Oration “Non habet me dubium” of Enea Silvio Piccolomini (9 January 1447, Rome). Edited and translated by Michael von Cotta-Schönberg. 8th version. (Orations of Enea Silvio Piccolomini / Pope Pius II; 11)

Michael Cotta-Schönberg

To cite this version:

HAL Id: halshs-00965317
https://halshs.archives-ouvertes.fr/halshs-00965317
Submitted on 17 Sep 2019

HAL is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L’archive ouverte pluridisciplinaire HAL, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d’enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.
(Orations of Enea Silvio Piccolomini / Pope Pius II; 11)
Oration “Non habet me dubium” of Enea Silvio Piccolomini (9 January 1447, Rome). Edited and translated by Michael von Cotta-Schönberg

8th version

2019
Abstract

In January 1447, Enea Silvio Piccolomini arrived in Rome on a mission from Emperor Friedrich III to the ailing Pope Eugenius IV. The mission was to declare the obedience of the Holy Roman Empire to the pope, thus ending the state of German neutrality between the pope and the Council of Basel. This council had been dissolved by the pope in 1438, but it continued to function and even elected an antipope, Felix V. Piccolomini was accompanied by other ambassadors from German princes and prelates with the same purpose. The Germans posed a number of conditions to be met by the Apostolic See before obedience could be declared: holding a new general council, recognizing the authority of the general councils, removing the financial and legal burdens on the German Nation, and lifting the excommunication of the archbishops of Cologne and Trier. The mission was successful, but the pope did not himself enjoy the fruits of this victory for the Papacy since he died some weeks later. As a reward for his diplomatic success, Piccolomini was, soon after, appointed Bishop of Trieste.

Keywords

Enea Silvio Piccolomini; Aeneas Silvius; Aeneas Sylvius; Pope Pius II; Papa Pio II; Emperor Frederick III (Habsburg); Kaiser Friedrich III (Habsburg); Pope Eugenius IV; Pope Eugene IV; Papa Eugenio IV; Council of Basel; Council of Basle; Holy Roman Empire; Apostolic See; Papacy; German neutrality; Renaissance orations; Renaissance oratory; Renaissance rhetorics; 15th Century; 1447

Editor and translator

Michael von Cotta-Schönberg

Mag. Art. (University of Copenhagen)
Bachelier en Philosophie (Université de Louvain)
Emeritus Deputy Director / The Royal Library, Copenhagen
Emeritus University Librarian / University of Copenhagen

ORCID identity: 000-0001-8499-4142
e-mail: typsita@gmail.com
**Foreword**

In 2007, I undertook a project of publishing the Latin texts with English translations of the orations of Enea Silvio Piccolomini / 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. It will therefore always be useful to check if a later version than the one the reader may have previously found via the Internet is available.

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

12 September 2019

MCS

---

¹ 81 orations, if the “*Cum animadverto*” is counted is a Piccolomini-oration, see oration “*Quam laetus*” [18], Appendix
Table of volumes in *Collected Orations of Pope Pius II*. 12 vols.
Edited and translated by Michael von Cotta-Schönberg

1. General introduction
2. 1436-1444 (Orations 1-5)
3. 1445-1449 (Orations 6-13)
4. 1450-1453 (Orations 14-20)
5. 1454-1455 (Orations 21-25)
6. 1455-1457 (Orations 26-28)
7. 1458-1459 (Orations 29-42)
8. 1459-1459 (Orations 43-51)
9. 1459-1461 (Orations 52-63)
10. 1462-1464 (Orations 64-77)
11. 1454, 1459 (Orations 78-80). Orthographical profiles. Indices
12. Appendix: Ambassadors’ orations to Pope Pius II
Table of contents

I. INTRODUCTION

1. Context
2. Themes
3. Date, place, audience and format
4. Text
   4.1. Manuscripts
   4.2. Editions
   4.3. Present edition
5. Sources
6. Bibliography
7. Sigla and abbreviations

II. TEXT AND TRANSLATION

1. Introduction [1-6]
2. God helps the pope by sending the German Princes to offer peace [7-11]
3. The peace brought to the pope by the German Nation [12-15]
4. Conditions for German obedience to the pope [16-23]
   4.1. Holding a new general council [18]
   4.2. Recognizing the authority of the general councils [19]
   4.3. Removing the burdens on the German nation [20-23]
   4.4. Lifting the sanctions against the archbishops of Trier and Cologne [23-24]
5. Conclusion [25]
I. INTRODUCTION
1. Context

The final break between Pope Eugenius IV and the Council in Basel occurred in January 1438 when the pope translated the Council to Ferrara, thereby effectively dissolving it. In Ferrara, he opened his “own” council which he later transferred to Florence.

In this council participated the pope himself, the Byzantine Emperor, the Patriarch of Constantinople, the cardinals, and a number of Greek and Latin prelates and theologians. It succeeded in effecting a reunion between the Latin and Greek Churches, and though that reunion turned out to be shortlived, it greatly improved the status of the papacy and of the pope himself.

The council in Basel went on to suspend and later to depose the pope, and in 1439 it elected an antipope, Felix V, thus creating a new schism in the Church only two decades after the preceding council had ended the Great Western Schism, with three popes.

When Emperor Sigismund died in December 1437, the German prince electors assembled in Frankfurt to elect the new emperor. In this context, they also dealt with the situation in the Church, and on 17 March 1438 they declared their official neutrality in the church conflict. This state of neutrality received the adhesion of the other German princes and bishops as well as the new emperor, Albrecht II, and it lasted until it was finally brought to an end in 1447, partly through the agency of our Piccolomini.

In March 1439, a congress of representatives of the German Princes and Archbishops as well as of some foreign kings gathered in Mainz. There the German princes and prelates issued a solemn Acceptation of 26 decrees of the Council of Basel, although with some modifications. In doing so, they followed the example of France where King Charles VII had decreed the so-called Pragmatic Sanction of Bourges. Emperor Albrecht adhered to the Acceptation, but without confirming it explicitly. It therefore did not have the full power of

---

2 The Council of Konstanz, 1414-1418
3 Gregory XII, Benedict XIII, John XXIII,
4 Sigismund of Luxembourg (1368-1437): King of Hungary and Bohemia and Roman Emperor
5 Albrecht V Habsburg (1397-1439): Duke of Austria, King of Hungary and Bohemia, Roman Emperor as Albrecht II (uncrowned)
6 Stieber, p. 137
7 Stieber, p. 161
8 1438
law, and remained little more than a statement of expectations.\(^1\) Among the Basilean decrees not recognized by the Germans was the deposition of Pope Eugenius.

After 1439, the European powers and national churches gradually came to recognize Pope Eugenius as the legitimate pope and no longer recognized the Council of Basel. In this context, German neutrality became less and less tenable. It did, however, entail considerable advantages for the German princes and prelates who did not strictly observe the neutrality, but ably played the papal or the conciliar card to their own advantage.

After the death of Emperor Albrecht in 1439, Friederich III,\(^2\) the new emperor, initially adhered to the German neutrality. However, from 1443 the imperial court gradually came to favour the papal cause, and through a rather convoluted course of negotiations and diets a basis was created for German recognition of the pope. The pope himself was not very helpful: at one point\(^3\) he even excommunicated two imperial electors, the archbishops of Cologne and Trier, causing absolute fury in Germany.

As a secretary in the imperial chancery and a protégé and friend of Kaspar Schlick, the powerful imperial chancellor, Piccolomini came to be used in the process of negotiations, both at the papal court in Rome\(^4\) and at various German diets, and eventually he became the principal imperial negotiator in this whole matter.

Thus he played a crucial role at the Diet of Frankfurt, which assembled on 14 September 1446. On behalf of the emperor, he managed to formulate a compromise formula which did not completely satisfy the conditions either of the electors or of the pope. Nonetheless, it was accepted by the various parties at the diet, albeit not without some acerbity on the part of the two deposed electors and their supporters. Thus the road was opened to German recognition of the pope if he would agree to the conditions contained in the compromise formula.\(^5\)

Afterwards it was decided to send an embassy from the emperor and of the electors of Mainz and Brandenburg as well as from other German princes and prelates to Rome to negotiate the matter and, in the case of success, to declare the obedience of the German Nation to Pope Eugenius.\(^6\)

---

1 Stieber, p. 169
2 Friederich III Habsburg (1415-1493): Duke of Austria, elected Emperor in 1440. Officially King of the Romans until his imperial coronation in Rome in 1452
3 21 January 1446
4 Where he became reconciled with Pope Eugenius on the first of his three imperial missions to that pope, in March 1445
5 Stieber, pp. 292-293
6 Stieber, p. 297
The German envoys arrived in Rome on 7 January 1447.¹ The imperial embassy was headed by Piccolomini from whose subsequent report to the emperor the following description is taken:

We gathered the next day at San Lorenzo in Damaso. Three things were discussed there. The oration which Aeneas had drafted was reviewed. It pleased all. Nothing in it was changed, except that “suspension of allegiance”² should be used whenever “neutrality” was mentioned. It was decided to seek an audience with the supreme pontiff through the efforts of the treasurer who had been sent to us, lest, by begging the goodwill of one cardinal, we should incur the indignation of another, since courts are full of envy and where one finds talents, one finds more jealousy ...

When the day of the audience had been set,³ we were commanded to meet at San Pietro and attend the solemnities of the mass. There the archbishop of Benevento, the bishop of Ferrara, and several others were sent to lead us to the secret consistory. Eugene sat on the throne, a grave father and one most worthy of veneration. About fifteen cardinals sat around him. There, after we had been received to kiss the pope’s foot and all the intermediaries had departed, Aeneas delivered the oration, as had been decided beforehand. In it it was said that the pope should embrace the desires of the archbishops of Trier and Cologne and it offended neither the people nor the cardinals but was heard with pleasure by all. Many sought copies of his oration afterward, not so much for its ornament as for its content, which all said they knew. When Aeneas had finished speaking, Eugene praised his work, condemned neutrality, and commended the king and the electors. He complained somewhat about the archbishops of Trier and Cologne, and he defended his action in deposing them. He concluded that he had to deliberate with his brothers the cardinals about the principal matter.⁴

Some years later, in his De rebus Basiliae gestis commentarius of 1450, Piccolomini wrote about the events:

They [the German ambassadors] met in Siena to enter Rome together and were received with great honour. All the prelates turned out. They were ushered to the pope and received a hearing. Aeneas gave an oration on behalf of all. He exhorted that there should be peace. He told the pope the mind of the nation. He asked restitution of the deposed prelates. He offered obedience. The pope was benign. He offered thanks to the king of the Romans, who had handled ecclesiastical affairs faithfully, and commended

¹ Pastor, I, p. 261
² “suspensio animorum”
³ 11 January 1447
the prelates and princes who had sent envoys. He said he wanted to deliberate with his brothers and respond later.¹

And in 1453, he wrote, in his Historia Austrialis (1. Version):

Non tamen inter hec Federicus res ecclesie neglexit, sed Eneam atque Procopium equitem Bohemum ad Eugenium misit hisque facultatem dedit, si Eugenius notulas Francfordie conclusas acceptaret, ut nomine suo obedientiam ei restituerent. Qui cum Senas venissent in festo nativitatis, Maguntini et aliorum principum legatos ex condito illic offenderunt atque cum his Romam profecti sunt, ubi maximo cum honore recepti fuerunt Eugenio obviam mittente omnes curiae prelatos preter cardinales. Iohannes de Lysura iam mutatus erat et in legationem Maguntini venit. Cum venissent in conspectum Eugenii, Eneas orationem habuit nomine omnium, que et pape et cardinalibus gratissima fuit.²

In his De Europa from 1458, he had this comment on the events:

Before he [Eugenius IV] passed away, however, the Germans, who, after observing the rivalry of the two popes, had maintained a kind of neutrality and refused to obey either of them, dispatched envoys to Rome – including me, as an emissary of Emperor Frederick – and restored their allegiance to Eugenius when he was close to death.³

Even later, in his Commentarii from 1462-1464, Pius wrote:

The emperor’s envoys found him [Johann Lysura] at Siena with the representatives of many other princes, and they all proceeded together to Rome. They were met at the first milestone by retainers of the pope and the cardinals and all the prelates of the Curia, who escorted them into the city like conquering heroes returning home. Two days later they were summoned to a secret consistory before Eugenius where Aeneas acted as the spokesman for the group; pope and cardinals alike greeted his speech with remarkable applause.⁴ ⁵

The content of Piccolomini’s oration were the firm conditions of the German princes for giving up their neutrality, but they were presented with all his consummate oratorical and

¹ Piccolomini: De rebus Basiliae gestis commentaries. Translation quoted from Reject, pp. 378-379
² Piccolomini: Historia Austrialis, 1. Version (Knödler, pp. 34-35)
³ Piccolomini: De Europa, 58, 231 (Brown, p. 261)
⁴ CO, I, 16 (Meserve, I, pp. 70-71)
⁵ Campano and Platina, Pius’ contemporary biographers, barely mention the matter. Campano wrote: Reliquis contentionum Germanicarum tertia demum legatione sublatis, exceptus est Romae ob operam prospere navatam omnium ordinum supplicationibus (Zimolo, p. 15). And Platina: Quo facto ab imperatore ad Eugenium tertio missus, Germaniam Ecclesie Romane obtemperaretur sacrament ostendit (Zimolo, p. 101)
diplomatic skills.¹ Reinhardt has this comment: *Nur zwei Jahre nach seiner Abschwörung hielt der Meisterrhetoriker Piccolomini am selben Ort und vor demselben Publikum erneut eine zutiefst doppeldeutige Rede. Im Namen der deutschen Gesandtschaft musste er Anliegen rechtfertigen, denen er bei seiner Versöhnung mit Eugen IV. eine Absage erteilt hatte.*² This criticism of duplicity appears to be misplaced: even if Piccolomini presented the German message most diplomatically, he kept strictly to the compromise which he had himself formulated at the preceding Diet in Frankfurt,³ and moreover his draft of the oration had been carefully reviewed beforehand with all the members of the embassy. Piccolomini’s mission was evidently not to serve the particular interests of the German prince electors, but to further the ecclesiastical policies of the emperor. These included the alliance between empire and papacy, which was also the goal of his two masters, the emperor, whose secretary he was, and the pope, whose secretary he was, too, and quite officially so.⁴

The oration initiated a month of tough negotiating and bargaining while the pope took to his bed with an illness which turned out to be terminal. The Germans discussed whether they should suspend negotiations, awaiting the accession of the new pope, but Piccolomini persuaded them to proceed, supported by the representative of the Archbishop of Mainz who said that the declaration of obedience should be made *even if Eugene could only move one finger.*⁵

Having settled the remaining issues as far as possible, the German delegates were taken to the pope, who was lying in an inner chamber. We admired him like one of the holy fathers. We venerated him and kissed his hand. The gravity of the man was great, and his face was full of majesty. That face made the pontiff known. When he saw us, he spoke benignly and ordered a few words said. We offered obedience to his

---

¹ In a letter to Siena of 23 January 1947, the abbot of San Galgano wrote about the oration: *Li ambasciadori de Re de Romani e degli electori ed altri principi oltramontani sono qua come per altra rendi aviseate le M.S.V. Espose la ambasciata in nome di tucti gli alteri in concistorio segreto lo eloquentissimo huomo poeta misser Enea Picogliuomini ciptadino vestro; espose in tal modo et con tanto ornate la ambasciata in se odiosa et dispiacevole che da ongni S. e stato sommamente commendato lo ingengno e la prudentia sua et non dubito che in breve saranno in qualche parte remunerate le virtu sue mediante la cipta vestra. Etsi in somma adimando quarto cose ciascuna piu exorbitante et odiosa alla S.ta di N.S. e generalmente a tucto collegio de cardenali e per la mala conditione del tempo sara necessario che nella maggior parte sieno exaldivi per schifare magiori pericoli e scandalzi che advenerebbono se cosi non si facesse.* (Pastor, I, pp. 652-653). Translation in Ady, pp. 95-96. The abbot could not know that his predictions about the future career of Piccolomini were so true that three years later he would himself be passed over as new bishop of Siena in favour of … Piccolomini! See CO, I, 20 (Meserve, I, pp. 96-97); Paparelli, p. 132

² Reinhardt, p. 136

³ See Voigt, II, p. 382

⁴ Piccolomini’s double function as imperial and papal official would be reinforced during the following years when he was at the same time official counsellor and diplomat of the emperor and papal nuncio to Central Europe. Such double functions were not unheard of at that time

⁵ Reject, p. 253
holiness, and, having received from his hand the letter already drafted, we dispatched it to those at Mainz. ... The pope gave thanks to God and sent us away, weeping, with his blessing.¹

Afterwards the results of the negotiation were confirmed by the cardinals in a public consistory, and great festivities were held in Rome. The pope died some weeks later, and it fell to the new pope, Nicolaus V, to bring the whole matter to a happy conclusion through the Concordat of Vienna of 1447 which settled German church affairs and relations between Rome and Germany. However, succeeding popes and the papal curia tended to undermine the terms of the concordat, and the whole issue of the “burdens on the German nation” would continue to poison relations between Germany and the papacy until it found its final solution about 70 years later, at the Reformation. In a historical perspective, this issue was really the most critical in 1447, and the failure of the papacy (and Piccolomini) to understand its importance, then and later, and to initiate much-needed reforms would prove to be a fatal mistake.

2. Themes

As custom at the papal court favoured,² Piccolomini took as his point of departure an appropriate biblical quote,³ indeed a very apt one. He then outlined the advantages of the settlement for the Apostolic See, and afterwards he announced the German conditions for the settlement.

These conditions were not an expression of Piccolomini’s personal convictions, but the compromise terms hammered out between the imperial diplomats and the German princes at the fateful Diet of Frankfurt some months before. As a spokesman for the emperor and the German princes, Piccolomini’s first task in Rome was to faithfully communicate the terms of this compromise to the pope and the papal court, notwithstanding his own personal opinions, and the text of the oration was indeed very carefully crafted and negotiated in the German delegation as late as a couple of days before its delivery. However, Piccolomini well knew that the presentation of the German requirements would be followed by negotiations with the papal court, and during that phase there would be scope for his diplomatic abilities to shape an agreement acceptable both to Germany and to the papacy.⁴

¹ Reject, p. 254
² Continuing a tradition derigiving the the medieval ars praedicandi
³ This is the only oration in which Piccolomini did so, probably as a rhetorical gesture aimed at Pope Eugenius
⁴ O’Brien mentions that “as imperial ambassador, Aeneas’ primary responsibility was to serve the interests of the emperor”. However, later she writes that “Aeneas was asking for concessions that effectively hindered the
The four conditions that the pope should agree to were:

- to hold a new general council to settle church affairs and carry out much-needed reforms,
- to recognize the authority of the general councils,
- to remove the financial and other burdens on the German nation, and
- to lift the sanctions against the archbishops of Trier and Cologne.

Concerning the convocation of a new council, Piccolomini said:

_A council is requested because there are many things in urgent need of reform, both in the laity and in the clergy, and action must be taken to remove any cause for conflict in the Church._ [Sect. 18]

Church reform had been somewhat neglected by the Council of Basel, too busy fighting the pope, and there was general agreement on the need for such reform. However, everybody knew that another council would certainly not be palatable to the Apostolic See. After all, the annoying habit of 15th century councils to depose the pope and deprive him of his incomes was not a greatly motivating factor for the popes. The imperial court might no longer be very interested, either, and it was probably felt that if this whole matter was dealt with tactfully, it was not really a key issue. The pope would issue a general acceptance of the idea, hedging it, however, with conditions which could not be fulfilled, for example the unanimous acceptance of the date and location of the council by the European princes. As for the princes, they had seen how the Council of Basel slipped out of their own control and even became the breeding place for certain democratic ideas and practices which they would not like much. So, though they maintained the idea of a council, as a permanent threat against the papacy brandished by individual kings in their conflicts with a reigning pope, they actually tolerated that it took two generations more before a pope summoned a new council\(^1\) – in Rome and firmly under papal control.\(^2\)

Concerning papal recognition of the authority of the general councils Piccolomini said:

---

\(^1\) In clear defiance of the decree _Frequens_ of the Council of Basel on the holding of general councils every ten years

\(^2\) The Fifth Council of the Lateran (1512–1517) with Church reform as its main agenda
... in Frankfurt your orators hinted at an ominous concept of the authority of the councils that was very painful to the people. This should now be completely eradicated by a letter from you. Your predecessors, whom you not only follow, but whom you equal and even surpass in good deeds, used to silence the audacity of evil people by making a public statement concerning their faith. It is not a new or unusual thing for the Roman popes to send a declaration of the purity of their faith to the Roman kings. Blessed Gregory, whose holy life matched his great authority, declares that like the four gospels he accepts and reveres four councils. We do not ask for such far-reaching and grand statements from you, but only what we mentioned before, and which we do not doubt that we shall receive from the Holy See. [Sect. 19]

The papacy would simply have to issue some satisfactory recognition of the authority of the general councils. How it would be expressed was left to skillful negotiators on both sides, but there would be no compromise on the basic principle. It must be kept in mind, however, that the popes were not against general councils, but against conciliarism, which would extend the powers of the council in Church government to a degree unacceptable to the popes, including appeals from a reigning pope to the next council. Even Piccolomini himself, as pope, would recognize that under certain conditions, e.g. a heretical pope, the general council was above the pope, and the line of popes to which Eugenius V and Pius II himself and all later popes belonged was established by the Council of Konstanz in 1417, depositing three concurrent popes and electing a new one in their place, Martin V.

Concerning the burdens on the German nation Piccolomini said:

We now have to speak about the burdens. May your Holiness listen benevolently and note the nation’s moderation. The burdens in question are of two kinds: some have been removed by decrees of the Council of Basel, others need the assistance of Your Holiness. What has been abolished by the conciliar decrees are: the excessive [use of] reservations, the heavy annates, the frequent appeal of legal cases to the Roman Curia, and other procedures of this kind that had completely voided the ordinary jurisdiction. Though these matters had seemed very grave to the nation long before you were called to the height of the Supreme Apostolate, the nation did not on its own authority throw off the yoke - like the ten tribes did to Roboam, son of Solomon. Rather, it awaited the decisions of the Council of Basel, whose decrees it accepted, though with a number a modifications, and [only afterwards] it used these decrees. So that the nation may be free of this burden hereafter, it asks for your permission to apply these decrees in the future. You will observe the moderation in this request. [Sect. 20]

The issue of leaving the actual possessors of ecclesiastical offices and benefices in place, however, would be dealt with smoothly.
Concerning the reinstatement of the two archbishops and imperial electors of Cologne and Trier, the German position was not negotiable, and Eugenius’ pragmatic successor, Nicolaus V, had no difficulty in settling the matter gracefully.

3. Date, place, audience and format

According to Pastor, the German ambassadors arrived in Rome on 7 January 1447, and according to Piccolomini himself the oration was given on the third day after the arrival in Rome, i.e. two days afterwards, on 9 January 1447. The place was the Apostolic Palace in the Vatican. The audience consisted of pope and cardinals assembled in a secret consistory and probably some few curials. The format was that of a proper oration, written in advance, as witnessed by Pius himself in his report to the emperor: The oration which Aeneas had drafted was reviewed.

4. Text

The oration was not included in the Collected Orations of Pius II, compiled (1462-1464) under his personal supervision. The reason for the non-inclusion may have been political: it might after all have been awkward for Pope Pius to publish, as pope, an oration addressed to a predecessor wherein he himself demanded a new general council, so – understandably - abhorrent to the Renaissance popes. If this is so, it would be an example of how Piccolomini’s changed circumstances and papal policies determined the selection of texts for the compilation of his orations.

---

1 Pastor, I, p. 260
2 CO, I, 16 (Heck, I, p. 64): Tertia die ad Eugenium vocati in consistorio secreto audit i sunt, quo in loco nomine omnium Eneas oravit
3 Ady and Mitchell give the date 12 January
4 Reject, pp. 247-248
5 Concerning the textual transmission of Pius II’s orations, see Collected orations of Pope Pius, vol. 1, ch. 5
6 Cf. O’Brien, p. 62-64. O’Brien does not mention the omission of the oration from the official papal compilation of orations, but quite plausibly surmises that when Pius II wished in his 1463 bull In Minoribus that some of his earlier writings had “languished into obscurity,” he counted this oration among such texts
4.1 Manuscripts

The oration is extant in the following manuscripts:

- **London / British Library**
  Arundel MS 138, ff. 4r-6v (L)

- **München / Bayerische Staatsbibliothek**
  Clm 70, ff. 365r-368v (M)*

- **Paris / Bibliothèque Nationale**
  Ms. lat. 4314, ff. 183r-194r (P)*

4.2 Editions


  [Reproduced the edition of Martène/Durand]

4.3 Present edition

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

---

¹ Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk
² Martène and Durand do not indicate which ms. was used as the basis for their edition, but it cannot have been one of the manuscripts used for the present edition
The edition is based on all three manuscripts listed above and the edition by Martène and Durand. The lead text is the BNB 4314.

**Pagination:**

Pagination is from Paris 4314.

**5. Sources**

In this oration, altogether 30 direct and indirect quotations from various sources have been identified:

<table>
<thead>
<tr>
<th>Category</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biblical</td>
<td>20</td>
</tr>
<tr>
<td>Classical</td>
<td>3</td>
</tr>
<tr>
<td>Patristic and medieval</td>
<td>7</td>
</tr>
<tr>
<td>Contemporary</td>
<td>0</td>
</tr>
<tr>
<td><strong>All</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>

The biblical quotations dominate heavily, and there is only one quotation from the classics, a “safe” quotation from Cicero. Piccolomini had probably adapted his oratory style to the pope, who might not have appreciated usage of gentile classical authors.

**Biblical sources: 20**

**Old Testament: 11**

- Genesis: 1
- Exodus: 2
- Deuteronomy: 1
- 1. Chronicles: 2
- 2. Kings: 1
- Proverbs: 3

---

1 For an analysis of Piccolomini’s use of sources, see Collected Orations of Enea Silvio Piccolomini / Pope Pius II, ch. 8
• Psalms: 1

New Testament: 9
• John: 1
• Luke: 2
• Matthew: 2
• 1. Corinthians: 2
• 2. Corinthians: 1
• 2. Thessalonians: 1

Classical sources: 3
• Cicero: 3

Patristic and medieval sources: 7
• Decretum Gratiani: 3
• Hilaire of Poitiers: 1
• Jeronimus: 1
• John Chrysostom: 1
• Ps.Isidore: 1

Contemporary sources: 0

6. Bibliography

Ady, Cecilia M.: Pius II (Æneas Silvius Piccolomini) – the Humanist Pope. London, 1913


1 De officis, 1; Philippicae, 1; Pro lege Manilia 1
2 Epistolae
3 Abbreviations used in the notes are given in bold types
Boulting, William: *Aeneas Silvius* (Enea Silvio de’ Piccolomini – Pius II) – Orator, man of letters, statesman, and pope. London, 1908


Gaertner, C.: *Corporis juris ecclesiastici catholicorum novioris quod per Germaniam obtinet*. T. I. Salzburg, 1797, pp. 94-105


Koller, Heinrich: *Kaiser Friedrich III*. Darmstadt, 2005


O’Brien, Emily: *The Commentaries of Pope Pius II (1458-1464) and the Crisis of the Fifteenth-Century Papacy*. Toronto, 2015

Paparelli, Gioacchino: *Enea Silvio Piccolomini – Pio II*. Bari, 1950. (Biblioteca di cultura moderna; 481)


**Piccolomini, Enea Silvio: *De Europa* (1458)**


**Piccolomini, Enea Silvio: *De Gestis Concilii Basiliensis Commentariorum Libri II* (1440)**

Piccolomini, Enea Silvio: *Historia Austrialis*. [1453-1458]


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

• *Commentarii rerum memorabilium quae suis temporibus contigerunt*. Ed. A van Heck. 2 vols. Città del Vaticano, 1984 (Studi e testi; 312-313)

Pius II: *Epistolae*


Pius II: *Orationes*

• Ed. Giovanni Domenico Mansi. 3 vols. Lucca, 1755-1759


Rainaldus SEE *Annales*

Reinhardt, Volker: *Pius II. Piccolomini – Der Papst, mit dem die Renaissance begann*. München, 2013


7. Sigla and abbreviations

L = London / British Library / Arundel MS 138
M = München / Bayerische Staatsbibliothek / clm 70
P = Paris / Bibliothèque Nationale / Ms. lat. 4314


Abbreviations

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


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


II. TEXT AND TRANSLATION
Oratio quam habuit dominus Eneas Silvius Episcopus Tergestinus pro fidei Alamanorum obedientia reconciliacioneque scismatis ac celebrando concilio coram Eugenio papa quarto

[1] {183r} Non habet me dubium, pater sanctissime, quin apud te sit illa domus, quam dominus in evangelio supra firmam petram laudat aedificatam, ad quam recurrencum est regnante diluvio. Nam extra eam non est salus, et ejus decorem diligere se prophet testatur, persuasumque mihi jam dudum fuerat in hoc amplissimo loco neminem loqui decere, nisi vel summa doctrina vel auctoritate vel vitae sanctimoniam praestantem. Rursus quoque nihil huc afferri rebar oportere, nisi perfectum ingenio, elaboratum industria, rebusque ipsis illustratum esset, nec immortu fallor. Quis enim aliter vel coram te, summo pontifice, aeterni regni clavigero ac Jesu Christi vicario, vel coram his gravissimis ac sapientissimis patribus verba faciens commendatur?
Oration delivered by Enea Silvio, Bishop of Trieste,\(^1\) on the loyal obedience of the Germans, the healing of the schism, and the celebration of a council, before Pope Eugene IV

1. Introduction

[1] Holy Father, I do not doubt that yours is that house which the Lord praises in the Gospel as built on solid rock, and where people may seek refuge in times of deluge. For outside that house there is no salvation,\(^2\) and the prophet declares to love its beauty.\(^3\) For a long time I have been convinced that in this exalted\(^4\) place only those should speak who are distinguished through profound learning, authority and holiness of life. Moreover, I thought - and justly so, I believe - that only such things should brought forth here that have been refined by the intellect, elaborated with care,\(^5\) and which are highly important\(^6\). For, otherwise, how could anybody be charged with speaking before you, Supreme Pontiff, Keybearer of the Eternal Kingdom and Vicar of Jesus Christ, and before these serious and wise Fathers.\(^7\)

---

\(^1\) Piccolomini had not yet been appointed Bishop of Trieste when he delivered this oration
\(^2\) The traditional axiom: *Extra ecclesiam nulla salus*. This theme, in the sense of communion with the Apostolic See, was also used three months later, by the new pope, Nicolaus V, when he gave the oration “*Nihil est*” to the ambassadors of Aragon, coming to declare the obedience to the Apostolic See of their master, King Alfonso V the Magnanimous. See Cotta-Schönberg & Modigliani
\(^3\) Psalms, 25, 8
\(^4\) “amplissimo”
\(^5\) Cicero: *Pro lege Manilia*, 1.1
\(^6\) “rebus ipsis illustratum”
\(^7\) The 15 cardinals present at the secret consistory
Haec ego, cum alias ad te missus {183v} mecum tacitus expendissem, in tuae sanctitatis conspectu tacere potius quam loqui voluissem. Sed quoniam solus eram, qui legationis regiae munus obibam, quod voluntas repulit, necessitas impulit. Nunc vero secundo ad te remissus, sperabam nobilis equitis ac clarissimi collegae mei beneficio et eloquentia hoc fasce levari, qui et prudentius, et gravius et ornatus multo quam ego desiderium regium electorumque principum complevisset. Sed nescio quid factum sit, ut mihi potissime nihil apto et multum repugnanti sit onus dicendi mandatum. Forsitan quia tecum alias fui, vel quia sum Italus, habere nonnihil energiae vel notitia vel communis patria creditur. In me aliud nihil est, quod mihi prae ceteris facit dicendi necessitatem. At ego, etsi magnum est jubentis imperium, etsi parere majoribus cupio, neutiquam tamen in praesentiarum tuam alloqui sanctitatem, nisi me res ipsae, de quibus est agendum, maximae reipublicae Christianae plurimum {184r} necessariae commovissent, nisi et animum illi darent, quorum nomine verba fient, sublimes altique principes, quos intueberis, dum me audies, et quod tuae mihi negassent aures, praestabunt illis. Nec enim vel pauc a sunt vel ab ingratiss missa principibus, quae mihi oranda incumbunt.

1 tum MA
2 tacite L; taciturnum M
3 perpendissem L
4 priusquam P, MA
5 omit. L
6 regiae munus : regimen L
7 habebam L
8 refugit L
9 missus M
10 asperabam L
11 face P
12 omit. L
13 oracius M
14 multa L
15 explevisset L, M
16 argumentum M
17 omit. P, MA
18 latentis add. M
19 latentis add. L
20 facit dicendi : dicendi faciat L, M
21 et M
22 rectumque sit L
23 non add. L
24 in add. L
25 omit. P
26 est agendum : agendum est L, M
27 et add. L
28 et add. L.
29 insciis L
When I was sent to you on another occasion, I pondered on this, and I would rather have stayed silent before you than speak. But since [at that occasion] I was the only one charged with the royal mission, necessity obliged me to do what personally I wished to avoid. Now, having been sent back to you a second time, I was really hoping that I would be relieved of this burden through the kindness and eloquence of the noble knight, my esteemed colleague, who could fulfil the wish of the king and the prince electors much more intelligently, seriously and elegantly than I. But the burden of speaking has now, somehow, fallen on me who am quite unqualified and very reluctant to do so. The reason may have been that I was with you before or that, being Italian, I am considered to have some vigour, or some knowledge of things, or maybe it is because of our common fatherland. Otherwise, I have nothing that points to me rather than others as the speaker. But though the power of the one who ordered me to speak is great, and though I desire to obey my superiors, I should never have dared to address your Holiness now, unless I had been forced to do so by those very matters we are dealing with, and which are extremely important to the Christian commonwealth, and if I had not been given courage by those high and exalted princes in whose name I shall be speaking and whom you will see before you as you are listening to me: what your ears would have denied to me personally, they will grant to them, for the things which we have been charged with saying are neither unimportant nor set forth by unwelcome princes.

---

1 The German mission to Eugenius IV in April 1446 when Piccolomini delivered the oration “Et breviter me hodie” to the pope. He had actually been on a previous mission to Eugenius, in the beginning of 1445, but this mission was confidential and not referred to here.
2 Piccolomini represented Friedrich III, whereas the other ambassadors represented the prince electors and other German princes.
3 Prokop von Rabenstein.
4 Friedrich III, formally referred to as king since he had not yet been crowned emperor. Later in the oration, Piccolomini uses the title of emperor for the as yet uncrowned Friedrich III.
5 I.e. on earlier mission/s to the pope.
6 Jeronimus: Epistola ad Paulinum (53), 2. MPL, XXII, col. 541.
7 Friedrich III.
8 The princes are, of course, in Germany but they are present in the person of their representative, Piccolomini.
9 “pauca”: few.
[3] Ceterum, quia moris est coram te loquentibus breviusculam sibi aliquam, unde
exordiantur, ex sacris litteris sententialam\(^1\) assumere, non adversabor ipse\(^2\) consuetudini\(^3\),
quam\(^4\) discere magis\(^5\) quam docere oporteret. Inter auctoritates autem\(^6\), quas sacrosanctis
possum ex codicibus mutuari\(^7\), nulla mihi aptior\(^8\) nullaque nostro convenientior proposito
visa est illa, quam nobis Paralipomenon affert: morabatur in praesidiis inclytus David;
accesserunt ad\(^9\) eum viri de\(^10\) Benjamin et Juda, quibus obviam David egressus: “Si pacifici
venitis,” inquit, “ad me, ut auxiliemini mihi, cor meum jungatur vobis. Si autem insidiari\(^11\)
mihi\(^12\) pro adversariis meis, cum ego\(^13\) iniquitatem in manibus non habeam\(^14\), {184r} videat
Deus patrum nostrorum et judicet.” Ad quem illi: “Tui sumus, o David, et tecum, fili Isai\(^15\),
manebimus. Pax, pax tibi, pax adjutoribus tuis, te enim adjuvat\(^16\) Deus tuus.”

---

\(^1\) sententiam MA
\(^2\) omit. L
\(^3\) omit. M
\(^4\) quia M
\(^5\) quam discere magis omit. MA
\(^6\) auctoritates autem : autem auctoritates M
\(^7\) imitari L
\(^8\) altior L
\(^9\) omit. M, P
\(^10\) omit. MA
\(^11\) insidiari P
\(^12\) omit. L
\(^13\) virga P
\(^14\) non habeam omit. P
\(^15\) Ysaac P
\(^16\) adjuvet L
[3] It is customary for people speaking before you to begin with a short sentence chosen from Holy Scripture, and I shall not go against this custom which one should follow rather than teach.¹ Among the authoritative statements that I can borrow from the Holy Books none seems more appropriate for our purpose than one found² in the Paralipomenon³: Glorious David was staying with his guards. And there came also of the men of Benjamin, and of Juda to the hold, in which David abode. And David went out to meet them, and said: If you are come peaceably to me to help me, let my heart be joined to you: but if you plot against me for my enemies whereas I have no iniquity in my hands, let the God of our fathers see, and judge."⁴ But they said to him: "We are thine, O David, and for thee, O son of Isai: peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee."⁵

¹ "discere magis quam docere": locus communis
² "affert nobis"
³ Paralipomenon = Book of Chronicles
⁴ 1. Chronicles (Paralipomenon), 12, 16-17
⁵ 1. Chronicles, 12, 18
Aptissima, sicut mihi videtur, ad propositum nostrum\textsuperscript{1} verba sunt. Quaeris enim forsitan ex nobis, pater sanctissime, an amici venimus, quid quaerimus, quid afferimus, dum nos nomino - non nosipsos, qui adsumus nuntios\textsuperscript{2}, sed dominum Caesarem Fridericum, tuae sanctitatis\textsuperscript{3} devotissimum filium, ac praecollarissimos principes et reverendissimos patres sacri imperii electores, tum\textsuperscript{4} proceres et\textsuperscript{5} praelatos tibi deditissimos, quorum hic oratores vides, intelligi volo. Sumus igitur non solum amici, sed etiam adjutores. Pacem afferimus, pacem quaerimus, atque idcirco cum filiis Benjamin et Judae dicimus: \textit{Pax, pax tibi, pax adjutoribus tuis; te enim adjuvat}\textsuperscript{6} \textit{Deus tuus.}

Plena pacis petitio est, plena pacis oblatio. \textit{Pacis nomen}\textsuperscript{7}, ut inquit orator, \textit{dulce est, et res ipsa tum jucunda, tum salutaris}. \textit{Qui ineunt pacis consilia, teste} \textit{Sapiente, sequitur eos gaudium}. Dominus vero in evangelio \textit{beatos esse pacificos} tradit. Ideoque jubet in epistolis doctor gentium, ut, quae sunt pacis, sectemur, mercedem\textsuperscript{12} repromittens: \textit{Pacem, inquit, habete, et Deus pacis et dilectionis erit vobiscum}. Hujus igitur tam sanctae rei, tam utilis, tam necessariae, tam\textsuperscript{13} commendatae\textsuperscript{14} et nuntii et\textsuperscript{15} petitores sumus, ac propterea repetimus: \textit{Pax, pax tibi, pax adjutoribus tuis; te enim adjuvat}\textsuperscript{16} \textit{Deus tuus.}

\textsuperscript{1} propositum nostrum : nostrum propositum L, M
\textsuperscript{2} omit. P, MA
\textsuperscript{3} tuae sanctitatis omit. M
\textsuperscript{4} tibi L
\textsuperscript{5} ac L
\textsuperscript{6} adjuvet L
\textsuperscript{7} morem L
\textsuperscript{8} omit. L
\textsuperscript{9} eciam \textit{add}. L
\textsuperscript{10} salutaris L
\textsuperscript{11} omit. L
\textsuperscript{12} mercedem MA
\textsuperscript{13} omit. L
\textsuperscript{14} commendato M
\textsuperscript{15} ac L
\textsuperscript{16} adjuvet L
These words seem to me to be highly appropriate to our purpose. Maybe you ask us, Holy Father, if we come as friends, what we ask for, and what we bring you? And when I say “we” I do not mean the envoys present here, but the Lord Emperor, Friederich,¹ devoted son of Your Holiness, and the glorious princes and reverend fathers, electors of the Holy Empire, and nobles and prelates, who are greatly devoted to you, whose ambassadors you see before you. We come not just as friends, but as helpers. Peace is what we bring you. Peace is what we ask for, and therefore we say with the sons of Benjamin and Judah: Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.

Our petition is one of peace, and so is our offering. For as the Orator² says, the name of peace is sweet; and the thing itself not only pleasant but salutary.³ And the Wise One says: Joy followeth them that take counsels of peace.⁴ And in the Gospel the Lord says that blessed are the peacemakers.⁵ Therefore, in his epistles the Doctor of the Gentiles⁶ bids us follow peace, and he promises us a reward, saying: Have peace. And the God of grace and of love shall be with you.⁷ We are here both as messengers and petitioners of such peace, so holy, so advantageous, so necessary and so commendable. And therefore we say again: Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.

¹ Emperor Friedrich III, King of the Romans, styled Emperor though not yet crowned as such
² Marcus Tullius Cicero (106-43 BC): Roman philosopher, politician, lawyer, orator
³ Cicero: Philippics, 13.1
⁴ Proverbs, 12, 20
⁵ Matthew, 5, 9
⁶ A traditional title of Paul the Apostle
⁷ 2. Corinthians, 13, 11
[6] These three words we make the basis of our oration, and first we deal with the last words of the theme. For we have to show how it is God himself who helps you when the German princes send help to you. Secondly, we should explain the kind of peace we bring you. And [thirdly,] we should state what kind of peace we ask for. Thus you will understand how we come in peace, and – as we hope – your heart will be united with our princes, they shall be yours, and they shall remain with you forever. *Thy God helpeth thee*, Holy Father, for He has given you the German princes as helpers. In the following I shall, very briefly, explain how the princes will help you.
[7] Exorto pridem apud Basileam dissidio, quod omnibus notum\(^1\) est, doluerunt imperii sacri principes, dum vulnerari ecclesiam et insustilem Christi tunicam scindi videbant\(^2\), moxque ad componendam in ecclesia pacem navare\(^3\) operas statuerunt. Quod ut commodius facerent, utque nationis seditiones facilius\(^4\) evitarent, et ne processibus contrarisis involverentur, quibusdam protestationibus\(^5\) usi sunt, devotionem tamen suam, quam erga te sanctamque\(^6\) sedem apostolicam gerebant, nihil propterea imminuentes: sic animorum suspensio orta est. Hanc Albertus, indebilis\(^7\) memoriae Romanorum rex, amplexus est. Huic et invictissimus noster Fridericus Caesar\(^8\) assensum praebuit, tum\(^9\) ne a suis electoribus id exigitibus dissentiret, tum ne plus sapere velle videretur\(^10\), quam suus sapuerat antecessor, (186r) speravitque\(^11\) regia serenitas vel pacem ex templo reperire vel melius rem cognoscere.

[8] Elaboratum est saepe et multum pro concordia, sed quamvis tua sanctitas semper bonum\(^12\) consulerit, nonnullorum tamen culpa factum est, ut omnes incassum hactenus conatus abierint\(^13\), ut frustra principes saepe\(^14\) convenerint\(^15\), frustraque nunc huc, nunc illuc transmissae fuerint legationes. Ea de re statuit regia majestas, statuerunt et sui principes modum suspensionis animorum ponere, convenientesque nuper Franckfordiae partim personaliter, partim per\(^16\) legatos, ac scientes te illi succedere, cui dictum est: *Rogavi pro te, ut non deficiat fides tua; et dabo tibi\(^17\) claves regni caelorum; et pasce oves meas*, et plurima his sororia, recta vulgataque via oboedientiam tibi praebere decreverunt.

---

\(^1\) omnibus notum : notum omnibus
\(^2\) scindi videbant : videbant scindi
\(^3\) omit. L
\(^4\) facinus M
\(^5\) protestibus M
\(^6\) sanctam L
\(^7\) indelibilis M
\(^8\) Fridericus Caesar : Caesar Fridericus
\(^9\) dum M
\(^10\) saperetur M
\(^11\) speramus L
\(^12\) bene L; boni M
\(^13\) abierunt M
\(^14\) principes saepe : sepe principes
\(^15\) convenirent L
\(^16\) omit. M
\(^17\) dabo tibi : tibi dabo L, M
2. God helps the Pope by sending the German Princes to offer peace

[7] When some time ago, there arose in Basel the conflict known to all, the princes of the Holy Empire grieved to see how the Church was being hurt and how the seamless tunic of Christ was being torn apart. Very soon they decided to endeavour to restore peace in the Church. To better do this, and to more easily avoid dividing the German nation and becoming involved in legal disputes, they issued a certain declaration, but they never, [for that reason,] lost any of their devotion to you and to the Holy Apostolic See. Thus arose the “suspension of the minds”. Albrecht, King of the Romans, of imperishable memory, accepted this declaration, and Friederich, our Unconquered Emperor, also gave his assent. This he did so as not to enter into disagreement with his electors who demanded his adherence, and also because he did not wish to appear to be claiming to understand more about the matter than his predecessor. At any rate, His Serene Highness hoped to achieve peace soon and to become better informed about the matter.

[8] Much has been done, and often, in the cause of union, but although Your Holiness were always acting in the interest of the common good, it so happened that, through the fault of a number of people, the efforts were unsuccessful, the princes often met in vain, and embassies were sent hither and thither in vain. Therefore, His Royal Majesty and his princes have decided to put an end to the “suspension of minds”. They recently met in Frankfurt, either in person or through legates, and, knowing you to be the successor of the one to whom it as said: I have prayed for thee, that thy faith fail not, and I will give to thee the keys of the kingdom of Heaven, and Feed my sheep, and other similar things, they decided to offer obedience to you in the proper and ordinary way.

---

1 “inconsueltis”
2 i.e. the declaration of German neutrality in the conflict between Pope Eugenius and the Council of Basel of 1438
3 “animorum suspensio”
4 “bonum”
5 Luke, 22, 32
6 Matthew, 16, 19
7 John, 21, 17
Sed quia nonnulli aderant tam ex Basilea quam ex aliis locis, qui longe aliter sentiebant aliterque\textsuperscript{1} suadebant, magna contentio fuit, et anceps proelium\textsuperscript{2} nunc huc, nunc illuc acies\textsuperscript{3} inclinata. Cum levasti manus\textsuperscript{4}, {\{186v}\} hoc est cum oratores tu\textsuperscript{5} benigne responderunt, ex parte tu\textsuperscript{6} nostrorumque principum validius pugnabatur. Cum vero brachia remisisti, hoc est\textsuperscript{7} cum oratores tui duriores fuerunt, languardior erat cuneus tuorum vincebantque\textsuperscript{8} adversarii. Similis pugnae faciem\textsuperscript{9} habemus in Exodo: fervente namque\textsuperscript{10} inter populum Dei et Amalech proelio, ascenderunt Moyses et\textsuperscript{11} Aaron\textsuperscript{12} in verticem collis, Josue vero cum electis viris pugnabat, cumque levaret Moyses manus\textsuperscript{13}, vincebat Israel. Sin autem paululum remisisset, superabat Amalech. Et\textsuperscript{14} ut sim brevis, non coaptabo singula, ut possem, singulis.

Sed vera est Chrysostomi sententia: \textit{Non cessat impugnari ecclesiae, non cessat insidias pati, sed in Christi nomine semper superat\textsuperscript{15}, semper vincit. Et quamvis alii insidentur, quamvis alii repercutiant eam fluctus, fundamentum tamen, quod supra petram est, non quassatur\textsuperscript{16}}. Exploratum est, quod inquit Hilarius: \textit{Proprium esse ecclesiae solet, ut tunc (187r) vincat, cum laeditur, tunc\textsuperscript{17} intelligat, cum arguitur, tunc\textsuperscript{18} secura sit, cum destruitur\textsuperscript{19} 20, tunc obtineat, cum superata videtur. Nam etsi multitoties\textsuperscript{21} desperatae res viderentur, ad extremum tamen, cum ante oculos hominum\textsuperscript{22} tuae sanctimoniae vitae, tua Clementia, tua liberalitas\textsuperscript{23}, tua benignitas posita\textsuperscript{24} est, impletum est, quod inquit Sapiens: \textit{Cum placuerint Domino viae hominis, et\textsuperscript{25} inimicos ejus vertet\textsuperscript{26} ad pacem.}

\textsuperscript{1} et aliter \textit{L}
\textsuperscript{2} sentiebant aliterque ... proelium \textit{omit. M}
\textsuperscript{3} acie P, MA
\textsuperscript{4} munus L
\textsuperscript{5} tam L
\textsuperscript{6} tua L, M
\textsuperscript{7} \textit{omit. L}
\textsuperscript{8} vincebant L
\textsuperscript{9} faciam M
\textsuperscript{10} fervente namque : ferventeque \textit{L}
\textsuperscript{11} \textit{omit. L}
\textsuperscript{12} et Hur \textit{add. L}; orare \textit{add. M}
\textsuperscript{13} manum L
\textsuperscript{14} \textit{omit, L}
\textsuperscript{15} superabat M
\textsuperscript{16} cassatur L
\textsuperscript{17} tum L
\textsuperscript{18} cum M
\textsuperscript{19} deseritur M
\textsuperscript{20} tunc secura sit, cum destruitur \textit{omit. P, MA}
\textsuperscript{21} multitoties MA
\textsuperscript{22} omnium L, M
\textsuperscript{23} libertas L
\textsuperscript{24} imposita M
\textsuperscript{25} eos \textit{aut eorum L}; eciam M
\textsuperscript{26} vertit L, M
[9] But, as many from Basel\(^1\) and other places were present at the meeting having very different opinions and arguing for a different course, there was much disagreement, and the battle moved now in this direction, now in that. When you raised your hand, that is when your orators replied obligingly, the fight was strong on yours and our princes’ part. But when you lowered your arms, that is when your orators were harsh, your troops grew sluggish, and our opponents prevailed. We have a similar kind of war in Exodus: when the battle raged between the people of God and Amalec, Moses and Aaron went up to the summit of the mountain while Joshua fought together with chosen men. When Moses raised his hands, Israel won,\(^2\) but when he lowered them, even for a short while, then Amalec prevailed.\(^3\) But for the sake of brevity, I shall not go into the detail of this matter though I could.

[10] But Chrysostom\(^4\) is right when he says: *The Church is always under attack, she is always always being plotted against, but in the name of Christ she always conquers, and though she is sometimes threatened by traps and hit by floods, she has a foundation that is based on a rock and that cannot be destroyed.*\(^5\) We have learnt what Hilary\(^6\) says that *it is characteristic characteristic of the Church that she usually wins when she is being wounded, she gains in understanding when people argue against her, and she prevails when she seems to be conquered.*\(^7\) For although many times the situation seemed desperate, in the end, when your holiness of life, your mercy, generosity and your kindness had become obvious to all, the saying of the Wise One was fulfilled: *When the ways of man shall please the Lord, he will convert even his enemies to peace.*\(^9\)

---

\(^1\) I.e. representatives of the Council of Basel, opposing the pope

\(^2\) 16 years later Piccolomini, as Pope Pius, would use this image again in the oration “Sextus agitur annus” [75] when speaking of his crusade against the Turks: during the battle, he would, like Moses, stand on a mountain or in the high poop of a ship holding up his arms and praying the success of his warriors. The identification of the pope with Moses is significant

\(^3\) Exodus, 17, 8-13

\(^4\) John Chrysostom (ca. 347–407): Archbishop of Constantinople, an important Early Church Father

\(^5\) John Chrysostom: *De conversione Matthaei*, hom. 14. Chrysostom has a number of similar quotes, e.g. Migne: *Patrologia Graeca*, LI, cols. 77-79

\(^6\) Hilaire of Poitiers (ca. 300-ca. 368): Bishop of Poitiers and a Doctor of the Church

\(^7\) Hilaire of Poitiers: *De trinitate*, 7, 4. MPL, X, col. 202

\(^8\) These two quotations in combination, from John Chrysostom and Hilaire of Poitiers, Piccolomini had already used in his *De Gestis Concilii Basiliensis Commentatoriorum libri* II from 1440, Chrysostom even twice, cf. Hays’ ed., pp. 44 and 188. Piccolomini did not know Greek, so he must have had the knowledge of this *sententia* from a Latin source, possibly a treatise by some conciliarist author, or some collection of *sententiae* used in ecclesiological debates

\(^9\) *Proverbs*, 16, 7: *cum placuerint Domino viae hominis inimicos quoque eius convertet ad pacem*
[11] Namque non solum regia majestas, quae semper tibi deditissima fuit et quasi alter Josue pro te pugnavit, non solum principes sui electores atque alii viri electi tuum statum tuumque decus tuebantur, sed quamplures alii, qui malignandi causa confluxerant, permoti sunt et in tuum versi favorem. Quibus ex rebus manifestum est, quia te adjuvat Deus tuus, Germanosque principes tibi efficit adjutores, quod fuit orationis nostrae membrum primum, propter quod dicimus: Pax, pax tibi, pax adjutoribus tuis; te enim adjuvat Deus tuus.

[11] For not only His Royal Majesty, who was always greatly devoted to you and fought for you like another Joshua, and not only his prince electors and other excellent men who were upholding your position and your dignity, but also many others who had actually gathered with the purpose of maligning you, were deeply moved and turned in your favour. Therefore it is evident that *thy God helpeth thee* and has made the German princes your helpers. This was the first part of our oration, and therefore we say *Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee*.

### 3. The peace brought to the pope by the German Nation

[12] We have not yet shown Your Beatitude the nature and the extent of the peace that we are offering Your Holiness, for this was to be the subject of the second part of our oration that we shall now briefly set forth. I shall not be mistaken, Most Merciful Father, if I say that it is a very great and generous offering that we make to the Apostolic See. For we shall be presenting the declaration and the obedience not just of one city, or of one province, or of one kingdom, but of the great and illustrious Teutonic Name, the most noble and great German Nation. It is like Moses said triumphantly about his own people: *Neither is there any other nation so great that hath gods so nigh them, as our God is present to all our petitions.*

\[1\]

---

1 Deuteronomy, 4, 7
Quae est enim alia gens tam inclyta et cetera hujusmodi? Quanto magis de natione Germanica licet nostris principibus gloriari, quae ab Alpibus Italiae usque in Oceanum, et a Rheni fluente usque in Tartarorum barbariem protensa, tot splendidas urbes in se continet, tot latissimas provincias, tot splendidas urbes in se continet, tot amphis magnas regna, tot venerandas ecclesias, tot potentiores principes, tot populos, tot linguas diversas? Nempe si, teste Sapiente, in multitudine populi dignitas regis et in paucitate plebis ignominia principis, ingens gloria est nostris principibus, ingens dignitas, sed major tuae sanctitati modum in mirum, quaes declarationem et obedienciam receptura est hujus nationis, in qua non solum principes ac reges potentissimi sunt, sed ipsum regnorum omnium caput, Romanum imperium, est constitutum. Vetus dictum est, sanctissime pater, per duo luminaria magna, quae Deus in firmamento posuit, sanctam apostolicam sedem et sacrum imperium significari. Duo sunt, inquit unus ex tuis antecessoribus, quibus principaliter hic mundus regitur, regalis potestas et auctoritas sacra pontificum.
For what other people is so illustrious etc.? Greatly may our princes glory in the German Nation that extends from the Alps of Italy to the Ocean, and from the river Rhine to the barbaric region of the Tartars, and that contains so many splendid cities, so many great provinces, so many large kingdoms, so many venerable churches, so many mighty princes, so many peoples, so many different languages. If, as the Wise One witnesses, in the multitude of people is the dignity of the king: and in the small number of the people the dishonour of the prince,¹ then the glory and dignity of our princes are truly immense.² But, remarkably, even greater glory accrues to Your Holiness who is to receive the declaration and obedience of this nation where not only the princes and kings are very powerful, but where even the head of all kingdoms, the Roman Empire, is based. There is an old saying, Holy Father, that the two lights that God placed on the firmament³ signify the Holy Apostolic See and the Holy Empire. And one of your predecessors said that this world is primarily governed by these two: the power of kings and the holy authority of the popes.⁴

¹ Proverbs, 14, 28  
² This praise of Germany prefigures Piccolomini’s treatment of Germany in his De Germania, of 1458  
³ Genesis, 1, 14: Let there be lights made in the firmament of heaven  
⁴ 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 Azzaro, p. 17
Praetereo nunc apostolicam sedem, quae nihil aliud est quam refugium ac patrocinium orbis terrae. Taceo de sacro reverendissimorum\textsuperscript{1} collegio coetuque cardinalium, qui recte \{188\textsuperscript{v}\} mundi consilium totiusque militantis ecclesiae senatus appellari potest. Quis satis imperii sacri privilegia possit exprimere? Quis satis Augustalis\textsuperscript{2} culminis perorare valeat dignitatem? Sub Augusto nasci salvator et censum ferre dignatus est, didragm\textsuperscript{3} pro se Petroque solvi, et reddi, quae Caesaris essent Caesar, divinum jussit oraculum. Tantum quoque ex alto suscipisse\textsuperscript{4} privilegium Caesarem sublimitatem quidam\textsuperscript{5} asserunt\textsuperscript{6}, ut imperio stante nihil\textsuperscript{7} sit, cur Antichristi formidemus adventum. Sic enim\textsuperscript{8} apostoli Pauli verba commentantur: \textit{Qui tenet, teneat, donec de medio fiat}. At hujus amplissimae dignitatis\textsuperscript{9} potestas et auctoritas\textsuperscript{10} in divinum\textsuperscript{11} Caesarem Fridericum modernum rite\textsuperscript{12} translata est. Hujus igitur maximi principis, mundi domini, inter omnes, qui regnant, altioris, suorumque principum ac nationis Germanicae debitam ex nobis recipies\textsuperscript{13} oboedientiam.

\textsuperscript{1} romanorum L, M
\textsuperscript{2} magiestralis L; augusti alis M
\textsuperscript{3} dedragma M, P
\textsuperscript{4} omit. L
\textsuperscript{5} quandam L
\textsuperscript{6} assonuit L
\textsuperscript{7} nil M
\textsuperscript{8} omit. M
\textsuperscript{9} dignitas M
\textsuperscript{10} et auctoritas omit. P, MA
\textsuperscript{11} dominum L; diurnum M
\textsuperscript{12} modernum rite: legitima quae L
\textsuperscript{13} et acipies L
I pass over the Apostolic See which is none other than the refuge and the protection of the whole world. And I shall say nothing about the Holy College and assembly of the most reverend cardinals which may rightly be called the council of the world and the senate of the whole Church Militant.\textsuperscript{1}

As for the Holy Empire, who can adequately describe its exalted status?\textsuperscript{2} Who can with words do justice to the dignity of His August Highness? The Saviour deigned to be born under Augustus, to be enrolled,\textsuperscript{3} and to have a didragma be paid for himself and for Peter. And the divine oracle bid to render to Caesar the things that are Caesar’s.\textsuperscript{4} Some claim that the Imperial Highness has received so great a privilege from Heaven that as long as the Empire stands, we shall not have to fear the coming of Antichrist. As the Apostle Paul states: He who now holdeth do hold, until he be taken out of the way.\textsuperscript{5} The power and authority of this great office have passed to the present Holy Emperor, Friedrich. You shall receive from us the obedience owed to you by this great prince, the lord of the world, and the most exalted of all rulers, and by his princes and by the German nation.

\textsuperscript{1} The classical rhetorical of stating a “praetermissio” is, of course, as here, a way to mention precisely what is omitted.
\textsuperscript{2} “privilegia”
\textsuperscript{3} Luke, 2, 1: And it came to pass that in those days there went out a decree from Caesar Augustus that the whole world should be enrolled.
\textsuperscript{4} Matthew, 22, 21: reddite ergo quae sunt Caesaris Caesar
\textsuperscript{5} 2. Thessalonians, 2, 7: For the mystery of iniquity already worketh: only that he who now holdeth do hold, until he be taken out of the way (nam mysterium iam operatur iniquitatis tantum ut qui tenet nunc donec de medio fiat)
[15] Sed quoniam de natione loquimur, haec est \(^1\) illa natio, pater sanctissime\(^2\), quae viros habet \(^{189r}\) industrios, litterarum capaces, rei militaris peritos, pacis cupidos\(^3\), fidei zelatores et ad omnia gnaros\(^4\), quaecumque agant. Haec est illa natio, quae non modo hoc, modo illud, sed semper idem vult, quando rectum est, quod semel voluit.\(^5\) Haec est illa natio, quae non\(^6\) leviter recipit aliquid\(^7\), nec facile deserit. Quod\(^8\) si post dissidium\(^9\) ortum animorum suspensionem tardius\(^10\) videtur relinquere, confidit\(^11\), quia utilius\(^12\) tecum\(^13\) manebit, nec\(^14\) divelli\(^15\) umquam a tua devotione poterit. Atque ista pax est, quam tuae sanctitati afferimus\(^16\), propter quam dicimus\(^17\): *Pax, pax tibi, pax adjutoribus tuis, te enim adjuvat Deus tuus.*

---

1 omit. L
2 pater sanctissime: sancte pater M
3 cupidus M
4 natos L, M
5 haec est illa natio... voluit omit. L
6 nec L, M
7 aliquod M
8 et L
9 fastidium M
10 serius L
11 confide L, M
12 omit. L, M
13 diutius add. L, M
14 ne L
15 duelli M
16 offerimus M
17 diximus L, M
But, since we are mentioning that nation, this is a nation, Holy Father, that has industrious men, literate, experts on war, but desirous of peace, zealous in matters of faith, and good at all it does. This is not a nation that wants now this, now that. No, it always wants the same thing that it once wanted, if only it is the right thing. This is the nation that does not accept anything lightly, and does not give it up easily. After the conflict\(^1\) arose, it may have seemed slow in ending its “suspension of the minds”, but now it is convinced that it is better to stay with you, and it could never stray from its devotion to you. So, this is the peace that we are offering to Your Holiness, and because of that we say: \textit{Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.}

\footnote{\textit{i.e.} the conflict between Pope Eugenius and the Council of Basel}
At si pacem cupis hujusmodi, pater sanctissime, quemadmodum cupere te confidimus, opus est, ut nationem Germanicam beneficio pacis quoque imparti, ut sit quoque pax adjutoribus tuis. Quis enim sic pacem aliis largiatur, quod pacis ipse remaneat expers? Quis pacit gregem, et de lacte gregis non manducet? Quis os triturantis alliget bovis? Afferunt pacem Germani principes, sed pacem etiam expetunt. Cupiunt enim aliqua, quae nisi obtingant, nec curari vulnera possunt, nec pax nationis haberi.

4. Conditions for German obedience to the pope

[16] But if you desire this peace, Holy Father, as we are confident you do, then it is necessary that you also give the German Nation the benefit of the peace so that your helpers, too, may have peace. For who gives peace to others if he himself cannot have it? 

Who feedeth the flock and eateth not of the milk of the flock? Who shalt muzzle the mouth of the ox that treadeth out the corn. The German princes bring peace, but they also ask for peace. They require something, and if they do not obtain it, the wounds cannot be healed, nor can the nation have peace.

[17] Their four major requirements are these: firstly, that a general council be convoked, at a time and in a place to be determined. Secondly, that you should approve in writing the declaration on the power, authority and preeminence of general councils representing the Catholic Church Militant, made by your orators in Frankfurt. Thirdly, that the burdens on the German Nation be dealt with in suitable manner. And fourthly and lastly, that what has been enacted with prejudice to two prince electors and their churches should be revoked by the mercy of Your Holiness and they themselves restored to their former state. If these requests are granted by Your Holiness, there shall be a firm peace for you, for the Apostolic See, for the German Nation, and for the whole Church.

On this matter, we shall now speak briefly and concisely.

---

1. Corinthians, 9, 7
2. Corinthians, 9, 9. Both quotes were used by Piccolomini in his oration “Non est apud me dubium” [6], but in another context, showing that Piccolomini had the quote from Decretum Gratiani, C.13.1.1 (col. 718)
3. The silken glove comes off!
[18] Concilium sane propterea petitur, quia plurima necessario sunt\footnote{necessario sunt: sunt in ecclesia L} reformanda, nedum in \footnote{omit. P} (190r) populo, sed etiam in clero, et providendum est\footnote{providendum est: est providendum M} ut omnis\footnote{omnes L} dissidii\footnote{discidii M} fomes\footnote{sordes L} in ecclesia sopiatur\footnote{sopiantur L}. Et habet haec petitio plurimum honestatis\footnote{honestatem L}, nec quisquam est, qui non putet honestum generale concilium convocari. Venerabile est et\footnote{omit. L} in omnium populorum, gentium nationumque reverentia generalis concilii nomen. Tanta quoque\footnote{tanta quoque: tantaque L} conciliorum dignitas est, ut ex his non solum Romani pontifices, sed etiam ipsi\footnote{etiam ipsi: ipsi etiam L} Caesares ingentem glori\footnote{omit. M; episcopi P, MA} as secuti. Praetereo\footnote{pretereo: L}, quae multis in locis synodaliter et utiliter gesta sunt. In Constantiensi concilio schisma, quod circiter\footnote{circiter annis: annis circiter L} quadraginta vexarat\footnote{vexavit L; vexerat M} ecclesiam, abolitum\footnote{aboletum M} est. Ex quo fit, ut\footnote{quod M} honesta sit et sancta concilii postulatio. Super qua re plurima dicereamus, nisi quia te numquam invenimus\footnote{convenimus in L; in convocatione M} invocationi\footnote{invocationi P} repugnem, si\footnote{sed M} quae vel olim Alberto regi oblata fuerunt\footnote{fuerunt M}, vel quae\footnote{omit. L} nuper Franckfordiae tui polliciti sunt oratores memoriae repetamus\footnote{reputamus M}. 
4.1. Holding a new general council

[18] A council is requested because there are many things in urgent need of reform, both in the laity and in the clergy, and action must be taken to remove any cause for conflict in the Church. This request is highly meritorious, and everybody considers it appropriate to convoke a general council. The name of “General Council” is greatly revered and honoured by all peoples and nations. So great is the dignity of general councils that through them immense glory has accrued not only to the Roman pontiffs, but also to the emperors. I pass over what has so usefully been done in local synods. In the Council of Konstanz, the schism that had plagued the Church for almost 40 years was brought to the end. Therefore, the demand for a council is honest and holy. I should say more about this matter if we did not know that you have never opposed convoking a council,¹ and if we keep in mind what was offered to King Albrecht and what your orators recently promised in Frankfurt.²

¹ Actually, Pope Eugenius and the Roman Curia had systematically opposed all proposals for a council over which the pope would not have complete and certain control.
² In his edition of the oration, Mansi made this note: *Vix in animum inducere potuissem, Eugenium jam inde a tempore Alberti Caesaris spem fecisse Germanis de Concilio tertio quodam in loco habendo*, MA, p. 119, n. 4
Sed migramus jam ad petitionem secundam, cujus tenorem superius recensuimus. Scimus, pater beatissime, in ea te sede sedere, quae cardo et caput ecclesiae, ut factum est a domino et non ab alio constituta est. Et sicut cardine ostium regitur, sic hujus sanctae sedis auctoritate omnes ecclesiae, domino disponente, reguntur. Nihil est quod aut regia majestas aut principes sui de tua vel fide vel sinceritate vel doctrina mussent. Sed innuerunt apud Francfordiam conceptum quemdam mentis in sinistram oratores tui, qui plebi gravior videbatur. Is nunc penitus tuis litteris extinguendus est. Consueverunt antecessores tui, quos tu non solum sequeiris, sed aequas, ac praecedis benefaciendo, obmutescere facere malorum hominum audaciam, dum rationem omnibus de sua fide reddebat. Nec novum est nec Romanos pontifices Romanis regibus suae fidei puritatem rescribere. Beatus Gregorius, cujus vita sanctior an auctoritas major fuerit incertum putes, sicut quattuor evangeli libros, sic quattuor concilia se suscipere ac venerari fatetur.

Non tam lata nec tam magnifica de te verba petuntur, sed solum quoddam, ut supra diximus, quod ab hac sanctissima sede non haesitamus adsequi, cujus sublimitatem in humilitate fundatur, cujus auctoritas in honestate stabilitur, cujus est omnia facere, quibus salus quaeritur animarum, et omnia fugere, quibus scandalizari fratres queant. Duas jam petitiones absolvimus.
4.2. Recognizing the authority of the general councils

[19] Now we pass on to the second petition we mentioned earlier. We know, Holy Father, that you are occupying the see that is the hinge and the head of the Church, as was done by the Lord himself and not instituted by anybody else. And just as the gate is governed by the hinge, thus God ordered it so that all the churches are ruled by the authority of the Holy See.¹ Neither His Royal Majesty nor his princes have any objection against your faith, your sincerity or your teaching. But in Frankfurt your orators hinted at an ominous concept of the authority of the councils that was very painful to the people.² This should now be completely eradicated by a letter from you. Your predecessors, whom you not only follow, but equal and even surpass in good deeds, used to silence the audacity of evil men by making a public statement concerning their faith. It is not a new or unusual thing for the Roman pontiffs to send a declaration of the purity of their faith to the Roman kings. Blessed Gregory³ whose holy life matched his great authority, declares that like the four gospels he accepts and reveres four councils. We do not ask for such far-reaching and grand statements from you, but only what we mentioned before, and which we do not doubt that we shall receive from that Holy See, whose greatness is founded on humility, whose authority is balanced by honesty, and whose task it is to do all that leads to the salvation of souls, and to avoid all that may cause scandal among the brethren.

We have now presented two of the petitions.

¹ Decretum Gratiani, D.22.2 (col. 74): Epistola Pseudo-Isidori Anacleti Ep. III, 3: *Haec vero apostolica sedes caput et cardo, ut praefatum est, a domino ... Used by Piccolomini in several orations
² In this case, the concept of people includes also the ruling class
³ Gregorius I (ca. 540 – 604): Pope from 590 to his death
[20] Modo quod\textsuperscript{1} supersit\textsuperscript{2} de\textsuperscript{3} gravaminibus\textsuperscript{4} dicendum est. Audiat\textsuperscript{5} benigne sanctitas tua, modestiamque nationis\textsuperscript{6} attendat. Gravamina\textsuperscript{7}, de quibus agitur, bifariam dividuntur: alia per decreta tolluntur\textsuperscript{8} concilii Basiliensis\textsuperscript{9}, alia tuae sanctitatis indigent auxilio. Quae decretis abolentur, sunt reservationes nimiae\textsuperscript{10}, annatae\textsuperscript{11} graves, causarum ad Romanam curiam frequentes advocationes, et cetera istius modi, quibus ordinaria jurisdictio erat penitus\textsuperscript{12} evacuata. Quae licet dudum ante tuam ad summi apostolatus apicem vocationem nationi gravia viderentur, non tamen ut decem illae tribus apud\textsuperscript{13} Roboam, filium Salomonis, auctoritate propria jugum excussit, {191v} sed Basiliensis concilii provisionem expectavit, cuius decreta cum nonnullis modificationibus acceptavit\textsuperscript{14}, hisque\textsuperscript{15} est usa. Ergo ut\textsuperscript{16} posthac\textsuperscript{17} sine\textsuperscript{18} gravam natio sit, quod his\textsuperscript{19} decretis in futurum uti possit\textsuperscript{20}, per te liceat, petitur. Habes hujus partis modestiam.

\footnotesize
\begin{itemize}
\item \textsuperscript{1} quo P, MA
\item \textsuperscript{2} supra M, P, MA
\item \textsuperscript{3} omit. L, M
\item \textsuperscript{4} nominibus L
\item \textsuperscript{5} audeat et oro L
\item \textsuperscript{6} orationis L
\item \textsuperscript{7} gravamenta M
\item \textsuperscript{8} colluntur M
\item \textsuperscript{9} omit. M
\item \textsuperscript{10} minute L
\item \textsuperscript{11} amare L
\item \textsuperscript{12} erat penitus : penitus erat L, M
\item \textsuperscript{13} ad L
\item \textsuperscript{14} expectavit cujus ... modificationibus omit. L
\item \textsuperscript{15} iis MA
\item \textsuperscript{16} ergo ut : ut ergo L, M
\item \textsuperscript{17} post hoc M
\item \textsuperscript{18} omit. L
\item \textsuperscript{19} iis MA
\item \textsuperscript{20} in futurum uti possit : uti possit in futurum L
\end{itemize}
4.3. Removing the burdens on the German nation

[20] We now have to speak about the burdens. May your Holiness listen benevolently and note the nation’s moderation. The burdens in question are of two kinds: some have been removed by decrees of the Council of Basel, others need the assistance of Your Holiness.

What has been abolished by the conciliar decrees\(^1\) are: the excessive [use of] reservations,\(^2\) the heavy annates,\(^3\) the frequent appeal of legal cases to the Roman Curia, and other procedures of this kind that had completely voided the ordinary\(^4\) jurisdiction. Though these matters had seemed very grave to the nation long before you were called to the height of the Supreme Apostolate, the nation did not\(^5\) on its own authority throw off the yoke - like the ten tribes\(^6\) did to Roboam, son of Solomon.\(^7\) Rather, it awaited the decisions of the Council of Basel, whose decrees it accepted,\(^8\) though with a number a modifications, and [only afterwards] it used these decrees. So that the nation may be free of this burden hereafter, it asks for your permission to apply these decrees in the future. You will observe the moderation in this request.

---

\(^1\) I.e. decrees of the Council of Basel during the period when it was still recognized by Pope Eugenius
\(^2\) I.e. the reservation of ecclesiastical benefices for expectant candidates
\(^3\) I.e. a form of tax to the Roman Curia in connection with the bestowal of high ecclesiastical offices
\(^4\) I.e. local
\(^5\) At the accession of Pope Eugenius
\(^6\) Of Israel
\(^7\) 3. Kings, 12, 16
\(^8\) Some decrees were not accepted by the Germans, notably the decrees suspending and deposing Pope Eugenius
[21] Nunc honestatem sequentis\textsuperscript{1} agnosce\textsuperscript{2}. Dum locus neutralitatis fuit, quamplures viri praestantes ecclesiarii metropolitani, cathedralia, monasteriorum diversarumque dignitatum et beneficiorum, vel integram vel majorem partem\textsuperscript{3} bonorum possessionem sunt assecuti, quidam tua, quidam aliorum auctoritatibus\textsuperscript{4}. Horum pax securitasque deposcitur. Quod\textsuperscript{5} si in magna multitudine\textsuperscript{6} possessorum\textsuperscript{7} nonnulli compriuntur injustis dictatis titulis, tolerabilia est tamen\textsuperscript{8} paucos injuste possidere cum pace, quam multos juste\textsuperscript{9} possidentes pace\textsuperscript{10} turbari. Sunt enim quaedam\textsuperscript{11} sui natura injusta, quae communis boni causa et publicae pacis intuitu sororia justis fiunt. Laudatur apud veteres magnusque habetur Siconius {192r} ille, qui restitutis in urbe sua sexcentis exulis\textsuperscript{12}, non quae prius habuerant bona reddidit, sed accepta mutuo pecunia, quanti res eorum fuerant, accipere jussit. Indignum namque vir\textsuperscript{13} bonus putavit longi temporis praescriptionem\textsuperscript{14} possessionem\textsuperscript{15} movere. Similiter et in omni unione vel nostra vel majorum nostrorum tempestate celebrata possessorum conditio semper melior fuit\textsuperscript{16}. Nec ab re, nam si secus fiat, pax omnibus\textsuperscript{17} abrumpitur.

\textsuperscript{1} sequentem P, MA
\textsuperscript{2} cognosce P, MA
\textsuperscript{3} majorem partem : majoris partis L
\textsuperscript{4} auctoritate M
\textsuperscript{5} at L
\textsuperscript{6} in magna multitudine : magna in multitudine L, M
\textsuperscript{7} possesores MA
\textsuperscript{8} est tamen : tamen est M
\textsuperscript{9} multos juste : juste multos L
\textsuperscript{10} omit. L, M
\textsuperscript{11} quidam M
\textsuperscript{12} exsulibus MA
\textsuperscript{13} ubi M
\textsuperscript{14} omit. L, M
\textsuperscript{15} possessione L, MA
\textsuperscript{16} melior fuit : fuit melior L
\textsuperscript{17} omnis L, M
[21] Now, recognize the decency of the following [petition]. During the period of Neutrality, many excellent men acquired complete or extensive possession of the properties of metropolitan churches,\(^1\) cathedral churches, monasteries and various ecclesiastical offices and benefices, some by your authority, others by other authorities.\(^2\) We ask for peace and security for these persons. Among so many, there are of course some who do not have legitimate title to the properties in their possession. However, it is more acceptable that a few hold possession unjustly than that many who hold possession justly should be troubled. For certain things are unjust by nature, but are treated as if they were just for the sake of the common good and with a view to public peace. The old ones had great respect for that man from Sicyon who after 600 exiles had been received back in his city did not restore their property to them, but took a public loan and bade them receive an amount equivalent to their former property.\(^3\) For this good man considered that the [reinstatement] of the longtime [exiles] ought not end other people’s possession [of their former properties]. Similarly, in every reunification effected in our own time and in the time of our forefathers the condition of actual possession has always been the favoured one.\(^4\) And quite reasonably so, for otherwise everybody would suffer from the ensuing loss of peace.

---

\(^1\) If a German bishop had had his election to his episcopal see confirmed by the Council in Basel, his appointment was not legal in the eyes of the pope, and opposite, and neither was his possession of the properties of his church. As many German prelates were in this irregular situation, it was very important for the Germans that their recognition of the pope would not have the consequence that the appointments of these prelates and their possession of church properties would now be invalidated.

\(^2\) Mainly the Council of Basel

\(^3\) Cicero: *De officiis*, 2.23.81-82: At vero Aratus Sicyonius iure laudatur, qui, cum eius civitas quinquaginta annos a tyrannis teneretur, prefectus Argis Sicyonem clandestino introitu urbe est potitus, cumque tyrannum Nicoclem improviso oppressisset, sescentos exsules, qui locupletissimi fuerant eius civitatis, restituit remque publicam adventu suo liberavit. Sed cum magnam animadverteret in bonis et possessionibus difficultatem, quod et eos, quos ipse restituerat, quorum bona alii possederant, egere iniquissimum esse arbitrabatur et quinquaginta annorum possessiones moveri\(^2\) non nimis aequum putabat, propterea quod tam longo spatio multa hereditatibus, multa emptionibus, multa dotibus tenebantur sine iniuria, iudicavit neque illis adimi nec iis non satis fieri, quorum illa fuerant, oportere ...

\(^4\) Beata conditio possidentis: principle of Roman law
Cetera, quae petemus\textsuperscript{1} in scriptis, leviora sunt. Annates\textsuperscript{2} enim remitti vel jus decretorum, vel tuae liberalitatis est munus, et\textsuperscript{3} relaxari censuras\textsuperscript{4,5}, quae contra foedus neutralitatis actae\textsuperscript{6} sunt, pium\textsuperscript{7} aequamque\textsuperscript{8}. Si tamen inter haec aliquid est, quod apostolicae sedi grave videatur\textsuperscript{9}, supplicant principes, ut tua sanctitas, quae patienter jam annis\textsuperscript{10} quindecim omnia\textsuperscript{11}, quae acta sunt, toleravit, nunc etiam pro parvo tempore patientiam habeat, et oboedientiam nationis, ut offertur, recipiat. Quo facto, omnia in\textsuperscript{12} melius redigentur\textsuperscript{13}. [192v] Est enim intentio regiae majestatis\textsuperscript{14} et suorum\textsuperscript{15} principum hanc sanctissimam sedem, quae per Dei ordinationem ex munificentia Caesaris\textsuperscript{16} mirifice sublimata fuit, omnem dignitatem suam\textsuperscript{17} retinere, omne jus, omnem splendorem, omnem potestatem, ad quas res suis temporibus enixe laborare intendunt\textsuperscript{18}. In Franckfordiensi dieta non fuit otium\textsuperscript{19}, ut erat voluntas, de provisione tuae sanctitati\textsuperscript{20} tuaeque sedi facienda transigere.

\begin{itemize}
\item \textsuperscript{1} petimus L, M
\item \textsuperscript{2} damnatos L; annatarum M
\item \textsuperscript{3} omit. M, P, MA
\item \textsuperscript{4} censuris M
\item \textsuperscript{5} pium add. P; prium et rasande add. L; vium [?] rescindi add. M
\item \textsuperscript{6} acta L, M
\item \textsuperscript{7} omit. P
\item \textsuperscript{8} pium equumque : equum L, M
\item \textsuperscript{9} videtur L
\item \textsuperscript{10} jam annis : annis jam L
\item \textsuperscript{11} quindecim omnia : ante decimam horam L
\item \textsuperscript{12} omit. M
\item \textsuperscript{13} dirigentur L
\item \textsuperscript{14} magiestatis L
\item \textsuperscript{15} et suorum : suorumque L
\item \textsuperscript{16} Caesarum M
\item \textsuperscript{17} dignitatem suam : suam dignitatem L
\item \textsuperscript{18} laborare intendunt : laborem tendunt L
\item \textsuperscript{19} actum L
\item \textsuperscript{20} sanctitati M
\end{itemize}
The rest that we shall ask for in our written petitions are less difficult, for the remission of annates is a matter either of the conciliar decrees or of your own generosity. And to annul the ecclesiastical censures enacted against [the participants in] the pact of Neutrality is pious and fair. However, if there should be anything in this that seems difficult to the Apostolic See, the princes beg Your Holiness to patiently accept what was done 15 years ago and that you will have patience for a short time and accept the obedience of the nation as offered. When that has been done, everything may be arranged in a better way. For it is the intention of His Royal Majesty and his princes that this Most Holy See, raised up wonderfully by God’s command, through the munificence of emperors, should retain all its dignity, all its rights, all its splendour and all its power. In time they will direct all their efforts towards this goal. At the Diet of Frankfurt¹ they did not have the time, even though they had the will, to settle the matter of providing for Your Holiness and your See.

¹ September 1446
Quarta nunc et ultima petitio superest. Coloniensem et Treverensem ecclesias earumque praelatos res ista concernit, cujus honestas eo major est, quo tuae naturae, humanitati, dignitati sedique apostolicae convenientior est. Nihil ad nos attinet, beatissime pater, de tuarum sententiarum viribus disputare, cum praeae sedis facta solius Dei judicio resserventur. Sed formidamus scandalum, nisi tua clementia in hac ultima petitione preces nostras exaudiat. Namque praelati magno conatu, magnoque potentatu, amicos et clientelis fulti, in opibus amicosque fidentes sine spoliis, sine incendiis, sine magno ecclesiarum damno amoveri facile nequiverunt. In veteri testamento cautum est, ne quis haedum in lacte matris suae coquat, quod minime absurdum fuerit interpretatum, si quis praelatum in ecclesiae suae sanguine multandum esse negaverit. Scis, beatissime pater, quam sancta est Coloniensis ecclesia, quam vetus Treverensis, quam venerabiles ambae, quam toto memorabiles orbe. Scis quantum cleri, quantum populi sub se habeant. Nolit tua beatitudo duas illas ecclesias, quae duae magna nationis Germanicae luminaria sunt, nostris periclitari temporibus.

1 omit. M
2 quidem add. L
3 sedi L
4 facto M
5 iuris L
6 preces nostras : nostras preces L
7 cognatu P, MA
8 magni conatu : magni natu M
9 clari add. L
10 circumfulti L
11 illeg. L
12 artibus L; actibusque M
13 fidentibus L
14 nequeunt L
15 ventre P, MA
16 matris suae : suae matris L
17 omit. MA
18 negavit L; negaveris M
19 orbi L
20 omit. M
21 nostrisque L
22 periclitare M
23 et add. L
4.4. Lifting the sanctions against the archbishops of Trier and Cologne

[23] Our fourth petition remains [to be presented]. It concerns the churches of Cologne and Trier and their prelates.¹ This is a matter of honour well suited to your character, humanity and to the Apostolic See. It is not our task, Holy Father, to dispute the legality² of your judgments, as the acts of the First See are reserved for the judgement of God alone.³ But we fear a scandal unless Your Clemency hears our prayers in this last petition. For prelates who have great influence and great power, who are supported by friends and clients, and who may rely on wealth and friends, cannot easily be removed without plunder, conflagration and great damage to the churches. In the Old Testament there is a warning not to boil a kid in the milk of his dam.⁴ This verse may reasonably be interpreted as meaning that a prelate should not be punished with the blood of his church.⁵ You know, Holy Father, how holy is the Church of Cologne, how old is the Church of Trier, how venerable they both are, and how renowned in the whole world. You know how numerous their clergy and their populations are. Your Holiness, please do not endanger these two churches, the two great lights of the German Nation.

¹ I.e. their archbishops
² “de viribus”
³ According to the principle maintained by the medieval popes: Nobody may judge the pope (since the pope is God’s vicar on Earth, and nobody may judge God)
⁴ Exodus, 23, 19: nec coques hedum in lacte matris suae
⁵ An interesting use of allegory, typical of the time!

---

1 humanitatem L, M; omit. P, MA
2 obtimos L
3 extulisti solum: solum extulisti L, M
4 amplasti L
5 pristinas dignitates: pristinam dignitatem L
6 re M
7 nulla res: te nulla te L
8 proxima est: proximas L, M
9 omnibus L
10 dando L, M
11 soluimus L
12 benignitas M
13 aliis L
14 omit. M
15 innata L
16 omit. M
17 spe ducimus L
18 nullum M
19 a L
We can support this claim with many arguments, but we know about your custom, your clemency, your piety and your generosity. We know that cardinals, bishops and other prelates who turned back to you were not only raised up again, but that you even increased their former state. And we know that nothing is dearer to God than to give salvation to men. Therefore we shall be sparing with words and simply ask that Your Holiness, who has shown great kindness to many others, should now remember himself and show his innate mercy and humanity to the prelates and princes concerned and their churches. If you do as we hope, you shall have a whole nation obedient to you, and all future ages shall extol your praises.

Generosity, especially of princes, is a theme dear to Piccolomini.
Haec sunt, sanctissime pater, quae nostri principes ex te petunt, magna sane, sed ratione et honestate consona. In prima petitione communis versatur utilitas, in secunda humilitas, in tertia aequitas, in quarta benignitas et tua desideratur humanitas. Tuum est, quod juste petitur libenter annuere. In tua manu nunc est radicem omnem schismatis evellere, pacem orbi concedere, consolari nationem et ejus oboedientiam suscipere. Cumque, ut vides, nostri principes in amicitia ad te miserint, ut auxilientur tibi, tempus est, ut cor tuum jungatur eis, sintque illi tui, et maneat tecum in perpetuum. Et tempestive convenienter a nobis dictum repetatur, quod ab initio ex sacris accepimus litteris: Pax, pax tibi, pax adjutoribus tuis, te enim adjuvat Deus tuus, qui tuam beatitudinem prosperioribus dietim successibus augeat. Amen

---

1 beatissime L
2 sana haec L
3 rationem L
4 illeg. M; honestati MA
5 versatitur L
6 tua add. L, M
7 tuae sanctitatis L
8 omnem schismatis : scismatis omnem L, M
9 consolare M
10 recipere L, M
11 miserant L
12 omit. M
13 illeg. eternum L
14 ac L, M
15 reperitur L; reperiatur M
16 recepimus L, M
17 prosperibus L; omit. M
18 Finis P
5. Conclusion

[25] These are, Holy Father, the requests of our princes to you. They are indeed great, but they are also reasonable and decent. In the first request the common good is concerned, in the second humility, in the third reason, and in the fourth your kindness and humanity are being called upon. Now it is up to you to willingly grant our just petitions. Now it is in your hand to uproot all schism, to grant peace to the world, to comfort the [German] nation and to receive its obedience. And as you see that our princes have sent messengers to you in friendship and in order to help you, it is time that your heart be joined with them, and that they be thine, and that they be with you in eternity. Thus we may, quite appropriately, repeat what we took in the beginning from Holy Scripture: *Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.* May He daily increase your happiness through prosperous success. Amen.