹¹ coquos¹² et stabularios orbis negotia iudicantes. Quis horum dicta vel facta iudicaverit legis habere vigorem?

¹ eodem morbo ... certus autem *omit.* F

² *omit.* U1

³ ~~vel~~ aut A; vel aut B, E, U1; ~~vel aut~~ C, U3; aut D, F, G

⁴ communitatem U1

⁵ infidelium F

⁶ pape V

⁷ *omit.* U1

⁸ apellationis V

⁹ in casu nostri *add. in marg.* V

¹⁰ Basilee coci et stabularii *in marg.* D; Basilee coci et stabularii iudicabant *in marg.* G

¹¹ basilica F

¹² coquos A, B, D, E, F, G; cocos C, U1, U2, U3

[106] As implied in the decree of Konstanz, a certain and undoubted pope may never be deposed by¹ a council unless he has scandalized the universal Church, something which would be seen when many complained about him from various parts of the world. This could happen if the pope gave wives back to the priests,² committed a blood crime,³ or introduced a new rite that displeased the community of the faithful. But nothing of this sort is happening now. So, in the present case a council is not above the pope, and there is no [legitimate] cause for an appeal to it. We should not be concerned by the fact that in our time we have seen appeals being made even in minor matters, both to the Council of Konstanz and the Council of Basel. For what is done irregularly, inappropriately, temerarily and rebelliously, neither makes anything lawful nor has the force of custom. Among the bishops and other conscript fathers in Basel we saw cooks and stable-hands judging the affairs of the world: who would believe the words or acts of such people to have the force of law?

¹ or "summoned before"

² I.e. abolished the priestly celibacy

³ Like a murder

[107] Fuerunt et priscis temporibus generalia concilia, nec minus magna, nec minus authentica¹ quam nostra², nec tamen appellationes ab apostolica sede recipiebant. Hinc verba Gelasii manant *ipsi³ sunt canones*, inquentis⁴, *qui appellationes totius ecclesiae ad hujus sanctae sedis examen voluerunt deferri. Ab ipsa vero numquam prorsus appellari debere sanxerunt; ac per hoc illam de tota ecclesia judicare; ipsam autem ad nullius commeare iudicium; nec de ejus numquam⁵ praeceperunt iudicio iudicari, sententiamque ejus constituerunt non⁶ oportere dissolvi, cujus potius sequenda decreta mandaverunt⁷*. Et rursus omnibus episcopis: *Cuncta per mundum novit ecclesia*, scribit idem⁸ Gelasius, *quod sacrosancta Romana ecclesia⁹ fas de omnibus habeat judicare, neque cuiquam¹⁰ de ejus liceat judicare iudicio. Siquidem ad illam de qualibet¹¹ mundi parte appellandum est; ab illa¹² autem nemo est appellare permissus*. Atque ista cursim de majoritate iudicis appellati¹³ libasse satis habeamus.

¹ auctentica B, E

² vestra U1, U2, U3

³ Gelasius *in marg.* A; Gelasius a sede Romana non appellatur *in marg.* D, G

⁴ inquentis C, D

⁵ umquam U1, U2, U3

⁶ omit. G

⁷ non oportere ... mandaverunt omit. F

⁸ Gelasius *in marg.* A; Idem *in marg.* D, G; Gelasius de Romanae sedis dignitate *in marg.* U3

⁹ scribit idem ... Romana ecclesia omit. F

¹⁰ cuipiam G

¹¹ quolibet F

¹² illo U1

¹³ appellari F

[107] In former times, too, there were general councils - neither less important nor less authentic than ours:¹ they did not receive appeals [of the judgments of] the Apostolic See. Therefore, the words of Gelasius still apply: *These are the canons which state that appeals from the whole Church should be deferred to the scrutiny of the Holy See. They also completely forbid appeals [of the judgments of] that See. So, therefore, the whole Church may be judged by the Holy See, but the Holy See itself may not be judged by anybody else. The canons forbade that anybody should ever judge the judgments of the Holy See and disregard its decrees; on the contrary, they required everybody to follow them.*² And, again, the same Gelasius writes to all bishops: *The whole Church in all the world knows that the Holy Roman Church has the right to judge in all matters, and that nobody else has the right to judge its judgments. So, the whole world may make appeals to the Roman Church, but nobody is allowed to make appeals from it.*³

This brief statement suffices concerning the superior status of the judge from whom the [Austrian] appeal was made.

¹ I.e. the Council of Konstanz 1414-1418 and the Council of Basel, 1431-1437

² Decretum, C.9.3.16 (col. 611). Gelasius ad Faustum legatum

³ Decretum, C.9.3.17 (col. 611). Gelasius omnibus episcopis

[108] Nunc formam¹ inspicere convenit appellationis, ut intelligamus an iudex appellatus adiri commode possit. Tria sunt appellationis capita. In primo dicunt² non informatum papam et informandum appellant³. In secundo vel indictum⁴ concilium vel indicendum. In⁵ tertio⁶ universalem ecclesiam appellationis iudicem provocant. Discutiamus haec. Non informatum⁷ papam asserunt: at⁸ monitorium docet informatum atque instructum esse. Aut ergo nescire papam, quae facti sunt, arbitrantur, et ipsa monitorii narratione vincuntur, in quo manifestus et notorius⁹ explicatur¹⁰ excessus¹¹. Aut putant, quid juris sit, ignorare pontificem, et stulta ducuntur opinione. Nam etsi omnes Romani praesules doctissimo cardinalium senatu circumsepti universi juris exuberantem notitiam habeant, pectus tamen Nicolai¹² praeter ignorantiam nihil ignorat, quo neque doctiorem umquam neque acutiorem illa¹³ in sede quempiam sedisse crediderim.

¹ Forma appellationis *in marg.* A

² *del.* A, C; *omit.* B, D, E, F, G

³ et informandum appellant *omit.* G

⁴ inductum V

⁵ *omit.* U1, U2, U3

⁶ vero *add.* V

⁷ infortunatum U1

⁸ et V

⁹ manifestus et notorius : manifestus et notarius *corr.* ex et manifestus notarius A; et manifestus notarius B; manifestus et notorius C; et manifestus notorius D, G, E; et notarius manifestus F; et manifestus et notorius MU

¹⁰ explicator E

¹¹ excessus E

¹² Laus Nicolai pape *in marg.* A; Laus Nicolai V. pontifices maximi *in marg.* U3

¹³ illam V

4.3. Judge appealed to was not easily accessible

[108] Now we must examine the form of the appeal in order to determine if the judge to whom the appeal was made is easily accessible.

The appeal falls into three parts. In the first, they declare that the pope was not informed and they appeal to a pope to be informed. In the second, they appeal to a council which has been indicted or which will be indicted. And in the third, they appeal to the Universal Church. Let us discuss this now.

4.3.1. Appeal to a better informed pope

They claim that the pope was not informed. However, the monitorium shows that the pope was both informed and in possession of the facts of the matter. So, either they think that the pope is ignorant of the facts and are shown to be in error by the account in the monitorium itself, where their manifest and notorious misdeeds are set forth. Or else they stupidly think that the pope is ignorant of the law. All Roman bishops, surrounded by the most learned senate of cardinals, have an abundant knowledge of all law, but Nicolaus himself is ignorant of nothing but ignorance: I believe that the Apostolic See has never been occupied by anybody more learned nor more intelligent than he.

[109] Sed advertamus scitam ac pensiculatam appellationem. Romanum pontificem volunt¹ duorum judicum gestare personam: ejus a quo appellatur, et illius ad quem appellatur^{2 3}. O bone Deus, quanti est sapere! Recte competentiam⁴ modificati⁵ sunt, subtile ingenium! Numquam ego hos audio, quin doctior fiam⁶! Nihil antiquius est⁷ quam bonis ac⁸ discretis⁹ convivere¹⁰ viris! Verum timeo, si sic pergimus, ne alias quoque personas conglutinemus, ac non solum appellantem, sed eum quoque, adversus quem appellatur jungamus, ac papam judicem, reum actoremque faciamus, atque, si libet, testem. Miror si non pallet aut¹¹ non erubescit appellationis inventor¹², corruptor juris, falsus interpret canonum, qui¹³ monstra invisae atque¹⁴ inaudita introducere nititur. Appellationem¹⁵ aliquando quis¹⁶ ab eodem ad eundem judicem legislator admisit? [cont]

¹ vo U1 [*sic!*]; voluit U2, U3

² appellabitur U3

³ et illius ... appellatur *omit.* F

⁴ competentia MU

⁵ maleficati F

⁶ Eironikos [*Greek letters*] in marg. U3

⁷ antiquius est : est antiquius MU

⁸ et U3

⁹ disertis U1, U2, U3, V

¹⁰ vivere U1, U2

¹¹ si *add.* F

¹² si non ... inventor *omit.* U1

¹³ quin U1

¹⁴ ac U3

¹⁵ Non appellatur ab eodem ad eundem in marg. D, G

¹⁶ aliquando quis : quis aliquando MU

[109] But let us consider further their learned and thoughtful appeal [to a better informed pope]! They want the Roman Pontiff to combine two judges in one person: the judge from whom the appeal is made, and the judge to whom the appeal is made. Oh, good God, to be so clever! Rightly did they make this distinction: what subtle intelligence! I never hear these people without learning something new! Nothing is more profitable than being with good and wise men.¹ However, if we continue in this way, I do fear that we shall glue even more persons on to the pope, so that we not only conjoin the appellant² and him against whom they make the appeal,³ but also make the pope both judge, accused, advocate⁴ and witness!⁵ I am surprised that he who crafted this appeal does not grow pale or blush, that destroyer of law, that false interpreter of the canons, who endeavours to introduce monstrosities never before seen or heard. What lawgiver ever allowed an appeal to be made from a judge to the same judge? *[cont.]*

¹ Piccolomini drips irony!

² I.e. the Austrians

³ I.e. the emperor

⁴ "agentem"

⁵ Decretum, C.4.4. (col. 541)

[109 cont.] Non Solon¹, non Lycurgus, non ipsi decem viri in Graeciam missi, non haec² responsa prudentum³, non edicta praetorum, non plebiscita, non senatusconsulta, non principum placita, jus⁴ non hominum quorumcumque⁵ vel barbarorum mores admittunt. In civitate⁶ fortasse Platonis, quae nusquam reperta est, hoc juris venati sunt adversantes. Ab Aristotelis *Politia* procul hanc dementiam esse non ambigo. Si quis alius hoc affirmare justum praesumpserit⁷, leges atque canones hunc⁸ seminatorem⁹ delirum, mentis¹⁰ inopem stultumque judicant, ac ex coetu doctorum dejiciunt¹¹, musis invisum et litteris. Ineptum est igitur primum appellationis caput¹², quia vitae regimen confundit¹³, ac rem novam inauditam monstruosam introducit, ac¹⁴ omni lege ac consuetudine reprobata.

¹ Solon. Ligurgus *in marg.* A; Solon. Licurgus *in marg.* U3

² hoc V

³ prudentium U1

⁴ *omit.* U1, U3, V, MU

⁵ quorumque V

⁶ citate B

⁷ hunc *add.* U1, U2, U3, V

⁸ nunc F; *omit.* U1, U2, U3, V

⁹ somniatorem U1, U2, U3, V

¹⁰ delirium mentis : deliramentis V

¹¹ eiiciunt U1

¹² appellationis caput : caput appellationis U1, U2, U3

¹³ confundit V

¹⁴ ab V

[109 cont.] Neither Solon, nor Lycurgus, nor the ten men sent to Greece, nor the *responsa* of the prudent men, nor the edicts of the praetors, nor the plebiscites, nor the decrees of the senate, nor the decisions of princes, nor the laws of men, nor the customs of the barbarian peoples allow for such a practice. Maybe our adversaries have chased up such a law in the city of Plato¹ which has never been found.² I do not doubt, however, that this madness is far from Aristotle's *Politics*.³ If anybody else should dare to claim that this [innovation] is just, the laws and the canons will judge the instigator to be delirious, feeble-minded and foolish, and they will eject him from the college of the learned, as hateful both to muses and to letters. So, the first part of the appeal is nonsense because it goes against the facts of life and introduces a new and unheard of monstrosity, rejected by every law and custom.

¹ Plato (428/427 or 424/423 BC-348/347 BC): Greek philosopher. Student of Socrates

² A slur on the ideal state as conceived by Plato, in his *The Republic*

³ Aristotle (384-322 BC): Greek philosopher

[110] Sed adjungunt alterum¹ caput: indictum² aut³ indicendum concilium appellant. Lubricus hic locus est, incertus, instabilis: praecipites hinc etiam adversantes dabimus. Monstravimus supra uno tantum casu ab indubitato papa concilium appellandum, neque hunc modo in manibus esse. Irrita est igitur appellatio. Sed concedamus aliquid adversantibus; ineamus benevolentiam⁴. *Faciamus amicos nobis de mammona iniquitatis*. Fateamur aliquid esse verum, quod scimus⁵ esse mendacium. Liceat appellare concilium adversus Romani gesta pontificis⁶. Quid tum? Victoriam hosti relinquemus? Minime. Quid ergo respondebimus? Audite omnes, oro. Concilium aut indictum aut indicendum provocant. Prima disjunctionis particula falsa est, secunda ridicula⁷. Nemo indictum concilium audivit, neque indictum est usquam⁸. “Sed⁹,” ajunt, “promissum esse regi Franciae concilium in ejus regno celebrandum anno post jubilaum exacto”, atque cum annus¹⁰ effluxerit¹¹, indictum concilium opinantur esse^{12 13}. *Sterili versant litus aratro*, inanesque secant avenas. Nihil hic tritici colligent. In tanto negotio levissimus est, qui non re certa, sed opinione movetur, ac rumusculos¹⁴ sequitur et aniles¹⁵ fabulas. Secundum post jubilaum agimus annum, mox tertium, si dominus dederit, ingressuri, neque {63r} indictum accepimus esse concilium. Quis non intelligit affectatam ignorantiam atque supinam?

¹ aliud F

² inductum V

³ vel C

⁴ et *add.* G

⁵ dicimus V

⁶ gesta pontificis : pontificis gesta U1, U2, U3

⁷ prima ... ridicula *omit.* MU

⁸ unquam U1, U2, U3

⁹ Notanda ista verba propter promissum futurum concilium *in marg.* D, G

¹⁰ annis U1

¹¹ affluxerit F

¹² *omit.* F

¹³ concilium opinantur esse : esse concilium opinantur C, U1, U2, U3, V

¹⁴ romusculos A, B, D, E, F, U1, U2; rumusculos *corr. ex* romusculos C; rumusculos G, U3; ramusculos MU

¹⁵ aviles U1

4.3.2. Appeal to a council

[110] But they add a second part in which they appeal to the council that has been indicted or will be indicted. This is a slippery, uncertain and unstable ground from which we shall easily cast down our adversaries. We have shown above that only in one case can an appeal be made from an undoubted pope, but that this is not the present case. Therefore, the appeal is void. But let us concede something to our adversaries; let us be kind; *let us make friends of the mammon of iniquity*;¹ let us say that something is true that we know to be false: let us say that it is lawful to appeal the acts of the Roman Pontiff to a council. So what? Shall we then leave the victory to the enemy? Certainly not. But what will we answer? Please listen, all of you. They appeal to the council that has been or will be indicted. The first term is false, the second is ridiculous. Until now nobody has heard that a council has been indicted and in fact it has not been indicted. “But,” they say, “it has been promised to the King of France that a council would be celebrated in his kingdom in the year after the Jubilee,²” and since that year has passed they think that a council has been indicted. Here *they draw furrows in the thin dust*;³ here they will harvest oats without kernels, and they will gather no wheat. In such an important matter, it is a very superficial person who is moved not by fact, but by opinion, and who follows rumours and silly fables. We are now in the second year after the Jubilee⁴ and, God willing, we shall soon be entering the third, and we have not yet heard that a council has been indicted.⁵ Who does not understand that their ignorance is affected and false?

¹ Luke, 16, 9

² The Jubilee was in 1450 and the year after would have been 1451

³ Juvenalis: *Satirae*, 7.49: *litus sterili versamus aratro*

⁴ 1452

⁵ Piccolomini knew very well that the council promised to the King of France had not and would not be indicted: the pope had assented to a council in France on the condition that the other princes would agree. And as an imperial diplomat, Piccolomini had himself been instrumental in formulating an imperial policy not to accept a council to be held in France, and in reality not to have the council at all, cf. sect. 111

[111] “Ergo non servat regi fidem,” replicant adversantes. Falsa calumnia¹! Non enim absolute promissum est regi concilium, sed apposita conditione, si² ceteri reges atque principes annuerent³. At illi magna ex parte contradixerunt. Neque Aragonum, neque Angliae⁴ ⁵ neque Portugalliae regibus⁶ placet in Gallia esse concilium. Ego quoque jussu Caesaris in consistorio publico Romae in fine anni jubilaei hanc celebrationem concilii non sine rationibus⁷ dissuasi. Norant tamen haec⁸ adversarii. Ideo sub alternativa locuti sunt, indictum aut⁹ indicendum appellantes concilium. Garruli magis quam docti syllogismorum captionumque dialecticarum laqueis confidentes, inanes conflant glorias. Ruent tamen in petra veritatis allisi, neque frugis neque operae probe reperti¹⁰. Nam qui concilium appellari permittit, aut sedens designat aut propediem sessurum¹¹. Quod autem nondum est¹² indictum¹³, neque sedet neque sessurum¹⁴ ¹⁵ est, neque re neque spe dici concilium potest¹⁶. Quis adeo stulti, ne dicam perversi aut odiosissimi est ingenii, qui neque natum neque nasciturum appellet judicem?

¹ lumina U1

² Conditio adiecta si ceteri reges annuerent *in marg.* D, G

³ annuerent U1

⁴ Aragonum neque Anglie *corr. ex* Aragonum A; regibus *add.* B, E, F, MU

⁵ neque Aragonum neque Anglie : neque Anglie neque Aragonum F

⁶ *omit.* B, E, F, U1, U2, MU; regibus *add. in marg.* A, C, U3

⁷ rationabilibus causis B, MU

⁸ hoc B, E

⁹ autem A, F; ~~autem~~ D

¹⁰ probe reperti: quidquam colligent MU

¹¹ Nam qui ... sessurum *omit.* MU

¹² *omit.* U1

¹³ quod autem ... est indictum : quod autem est indictum aut prope diem sessurum [*sic!*] *in marg.* E

¹⁴ neque sedet neque sessurum *omit.* E

¹⁵ quod autem ... sessurum *omit.* V

¹⁶ nam qui concilium ... concilium potest : quod autem nondum est indictum aut propediem sessurum non est neque re neque spe dici concilium potest MU

[111] “Then he does not keep his word to the king,”¹ our adversaries reply. That is pure calumny, for the promise of a council to the king was not given unconditionally, but on the condition that the other kings and princes would agree. But these mostly rejected [the idea]. The kings of Aragon, England, and Portugal do not want a council to be held in France. I myself, at the command of the emperor, in a public consistory in Rome at the end of the Jubilee Year, advised against holding such a council – and with good reason!² Our adversaries know this, and therefore they proposed an alternative by appealing to a council already indicted or to be indicted in the future. They are blatherings fools, not learned men: trusting in the snares of syllogisms and dialectical tricks, they invent empty glories. But rushing forward they will be dashed against the rock of truth, and they will not enjoy the fruits of their endeavours. For someone who allows an appeal to a council, addresses either a council in session or a council to be held in the near future. But a council that has not yet been indicted is neither in session or is to be held, and it cannot be called a council, neither as a matter of fact nor as a matter of hope. Who is so stupid or perverse or shameful that he would appeal to a judge who has neither been born nor is going to be?

¹ The King of France

² Cf. the oration “*Fateor*” [15] (Early Version), sect. 23. It is interesting that here Piccolomini refers to a passage on the council in the oration “*Fateor*” that was removed in the Final Version of the oration (from 1462) when he had become pope himself

[112] Legum latores annum ad proseguendam appellationem instituerunt, ex causa quoque biennium. At nostri prudentes decennium tribuunt. Asserunt enim decretum esse Constantiae singulis decenniis¹ celebranda fore concilia. Bella res, utilis, pacis altrix atque concordiae!² Vocabo in jus, qui me domo spoliavit et agris. Jubebitur adversarius restituere res violenter ablatas. Appellabit concilium, in decennium me suspendet. Quis litium³ finis? Quis decennium expectabit? *Labitur occulte, fallitque volatilis⁴ aetas.* Graves expensae, vita brevis, mille genera mortis appellanti donabunt⁵ litem⁶. Sed quid mora decenni⁷ gravor⁸? Vereor ne viginti, ne centum anni fiant, priusquam concilium celebretur, cujus indictio⁹ pro rerum et temporum conditione ex¹⁰ Romani pontificis pendet arbitrio¹¹. Credo nostros adversantes imitari Areopagitas¹² voluisse, qui dubium et inextricabilem casum¹³ ad se missum¹⁴ ex Asia, cum non viderent¹⁵, quo pacto solvere possent ac sententiam ferre, *et¹⁶ accusatorem et reum remiserunt jussos post centum annos ad se reverti.*

¹ decemn... *et passim* U1

² Ironice *in marg.* A

³ litum C

⁴ volatibus E

⁵ dabunt U1, U2, U3; *omit.* V

⁶ *omit.* U1

⁷ decennium V

⁸ mora decenni⁷ gravor *corr. ex. marceri decennium gravior* A, C

⁹ inditio U1

¹⁰ Ex Romani pontificis arbitrio *in marg.* D, G; Indictionem concilii a pontifice pendere *in marg.* U3

¹¹ pendet arbitrio : arbitrio pendet U1, U2, U3, V

¹² Areopagite *in marg.* A, D, G; Ariopagitae *in marg.* U3

¹³ causam V

¹⁴ missam V

¹⁵ videretur U1

¹⁶ *omit.* U1, U2, U3

[112] The lawgivers decided on a one-year period for making an appeal, and in certain cases two years. But our own wise men here¹ [implicitly] stipulate a period of ten years, for they claim that in Konstanz it was decreed that councils should be celebrated every ten years.² What a beautiful and useful thing, fostering peace and concord! Someone has robbed me of my house and lands, and I summon him to the court. My adversary is ordered to return what he has taken by force. He then appeals to a council, postponing the matter for ten years! How will that trial end? And who will wait for ten years? *Time glides by imperceptibly and cheats us in its flight.*³ Heavy expenses, the shortness of life, and a thousand kinds of death will grant the case to the appellant. But why do I worry about ten years? I fear that it will take twenty years, no, hundred years before another council is celebrated – to be indicted according to the needs of the time as the Roman Pontiff sees fit.⁴ I do believe that our adversaries wanted to imitate the Areopagites⁵: when a dubious and most difficult case was sent to them from Asia⁶ and they did not see any way to solve it and pass a judgment, *they sent both the accuser and the accused away and bade them return in a hundred years.*⁷

¹ Irony!

² What was actually true, cf. the decree *Frequens* of the Council of Konstanz

³ Ovidius: *Metamorphoses*, 10.519-520

⁴ Flagrant contradiction of the decree *Frequens* of the Council of Konstanz

⁵ Members of the Areopagos, the earliest aristocratic council of Athens (named after the meetingplace)

⁶ Asia Minor

⁷ Valerius Maximus, 8.1, amb. 2

[113] Nec me movet, quod jam diu Basiliense concilium asserunt dissolutum ac novi tempus instare, quod ultra decennium differri non debet. Nam si Romanam curiam advertunt, diu lapsum est decennium, et¹ stultum est terminum, qui praeterierit, expectare. Sin Sabaudiensibus aures adhibent, iniqui sunt, qui concilia singulis decenniis cogere volunt, quando in annos viginti producunt concilium. Deus labori mortalium dies, quieti noctes indulsit, et {63v} quamvis disparibus currant horis, anno tamen elapso non minus nocti² quam diei tempus effluxit³. Quis non ecclesiae quoque⁴ tempora partiatur, et⁵ aliud⁶ conciliari exercitio, aliud otio sine concilio tribuat? Moderatos esse labores oportet, ac rebus et tempori universa conjungere, quod Romani pontificis arbitrio constat esse commissum. Sed utinam jam concilium sederet, aut sicut domini nostri desiderium⁷ est, prope dies sedere posset. Nullos magis sancta synodus insequeretur quam somniatores istos, calumniarum et appellationum delusoriarum inventores plecteret, impiam mentem et brachium perversitatis effringeret⁸, silentium sceleratis imponeret vocibus, et iniquas machinationes everteret, ostendens quia contra sacros canones impie agere impune non cedit.

¹ *omit.* MU

² noctis MU

³ affluxit F

⁴ *omit.* V

⁵ *omit.* U1, U2, U3

⁶ et aliud : aliud et F

⁷ domini nostri desiderium : desiderium domini nostri G

⁸ affringeret U1

[113] I am unmoved by their claim that “the Council of Basel was dissolved a long time ago: the time for another council approaches, and it should not be held after the ten-year period has lapsed.” If they observe the Roman Curia, the ten-year period has actually elapsed a long time ago, and it is folly to wait for a term that has already expired. And if they want to have councils every ten years, they are stupid to follow the Savoyards¹ for those people prolong them for twenty!² God gave the mortals days for labour and nights for rest, and though they occur at different times, after a year no more night-time has flowed than daytime. Who will not divide the time of the Church too, so that some time is given to conciliar labours and some time to rest (without a council)? The burdens³ must be reasonable, and all must be arranged according to the circumstances and the times, something which is clearly entrusted to the judgment of the Roman Pontiff. But if only a council was now in session or would be held soon, as Our Lord⁴ desires. Then that Holy Synod would pursue nobody more than those dreamers. It would punish those inventors of calumnies and deceitful appeals; it would break that impious mind-set and the arm of perversity; it would impose silence on those criminal voices; it would confound these evil manipulations; and it would demonstrate that you cannot go against the sacred canons with impunity.

¹ I.e. the remnants of the Council of Basel, consisting of adherents of the antipope Felix V, former Duke of Savoy

² The rump council of Basel was prolonged by the French and the Savoyards, incl. the Savoyard antipope, Felix V, until 1449, i.e. 18 years after the beginning of the council proper

³ I.e. in connection with holding a council

⁴ I.e. the pope

[114] Appellatio¹, quae ad concilium interposita est, ut audistis, explosa² est³, nec illa manebit⁴, quae universalem implorat ecclesiam. In qua re nescio⁵, sophistae nostri an *fonte labra proluerint caballino, aut in bicipiti⁶ Parnasso somniaverint⁷*, qui soliti de cursu dumtaxat asini ac sortis disputatione fabulari, tam repente jurisconsulti⁸ prodierunt. Auscultemus verba, examinemus sensum. Universalem⁹ appellant ecclesiam¹⁰. Quid est hoc, quod vocant ecclesiam¹¹? Non parietes, ut arbitror, hoc nomine, neque tecta templorum accipiunt, ut vulgus intelligit, sed convocationem fidelium sumunt. In hac vero et magni et parvuli, et viri et mulieres, et clerici et laici continentur. Haec ab initio suae nativitatis, quia parvus erat fidelium numerus, potuit aliquando simul esse uno in^{12 13} loco. At postquam aucta fides est, et *in omnem terram exivit sonus eorum, et in fines orbis¹⁴ terrae verba eorum*, nusquam tota convenit. Sed coeperunt¹⁵ haberi conventus plurimorum, in quibus, quia majores affuerunt¹⁶, existimati sunt universalem ecclesiam vel repraesentare vel facere, et quaecumque illi sanxerunt, universalis ecclesiae constituta dicuntur. Verum conventus hujusmodi, qui rite convocati sunt, nihil aliud quam generalia concilia dici possunt.

¹ ~~appellatione~~ A, C; appellatione U1, U2, V

² explosa *corr. ex* expulsa A, C

³ *omit.* V

⁴ manebis U1; monebit V

⁵ ~~et~~ *add.* A, C

⁶ bicipiti D, F

⁷ somniaverunt V

⁸ inconsulti V

⁹ Universalis ecclesia *in marg.* A; Quid sit universalis ecclesia *in marg.* U3

¹⁰ appellant ecclesiam : ecclesiam appellant V

¹¹ vocant ecclesiam : ecclesiam vocant V

¹² *omit.* F

¹³ uno in : in uno V

¹⁴ *omit.* F

¹⁵ Coeperunt haberi conventus plurimorum *in marg.* D, G

¹⁶ afferunt MU

4.3.3. Appeal to Universal Church

[114] As you hear, the appeal to a council has now been torn apart, and neither will their appeal to the Universal Church be left standing. I do not know if our sophists¹ have *soused their lips in the Nag's Spring*² or *dreamed on the two-topped Parnassus*,³ for being usually engaged in debating on asinine and fortuitous matters, they have suddenly come forth as specialists in law. Let us hear their words, let us examine the meaning. They appeal to Universal Church. What it is that they call the Church? I presume that they are not using this word in the sense of the walls and roofs of the temples,⁴ as it is used in common language, but that they are talking about an assembly of the faithful. This term comprises [everybody], great and small, men and women, clerics and laymen. In the beginning, such an assembly could sometimes meet in one place, for [at that time] the number of faithful was small. But when the Faith grew, and *their sound hath gone forth into all the earth: and their words unto the ends of the whole world*,⁵ then all the faithful could never again meet in one place. Instead they began to have meetings of a limited number of people, which – since the most important people were present – they considered to represent or constitute the Universal Church. The decrees of those assembled were considered as decisions of the Universal Church. But this kind of assembly, if lawfully convoked, is nothing else than a general council.

¹ I.e. the counsellors of the Austrians

² The fountain Hippocrene, struck out by the hoof of Pegasus, on mount Helicon

³ Persius: *Satirae*, Prol. 1-2: *Nec fonte labra prolui caballinonec in bicipiti somniasse Parnasomemini*,. Adapted by Piccolomini

⁴ i.e. the physical church buildings

⁵ Romans 10, 18

[115] Aut ergo nostri adversantes¹ ecclesiam pro concilio² nominant, et ad secundum appellationis membrum repedant, leves, futes et importuni locutores³, alternativam inter eadem locantes negotia, quae solet⁴ diversa conjungere, aut re vera ecclesiam ipsam per orbem dispersam, fide tamen unitam atque connexam intelligunt, et nihil puerilius, nihil est quod videri possit amentius. Nam quomodo haec appellationis causam examinabit, quae nec adiri potest, nec audire, vel audiri? O bene consulta consilia! Perdius⁵ atque pernox⁶ inter libros versatus est callidae hujus appellationis {64r} inventor, praestabilis homo sapientiae! Pensiculatius tamen, ut arbitror, et circumspectius ad extremum iudicium appellasset. Ceu⁷ nonnullos egisse accepimus, qui capitalem sententiam passi adventum magni iudicis vel truncati expectant⁸.

¹ nostri adversantes : adversantes nostri G

² consilio F

³ locutores *corr.* ex locuturos A; locutores *corr.* ex locuturos C; *omit.* B, E, F, MU

⁴ solent MU

⁵ per dies U1, U2, U3

⁶ per noctes U1

⁷ cui U1

⁸ Eironikos [*Greek letters*] in marg. U3

[115] If our adversaries appeal to the Church in the sense of a council, they actually revert to the second part of the appeal, giving – foolishly, inanely and inappropriately - an alternative that is not really different. Or if they really mean the Church itself, spread over the whole Earth, but united in Faith, then nothing can be more childish or insane. For how can the Church, [taken in this sense], examine an appeal when it cannot be approached [concretely], nor hear the cause nor be heard itself? Oh, what clever counsels! The inventor of this sly appeal, that respectable man of wisdom, must have perused his books day and night! But he would have been even more deep-thinking and circumspect, I think, if he had appealed to the Last Judgment, like many have done who, having suffered capital punishment, are now expecting the coming of the great judge, even though they are beheaded.

[116] Forsitan et ipsum Deum, *stellato* qui¹ *sedet solio* et mundi frena gubernat, appellationis iudicem constituisse praestabat, nam papa nullus hunc dubitat esse majorem. Potuisset hic euestigio virum aliquem mittere, qui suo ex imperio causam discussisset, ceu Daniele² puerum contra senes excitavit³, Susannam falso damnantes⁴. At isti magis armis quam Deo fidentes ecclesiam appellant, quae neque simul potest convenire, neque iudicem deputare, qui litem diffiniat⁵. Atque sic ex omni parte manci deficiunt, quando et sine causa, non gravati, neque oppressi appellant et ab eo appellant, a quo nulli fas est appellare, et ad eum appellant⁶, qui vel ipse est, a quo⁷ appellatur, vel nusquam est, vel si est, adiri non potest, et appellationem dubiam, incertam, obscuram ineptamque faciunt.

¹ stellato qui : qui stellato D

² Daniel. Susanna *in marg.* A, U3

³ exitavit E

⁴ criminantes C, U3; crimine damnantes U1

⁵ definiat MU

⁶ et ab eo ... appellant *omit.* B, E, MU

⁷ vel *add.* U1

[116] Maybe it would have been better to appeal to God himself as judge, *sitting on his starry throne*¹ and holding the reins of the world, for nobody doubts that God is greater than the pope. Maybe He would have sent, straight away, a man with powers to settle the matter, as he raised the boy Daniel against the old men who accused Susannah falsely.² But these people,³ who trust in weapons more than in God, appeal to the Church that can neither assemble in one place nor appoint a judge to settle the dispute. Thus, there are problems on all sides, as – without cause and without having been burdened or molested at all – they appeal from him from whom it is unlawful to appeal, to him who is the same one from whom the appeal is made, or to a judge who is never there, or who cannot - if he is there - be approached. Therefore, their appeal is dubious, uncertain and foolish.

¹ From the antiphon *Maria virgo assumpta est*, from the Office of the Holy Virgin

² Daniel, 13

³ I.e. the Austrians

[117] Complures¹ hic, ut conjector, adversum me murmurant, qui jussiones apostolicas appellationi² subjectas inficior. “Si hoc verum est,” inquiunt, “injuste quam multos opprimi continget.” Si causam percontabor³, “quia homo est,” dicent, “Romanus pontifex et falli potest et fallere.” Verum hoc ego in quovis principe dicam. Sed ut temporalis domini ferimus jugum, nec *dirigimus bracchia contra torrentem*, nec appellare permittimur⁴, sic apud spirituales dominum gerendum affirmo. Quot sunt principes, qui suos subditos, quot civitates, quae⁵ suos cives prohibent⁶ appellare? Quae ratio vetat hos aut illos provocare? “Ne lites,” inquiunt, “immortales fiant.” At haec ratio tanto fortior est apud sedem apostolicam⁷, quanto majores ad eam causae⁸ devolvuntur, super episcopatibus, super principatibus, super regnis atque imperiis, quorum controversiae nisi celerius sopiantur, bella suscitant et *morientes⁹ ducunt¹⁰ in proelia¹¹ populos*. Quod si errant¹² aliquando¹³ reges injurianturque subditis, nec resistitur, quia majus timetur incommodum, et minora mala majoribus praeferuntur, cur non papae quoque tolerabitur error, qui tanto rarius est ab illo Romani culminis throno timendus, quanto maturius illi sedi consulitur?

¹ complices U1

² appellationes V

³ percunctabor MU

⁴ permittunt MU

⁵ qui F

⁶ prohibeant U1

⁷ sedem apostolicam : apostolicam sedem F

⁸ Que cause ad sedem apostolicam *in marg.* D, G

⁹ mortales B, E; mortalia MU

¹⁰ *omit.* B, E, MU

¹¹ ducunt in proelia : in proelia ducunt G

¹² erant V

¹³ aliquando E

[117] Here, I presume, many will grumble against me for denying that the apostolic decisions are subject to appeal. "If this is true," they say, "then many people might be oppressed unjustly." If I ask the reason, they reply that "the Roman Pontiff is a man and as such he can both be deceived and make mistakes." But this - I say - applies to all princes. And I claim that just as we bear the burden of our secular¹ lord and do *not strike out against the torrent*² nor are allowed to appeal from him, in the same way we should act with regard to our spiritual lord. [Consider] how many princes forbid their subjects to appeal from them, and how many cities forbid their citizens to do the same! And why do they forbid their subjects and citizens to appeal to others? "So that court cases will not go on forever," they say. But this reason applies even more to the Apostolic See because of the importance of the cases submitted to it, whether they concern bishoprics, princedoms, kingdoms or empires: if such conflicts are not settled quickly, they cause wars and *lead mortal peoples into battles*.³ Sometimes kings make errors to the detriment of their subjects, but there is no resistance, because a greater harm is to be feared and smaller evils are preferred to greater evils. Then why shouldn't an error committed by the pope be tolerated, too? Indeed, the Holy See is advised so prudently that we do not need to fear errors from the throne of His Roman Highness since they are, in fact, extremely rare.

¹ "temporalis": secular or temporal

² Juvenalis: *Satirae*, 4.89-90: *numquam direxit brachia contra torrentem*

³ Presumably a quote; not identified

[118] Regale solium, quia successioni cedit, nonnumquam indocti atque dementes occupant. In apostolica sede, qui praestantior est ex omni populo, qui¹ doctior, qui sanctior, qui in omni virtute eminentior, in quo nihil sapientiae, nihil scientiae, nihil industriae desit, sacri senatus discussione collocandus eligitur. Quod si desunt aliquando acquisita per meritum, sufficiunt quae a {64v} loci praecessore² testantur. Nimirum igitur sancti patres spiritu veritatis impulsus ab hujus sanctae sedis appellari iudicio³ vetuerunt, in qua princeps sedet et caput omnium ecclesiarum. Hinc illud Innocentii⁴: *Nemo iudicabit primam sedem iustitiam temperare desiderantem. Neque enim ab Augusto, neque ab omni clero, neque a regibus, neque a populo iudex iudicabitur*⁵. In gestis autem Bonifacii⁶ martyris scriptum est et inter decreta relatum: “*Nulli fas esse primam sedem*⁷ *reprehendere*⁸, *etiam si catervatim*⁹ *Romanus praesul innumerabiles populos secum traheret*¹⁰ *in gehennam, quia cunctos ipse iudicaturus a nemine*¹¹ *iudicandus est*¹², *nisi deprehensus fuerit a fide devius.*

¹ Qui papa eligi debet *in marg.* A; De electione Romani pontifices *in marg.* U3

² a loci praecessore : loci meritum MU

³ appellari iudicio : iudicio appellari G

⁴ Innocentius *in marg.* D, G, U3

⁵ vindicabitur V

⁶ Bonifatius *in marg.* D; Bonifatius martyr *in marg.* G, U3

⁷ omit. B, E, M

⁸ sedem *add.* MU

⁹ catervam U1

¹⁰ trahere B, E

¹¹ nomine V

¹² iudicandus est *omit.* V

[118] Since a royal throne passes on through inheritance, it will sometimes be occupied by unlearned or even insane¹ persons. To occupy the Apostolic See the Holy Senate,² after careful deliberation, elects the person who is the most eminent of all, the most learned, the most holy, the most virtuous, lacking nothing in wisdom, knowledge and dedication. If there is sometimes a shortfall of merits [in that person], the attested merits of his predecessor will suffice. Therefore, the holy fathers, driven by the Spirit of Truth, absolutely forbade appealing the judgment of the Holy See which is occupied by the prince and head of all the churches. Thus this statement of Innocent: *Nobody may judge the Prime See, wishing to influence the course of justice. For that judge may be judged neither by the emperor, nor by the whole clergy, nor by kings, nor by the people.*³ And in the *Gesta* of the martyr Bonifatius it is written – as stated in the decrees: *It is not right to criticize the First See, for even if the Roman Bishop should draw crowds of people with him to Hell, he must not be judged by anybody, since it is he who is the judge of all – excepting the case where he must be considered as erring from the faith.*⁴

¹ Like Charles VI of France

² i.e. the college of cardinals

³ Decretum, C.9.3.13 (col. 610). Innocentius Papa

⁴ Decretum, D.40.6. (col. 146)

[119] Instat quispiam: "At homo est. Hunc atque illum non digne opprimet. Malum¹ hoc esse, quis neget? Si malum, cur non malum appellatione summoveam?" Respondeo: ne gravius feras malum. Duo sub principe litigant². Quaero abs te, an illos esse invicem amicos censes? Dices: "Si se diligenter, lites dimitterent." An³ ergo se odiunt? Non negabis. Quid esse principi erga⁴ illos animi⁵ existimas⁶? Nihil mali scies. Interrogo⁷ iterum, principemne litigantium alterum verisimilius oppressurum, an illos inter sese invicem oppressionem quaesituros, judicabis? Dices, nisi desipis⁸: "Illud dubium, hoc certum, nam litiganti supplantare collitigantem unicum studium est." At qui sententiam principis appellationi subjicit, victorem victo adversarioque⁹ submittit, qui nec vitae suae, si possit, ignoscat.

¹ instat quispiam ... malum *omit.* V

² litigabant B, E, MU

³ *omit.* MU

⁴ ergo MU

⁵ *omit.* B, E, MU

⁶ existimas *corr. ex.* estimas A, C; extimas B, E

⁷ *em.*; interroga *codd.*

⁸ de ipsis U1

⁹ adversario quae U1

[119] Somebody objects: "But he is man. Therefore he will sometimes treat somebody unjustly.¹ Who will deny that this is an evil? And if it is an evil, why not remedy the evil through an appeal?" I answer: in order not to create a greater evil. Take this example: Two persons fight against each in the court of a prince. I ask you: do you think that these two persons are friends? You answer: "No, for if they were friends, they would stop the court case." So, are they enemies? You do not deny it. What do you think the prince feels about the two? Nothing bad, you are sure. So I ask again: do you think that the prince's judgment will likely go against one of the litigants, and that they are both seeking a judgement against the other?" Unless you are a fool, you will answer: "The one is doubtful, the other is certain, for the only desire of a litigant is to vanquish his adversary²." But whoever appeals the sentence of the prince subjects the winner to his adversary, the loser, who will not even spare his life if he is able to take it.

¹ "indigne"

² "colitiganti": co-litigant

[120] Qui vero appellationem aufert, arbitrio principis subditos addicit, quem veluti¹ patrem sperare benignum et suis affectum juribus² debent. Quod si cui jus³ et a quavis sententia et a quovis iudice provocare licebit, quid aliud erit quam indulgere omnibus, ut aliena invadant⁴, rapiant⁵, spolient, qui potentiores sunt omnia tollant, qui minus habent⁶ virium serviant, jaceat justitia, iudicium dormiat, *sileant leges inter arma*, et ad id tempus revertamur, in quo mortales fuerunt, antequam reges crearentur seu jura conscriberentur, quando⁷ brutorum more viribus homines, non ratione certabant? At⁸ hoc non expedit reipublicae, neque communem servat utilitatem⁹. Non est igitur justum, neque¹⁰ appellatio justitiae pars dici potest, quae communi bono adversantur¹¹, qualis est ab Austrialibus interposita, qui sancrosanctam apostolicam sedem summumque orbis senatum, in quo mundi lumina¹² resident, minoris auctoritatis existimant quam Viennensem consulatum, quem licet boni viri, tamen indocti atque ignobiles regunt, quando ab illo probant, ab hoc negant appellationis¹³ esse remedium.

¹ velut G

² viribus B, U1, U2

³ vis B, U1, U2, U3

⁴ invadunt V

⁵ rapient B, E

⁶ omit. U1

⁷ qui G

⁸ ad F

⁹ at hoc non ... utilitatem omit. V

¹⁰ nec F

¹¹ adversatur corr. ex adversantur C; adversatur G, U1, U2, U3, MU

¹² mundi lumina : lumina mundi G

¹³ eius add. F

[120] Removing the right of appeal subordinates the subjects of the prince to his judgment alone. In him they must put their hopes as in a benevolent father who will wish to uphold their rights. If everybody has the right to appeal from any sentence and from any judge, it will be the same as giving everybody permission to attack, rob, and plunder other people's property. The powerful will lord it over all, and the weak will be slaves. Justice will be trodden underfoot, the courts will sleep, *the laws will be silent among arms*¹, and we shall return to the time of mortals before kings were created and the laws written down, when men fought with strength like brute animals, and not with reason. This is not good for society, and it does not preserve the common good. An appeal that goes against the common good is an unjust appeal, like the one made by the Austrians: they think that the Holy Apostolic See and the highest senate on earth, where the luminaries of the world reside, have less authority than the magistrate of Vienna, governed by unlearned and base commoners though they may otherwise be good, who approve one man's remedy of appeal and deny another's.

¹ Roman saying, quoted by Cicero in his *Pro Milone*, 4, 10

[121] Ceterum iubentibus imperatorum legibus ac sanctorum patrum decretis appellatione pendente {65r} nihil esse innovandum¹, atque hoc appellanti potissimum incumbat². Videndum est, an Austriales a novitatibus abstinuerint, et an legi paruerint, qui legis auxilium quaerunt. Notorium³ est, quod dicam, non tamquam suspenderit, sed tamquam substulerit appellatio monitorium. At non velut prohibiti, sed velut iussi bellum gerere, sic Austriales se habuerunt. Nam exhibitore⁴ monitorii⁵ comprehenso et affecto contumeliis⁶, in carcerem coniecto⁷, mox arma sumpserunt indicentesque bellum Caesarem, ut eorum verbis utamur, diffidaverunt, atque ad inferendum damnum priores egressi sunt, nolentes⁸ addere moram sceleri aut metiri, quod auderent. *O caeca nocentum consilia! O semper audax, semper timidum⁹ scelus!* Si nihil obligat Austriales monitorium, cur festinant¹⁰ includere bajulum? Si appellationi confidunt, cur novitates inducunt?

¹ constat *add.* MU

² incumbit U1, U2, U3, MU

³ Appellatione pendente quid sit innovatum *in marg.* A

⁴ portitorem U1; portitore U2, V

⁵ Monitorii baiulum *in marg.* D, G

⁶ exhibitore *add.* U1; exhibitore *add. in marg.* U2

⁷ Carceratio nuntii *in marg.* A

⁸ nolentem F

⁹ timidum U1; timidum *corr. ex* timidum U2; timidum *corr. ex* timidum U3

¹⁰ festinat U1

4.4. Austrians modified the conditions of the matter after the appeal

[121] Moreover, according to the laws of the emperors and the decrees of the holy fathers the conditions of the matter under appeal may not be modified while the appeal is pending, and this especially applies to the appellant. It should be ascertained whether or not the Austrians refrained from such modifications, and whether those who sought assistance from the law obeyed it themselves. The matter I am speaking of is notorious: the Austrians have behaved as if the appeal not only suspended the monitorium, but annulled it, and they went to war as if they had been bidden to, not as if they had forbidden to. For they seized the man who announced the monitorium, treated him brutally and cast him in prison. And immediately afterwards they took up arms, declared war and – in their own words - unswore¹ their oath to the emperor, and were the first to march off to cause damage, not wanting to delay their crimes or to consider their recklessness. *Oh, the blind counsels of the guilty! And how rash and cowardly is always wickedness.*² If the monitorium in no way obliges the Austrians, then why do they hasten to shut up the messenger? If they trust in the appeal, then why do they modify the conditions?

¹ "diffidaverunt"

² Statius: *Thebais*, 2, 489

[122] Sed procedit ulterius contumacia atque *ad*^{1 2} *excusandas excusationes in peccatis* ex³ sacris litteris, quae non capit, exempla perquiri. “Asina⁴,” inquit, “Balaam, cum nimis urgeretur, restitit atque⁵ in vocem miraculose prorupit, licere populis indicans duriora praelatorum imperia refutare. Et Paulus⁶ apostolus *in faciem*⁷ Petro sese⁸ asserit *resistisse*. Aequanimiter etiam laturum sese, Romanus pontifex asserit⁹, si quis ejus mandato non paruerit¹⁰, quod sine scandalo adimpleri non poterat. Et iterum: Aut mandatum, inquit, nostrum¹¹ diligenter adimpleas, aut per litteras tuas quare adimplere non possis rationabilem causam praetendas¹². Quibus exemplis volunt adversantes non errasse Austriales summi pontificis monitorio resistentes.

¹ *omit.* V

² atque ad *corr. ex.* atque A, C

³ et F

⁴ Balaam. Asina *in marg.* A; Asina. Balaam *in marg.* D, G, U3

⁵ at F

⁶ Paulus *in marg.* A, U3; Petrus a Paulo *in marg.* D, G

⁷ apostolus in faciem : in faciem apostolus V

⁸ esse *add.* F

⁹ resistisse ... asserit *omit.* U1

¹⁰ paruerat U1

¹¹ vestrum V

¹² pertendas U1

4.5. Conclusion

[122] But their defiance goes even further, and in order to *make excuses in sins*¹ they search for examples in Holy Scripture, examples that they do not understand.

“When Balaam pressed the ass too hardly,” they say, “it resisted and started, miraculously, to speak,² thus showing that peoples may rightly reject the unreasonable commands of prelates.

And Paul the Apostle said that he *had resisted Peter to his face*.³

And a Roman Pontiff once stated that he would bear it with equanimity if somebody resisted a command of his in case it could not be obeyed without causing a scandal. And he also said: Either diligently obey our command, or inform us by letter about your reasonable cause for not obeying it.⁴ By such examples our adversaries wish [to prove] that they have not erred in resisting the monitorium of the Supreme Pontiff.

¹ Psalms, 140, 4

² Numbers, 22, 21-33

³ Galatians 2, 11

⁴ Alexander III in c. *Si quando* de rescriptis: *Sicut vir providus et prudens et discretus, qualitatem negotii pro quo tibi scribitur diligenter considerans, aut mandatum nostrum reverenter adimpleas, aut per litteras tuas quare adimplere non possis sufficientem et rationabilem causam praetendas*

[123] Sed absunt a vero sensu sacrisque codicibus et canonibus abutuntur. Asina¹ enim non suo consilio, sed Dei jussu et angelica suggestionem² sessoris imperio resistit, significans³ Deo magis quam praelatis esse parendum. At cum nostri Austriales adversus apostolicam monitionem nullam divinitus acceperint jussionem, non latet eos contumaciter resistentes poenam⁴ mereri. Nec Pauli se possunt exemplo tueri, cum ille in re fidei Petrum arguerit, *quia non ambulabat ad veritatem evangelii*. Nihil enim tale nunc agitur⁵, nec Austriale quisquam est comparandus apostolo⁶, cui revelata sunt secreta caelestia, qui ascendit ad tertium caelum, et vidit arcana Dei, quae non licet homini loqui, magister gentium, praedicator veritatis in universo mundo, par Petro in honore et in passione socius.

¹ Responsio de asina et alias rationes *in marg.* D, G

² suggestionem B, E

³ significatus V

⁴ poenamque MU

⁵ geritur MU

⁶ Laus Pauli *in marg.* A

[123] But they are far from the true meaning¹ and they misuse the holy books and canons.

For the ass did not resist the command of its rider of its own will, but on God's command and at the prompting of an angel. Thus it was shown that God should be obeyed more than prelates. But since the Austrians have received no divine command against the apostolic monitorium, it is clear that they resisted it contumaciously and deserve punishment.

Nor can they hide behind the example of Paul, for he gainsaid Peter in a matter of faith, because Peter *walked not uprightly unto the truth of the gospel.*² Such is not the case here, and no Austrian may be compared to the Apostle to whom the secrets of Heaven were revealed, who ascended *to the third heaven,*³ *and heard secrets of God which it is not granted to man to utter,*⁴ the teacher of the peoples, the preacher of the truth in the whole world, *equal to Peter in honour and his companion in suffering.*⁵

¹ i.e. of the quoted texts

² Galatians, 2, 14: *quod non recte ambularent ad veritatem evangelii*

³ 2. Corinthians 12, 2

⁴ 2. Corinthians, 12,4: *audivit arcana verba quae non licet homini loqui*

⁵ Decretum, 2.7.37: *Beati Petrus et Paulus eminent inter uniuersos apostolos, et peculiari quadam prerogatiua precellunt; uerum inter ipsos quis cui preponatur incertum est. Puto enim illos equales esse meritis, qui equales sunt passione*

[124] Quod vero de Romanis pontificibus addunt, id, qui sapiunt, caute, sollicite, ac religiose suscipiunt, nec locum habere affirmant, ubi mandatum ex certa scientia atque causa cognita processit, ceu verba ipsorum pontificum manifestant. Nam cum patienter substinere se dicit, si factum non {65v} fuerit, quod prava¹ sibi insinuatio suggestisset, indicat se, cum praeciperet, non plene cognovisse² negotium. At monitorium nostrum, ut ante docuimus, discussis ac cognitis plenissime rebus emanavit. Alioquin corrumpitur atque dissolvitur officum omne superiorum, si quis ad id, quod facere jussus est, non obsequio debito, sed consilio non desiderato³ respondeat, et plus sapere velit, quam sit necesse⁴. Quamquam longe⁵ diversus est casus noster, in quo Austriales non solum non⁶ implevere mandatum, sed contempserunt et abjecerunt⁷ et - quod erat omnino contrarium - expleverunt, ac si religio sit, quod Romana sedes imperat, ejus oppositum observare. Adversus quos Hadrianus Papa in hunc modum scribere invenitur: *Generali decreto constituimus, ut execrandum anathema fiat et velut praevaricator fidei catholicae semper apud Deum reus existat, quicumque regum seu episcoporum vel potentum deinceps Romanorum pontificum decretorum censuram in quoquam crediderit vel permiserit violandam.*

¹ parva U1

² cognovisset U1

³ deliberato E, MU

⁴ sit necesse : necesse sit U1

⁵ omit. F

⁶ solum non corr. ex solum A, C

⁷ abjecere U1; obicierunt V

[124] As for their claims concerning the Roman pontiffs, any wise person would treat them with caution, concern and circumspection, maintaining that it is not relevant to cases where a command is issued on the basis of certain knowledge and after examination of the matter, as the words of the popes themselves show. For when [the abovementioned pope] says that he would accept that a command was not obeyed if it was based on faulty information, he thereby indicated that he did not have full knowledge of the matter when he issued the command. But as we have shown before, our monitorium was issued after the matter had been fully discussed and examined. All offices of superiors are overturned and dissolved if anybody who is ordered to do something may respond not with due obedience, but with unacceptable counsel, and may claim to know more than is needful.

At any rate, our case is far different: not only did the Austrians disobey the command, but they spurned and rejected it, and did the exact opposite – as if loyal respect could be to do the opposite of what the Apostolic See commands. Against such people Pope Hadrian wrote: *By a general decree we have resolved that any king, bishop or potentate who refers a censure decreed by a Roman Pontiff to somebody else or allows it to be disregarded will be anathema and always guilty before God of having abused the Catholic faith.*¹

¹ Decretum, C.25.1.11 (col. 1009)

[125] Quas ob causas intelligere jam omnes, qui adsunt praesentes, arbitror injustas atque iniquas esse illorum querelas, qui consulentes Austrialibus et illorum facta probantes sanctissimi domini nostri Nicolai monitiones¹ accusant. Qui cum sint ipsi² culpabiles et magna digni correctione, apostolicae sanctae sedis³ ⁴ decreta calumniantur, violatores legum, contemptores canonum, corruptores evangelii, et omnis honestae consuetudinis perversores, quos ab ecclesia repellendos, nisi resipiscant et humili confessione peccata deplorent, nullus jurisperitus ignorat. Nam qui luporum feritatem prae se ferunt, qui canum rabiem imitantur, quibus est venenum letale serpentum, et omnis cruenta saevitia bestiarum, nullo pacto sunt in ecclesia retinendi, sed excludi abscidique debent, ne columbas, ne oves Christi saeva et venenata contagione praedentur. *Eant, eant igitur hujusmodi pestes⁵ hominum, et relinquant collegium Christianum haeretici perversores, quando conjungi et cohaerere non potest amaritudo cum dulcedine, caligo cum lumine, pluvia⁶ cum serenitate, pugna cum pace, cum fecunditate sterilitas, cum fontibus siccitas, cum tranquillitate tempestas, ut Cypriani⁷, facundissimi viri et gloriosi martyris, est sententia.*

¹ monitio G

² quasi B, E, MU

³ omit. U1

⁴ sanctae sedis : sedis sanctae C, MU

⁵ potest U1

⁶ pluma A

⁷ Cypriani *in marg.* A; Cipriani *in marg.* D; Cypriani sententia *in marg.* U3

[125] For these reasons I believe that all who are present here today understand that the complaints against the admonitions of Our Most Holy Lord Nicolaus made by those who counsel the Austrians and applaud their actions are unjust and evil. Though they themselves are culpable and merit serious correction, they disparage the decrees of the Holy Apostolic See. They violate the laws, they despise the canons, they corrupt the Gospel and they pervert all decent custom. Every jurist knows that unless they repent and regret their sins in humble confession, they should be cast out of the Church. For those who show the ferocity of wolves, who imitate the rabidity of dogs, who carry the lethal poison of snakes, and show the bloody savageness of wild animals, should in no way be allowed in the Church. Nay, they should be excluded and cast out, so that the doves and sheep of Christ should not fall victim to their bloody and poisonous contagion.¹ As that well-spoken man and glorious martyr Cyprian states: *Let them depart, let them depart those plague-ridden men, and let all evil heretics leave the Christian community, since bitterness cannot be joined and associated with sweetness, darkness with light, rain with clearness, war with peace, barrenness with fertility, drought with springs, storm with tranquillity.*²

¹ Cyprianus: *De unitate ecclesiae*, 9: *What does the fierceness of wolves do in the Christian breast? What the savageness of dogs, and the deadly venom of serpents, and the sanguinary cruelty of wild beasts? We are to be congratulated when such as these are separated from the Church, lest they should lay waste the doves and sheep of Christ with their cruel and envenomed contagion*

² Cyprianus: *De unitate ecclesiae*, 9

[126] Ac tantum adversus maledicta et malefacta¹ nostrorum adversariorum locutum esse² sufficiat. Ceterum, cum monitorium apostolicum perspicuis ac manifestissimis rationibus sit defensum, quod super rebus ad Romanam sedem pertinentibus adversus delinquentes et notorios malefactores etiam auditos emanavit, cum appellationem interjectam nullo jure subsistere posse monstraverimus³, cum multis {66r} in rebus Austriales peccavisse sit doctum⁴, exposcit tempus, ut quod ultimo loco de Romani pontificis domini nostri sanctissimi⁵, Nicolai V., desiderio et intento promissimus, in medium⁶ afferamus⁷. Quod gravissimo et ornatissimo conventu⁸ vestro⁹ benignas aures adhibente^{10 11} succincte ac¹² brevissime¹³ faciam. Quamvis offensus horrendis maledictis¹⁴ compellationibusque probrosis jactatus sit dominus noster clementissimus, non tamen ultionem expetit, cujus memoria praeter injurias, quidquid accepit, tenacissime servat. Sed illius vestigia sequens, cujus vices in terris agit¹⁵, *peccatoris conversionem, non mortem appetit*.

[127] Duo¹⁶ sunt, ad quae¹⁷ vestram congregationem hortatur intendere. Alterum est, ut componendae paci¹⁸ operam detis, alterum, ut Austriales commoneatis¹⁹ apostolicam sedem more majorum suorum veluti matrem et magistram²⁰ veritatis ut condigna^{21 22} reverentia prosequantur, humilitatem pro superbia, devotionem pro blasphemia, oboedientiam²³ pro contumacia rependentes²⁴.

¹ et malefacta *omit.* U1

² locutum esse : potuisse V

³ monstravimus F, V

⁴ dictum MU

⁵ domini nostri sanctissimi : sanctissimi domini nostri G

⁶ in medium *omit.* V

⁷ Hec ad pontificem *in marg.* D, G

⁸ conventui MU

⁹ nostro V

¹⁰ adhibete palam MU

¹¹ aures adhibente : adhibente aures U1, U2, U3

¹² et U1, U2, U3

¹³ breviter F

¹⁴ horrendis maledictis : maledictis horrendis U3

¹⁵ Bonus papa *in marg.* A

¹⁶ Pontifex Nicolaus Austriales hortatur *in marg.* D; Pontifex ad Austriales *in marg.* G

¹⁷ ad quae : quae ad E, MU

¹⁸ pacis F

¹⁹ ut *add.* MU

²⁰ et magistram : magistramque U1

²¹ ut condigna : cum digna E, V, MU

²² condignam U1

²³ obedientia A, F

²⁴ reprehendentes U1; respondentes V

5. Pope's intentions are benevolent and peaceful

[126] We have now said enough about the evil words and deeds of our adversaries. With clear and manifest reasons we have defended the apostolic monitorium: it concerned issues pertaining to the Apostolic See, and it was issued against criminal and notorious malefactors whose case had moreover been heard. We have shown that their appeal has no validity, and we have explained how the Austrians have sinned in many ways. Now time demands that we end our oration by disclosing - as promised in the beginning - the desires and aims of the Roman Pontiff, Our Most Holy Lord Nicolaus V. May this exalted and excellent assembly lend ears to what I shall say, succinctly and briefly. Though Our Most Clement Lord is offended by the appalling statements of the Austrians and shocked by their shameful appeals, he does not seek revenge, for he vividly remembers all except offenses. But following in the footsteps of the One, whose Vicar on Earth he is, he desires *the conversion of the sinner, not his death*.¹

[127] He therefore invites your assembly to focus on two things. The first is to endeavour to make peace, the second is to admonish the Austrians to follow, in the way of their forefathers and with due reverence, the Apostolic See as their mother and teacher of truth, and to exchange arrogance with humility, blasphemy with devotion and obstinacy with obedience.

¹ Ezekiel, 33, 11

[128] Intellexit pietas apostolica inclytum regem Ladislaum, quamvis adhuc impuberem et annis tenerum, imperatoriae majestatis tutelam exivisse atque in aliorum veluti regnaturum¹ venisse manus. Res adhuc turbidas esse ac non simultates modo, sed² odia videri aperta³ inter Caesaream serenitatem et⁴ eos, quorum consilio rex Ladislaus regitur⁵, idque molestum est atque acerbum domino nostro, qui ex odiis bella, ex bellis infinitas oriri calamitates noscit. Cupit ergo vestrum⁶ esse studium vestramque⁷ curam, ut omnem discordiae fomitem amoveatis⁸ pacemque⁹ componatis, qua nihil est illi mundanae machinae motori atque rectori, quod vel in terris vel in caelis fiat acceptius, qui nec locum habitat nisi pacatum¹⁰, dicente propheta: *Et factus est in pace locus ejus.*

¹ regnatorum U1

² omnia *add.* F

³ apertam E

⁴ ac V

⁵ igitur F

⁶ nostrum U1

⁷ nostramque U1

⁸ amoveatis U1; ammoneatis V

⁹ De pace *in marg.* A; Ad pacem *in marg.* D

¹⁰ peccatum V

5.1. Restoration of peace

[128] His Apostolic Piety has been informed that the illustrious King Ladislaus, though still a child of tender years, has left the guardianship of His Imperial Majesty and come into the hands of other people in order to take up his rule. Matters are still turbulent: we see not just conflicts, but even open enmity between His Imperial Serenity and those by whose counsel King Ladislaus is governed. This is a dreadful and bitter burden on Our Lord, who knows that wars arise from enmity and infinite calamities from wars. He therefore desires you to work with all your might to remove all matter for conflict and restore peace. For nothing in Heaven and Earth is more pleasing to the mover and ruler of the world machine¹ who can only live in a peaceful place. As says the prophet: *And his place is in peace.*²

¹ Note the concept of the world as a machine, *machina mundi*, and God as the mover of the machine

² Psalms, 75, 3: *et erit in Salem tabernaculum eius*. The Latin text is different from the Vulgate

[129] Maxime¹ autem diligentiam eo ferri² atque intendi vestram hortatur, ut res, quas in hac conventionem suscepistis agendas, ita ordiri conemini atque contexere, quod imperator regi et rex imperatori indissolubili³ caritatis vinculo reconcilietur⁴, ut⁵ inde paterna dilectio et hinc filialis affectio ferveat, tantumque invicem se observent, ut proximitatis et sanguinis jura amoris et benevolentiae superentur officiis. Quae res, si vestro⁶ conatu peragantur, ut sperandum est, uberes Christianae reipublicae fructus parabunt, cum nihil magis Christianitati conducat, quam regnum illud Hungariae, quod pro muro contra Turcos fideles habent, et imperium, quod est regnorum caput et columen, mutuis sese obsequiis ac beneficiis superare contendat. Quo⁷ in negotio, si quid est, quod sedes apostolica aut opis aut operis⁸ impartiri⁹ posset¹⁰, id promptum paratumque offert, cui prophetica semper in oculis est praeceptio¹¹: *Declina a malo et fac bonum, inquire pacem, et persequere eam.*

¹ maximam V

² diligentiam eo ferri : eo diligentiam ferri MU

³ dissolubili F

⁴ retineatur V

⁵ omit. U1, U2, U3, V

⁶ nostro U1

⁷ quam U1

⁸ opis aut operis : operis aut opis U1

⁹ impartiri MU

¹⁰ possit corr. ex possit C; possit U1, U2, U3, V

¹¹ praecepto U1

[129] But most of all he invites you to work diligently to fulfill the goal you have undertaken in this assembly, that is to reconcile the emperor with the king and the king with the emperor with an unbreakable chain of love, so that henceforth there may be paternal love on one side and filial affection on the other, and that they will be so devoted to each other that the rights of family and blood may be surpassed by obligations of love and benevolence. If you succeed in this, as we hope, there will abundant fruits for the Christian community. Indeed, nothing is better for Christianity than that the Kingdom of Hungary, bulwark of the faithful against the Turks, and the empire, head and pillar of all kingdoms, should strive to surpass each other in mutual regard and benevolence. If the Apostolic See can contribute to this cause with resources or labours, it is ready and prepared to do so. For it is always looking to that precept of the prophet: *Turn away from evil and do good: seek after peace and pursue it.*¹

¹ Psalms, 33, 15: *recede a malo et fac bonum quaere pacem et persequere eam*. The Latin text is different from the Vulgate

[130] Cui non sufficit pacem quaerere, nisi inventam fugientemque {66v} omni studio persequatur, sciens, quia magister et dominus salvator Christus¹, cum in terris ageret, nullum majus² quam serendae plantandaeque pacis³ studium habuit. Quo nascente, quo praedicante ac secundum carnem moriente semper annuntiatam novimus⁴ pacem, cujus nomine nihil dulcius, cujus re⁵ nihil jucundius aut salubrius inter mortales⁶ inveniri potest. Quae licet nonnumquam difficulter obtineatur, obtenta tamen carius et⁷ diligentius possidetur. Complurima de bono pacis afferre possem, sed omnia norunt prudentissimae atque oculatissimae dignitates vestrae, quae in dies⁸ *res parvas concordia crescere, dilabi magnas discordia* cernunt. Quibus autem modis componi lites omnes et refrigerari ferventes ira^{9 10} animi possint¹¹, scientibus supervacuus¹² est labor exponere, *nec suis¹³ est docere Minervam.*

¹ omit. V

² magis V

³ plantandaeque pacis *corr. ex plantandaeque* A, C

⁴ novimus V

⁵ rei G

⁶ immortales C

⁷ ac

⁸ in dies : diutius U1, U2, V

⁹ omit. U1, U2, V; ira *add. in marg.* U3

¹⁰ ferventes ira *corr. ex ferventes* A, C; irae G

¹¹ possunt U

¹² superna cuius F, U1

¹³ sus D, G

[130] For the Apostolic See will not just seek peace, nay, it will pursue it with all its might - fleeting and transitory as it is. For it knows that when Christ, our teacher and Lord Saviour, lived on earth, his greatest concern was to sow and plant peace. We know that as he was born, as he was preaching, and as he died according to the flesh, he was always talking about peace. Truly, among men nothing can be found sweeter than the word "peace", and nothing is more joyful and salutary than peace itself. It may often be difficult to obtain, but when it has been found, nothing should be held more dearly and diligently. I could say much more about the benefit of peace, but as Your Honours are both wise and clear-sighted, you know it very well and are quite aware that *harmony makes small states great, while the mightiest are undone by discord*.¹ It is useless to tell those, who already know, how to solve conflicts and to cool burning tempers: *Minerva should not be lectured by swine*.²

¹ Sallustius: *Bellum Iugurthinum*, 10.6: *Nam concordia parvae res crescunt, discordia maxumae dilabuntur*

² Cicero: *Academica*, 1.5.18: *Nam etsi non sus Minervam, ut aiunt, tamen inepte quisquis Minervam docet*

[131] Transeo ad secundum¹ sanctissimi domini nostri optatum, quod praelatos praecipue virosque doctrina pollentes inspicit, quales esse quamplures in hoc auditorio² non est dubium. Vos igitur, vos – inquam – juris ac sacrarum litterarum interpretes vosque mundi lumina, vos qui *lucernas ardentes*³ *tenetis*⁴ in domo domini, quae est ecclesia, vos⁵ ad innocentiam simplices et cum simplicitate prudentes, vos apostolica magnitudo requisitos oratosque facit, ut sollicito corde Austriales⁶ commoneatis, ne⁷ iussiones apostolicas respicientes⁸, ecclesiae claves irrideant. Quoniam⁹ si Christiano¹⁰ censi vocabulo cupiunt, si sapientiam Dei, patris sequi filium volunt, evangelio necessario credent, quod Petrum ecclesiae pastorem constitutum voce salvatoris edocet, et animas ligandi atque solvendi pontificium¹¹ accepisse. Quod autem de Petro, idem de successoribus ejus¹² sentient, si regni¹³ aeterni et haereditatis Christi optaverint esse participes. Quia non ad unam solum personam vicariatuum suum¹⁴ extendit dominus, sed gradatim per vices electionis usque ad¹⁵ finem mundi propagavit dicens: *Ego vobiscum sum*¹⁶ *usque ad consummationem saeculi*. Hinc Jeronimus¹⁷ ad Damasum papam scribens: *Cum successore piscatoris*¹⁸, inquit, *et cum discipulo Christi loquor. Ego nullum primum*¹⁹ *nisi Christum sequens, beatitudini tuae, idest cathedrae Petri communioni*²⁰ *consortior. Super illam petram aedificatam ecclesiam scio. Quicumque extra hanc domum agnum comederit, profanus est. Si quis in Noae arca*²¹ *non fuerit, peribit regnante diluvio*.

¹ Secundum pontificis optatum *in marg.* D, G

² auditorium F

³ *omit.* U1

⁴ ardentes tenetis : tenetis ardentes U3

⁵ nos U1

⁶ Austriales F

⁷ *omit.* F

⁸ respicientes F

⁹ qui F

¹⁰ Christiani U1

¹¹ pontificum F; pontificem V

¹² suis F

¹³ regem F

¹⁴ *omit.* U3

¹⁵ in V

¹⁶ usque ad finem ... vobiscum sum *omit.* U1

¹⁷ Hieronymus ad Damasum *in marg.* A, D, G; Hieronymus *in marg.* U3

¹⁸ pastoris U1, U2; piscatoris *corr. ex* pastoris U3

¹⁹ premium V

²⁰ communi MU; communionem U3

²¹ Noae arca : arca Noe U3

5.2. Obedience to the Holy See

[131] I now pass on to the second wish of Our Most Holy Lord which especially concerns the prelates and men of great learning of whom many are certainly present in this assembly. You - I say - you interpreters of law and of Holy Scriptures, you the lights of the world, you who are *holding burning lamps*¹ in the house of the Lord, that is the Church, you who are of simple innocence and prudent simplicity, you His Apostolic Highness asks and requires to solicitously admonish the Austrians not to spurn the apostolic commands nor to mock the keys of the Church. If they desire to be called Christians and wish to follow the wisdom of God and the Son of the Father, they must believe [the words of] the Gospel saying that the Saviour personally appointed Peter the pastor of the Church and that he gave him the pontifical charge of binding and freeing souls. And they must believe the same about Peter's successors if they want to share the Eternal Kingdom and the heritage of Christ. For the Lord gave his vicariate not to one person alone, but extended it, through successive election, to the end of the world, saying: *I am with you all days, even to the consummation of the world.*² Therefore Jerome could write to Pope Damasus: *My words are spoken to the successor of the fisherman, to the disciple of Christ. As I follow no leader save Christ, so I communicate with none but your blessedness that is with the chair of Peter. For this I know, is the rock on which the church is built. This is the house where alone the paschal lamb can be rightly eaten. This is the ark of Noah, and he who is not found in it shall perish when the flood prevails.*³

¹ Luke, 12, 35: *Sint lumini vestri praecincti, et lucernae ardentes in manibus vestris*

² Matthew, 28, 20

³ Jeronimus: *Epistola ad Damasum* (15), 2. MPL, XXII, col. 355. Decretum, 24.1.25.

[132] Quod si hoc¹ Austriales suo² ingenio non capiunt, instruite illos in *caritate non ficta* atque commonitos facite, ne his auscultent, qui resistendum apostolicae sedi consulunt, et alios rebellantes in argumentum adducunt dicentes: “Erimus nos sicut et ceteri, qui Romani pontificis auctoritatem ignorant.” Quibus vocibus nihil esse aut sceleratius aut periculosius potest. Quod si neque rationibus neque sacrorum canonum vinci auctoritatibus possunt, exemplorum saltem copia moveantur³. Omnes enim, qui⁴ ab initio nascentis ecclesiae, in hanc⁵ usque {67r} diem apostolicae sublimitatis impugnare conati sunt eminentiam, in ruinam cum Lucifero dati clades maximas inciderunt⁶. *In oriente*, sicut Jeronimus⁷ ait, *Lucifer ille, qui ceciderat, super sidera posuit thronum suum, ubi obruta fulcis frumenta in lolium avenasque degenerant*. Aegyptus⁸ et Libya, dum Christum, qui Romae praedicatur, audire contemnit, pseudopropheta Mahumetum⁹ admittit et sequitur ad infernum. Graecia¹⁰, dum superbit ac Romanae majestatis primatum negare praesumit, servire Turcis cogitur et hostibus Christiani nominis tributa¹¹ pendere.

¹ hoc *corr.* ex hec A; haec B, C, E, MU; *omit.* U1

² suapte V

³ moneantur *corr.* ex moveantur U3; moneantur V

⁴ *omit.* U1

⁵ hunc U3

⁶ clades maximas inciderunt : in maximas inciderunt ~~ruinas~~ clades G

⁷ Hieronimus *in marg.* A

⁸ Egyptus *in marg.* D; Ægyptus. Libya *in marg.* G, U3

⁹ Maumethus *in marg.* A; Maumethes *in marg.* U3

¹⁰ Thurci. Grecia *in marg.* A; Graecia *in marg.* U3

¹¹ tributum MU

[132] If the Austrians do not understand this on their own, then show it to them with *unfeigned love*¹. Admonish them not to listen to those who counsel them to resist the Apostolic See, and who lead others to rebellion, saying, “Let us do as other people who do not recognise the authority of the Roman Pontiff.” Nothing can be more wrong or more dangerous than such words. But if the Austrians can be persuaded neither with good reasons nor by the authorities from the sacred canons, at least let them be moved by many precedents. For all those who since the birth of the Church and unto this day have tried to attack the eminence of the Apostolic Highness have been given over to ruin together with Lucifer and have suffered great calamities. *In the East*, says Jerome, *Lucifer who fell from Heaven has once more set his throne above the stars ... where the seed corn is choked in the furrows and nothing grows but darnel or oats.*² Egypt and Libya refuse to hear Christ, who is proclaimed in Rome, and now they follow the false prophet Muhammad to Hell. And Greece which arrogantly and temerarily presumed to deny the primacy of the Roman majesty is forced to serve the Turks and pay tribute to the enemies of the Christian name.

¹ Adaptation of 1. Timothy, 1, 5

² Jeronimus: *Epistola ad Damasum* (15), 1. MPL, XXII, col. 355

[133] Quid regnum Bosniae¹ referam omnibus gentibus despectum atque invisum? Quid profuit in Bohemia nonnullorum² temeritas, qui dum Romanam ecclesiam insequuntur³, se ipsos conterunt ac florentissimi regni⁴ non opes solum⁵, sed templa sanctorum⁶ ac aedes et palatia nobilissima dominorum evertunt? Qui dum nolunt⁷ archiepiscopi et aliorum praelatorum jussionibus subjici, turpissimorum apostatarum Procopii⁸ Rasi⁹ et Petri cujusdam Anglici tolerare jugum coguntur atque illos habere praepositos¹⁰, quos vix stabuli aut popinae famulos¹¹ antea¹² recepissent. Advertant¹³ hoc¹⁴ et contremiscant, qui Romanum pontificem sacrumque collegium insectantur, de quibus Jeronimus¹⁵ *Apud vos, inquit, solos incorrupta patrum servatur auctoritas*. Et iterum: *Vos estis lux mundi, vos sal terrae, vos vasa aurea et argentea*. Et iterum de papa: *Quicumque non colligit tecum¹⁶, dispergit*. Nec sibi blandiantur dicentes: "Si Romanam ecclesiam reliquerimus¹⁷, male illi erit, multi deficient, pauci eam sequentur." Nam quamvis dolet ecclesia de perditione ovium¹⁸, cum tamen incurabiles sunt, suo¹⁹ ingenio morbidas²⁰ oves extra septa²¹ propellit, ne morbida facta pecus totum²² corrumpat ovile. *Nemo existimet bonum virum, ut Cyprianus²³ tradit, ab ecclesia posse discedere. Triticum non rapit ventus, nec arborem solida radice fundatam procella subvertit. Inanes paleae tempestate jactantur. Invalidae arbores turbinis incursione vertuntur.*

¹ Bossina *in marg.* A; Bosna *in marg.* U3

² nullorum F

³ in *add.* F; insecantur V

⁴ regis F

⁵ opes solum : solum opes F

⁶ sanctorum *corr. ex sancta* A, C

⁷ voluit U1

⁸ Procopius. Petrus *in marg.* A; Procopius, Rasius, Petrus: haeretici in Bohemia *in marg.* U3

⁹ Rasii MU

¹⁰ propositos V

¹¹ habere ... famulos *omit.* F

¹² ante F

¹³ *omit.* U1

¹⁴ hec V

¹⁵ Hieronimus *in marg.* A, D; Hieronymus *in marg.* G; Divus Hieronymus *in marg.* U3

¹⁶ tecum *corr. ex mecum* D; mecum B, E, G

¹⁷ relinquerimus F, U1, U2, V

¹⁸ omnium F, U1

¹⁹ suapte U1, U2, V

²⁰ morbulas U1

²¹ *omit.* V

²² *omit.* F

²³ Cyprianus *in marg.* A, G; Ciprianus *in marg.* D; Divus Cyprianus *in marg.* U3

[133] What should I say about the Kingdom of Bosnia, despised and hated by all peoples? And what has Bohemia gained from the temerity of a group of people who, while persecuting the Roman Church, did great damage to themselves and destroyed not only the wealth of a flourishing realm, but also the temples of the saints and the houses and noble palaces of their lords? They do not wish to obey the commands of their archbishop and of other prelates. Instead they have to carry the yoke of those wicked apostates, Prokop Rasci¹ and some Englishman called Peter², and to tolerate as their leaders people whom formerly they would not have accepted as stable boys or servants in bars. Let them beware of this and let them tremble, those who persecute the Roman Pontiff and the Sacred College, about whom Jerome says: *You alone keep the heritage from the fathers inviolate.*³ And again: *Ye are the light of the world, ye are the salt of the earth, ye are vessels of gold and silver.*⁴ And again, about the pope: *He that gathers not with you scatters.*⁵ Do not let them flatter themselves saying: "If we leave the Roman Church, it will suffer: many will leave it, and few will follow it." The loss of sheep indeed pains the Church, but when they are incurable, it will itself cast the sick sheep out of the flock so that the sick do not infect the whole flock. As Cyprian says: *Let none think that the good can depart from the Church. The wind does not carry away the wheat, nor does the hurricane uproot the tree that is based on a solid root. The light straws are tossed about by the tempest, the feeble trees are overthrown by the onset of the whirlwind.*⁶

¹ Prokop: (ca. 1380-1434): prominent Hussite general of the Hussite Wars. His name has also been given as Prokop Holý or Prokopius Rasus - Latin translation ("the Shaven," in allusion to his having received the tonsure in early life)

² Peter Payne (ca. 1380-1455): English theologian. Educated in Oxford where he joined the Lollards. Travelled to Bohemia and was received by the University of Prague in 1417. Became one of the leaders of the Hussites, joining the sect of the "Orphans". One of the Hussite legates to the Council of Basel, known for his intransigence

³ Jeronimus: *Epistola ad Damasum* (15), 1. MPL, XXII, col. 355

⁴ Jeronimus: *Epistola ad Damasum* (15), 1. MPL, XXII, col. 355

⁵ Jeronimus: *Epistola ad Damasum* (15), 2. MPL, XXII, col. 356

⁶ Cyprianus: *De unitate Ecclesiae*, 9

[134] Sciant, qui volunt ab apostolico secedere¹ fundamento, se debiles arbores et viles paleas esse, igni² rapacissimo celerrime comburendas, et quamvis sequaces habeant, non tamen minus³ ardebunt, ut Augustini⁴ verbum est: *Quia cum multis ardebunt*⁵. Romanus autem praesul cum Johanne apostolo dicet: *Ex nobis exierunt, sed non fuerunt ex nobis. Oportet*, inquit doctor gentium Paulus, *haereses esse, ut probati manifesti sint*⁶ *in nobis. Nam sic probantur fideles, et infideles deteguntur. Sic etiam*⁷ *ante iudicii diem hic*⁸ *quoque justorum atque injustorum animae dividuntur. Ecclesia*⁹ *tamen in suo splendore integra perseverat, pura, candida ac*¹⁰ *domini luce perfusa, per orbem totum radios suos porrigens. Unum tamen lumen est, quod*¹¹ *ubique diffunditur, nec unitas corporis separatur. Qui sunt, {67v} qui dicunt: “Ab ecclesia recedemus*¹²?” *Avelle radium solis a corpore, divisionem lucis unitas non capit. At qui relinquunt ecclesiam vivificationis amisso spiritu, Deo et angelis ejus e vestigio moriuntur. Ab arbore frange ramum, fructus germinare non poterit. A fonte praecide rivum, praecisus arescet. Eligant igitur Austriales, an cum Romana salvari ecclesia velint, an perire cum persecutoribus ejus.*

¹ discedere F

² igne U3

³ tamen minus : minus tamen G

⁴ Augustinus. Joannes. Paulus *in marg.* A, D, G

⁵ ut Augustini ... ardebunt *omit.* E, MU

⁶ sunt U

⁷ *omit.* F

⁸ *omit.* V

⁹ Contra recedentes ab ecclesia *in marg.* U3

¹⁰ hac F

¹¹ vel *add.* F

¹² recedamus E, MU

[134] Those who would abandon the apostolic fundament should know that they are fragile plants and mere chaff that shall be burned swiftly by greedy fire. And though they have followers, they shall still burn, as Augustine says: *They shall burn, together with many.*¹ But the Roman Bishop will say, with the Apostle John: *They went out from us but they were not of us.*² And Paul, the teacher of the peoples, says: *For there must be also heresies: that they also, who are approved, may be made manifest among you.*³ *Thus the faithful are approved, thus the perfidious are detected; thus even here, before the Day of Judgment, the souls of the righteous and of the unrighteous are already divided.*⁴ But the Church remains, undiminished in splendour, pure and brilliant. *Shone over with the light of the Lord, it sheds forth her rays over the whole world, yet it is one light which is everywhere diffused, nor is the unity of the body destroyed by divisions.*⁵ Who are those who say: We shall leave the Church? *Separate a ray of the sun from its body of light, its unity does not allow a division of light.*⁶ But those who leave the Church lose the spirit of vivification, and they are immediately dead to God and his angels. *Break a branch from a tree —when broken, it will not be able to bud; cut off the stream from its fountain, and that which is cut off dries up.*⁷ So let the Austrians choose whether they want to be saved with the Roman Church, or perish with its persecutors.

¹ Decretum, C.2.1.18 (col. 447)

² 1. John, 2, 19: *ex nobis prodierunt sed non erant ex nobis*

³ 1. Corinthians, 11, 19. Quoted by Cyprianus: *De Unitate ecclesiae*, 10

⁴ Cyprianus: *De Unitate ecclesiae*, 10

⁵ Cyprianus: *De unitate ecclesiae*, 5

⁶ Cyprianus: *De unitate ecclesiae*, 5: *As there are many rays of the sun, but one light; and many branches of a tree, but one strength based in its tenacious root; and since from one spring flow many streams, although the multiplicity seems diffused in the liberality of an overflowing abundance, yet the unity is still preserved in the source. Separate a ray of the sun from its body of light, its unity does not allow a division of light*

⁷ Cyprianus: *De unitate ecclesiae*, 5

[135] *Elegi abjectus esse in domo Domini, canit David¹², magis quam habitare in tabernaculis peccatorum.* En solidam et inconcussam fidem! En virum juxta cor domini repertum, mendicare inter bonos quam inter malos abundare mavult³! Quid Austriales agant, quibus cum veritate manentibus felicitas, cum falsitate recedentibus⁴ miseria repromittitur? O exuberantem divinae misericordiae largitatem! O infinitam superni regis benignitatem, quae sectatoribus suis non futura solum in caelis, sed in terris quoque praesentia et⁵ amplissima bona pollicetur, dicente apud Matthaeum domino: *Beati mites quoniam ipsi possidebunt terram. Et virum, qui non abiit in consilio impiorum, et in via peccatorum non stetit*, beatum esse, et omnia, quaecumque agat, prosperitatem habitura regius propheta confirmat. Et apud Malachiam *Probate me*, inquit⁶ dominus, *si non aperuero vobis cataractas⁷ caeli et effundam vobis benedictionem usque ad abundantiam; et increpabo pro vobis devorantem, et non corrumpent fructum terrae vestrae, nec⁸ erit sterilis vinea in agro, et beatos vos dicent omnes gentes.*

¹ omit. U1

² David in marg. A; David propheta in marg. U3

³ malunt U1

⁴ recedentes U1

⁵ omit. F

⁶ me inquit : inquit me U3

⁷ cateractas A, C, U2, U3; catheractas B, F, U1; catharactas M

⁸ non U3

[135] *I have chosen to be an abject in the house of my God, sings David, rather than to dwell in the tabernacles of sinners.*¹ Oh, what solid and unshakeable faith! Oh, what man after the heart of the Lord who would rather beg among good men than live in abundance among evil men! What will the Austrians do who are promised happiness if they stay with truth, and misery if they leave with falseness? Oh, abundant generosity of divine mercy! Oh, infinite benevolence of the King of Heaven who promises his followers not only future benefits in Heaven, but also present and large benefits on Earth.² As the Lord says in Matthew: *Blessed are the meek: for they shall possess the land.*³ And the royal prophet confirms that *blessed is the man who hath not walked in the counsel of the ungodly,*⁴ and all that he does will bring prosperity. And in Malachias: *Try me in this, saith the Lord: if I open not unto you the flood-gates of heaven, and pour you out a blessing even to abundance. And I will rebuke for your sakes the devourer, and he shall not spoil the fruit of your land: neither shall the vine in the field be barren, saith the Lord of hosts. And all nations shall call you blessed.*⁵

¹ Psalms, 83, 11

² Cf. Piccolomini's oration (really a treatise on Christian life) "*Non est apud me*" [6] of 1446 in which the main message is that the Christian may be happy not only in Heaven, but also on Earth

³ Matthew, 5, 4

⁴ Psalms, 1, 1-3

⁵ Malachias, 3, 10-12

[136] Vos ergo, patres, fide ferventes, qui scripturarum integram habetis notitiam, et incorruptos sapientiae haustus ebibistis, scientes quia Deo animam, mundo famam, proximo curam, patriae honorem, imperio reverentiam, Romanae sedi fidelitatem debetis¹, omni officio vel uno hoc opere² satisfacietis³, si ex desiderio summi pontificis domini nostri sanctissimi⁴ Nicolai quinti, quod jus, quod ratio, quod veritas praecipit Austrialibus praedicantes, sic nobilitatem et plebem instruxeritis, ut pertinacia dimissa salutis suae cupidi ac solliciti sacrosanctae Romanae sedis non ultionem⁵ timere, sed sperare veniam mereantur. Laus Deo⁶.

¹ habetis F

² opere hoc F

³ satisfaciente V

⁴ *omit.* B, E, MU

⁵ sedis non ultionem *corr. ex sedis* A, C

⁶ Laus deo *omit.* B, C, E, G, U3, MU; Finis V

6. Conclusion

[136] You, oh Fathers, who burn for the Faith, who know all of Scripture, and who have drunk from the pure [fountain of] wisdom: you know that you owe the soul to God, glory to the world, care to your neighbour, honour to your fatherland, reverence to the empire, and loyalty to the Roman See. You shall fulfill all your obligations as one, if – according to the wish of the Supreme Pontiff, our Most Holy Lord Nicolaus V - you tell the Austrians what is required by justice, reason and truth, and teach the nobility and the people to care intently about their salvation and to stop being defiant, so that they may hope for the forgiveness, and not the retribution of the Holy Roman See. Praise be to God.