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Bernward Schmidt

What is a council? An influential dictionary of theology describes them as „legitimate conventions of bishops and other church dignitaries for consultation, decision-making and legislation on church matters. While the universal church is represented by the ecumenical council, churches of districts are represented by particular councils.”¹ However, this functional definition neglects important aspects that were considered by recent historico-cultural approaches.² In a highly formalized context like in a council, actions do not merely serve a distinct purpose (e.g. decision-making). Instead, the actions themselves are a means of expression. In a way, councils generate a “symbolical overvalue” and must therefore not only be seen from their “technically-instrumental” aspect. The “symbolically-expressive” dimension must be considered equally.³ In this regard, particularly the representational aspect becomes interesting which may take many different shapes in a council of the Late Middle Ages or the Early Modern Period: the entire council considers itself as *universalem ecclesiam repraesentans*; the Pope is being represented by his papal legates, the secular rulers by their envoys, and the dioceses by their bishops. By focusing on the first aspect, the representation of the universal church, we must ask ourselves how this form of representation is being constituted? Which symbolic actions of the convention create an image of the universal church and its structure?⁴

In the first place, one must consider the council’s venue. The arrangement of the location and the seating plan shape the conventions’ outward appearance, reflect and at the same time create the hierarchy within the church. Assignment and acceptance of a position - which are often negotiated through complex processes - go hand in hand. With this structure, the council addresses God during the session’s liturgy and prays for the Holy Spirit’s succour for its actions and edicts. Every position and every action within the council was deemed relevant for the representation of the universal church.⁵ Both aspects are given great attention by normative and discursive sources around 1500. For that reason alone, it would

1 Hermann Lais, “Konzil”, in *Lexikon für Theologie und Kirche*, 2. ed., vol. 6 (Freiburg: 1961), 526.

2 Cf. Bernward Schmidt / Hubert Wolf (eds.), *Ekklesiologische Alternativen? Monarchischer Papat und Formen kollegialer Kirchenleitung (15.-20. Jahrhundert)* (Münster: 2013); Bernward Schmidt, *Die Konzilien und der Papst. Von Pisa (1409) bis zum Zweiten Vatikanischen Konzil (1962-65)* (Freiburg: 2013).

3 Cf. Barbara Stollberg-Rilinger, “Herstellung und Darstellung politischer Einheit: Instrumentelle und symbolische Dimensionen politischer Repräsentation im 18. Jahrhundert”, in *Die Sinnlichkeit der Macht. Herrschaft und Repräsentation seit der Frühen Neuzeit*, ed. Jan Andres (Frankfurt: 2005), 73-92; Günther Wassilowsky, “Symbolereignis Konzil. Zum Verhältnis von symbolischer und diskursiver Konstituierung kirchlicher Ordnung”, in Schmidt / Wolf, *Ekklesiologische Alternativen*, 37-53.

4 Cf. Hasso Hofmann, *Repräsentation. Studien zur Wort- und Begriffsgeschichte von der Antike bis ins 19. Jahrhundert*, 3rd ed. (Berlin: 1998); Roger Chartier, “Le monde comme représentation”, *Annales* 44 (1989): 1505-1520; id., “Le sens de la représentation”, *La Vie des idées*, 22 March 2013. URL: <<http://www.laviedesidees.fr/Le-sens-de-la-representation.html>> (seen on 11.12.2017).

5 See Natacha-Ingrid Tinteroff, “The Councils and the Holy Spirit: Liturgical Perspectives”, in *The Church, the Councils and Reform. The Legacy of the Fifteenth Century*, ed. Gerald Christianson et al. (Washington, D.C.: 2008), 140-154; Bernward Schmidt, “Synodus in Spiritu Sancto legitime congregata. Zur Liturgie konziliarer Sessionen im Spätmittelalter”, in *Gottes Werk und Adams Beitrag. Formen der Interaktion zwischen Mensch und Gott im Mittelalter*, ed. Thomas Honnegger et al. (Berlin: 2014), 298-310.

not be justified to examine simply the technically-instrumental dimensions of councils and to only consider the edicts and their content.

Regarding the question of the early modern cardinal's status, particularly the symbolic practices and methods as well as their discussion – apart from the study of tracts⁶ - provides a brilliant approach to determine the ecclesiological status of the cardinalate. In the following, this will be pursued chronologically which will reveal the transformation of the College of Cardinals between 1400 and 1725. This essay is structured according to the order of the councils: Pisa (1409) and Constance (1414-18), Basel-Ferrara-Florence (1431-47), the Fifth Lateran Council (1512-17) and Trent (1545-63). Finally, prospects on the *Concilio Romano* of 1725 will be provided which, unlike the other councils, was not ecumenical but an exceptional provincial synod presided by Pope Benedict XIII. for the church province of Rome.

1. *The Healing of the Great Schism: Pisa (1409) and Constance (1414-18)*

In order to understand the profound crisis caused by the Great Schism erupting in 1378, it is necessary to briefly remind of the medieval foundations of the cardinalate. After the College of Cardinals had been formed in the 11th century and after it had been granted an exclusive right of the papal election in 1179, the cardinalate's theory and practices were extended in the 13th century. The cardinals no longer simply elected the Pope but were also legates and directors of curial authorities. The Pope gathered their advice in the consistory or in commissions which had become mandatory for important issues in the late 13th century. Thus, the juristic metaphor of the College of Cardinals as “the church's senate” is quite justified.⁷ In the period that followed, cardinals as well as bishops were sometimes called the apostles' successors (e.g. by Pierre d'Ailly).⁸ However, theological descriptions more often made use of the body metaphor and termed the cardinals *pars corporis domini papae*; even the highest rank of the Papal legate, the *legatus a latere* draws on this verbal image.⁹ Against this backdrop, Heinrich of Segusia (Hostiensis) developed a theory according to which the College of Cardinals forms a corporation with a firm organizational structure headed by the Pope. Even though the cardinals did not possess the highest official powers, they were involved in their execution. Thus, the *plenitudo potestatis* was neither restricted nor executed by the College of Cardinals alone. In the case of the *sede vacante*, it was suspended.¹⁰ This theory of the cardinalate was symbolically expressed by the rites for the papal inauguration or the appointment of cardinals.¹¹

As the Great Schism was ignited by the question of the validity of the papal elections in 1378, the election

6 Jürgen Dendorfer / Ralf Lützelshwab (eds.), *Geschichte des Kardinalats im Mittelalter* (Päpste und Papsttum 39) (Stuttgart: 2011); Klaus Ganzer, “Der ekklesiologische Standort des Kardinalskollegiums in seinem Wandel. Aufstieg und Niedergang einer kirchlichen Institution”, *Römische Quartalschrift* 88 (1993): 114-133.

7 Cf. Andreas Fischer, “Die Kardinäle von 1216 bis 1304: zwischen eigenständigem Handeln und päpstlicher Autorität”, in Dendorfer / Lützelshwab, *Geschichte*, 177-185. See also the essays by Chambers and Pattenden.

8 The proponents or opponents of the curia can be recognized by their particular accentuation, cf. Giuseppe Alberigo, *Cardinalato e collegialità. Studi sull'ecclesiologia tra l'XI e l'XIV secolo* (Florence: 1969), 112-144.

9 Cf. Agostino Paravicini Bagliani, *Der Leib des Papstes. Eine Theologie der Hinfälligkeit* (Munich: 1997), 73-75.

10 Cf. *ibid.*, 193-209.

11 Cf. *ibid.*, 185f. See also the essay by Jennifer Mara DeSilva.

body became the focus of interest during the subsequent period. Therefore, the cardinals are at the heart of the tracts for the resolution of the Schism; bishops seemed to have been necessary for the implementation of a council, yet insufficient for convoking a council or gathering the obediences.¹² Two authors who were to become cardinals themselves and who were to participate in the Council of Constance became influential: Pierre d'Ailly (1350-1420) and Francesco Zabarella (1360-1417).¹³ For both, the cardinalate is of the utmost importance regarding the legitimacy of the papal election as well as for the resolution of the Schism.¹⁴ In this regard, both authors promoted the devolution of the Pope's right to summon a council to the cardinals if the Pope was unable to do so or in the case of a lack of a legitimate Pope. After the council's meeting, the church's authority lies within this assembly representing the universal church directly guided by the Holy Spirit.¹⁵ In addition to that, Zabarella deduces an important consequence for the College of Cardinals from this body metaphor: it is obliged to back the Pope, yet, it may withdraw its support in case the Pope's actions harm the church. However, neither this nor the resignation of the pretenders to the Papal throne could possibly end the Schism as they had established competing colleges of cardinals.

Against this briefly sketched background, the *via concilii* turned out to be the only practicable way to resolve the Schism. Neither the enforced negotiation of the last Popes of the Schism on the mutual relinquishment of the papal throne, nor the councils they had summoned brought the church's unity closer¹⁶ as both, the Popes in Avignon and in Rome, continued to appoint cardinals.¹⁷ After the cardinals of both Popes had started discussions in May 1408, both groups formally summoned two councils to Pisa for May 1409. In effect, this was a joint convention which was, however, supposed to prevent issues of legitimation.¹⁸ Particularly in the sources of the Council of Pisa, the representation of the universal church clearly becomes another source of legitimacy.¹⁹ The bishopric as the essential pillar of the church

12 For general information see Dendorfer / Lützelshwab, *Geschichte*, 305-329; on the tracts see Brian Tierney, *Foundations of the Conciliar Theory. The Contribution of Medieval Canonists from Gratian to the Great Schism* (Leiden: 1998); Hermann Josef Sieben, *Traktate und Theorien zum Konzil. Vom Beginn des Großen Schismas bis zum Vorabend der Reformation (1378-1521)* (Frankfurt: 1983).

13 On the biography see: Bernard Guenée, "Pierre d'Ailly", in *Between Church and State. The lives of four prelates in the late Middle Ages*, ed. Bernard Guenée (Chicago/London: 1991), 102-258; Dieter Girgensohn, "Francesco Zabarella aus Padua. Gelehrsamkeit und politisches Wirken eines Rechtsprofessors während des großen abendländischen Schismas", *Zeitschrift für Rechtsgeschichte, kanonistische Abteilung* 79 (1993): 232-277.

14 On d'Ailly: Louis B. Pascoe, *Church and Reform. Bishops, Theologians and Canon Lawyers in the Thought of Pierre d'Ailly (1351-1420)* (Leiden: 2005); Christopher M. Bellitto, "The Early Development of Pierre d'Ailly's Conciliarism", *The Catholic Historical Review* 83 (1997): 217-232.

On Zabarella: Tierney, *Foundations*, 220-237; Friedrich Merzbacher, "Die ekklesiologische Konzeption des Kardinals Francesco Zabarella (1360-1417)", in *Festschrift Karl Pivec*, ed. Anton Haidacher / Hans Eberhard Mayer (Innsbruck: 1966), 279-287; Thomas E. Morrissey, "Cardinal Franciscus Zabarella (1360-1417) as a Canonist and the crisis of his age: Schism and the Council of Constance", *Zeitschrift für Kirchengeschichte* 96 (1985): 196-208; Hofmann, *Repräsentation*, 268-271.

15 Cf. Merzbacher, *Ekklesiologische Konzeption*, 248.

16 On the course of events see Florian Eßer, "Aus zwei mach eins. Der Pisaner Lösungsversuch des Großen Abendländischen Schismas 1408/1409: Schismatologie und Konzilsform", in *Der Verlust der Eindeutigkeit. Zur Krise päpstlicher Autorität im Kampf um die Cathedra Petri*, ed. Harald Müller (Schriften des Historischen Kollegs, Kolloquien 95) (Berlin: 2017), 37-54.

17 Cf. Dieter Girgensohn, "Kardinal Antonio Gaetani und Gregor XII. in den Jahren 1406-1408: Vom Papstmacher zum Papstgegner", *Quellen und Forschungen aus Italienischen Archiven und Bibliotheken* 64 (1984): 116-226.

18 Eßer, *Aus zwei mach eins*, 46-53.

19 Cf. Hélène Millet, "La représentativité, source de la légitimité du concile de Pise", in *Le concile de Pise. Qui travaillait à*

in terms of theology and the cardinalate recede when considering the emphasis on the hierarchical order of the church. Thus, the deposition of Benedict XIII. and Gregory XII. obtained concrete legitimacy for the universal church which is also true for the upcoming papal election: in view of the doubts about the legitimacy of the cardinals who had been appointed by the Popes of the Schism, the right to vote was granted to the council which then commissioned the cardinals for its implementation. The Pisan Popes Alexander V. and John XXIII. enjoyed greater legitimacy than their competitors as their authority had been granted by a council representing the universal church.²⁰ As early as possible, they appointed new colleges of cardinals thus confirming their claim.²¹ The separation of resignation or deposition and election was also implemented in Constance. Therefore, regarding the former, the College of Cardinals did not occupy an independent position.²²

The conclave of 1417 is also of importance. However, it could not meet until after a compromise was reached regarding questions of reform called for by King Sigismund and regarding the electoral procedure.²³ After the College of Cardinals had been discredited as the election body, the Fathers of the Council decided that the new Pope should be elected by the Council which was implemented despite partial resistance of the cardinals.²⁴ The election body thus consisted of the College of Cardinals and six deputies of each of the five nations in the council. To win the election, two thirds of the votes from each of the six groups was required. Certainly, the cardinals accepted this electoral procedure only as an exception to the uncontested electoral law. Yet, within the council's structure, the cardinals were hardly visible as a rank of its own. The president of the council was elected each month, the office was often occupied by distinguished bishops.²⁵ The preparation of decrees was basically carried out by the nations of the council that had only had informal positions in Pisa. Neither is the rank of the cardinals mentioned in the relevant sources on the ceremonial of the council's sessions.²⁶ This reflects the fact that the cardinalate can functionally be determined by the papal election, yet, it cannot be defined as a clerical order nor because of its judicial competences. However, the cardinals who were present in Constance were far from idle regarding the debate on reform as can be inferred from the suggestions by Pierre d'Ailly or the correspondence by Francesco Zabarella.²⁷ The decrees on the cardinalate were mainly included in the Concordat between Martin V. and the nations of the council. They determined the

l'union de l'Eglise d'Occident en 1409?, ed. Hélène Millet (Turnhout: 2010), 285-308.

20 Cf. Dieter Girgensohn, "Von der konziliaren Theorie des späteren Mittelalters zur Praxis: Pisa 1409, in *Die Konzilien von Pisa (1409), Konstanz (1414-1418) und Basel (1431-1449). Institution und Personen*, ed. Heribert Müller / Johannes Helmrath (Ostfildern: 2007), 89.

21 Cf. Dendorfer / Lützelshwab, *Geschichte*, 316.

22 See Walter Brandmüller, *Das Konzil von Konstanz*, 2 vols. (Paderborn: 1991-1997); Ansgar Frenken, *Die Erforschung des Konstanzer Konzils (1414-1418) in den letzten 100 Jahren* (Paderborn: 1995).

23 Cf. Phillip H. Stump, *The Reforms of the Council of Constance (1414-1418)* (Leiden: 1994), 31-42.

24 Pierre d'Ailly had worked out an electoral procedure that at first fell victim to the conflict with King Sigismund. However, its modified version was implemented as a proposal by the French members of the Council. Cf. Stump, *Reforms*, 34; Frenken, *Erforschung*, 168.

25 Cf. Stump, *Reforms*, 33, who mainly refers to Sigismund's abiders among the bishops.

26 Cf. Bernhard Schimmelpfennig, "Zum Zeremoniell auf den Konzilien von Konstanz und Basel", *Quellen und Forschungen aus Italienischen Archiven und Bibliotheken* 49 (1969): 273-292.

27 Cf. Stump, *Reforms*, 30.

number of cardinals (max. 24) and a certain proportional representation of regions and religious orders within the college. Furthermore, theological and juristic education, as well as flawless conduct were declared the prerequisites for an appointment.²⁸ In 1436, the decrees were accepted by the Council of Basel.²⁹ The appointment should be preceded by an open session with the College of Cardinals. The apparently whispered *vota auricularia* were firmly rejected. Those decrees are of long-term relevance as they influenced the electoral capitulation of Eugenius IV. (1431) and were included in the decrees of the Council of Basel.³⁰

2. The Conciliarist Trauma: Basel (1431-47)

Like the short Council of Pavia/Siena (1423-24),³¹ the Council of Basel was summoned by Martin V. based on the decree *Frequens* that had been passed in Constance and that required regular meetings. It aimed at eliminating (Hussite) heresy, reforming the church, and establishing peace in Christianity. Martin V. had already appointed Giuliano Cesarini as the Council's president who took its lead not until after a military expedition against the Hussites.³² At the same time, though, the situation between the Colonna Pope and the College of Cardinals had become critical. This had an impact on the latter's relationship with Martin's successor Eugenius IV. who was elected on 3 March 1431.³³ In the period that followed, the cardinals established themselves as a third factor of power.³⁴ Furthermore, due to the electoral capitulation, the Pope could not make decisions independently from the College of Cardinals.³⁵ While one part of the Sacred College was more or less loyal to Eugenius IV. throughout 1431-1434, the other part was opposed to him which resulted in their approximation to the Council. Furthermore, Domenico Capranica's position remained unresolved after the conclave of 1431. He had been appointed by Martin V., yet, he had not been officially inaugurated with the required ceremonial.³⁶ Capranica had advocates among the Colonna faction, however, he was robbed of his dignity as a cardinal by Eugenius IV.; he appealed to the Council and resorted to Basel.³⁷ Other cardinals like Alfonso Carillo, Branda Castiglione

28 Cf. Dendorfer / Lützelshwab, *Geschichte*, 376.

29 Cf. Dendorfer / Lützelshwab, *Geschichte*, 340, 377f.

30 Cf. Stefan Sudmann, *Das Basler Konzil. Synodale Praxis zwischen Routine und Revolution* (Frankfurt: 2005), 415-417.

31 See Walter Brandmüller, *Das Konzil von Pavia/Siena 1423-1424* (Paderborn 2002).

32 Cf. Gerald Christianson, *Cesarini. The Conciliar Cardinal. The Basel Years, 1431-1438* (St. Ottilien: 1979), 10-30. The Pope had appointed four bishops and abbots as presidents for the preceding Council of Pavia / Siena: Brandmüller, *Pavia/Siena*, 99-104.

33 Cf. Michiel Decaluwe, *A Successful Defeat. Eugene's IV Struggle with the Council of Basel for Ultimate Authority in the Church 1431 - 1449* (Brussels / Rome: 2009).

34 For basic information: Wolfgang Decker, "Die Politik der Kardinäle auf dem Basler Konzil (bis zum Herbst 1434)" *Annuario Historiae Conciliorum* 9 (1977): 112-153; 315-400; Johannes Helmuth, *Das Basler Konzil 1431-1449. Forschungsstand und Probleme* (Cologne / Wien: 1987), 112.

35 See Hans-Jürgen Becker, "Primat und Kardinalat. Die Einbindung der plenitudo potestatis in den päpstlichen Wahlkapitulationen", in *Akten des 26. Deutschen Rechtshistorikertages*, ed. Dieter Simon (Ius commune 30) (Frankfurt: 1987), 109-127; Jürgen Dendorfer, "Veränderungen durch das Konzil? Spuren der Wirkungen des konziliaren Zeitalters auf die Kurie unter Papst Eugen IV.", in *Das Ende des konziliaren Zeitalters (1440-1450)*, ed. Heribert Müller (Munich: 2012), 105-132.

36 See the essay by Jennifer Mara DeSilva.

37 Cf. Alfred A. Strnad, "Capranica, Domenico", *Dizionario Biografico degli Italiani* 19 (1976); URL: <http://www.treccani.it/enciclopedia/domenico-capranica_%28Dizionario-Biografico%29/> (seen on 11.12.2017). See also

and especially Prospero Colonna had to expect their positions to be weakened under the new Pope: in Italian politics, Carillo and Castiglione took sides with Milan that competed with Venice, the city of Eugenius' birth. Besides, Carillo was the desired candidate for the papal vicariate in Avignon. Eugenius, though, appointed his nephew. Juan de Cervantes, a sympathizer of Capranica, and Louis Aleman whose motives cannot be reconstructed individually, joined in. From early September, three out of 22 cardinals were present in Basel, another 11 cardinals had signaled that they were friendly towards the council.³⁸ In the late autumn of 1432, another 4 cardinals turned away from Rome and headed for Basel. Thus, at that moment, the Pope did not command the majority of the College of Cardinals.

Giuliano Cesarini played the most important role among the cardinals in Basel. His nomination as President of the Council was confirmed by Eugenius IV. The big controversy between the Council and the Pope over the right to transfer or dissolve the Council makes his key position obvious.³⁹ Whereas according to the participants from the Holy Roman Empire including King Sigismund, the Council was primarily supposed to achieve unification with the Hussites, Eugenius IV. put greater emphasis on negotiations of unification with the Patriarchate of Constantinople – with “the Greeks”, as his contemporaries called them. These positions again had an impact on the respective preference for Basel or for an Italian city as the Council's venue. The situation escalated when Eugenius IV. dissolved the Council with two papal bulls in November and December of 1431 and summoned for Bologna in mid-1433; the Council referred to its duty to agree to such measures.⁴⁰ The steps of escalation in this conflict between 1432 and 1433 cannot be portrayed in detail; they ranged from a reconstitution of the Council to a declaration of its superiority and to a summoning of the Pope and the cardinals before the Council. In this situation, the cardinals' opposition to Eugenius IV. becomes important as it reflects the Pope's isolation within the church on a larger, political level. In contrast to that, the curia's pressure on the cardinals by threatening them with the loss of benefices seemed to have been less effective. Against this backdrop, the Pope's submission to the Council in early 1433, as well as a compromise regarding the acceptance of the President of the Council appointed by the Pope were only logical.⁴¹

The cardinals who were present in Basel responded to the conflict between the Pope and the Council individually and were only partially joined in their opposition against Eugenius IV. With the help of the Council, Capranica tried to maintain his status as cardinal, Castiglione used the Council for his anti-papal policy in Milan, Carillo competed with Pope's nephew Marco Condulmer and later with Cardinal Pierre de Foix for the vicariate in Avignon which he had been granted by the Council.⁴² Cesarini endeavoured to apply “controlled pressure”⁴³ on Eugenius IV. by warning the Pope of an imminent escalation, by becoming engaged in commissions of the council after he had vacated his office on Eugenius's order, and

the essay Jennifer Mara DeSilva.

38 According to Decker, *Politik der Kardinäle*, 148f.

39 Cf. Christianson, *Cesarini*, 31-69.

40 Cf. Joseph Gill, *Konstanz und Basel-Florenz* (Geschichte der ökumenischen Konzilien, 9) (Mainz: 1967), 159-184.

41 Cf. Gerald Christianson, “Nicholas of Cusa and the Presidency Debate at the Council of Basel 1434”, in *Nicholas of Cusa on Christ and the Church*, ed. Gerald Christianson (Leiden: 1996), 87-103; Decaluwe, *Successful Defeat*, 100-151.

42 Cf. Heribert Müller, *Die Franzosen, Frankreich und das Basler Konzil*, vol. 2 (Paderborn 1990), 475-500.

43 According to Decker, *Politik der Kardinäle*, 326.

by asking the Roman cardinals to influence the Pope. At the same time, Cesarini was eager to constantly prolong the deadlines fixed by the Pope's citations before the Council and to have the papal legates interrogated by the Council. The cardinals, Cesarini in particular, found themselves in a dilemma regarding the question of impeachment proceedings against Eugenius IV. They were trapped between the majority of the Council on the one hand, and King Sigismund and Venice on the other.⁴⁴ Thus, the cardinals' position as the third power within the church besides the Pope and the Council caused them severe pressure from the political powers, particularly from the Empire and from France. Cardinal Niccolò Albergati assumed a particular role: he was the "rival candidate" in the conclave of 1431 who had been appointed president of the Council by Eugenius IV. in the spring of 1433 and who refused to be monopolized by any of the parties. Also, he refused the incorporation into the Council and rejected the conciliarist interpretation of the decree of Constance *Haec sancta*.⁴⁵

In the course of Eugenius' submission to the council and the quarrel about the oath of the presidents appointed by the Pope (1433/34), the majority of the cardinals again turned to the Pope, however, without abandoning their conciliarist dogmatics.⁴⁶ In view of Eugenius's illness and his political weakness, it is remarkable that they unanimously prevented either the Emperor's or the Council's seizure of this vacuum of power which would have resulted in greater influence on the Papal States. At the same time, they safeguarded their income from the Papal States. It was not least thanks to the efforts of mediation by Sigismund and Cesarini, that Eugenius IV. finally submitted to the council, accepted the council's regulation of the presidency, and confirmed Domenico Capranica as cardinal. Thus, the position of the cardinals of Basel towards the Pope had clearly been strengthened.

Regarding the issues of reform⁴⁷ and the question whether the Council was able to commission a legation, the cardinals increasingly distanced themselves from the assembly; it had become increasingly influenced by France throughout the second half of 1433. This swing was intensified by the Roman upheaval against the Pope in early 1434:⁴⁸ Albergati and Cervantes were sent as legates to the Pope which they welcomed and thus stayed with him for the time being; Capranica also came to Rome in 1435 and left Avignon to Cardinal Foix who had been appointed by the Pope; throughout the same year, Rochetaillée, Castiglione, and Colonna also left Basel and went to Florence.⁴⁹ When the Council reached its worst crisis in 1437 and was broken apart by the question of whether it should be transferred to Ferrara for the purpose of negotiating the unification with the patriarchate of Constantinople, only three cardinals remained in Basel: Cesarini and Cervantes left Basel shortly after the Council's schism for the papal Council in Ferrara. Only Louis Aleman stayed in Basel and assumed the presidency of the Council's "trunk". After the Council had deposed Eugenius IV. and after it had appointed Felix V. as antipope,

44 Cf. Christianson, *Cesarini*, 92-112; Helmrath, *Basler Konzil*, 116.

45 Cf. Thomas Prügl, "Antiquis iuribus et dictis sanctorum conformare. Zur antikonkiliaristischen Interpretation von *Haec sancta* auf dem Basler Konzil", *Annuarium Historiae Conciliorum* 31 (1999): 72-144.

46 Cf. Decker, *Politik der Kardinäle*, 374.

47 Cf. *Quellen zur Kirchenreform im Zeitalter der großen Konzilien des 15. Jahrhunderts*, ed. Jürgen Miethke / Lorenz Weinrich, vol. 2 (Darmstadt: 2002), 300-314; Christianson, *Cesarini*, 113-148.

48 Cf. Helmrath, *Basler Konzil*, 117.

49 Gill, *Konstanz und Basel-Florenz*, 190.

Eugenius removed Aleman from office and deprived him of his ecclesiastical titles accusing him of schism, heresy, and conspiracy against the Pope. It was not until after Felix's resignation in 1449, that Aleman's former titles were restituted by Eugenius' successor Nicholas V.⁵⁰ Aleman was the only cardinal present at Felix's election who on his part appointed new cardinals. Of course, this board alongside the antipope was by no means independent but was bound to the council to such an extent that some of them refused the red hat (e.g. Talaru).⁵¹ However, since the Council of Basel staged itself as a conciliar counter project against the curia („concilium perpetuum“⁵²) and seized many controversial questions that were usually decided by that latter, the cardinalate became superfluous in Basel conciliarism. Yet, it is well known that this path in church history led to a dead end. The Council of Basel serves as a burning mirror that reflects the development of the cardinalate from a rank in the church that had at least partially been independent from the Pope to closer ties with the papacy. At the same time, it reflects the development of the Council which was brought again under the control of the Pope after the Schism and the crisis in Basel. This was underlined by the Council of Ferrara-Florence and the appointment of the cardinals in 1439.⁵³

3. Ceremonial Transformations

The Council of Basel brought a number of theologians to reconsider their positions, especially with regard to the cardinalate and the episcopate.⁵⁴ More important for the history of the councils, though, was the development of the conciliar ceremonial as a consequence of Basel. In accordance with the ecclesiological common sense, the cardinals had been rather irrelevant at the Council of Basel.⁵⁵ However, this changed with the rules of procedure for the council in the *Caeremoniale Romanae Curiae* by the papal Master of Ceremonies, Agostino Patrizi Piccolomini, in 1488.⁵⁶ Patrizi was an outstanding expert of the councils of the 15th century and based his work on the experiences made in Constance, Basel and Ferrara-Florence.

It is not surprising for a curial document, yet, relevant for the cardinals, that Patrizi particularly emphasized the extraordinary position of the papal throne. The cardinals' seats were aligned with those

50 Cf. Edith Pásztor, “Aleman, Louis”, *Dizionario Biografico degli Italiani* 2 (1960), URL: <[http://www.treccani.it/enciclopedia/louis-aleman_\(Dizionario-Biografico\)/>](http://www.treccani.it/enciclopedia/louis-aleman_(Dizionario-Biografico)/>) (seen on 11.12.2017). See also the essay by Jennifer Mara DeSilva.

51 Cf. Sudmann, *Basler Konzil*, 119-126 and 418f.

52 Cf. Johannes Helmuth, “Basel, the Permanent Synod? Observations on Duration and Continuity at the Council of Basel (1431-1449)”, in Christianson, *Nicholas of Cusa*, 35-56.

53 Cf. Bianca Concetta, “I cardinali al concilio di Firenze”, in *Firenze e il concilio del 1439*, ed. Paolo Viti (Florence: 1994), 147-173.

54 Cf. Werner Krämer, *Konsens und Rezeption. Verfassungsprinzipien der Kirche im Basler Konziliarismus* (Münster: 1980); Thomas Prügl, “Successores Apostolorum. Zur Theologie des Bischofsamtes im Basler Konziliarismus”, in *Für euch Bischof – mit euch Christ*, ed. Manfred Weitlauff / Peter Neuner (St. Ottilien: 1998), 195-217; Schmidt, *Die Konzilien und der Papst*, 77-95. See also the essay by David Chambers.

55 Cf. the Council's ordo in Schimmelpfennig, *Zeremoniell*, 286f.; Natacha Tinteroff, “Assemblée conciliaire et liturgie aux conciles de Constance et Bâle”, *Cristianesimo nella Storia* 27 (2005), 395-425; Helmuth, *Basler Konzil*, 113; Sudmann, *Basler Konzil*, 416.

56 Marc Dykmans (ed.), *L'Oeuvre de Patrizi Piccolomini ou le cérémonial papal de la première renaissance*, 2 vols. (Vatican City: 1980-1985).

of the prelates. At least, though, their configuration was to serve as the role model for the royal thrones in case a king participated in a council. The cardinal bishops and the cardinal priests were seated to the right and the cardinal deacons to the left of the Pope. Thus, the Cardinal Bishop of Ostia occupied the second highest position within the Council as the highest ranking cardinal – just like in the consistory as Domenico Giacobazzi, for example, emphasizes.⁵⁷

Thus, casual remarks make clear that the Roman curia's ceremonial practices served as the role model for the seating plan of the Council. This was obvious in so far as several church offices had to be seated according to their rank in the *Capella Papalis* or in the public consistory.⁵⁸ The close bonds between the Pope and the College of Cardinals, which were theologically expressed by the image of the single body since the 13th century, were visible only limitedly in the Council's ceremonial around 1500. Whereas the cardinals occupied the first rank among the Council's members, the Pope was visually clearly separated from the cardinals in order to underline his ecclesiological position. This concept was implemented and partially increased in the Fifth Lateran Council.

4. *The Triumph of Papalism: The Fifth Lateran Council (1512-17)*

In the run-up to the Fifth Lateran Council, the ecclesiastical hierarchy was somewhat disturbed, as seven cardinals and several bishops refused obedience to Pope Julius II. and summoned a Council to Pisa in order to depose him. They were supported by the French King Louis XII.⁵⁹ The Pope reacted by also summoning a council which took place from May 1512 to March 1517 and was continued by Leo X. after his death in February 1513.⁶⁰ First and foremost, the Council's task was to restore the unity of the church, then to combat Gallicanism as a continuous threat to unity and – more formally – to extirpate heresies. Especially because of the Council's genuinely ecclesiological issue, ceremonial questions were of the utmost significance. Therefore, the Council's ceremonies were carefully orchestrated by the papal Master of Ceremonies, Paride de Grassi.⁶¹

Due to its poor attendance, contemporaries used to call the Council of Pisa *conciliabulum*. Unlike there, the Lateran Council was supposed to emphasize the Pope's outstanding position in the church – also with the collaboration of the cardinals. In this respect, the interior decoration was also unambiguous: the pedestal for the papal throne was supposed to be as high as the backrests of the kings' thrones which

57 Domenico Giacobazzi, *De concilio* (Rome: 1538), 47.

58 Cf. Jörg Bölling, "Das Papstzeremoniell der Hochrenaissance. Normierungen – Modifikationen – Revisionen", in Schmidt / Wolf, *Ekklesiologische Alternativen*, 273-307.

59 Cf. Nelson H. Minnich, "The Healing of the Pisan Schism", *Annuario Historiae Conciliorum* 16 (1984): 59-192; id., "Rite Convocare ac Congregare Procedereque. The Struggle between the Council of Pisa-Milan-Asti-Lyons and Lateran V", in id., *Concils of the Catholic Reformation: Pisa I (1409) to Trent (1545-63)* (Aldershot: 2008), no. IX; Jean-Louis Gazzaniga, "L'Appel au Concile dans la politique Gallicane de la monarchie de Charles VII à Louis XII", *Bulletin de Littérature Ecclésiastique* 85 (1984), 111-129.

60 Cf. Olivier de la Brosse, *Lateran V und Trient* (Geschichte der ökumenischen Konzilien, 10) (Mainz: 1978).

61 Cf. Marc Dykmans, "Le cinquième concile du Latran d'après le Diaire de Paris de Grassi", *Annuario Historiae Conciliorum* 14 (1982), 271-369; Nelson H. Minnich, "Paride de Grassi's Diary of the Fifth Lateran Council", in *ibid.*, 370-460.

were installed even though neither the French king nor Emperor Maximilian attended the council.⁶² Yet, also elements of the papal court ceremonial were adopted. Thus, according to the liturgical model of the *capella papalis*, masses and ceremonial celebrations were always held by a cardinal with Julius II. participating in the garb of the council's president.⁶³ Solely, the last session under Julius II. was conducted by his nephew Raffaele Riario as he himself was fatally ill at that time. At the Fifth Lateran Council under Julius II., the cardinals were council fathers as well as the Pope's "governmental committee" since the curia's everyday business had to be continued. This corresponded to two major spaces in which the Council's problems were discussed: the general congregations and sessions of the council, as well as the consistory. Under Julius II., the Council was dominated by the condemnation of the Pisan *conciliabulum*, its record and followers and of Gallicanism which was enforced ceremoniously during the sessions. Conciliar decrees were issued as papal bulls *sacro approbante concilio* and thus, the Council had no independent function. On the other hand, since 1513, the reintegration of the participants of the Council of Pisa was carried out by the consistory. Bishops and abbots were – if at all – present as onlookers only. So, the reconciliation of the Pisan cardinals with the Pope and their readmission into the College of Cardinals was celebrated in a particular way.⁶⁴ The schismatic assembly was clearly distinguished from the people who were in charge: the declaration of the Council's invalidity and the conviction of its decrees concerned the ecclesiological teaching and was therefore the Council's task. The Pope, on the other hand, was in charge of assigning a position within the church to the schismatics after a penitential ceremony.⁶⁵ The College of Cardinals was staged as *pars corporis papae* and mainly served as the center of events between the Pope and the penitent.

It was not until after the reunification of the church under Leo X. that the Council dealt with questions of church reform more extensively.⁶⁶ This revealed the bishops' crucial position; they were indispensable for a reform in situ. On the one hand, however, they were opposed to the cardinals of the curia who used decrees of reform to assure financial privileges in the dioceses for themselves. On the other hand, they faced the mendicant orders whose privileges of exemption had often enough impeded the bishops' authority. This indirect opposition against the Pope turned into direct opposition on occasion of a rather informal meeting between Pope Leo X. and the bishops in April 1514: the bishops threatened to reject the decisions on the curial reform or to remain absent from the first meeting. Thus, modifications of the template were enforced. In the course of the controversy over the privileges of exemption of the mendicant orders, the bishops achieved to postpone the decisive session for almost a year. This must certainly be seen in the context of the bishops' conception of their office: according to the theory of

62 Cf. Nelson H. Minnich / Heinrich W. Pfeiffer, "De Grassi's "Conciliabulum" at Lateran V: The De Gargiis Woodcut of Lateran V Re-Examined", *Archivum Historiae Pontificiae* 19 (1981), 147-173.

63 Cf. Dykmans, *Le cinquième concile du Latran*, 293, 299, 305, 311, 324.

64 Cf. Minnich, *Healing*, 105-111; see also the essay by Jennifer Mara DeSilva.

65 The strictly papalist foundations of the council were laid by Giles of Viterbo and Cajetan: Schmidt, *Die Konzilien und der Papst*, 128-130.

66 Cf. Nelson Minnich, "Julius II and Leo X as Presidents of the Fifth Lateran Council (1512-17)", in *La Papauté à la Renaissance*, ed. Florence Alazard / Frank La Brasca (Paris: 2007), 153-166.

councils, they were supposed to act as judges in matters of faith and discipline.⁶⁷ In order to implement this more effectively, some kind of “bishops’ union” was founded (*sodalitium episcoporum*).⁶⁸ The cardinals, on the other hand, acted as the representatives of their rank’s interest and thus hinted at the opposition between the curia and the Council – which became a leitmotif of the history of the councils during the centuries to come. This corresponds with the description of the cardinalate as *officium cum dignitate* in the conciliar treatise by Domenico Giacobazzi that was to become influential during the time that followed. The *officium* - as the main part of the definition – refers to the cardinal’s functions which are in the first place the election and advising of the Pope. *Dignitas* includes the rank and all corresponding authorities. In contrast to the patriarchs and the bishops, the cardinalate is no higher dignitas but a *maior officium*.⁶⁹

5. The Making of the Modern Church: Trent (1545-63)

Even though the Council of Trent did not present an ecclesiological concept, one can speak of an “implicit” ecclesiology that is reflected in the conciliar methods.⁷⁰ A ceremonial source, the “Ordo”, written by the Council’s secretary Angelo Massarelli afterwards, provides an indication for the role the cardinals played at the Council of Trent.⁷¹ When speaking of the seating arrangements, the rank of the cardinals is missing whereas Massarelli discusses comprehensively where the envoys of secular rulers were seated. By “cardinals”, Massarelli means the papal legates in the first place. “Regular” cardinals, though, are barely mentioned. Particularly because Massarelli dealt with the questions of ceremonial and the rules of procedure that had arisen in the course of the Council of Trent retrospectively, his “Ordo” unintentionally provides an insight into interesting tendencies of the Council.⁷² Despite the differentiations that must be made when analyzing the Council of Trent, it can be said that during its three periods, the cardinals fulfilled three different functions: as Presidents of the Council, as bishops in the rank of a cardinal, and as cardinals in the curia.⁷³

The office of the Council’s president was always executed by the papal *legati a latere* who had been

67 Cf. Francis Oakley, “Conciliarism at the Fifth Lateran Council?”, in *Church History* 71 (1972), 452-463.

68 Cf. Nelson H. Minnich, “The Proposals for an Episcopal College at Lateran V”, in *Ecclesia militans. Studien zur Konzilien- und Reformationsgeschichte*, ed. Walter Brandmüller et al., vol. 1 (Paderborn: 1988), 213-232.

69 Cf. Giacobazzi, *De concilio*, 48. In the tract *Synodia Ugonia de Conciliis*, [Toscolano] [1534?], fol. 59r-v that was also compiled in the context of the Fifth Lateran council by Mattia Ugoni the terms *dignitas* and *officium* are used synonymously. See also Sieben, *Traktate und Theorien*, 209-280.

70 Cf. Giuseppe Alberigo, “Concezioni della chiesa al Concilio di Trento e nell’età moderna”, in *Il Concilio di Trento. Istanze di riforma e aspetti dottrinali*, ed. Massimo Marcocchi (Milan: 1997), 117-153.

71 Angelo Massarelli, “Ordo celebrandi concilii generalis Tridentini”, in *Concilium Tridentinum*, vol. 13/1, ed. Klaus Ganzer (Freiburg 2001), 680-696.

72 Cf. Umberto Mazzone, “Versammlungs- und Kontrolltechniken”, in *Das Konzil von Trient und die Moderne*, ed. Paolo Prodi / Wolfgang Reinhard (Berlin: 2001), 79-106; Klaus Ganzer, “Zu den Geschäftsordnungen der drei letzten allgemeinen Konzilien. Ekklesiologische Implikationen”, in *Juri canonico promovendo*, ed. Winfried Aymans / Karl-Theodor Geringer (Regensburg: 1994), 835-867.

73 Complete overview: Hubert Jedin, *Geschichte des Konzils von Trient*, 4 vols (Freiburg: 1949-1975); John W. O’Malley, *Trent. What Happened at the Council* (Cambridge, Mass. / London: 2013).

entrusted with this office by the Pope in the consistory:⁷⁴ Giovanni Maria del Monte (later Julius III.), Marcello Cervini (later Marcellus II.), and Reginald Pole, were put in charge during the first period of the Council (1545-48). Marcello Crescenzo was supported by two (arch-) bishops as legates during the second period (1551/52), and finally a group of several cardinals headed by Girolamo Seripando, Ercole Gonzaga, Ludovico Simonetta, and later Giovanni Morone during the third period (1562/63).⁷⁵ The transition of the Council's conduct was accompanied by a new perception of the cardinals as representatives: during the first period, the Pope and the College of Cardinals could be represented by three legates during the first phase of the Council in a sense close to identification. In the third period, however, the legates were defined merely by their function of presiding the council on behalf of the pope. With the college of legates being rather heterogenous, a representation of the Pope was no longer possible.⁷⁶ In each period, the cardinals stood at the point of intersection between the Pope and the Council. Therefore, they had to protect the Pope's interests against the Council. Vice versa, they had to obtain enough freedom for the Council in order to ensure its successful continuity. Thus, not every decision was met with approval, particularly at the beginning of the Council during the crucial phases regarding the procedure or during its crisis in the spring of 1563.

A second group was made up by comparatively few cardinals who attended the Council and had not been commissioned by the Pope, like the bishops of Trent, Cristoforo and Giovanni Ludovico Madruzzo. The Spaniard Pedro Pacheco, who attended the Council during the first two phases as the Bishop of Jaén and acted as the spokesman of the Spanish bishops, was also part of this group. In particular, Pacheco continuously demanded the Council's protection from an overdominance by the curia as well as the consistent treatment of questions of reform. For the third phase, Charles de Guise, the "Cardinal of Lorraine" must be mentioned as the representative of the French. He essentially formulated the French opinion on the decree of the episcopal consecration and thus an ecclesiology that greatly differed from the curia.⁷⁷ Even though Pacheco and Guise's views and interests greatly differed from each other, they had one thing in common: they were not members of the clergy but leaders of a pressure group, as they held the highest rank and could at least partially act as their kings' voice.

Finally, one must not forget the cardinals who did not even attend the Council but who remained in Rome to set the course for the conciliar process. Of course, the cardinal-nephews must be mentioned at

74 On the office of the legati a latere see Claudia Zey, "Die Augen des Papstes. Zu Eigenschaften und Vollmachten päpstlicher Legaten", in *Römisches Zentrum und kirchliche Peripherie. Das universale Papsttum als Bezugspunkt der Kirchen von den Reformpäpsten bis zu Innozenz III.*, ed. Jochen Johrendt / Harald Müller (Berlin: 2008), 77-108.

75 Cf. e.g. William Hudon, *Marcello Cervini and Ecclesiastical Government in Tridentine Italy*, (DeKalb: 1992), 43-69; Vincenzo Criscuolo, "Marcello Cervini Legato Pontificio al Concilio di Trento", in *Papa Marcello II Cervini e la Chiesa della prima metà del '500*, ed. Carlo Prezzolini / Valeria Novembri (Montepulciano: 2003), 103-125; Michele Cassese, "Girolamo Seripando, il Concilio di Trento e la riforma della Chiesa", in *Geronimo Seripando e la Chiesa del suo tempo*, ed. Antonio Cestaro (Rome: 1997), 189-225; Massimo Firpo / Ottavia Niccoli (eds.), *Il cardinale Giovanni Morone e l'ultima fase del Concilio di Trento* (Bologna: 2009).

76 Cf. Bernward Schmidt, "Repräsentanten des Papstes – Repräsentation der Gesamtkirche", in Schmidt / Wolf, *Ekklesiologische Alternativen*, 121-141.

77 Cf. Klaus Ganzer, "Gallikanische und römische Primatsauffassung im Widerstreit. Zu den ekklesiologischen Auseinandersetzungen auf dem Konzil von Trient", in *Kirche auf dem Weg durch die Zeit. Institutionelles Werden und theologisches Ringen. Ausgewählte Aufsätze*, ed. Heribert Smolinsky / Johannes Meier (Münster: 1997), 282-334.

this point who acted as “filters” between the legates and the Pope by accepting the legates’ reports and by issuing instructions to the direction of the Council.⁷⁸ This is particularly true for Alessandro Farnese during the first and Carlo Borromeo during the third period of the Council who continuously corresponded with the papal legates. Those correspondences mirror several important issues, particularly the conciliar procedure. Furthermore, there was a deputation of cardinals in charge of the issues of the Council even before the first session. Future legates of the first two phases as well as Cupis, the dean of the College, or Carafa, were part of this deputation.⁷⁹ They discussed questions that Pope Paul III. was only willing to decide with the help of his cardinal nephew, as for example the Council’s translation to Bologna or its return to Trent (1547).⁸⁰ In this way, the councils of the 16th century mirror the general development: the cardinals show closer ties to the papacy or the respective Pope, the College of Cardinals is no longer imaginable as an independent third party.

6. Post-Tridentine Cardinals: The Concilio Romano 1725

This tendency intensifies when focusing on the only synod that was attended by a Pope between the end of the Council of Trent and the First Vatican Council in 1869/70: the provincial synod held by Benedict XIII. in 1725 for the church province of Rome. There, a fundamental question for the Pope’s self-conception arose:⁸¹ could he be reduced to the function of the metropolitan of a particular church or were papal actions automatically valid for the universal church? In order not to solve this tension in favour of one or the other side, one agreed on the term *Concilio Romano* for this synod: *Concilio* meaning the general universality of a papal council, *Romano* indicating the restriction to the Roman church province.⁸² This tension also manifests itself in the decrees of the *Concilio Romano* and particularly in the role the curia and the College of Cardinals played at the synod and during its preparation. Unlike Benedict XIII. had intended, they were by no means willing to place themselves on the same level with the bishops.⁸³ The cardinals discussed the practical sense of a synod, since according to their understanding, there was already a well-functioning curia with whose help all regulations could be worked out and implemented quickly and effectively. Therefore, the cardinals dominated the debates by preparing drafts of decrees in the curial institutions and by their speeches, while the bishops were hardly given a chance to speak.⁸⁴ Finally, the cardinals were present as a College during all liturgical celebrations and had the right to vote first. Thus, the *Concilio Romano* by no means reflected the Roman church

78 See the essay by Alexander Koller.

79 Cf. Jedin, *Geschichte des Konzils von Trient*, vol. 2 (Freiburg: 1950), 34f.

80 Cf. Jedin, *Geschichte des Konzils von Trient*, vol. 3 (Freiburg: 1970), 112; 225.

81 Overview: Luigi Fiorani, *Il Concilio Romano del 1725* (Rome: 1977); Bernward Schmidt, *Das Concilio Romano 1725. Anspruch und Symbolik einer päpstlichen Provinzialsynode* (Münster: 2012).

82 Cf. Maria Teresa Fattori, “Il concilio provinciale del 1725: liturgie e concezioni del papato a confronto, *Cristianesimo nella storia* 29 (2008), 53-111; id., “Monarchischer Papat und die Debatte über die Kirchenleitung im 18. Jahrhundert. Liturgie und Ekklesiologie im römischen Provinzialkonzil von 1725”, in Schmidt / Wolf, *Ekklesiologische Alternativen?*, 143-176.

83 Cf. Stefano Tabacchi, “Cardinali zelanti e fazioni cardinalizie tra fine seicento e inizio settecento”, in *La corte di Roma tra Cinque e Seicento. „Teatro“ della politica europea*, ed. Gianvittorio Signorotto / Maria Antonietta Visceglia (Rome: 1998), 139-165.

84 See the edited diaries of the Council in Schmidt, *Concilio Romano*, 50-165.

province but was rather a mirror-image of the hierarchy of the universal church in nuce as it was conceived after the Council of Trent.⁸⁵ In this hierarchy, the cardinals were clearly superordinate to the bishops because of their association with the Pope. Yet, after the curial reform of 1588 implemented by Sixtus V., they had become a functional elite.⁸⁶ Because of their leading functions in the congregations, the cardinals of the 18th century had an advantage of information over the bishops who could hardly – or maybe even did not want to – overcome this imbalance.

7. Conclusion

Focusing on the different dimensions of councils enables us to consider and analyse the respective level of ecclesiological development in general, as well as of a particular part of the church. This, of course, is also true for the College of Cardinals. While it was increasingly discredited as electoral body and seemed to require supplementation in Pisa and Constance and while it aspired to be perceived as at least partially independent from the Pope and the Council in Basel, the cardinals' relationship to the Pope was finally defined after Basel. The departure from the College during the Fifth Lateran Council is synonymous with the opposition against the Pope. The order was dogmatically restored by the Council and legally restored by the consistory. In the context of the Council of Trent, cardinals – except for the bishops who held the office of a cardinal and were the kings' spokesmen – acted as the Pope's representatives or his direct advisors. The more the cardinalate was expanded to a leading administrative office of the curia, the less the cardinals saw the need of synods – as in the case of the *Concilio Romano*. Thus, the Roman curia dominated the preparation and conduct of this provincial synod, the same was attempted during the two Vatican Councils of 1869/70 and 1962-65. Of course, it was particularly the Second Vatican Council that significantly reclaimed its sphere of influence which indicates that this development is by no means concluded.

85 Cf. Schmidt, *Concilio Romano*, 22-24; id., *Die Konzilien und der Papst*, 189-207.

86 Cf. Ganzer, *Der ekklesiologische Standort*, 130.