

Conciliarism, Humanism and Law

How was power justified in late medieval Europe? What justifications did people find convincing, and why? Based around the two key intellectual movements of the fifteenth century, conciliarism in the church and humanism, this study explores the justifications for the distribution of power and authority in fifteenth- and early sixteenth-century Europe. By examining the arguments that convinced people in this period, Joseph Canning demonstrates that it was almost universally assumed that power had to be justified but that there were fundamentally different kinds of justification employed. Against the background of juristic thought, Canning presents a new interpretative approach to the justifications of power through the lenses of conciliarism, humanism and law, throwing fresh light on our understanding of both conciliarists' ideas and the contribution of Italian Renaissance humanists.

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Joseph Canning
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Justifications of Authority
and Power, c. 1400–c. 1520

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For my grandchildren

*Gemma, Sophie, Eoin, Naomi, Ernest, Cody, Bella and
Patience*

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Preface

I should like to acknowledge a long-term intellectual debt to Nicolai Rubinstein. More than forty years ago I had the honour of being a member of his seminar on Italian history at the Institute of Historical Research at the University of London. This gave me an academic home at a difficult time in my life after I returned from Australia. That seminar was a hub of international research. At its core was the study of fifteenth-century Italian history, especially that of Florence. I learned so much there about Renaissance humanism, among many other topics. So far in my publishing career I have concentrated on medieval thinkers, especially scholastic ones. I put off dealing with the humanists. Now at last I meet them again.

Ever since I was an undergraduate at Cambridge I have been fascinated by the history of the church. I was first drawn into the study of the papacy in the Middle Ages but came to recognise the importance of the Conciliar Movement of the fourteenth and fifteenth centuries. I have previously published a little on this but realised that I must confront the issues it raised head on. This book is an attempt to do so.

I should like to record my great appreciation for my editor at Cambridge University Press, Liz Friend-Smith. She has helped me at all stages of the gestation and production of this book.

I should also like to record a personal debt to Michael Wilks, David Luscombe and a great friend throughout life, Brenda Bolton, all of whom supported me as a scholar early on. I particularly remember, with affection, the camaraderie of the Ecclesiastical History Society, all those years ago.

X PREFACE

I am deeply grateful for the support of my wife, Roberta, the intellectual acumen and acuity of whose comments on the text have been invaluable to me. My children, all now with families of their own, have, as always, made me feel that everything has been worthwhile. Last, but definitely not least, this book is dedicated to my eight grandchildren, the delight of this stage of my life.

Abbreviations

c.	<i>capitulum</i>
C.	<i>Codex Iustinianus</i>
<i>Clem.</i>	<i>Clementinae constitutiones</i>
col.	column
<i>Cons.</i>	<i>Consilium</i>
D.	<i>Digesta Iustiniani</i>
<i>Decr. Grat.</i>	<i>Decretum Gratiani</i>
Dist.	Distinctio
DRTA	<i>Deutsche Reichstagsakten</i> (Stuttgart-Gotha: Friedrich Andreas Pethes, 1928)
<i>Def. Pac.</i>	Marsilius of Padua, <i>Defensor pacis</i>
<i>Feud.</i>	<i>Libri feudorum</i>
MAE	John of Segovia, <i>Liber de magna auctoritate episcoporum in concilio generali</i>
MGH	<i>Monumenta Germaniae Historica</i>
<i>Mon.</i>	Antonio de' Roselli, <i>Monarchia</i>
OS	John of Turrecremata, <i>Oratio synodalis</i>
PL	<i>Patrologia latina</i> , ed. J.P. Migne
<i>Praef.</i>	<i>Praefatio</i>
qu.	<i>quaestio</i>
SE	John of Turrecremata, <i>Summa de ecclesia</i>
ST	Thomas Aquinas, <i>Summa theologiae</i>
TP	John of Segovia, <i>Tractatus super presidencia</i>
<i>Tract.</i>	<i>Tractatus</i>
X.	<i>Decretales Gregorii P.IX seu Liber extra</i>

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