剑桥政治思想史原著系列（影印本）
CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

天主教的和谐

The Catholic Concordance

Nicholas of Cusa
库萨的尼古拉

Edited by
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图书在版编目(CIP)数据

天主教的和谐/库萨的尼古拉著. —北京：中国政法大学出版社，2003.5

剑桥政治思想史原著系列(影印本)

ISBN 7-5620-2378-6

Ⅰ. 天… Ⅱ. 库… Ⅲ. 罗马公教—中世纪教会—研究—英文 Ⅳ. B976.1

中国版本图书馆 CIP 数据核字(2003)第 037400 号

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书　　名　《天主教的和谐》
出 版 人　李传敢
经　　销　全国各地新华书店
出版发行　中国政法大学出版社
承　　印　清华大学印刷厂
开　　本　880×1230mm　1/32
印　　张　12
版　　本　2003 年 5 月第 1 版　2003 年 5 月第 1 次印刷
书　　号　ISBN 7-5620-2378-6/D·2338
印　　数　0 001-2 000
定　　价　26.00 元
社　　址　北京市海淀区西土城路 25 号　邮政编码　100088
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Translator's preface

Some years ago, the late Ewart Lewis observed that it was likely to be a long time before the "average professor of political theory will turn to his well-underlined copy of Nicholas of Cusa's *De concordantia catholica* with the same facility with which he turned to Aristotle's *Politics*."[1] This first complete translation of the *Concordantia* into English is an effort to make this major work of political and eccelesiological theory available to contemporary scholars. Before its publication the only English translation was a sometimes inaccurate excerpt containing the sections dealing with the theory of consent and Nicholas' proposals for a system of representative councils in the medieval empire.[2] The lack of a definitive Latin text, the length of the work, and the considerable linguistic problems arising from Cusanus' awkward style and defective knowledge of Latin[3] have long deterred scholars from undertaking the formidable task of translation.

The problem of establishing the Latin text has been resolved, thanks to the work of dedicated German scholars. In 1928, Professor Gerhard Kallen agreed to prepare a critical Latin edition under the auspices of the Heidelberg Academy of Sciences. Books I and II were published in 1939 but the publication of Book III was delayed by

[1] Ewart Lewis, *Medieval Political Ideas*, vol. I, New York, 1954, p. vii.

[2] Francis W. Coker, *Readings in Political Philosophy*, 2nd edn, New York, 1938, pp. 257–76. An Italian translation has been published by Pio Gaia in Nicolo Cusano, *Opere religiose*, Turin, 1971, pp. 115–546, and a French translation by Roland Galibois, Nicolas de Cues, *Concordance catholique*, Sherbrooke, Canada, 1977. A German version is being prepared by Hans Gerhard Senger of the University of Cologne.

[3] Nicholas himself refers to his "uncultivated style" in the Preface to the *Concordantia* (no. 2).

World War II and it only appeared in 1959. In 1964 and 1965 Books I and II were reissued with a critical apparatus that incorporated more recent scholarship, and in 1968, on Gerhard Kallen's eighty-fourth birthday, a complete set of indices to the entire work was published.

In my translation I have occasionally (only rarely) departed from Kallen's interpretation, and corrected the very few mistakes that appeared in his text and footnotes. The references to Latin printed sources in the footnotes are taken from the Heidelberg edition, but I have added references to English translations where appropriate and noted the more important recent scholarly works that may help in understanding the text. In the interest of space I have included only those references that are directly relevant, and I have retained Nicholas' form of citing the canon and Roman law and added the modern equivalents in parentheses in the text itself. Migne's *Patrologia* has been used as the principal reference for the early Latin and Greek texts and Mansi's *Sacrorum conciliorum ... collectio* is referred to when the church councils are quoted, because they are the most generally available source collections. My translations of biblical quotations are influenced by both the Douai and King James versions in English but mainly by the Latin (Vulgate) text.

Both the introduction and the footnotes indicate my indebtedness to the host of German scholars who have contributed to a veritable explosion of Cusanus scholarship during the last twenty-five years. In addition to my obvious dependence on Gerhard Kallen's erudition, I should mention the excellent work being done by Rudolf Haubst and those associated with the Institut für Cusanus-Forschung, formerly located at the Johannes-Gutenberg Universität in Mainz and since 1981 at the University of Trier. All students of Cusanus are grateful to Erich Meuthen of the University of Cologne for his continuing contributions to a fuller knowledge of Cusanus' life and writings. The preparation of the translations was substantially assisted by grants from the Princeton University Committee for Research in the Social Sciences and the Humanities, and by a Senior Fellowship from the National Endowment for the Humanities. The final version of the text was prepared at the Rockefeller Foundation's Bellagio Study Center.

The Introduction will refer to my earlier work on Cusanus, in particular to *Nicholas of Cusa and Medieval Political Thought* (Cambridge, Mass.: Harvard University Press, 1963). It will also reveal the striking relevance of Cusanus' thought to the currents that have

shaken church and state during the twenty-five years in which this translation has been in preparation. A reading of the original text with its heavy burden of references to canon law and theology, and its considerable emphasis on tradition and authority, should correct the mistaken impression, fostered by modern commentators[4] that Nicholas of Cusa was a precursor of modern liberal democracy. It will also reveal, however, that the later movements for expanded political participation and restraint on the arbitrary exercise of power have very deep roots in Western history and religion.[5] The checkered history of subsequent efforts to "constitutionalize" church and state has demonstrated how difficult it is to reconcile authority and freedom in matters political or religious. The conciliar movement was one of the first efforts to come to terms with this problem, and Nicholas of Cusa was the conciliarist who perceived most clearly its broader theoretical implications for both politics and religion.

This book is dedicated to my three children, Paul, David, and Stephen, whose appearance and development during the years in which I worked on it provided a constant reminder that the faith of the celibate Nicholas of Cusa in an underlying order in the universe runs contrary to the experience of every parent.

[4] See John Neville Figgis, *From Gerson to Grotius*, London, 1916, p. 69; Otto von Gierke, *Political Theories of the Middle Age*, Cambridge, 1900, p. 56; Paolo Rotta, *Nicole Cusano*, Milan, 1942, p. 27; Andreas Posch, *Die Concordantia des Nikolaus von Cues*, Paderborn, 1930, p. 94.

[5] Among the studies in English that have emphasized the importance of the political thought associated with the medieval church for the development of Western constitutionalism are Karl Morrison, *Tradition and Authority in the Western Church, 300–1140*, Princeton, N.J., 1969; Antony Black, *Monarchy and Community: Political Ideas in the Later Conciliar Controversy, 1430–1450*, Cambridge, 1970, and *Council and Commune: The Conciliar Movement and the Fifteenth Century Heritage*, London, 1979; and Brian Tierney, *Religion, Law, and the Growth of Constitutional Thought, 1150–1650*, Cambridge, 1982.

Introduction

Nicholas of Cusa, in Latin Nicolaus Cusanus, was born in 1401 at Kues on the banks of the Moselle river between Trier and Koblenz. His father was a moderately well-to-do boatman and vineyard owner who served on juries and lent money to the local nobility.[1] There is no proof that Nicholas studied with the Brothers of the Common Life in Deventer, Holland, as many of his earlier biographers assert, although he was influenced by the *devotio moderna* that they represented, and a scholarship, the *Bursa Cusana*, named after him, was established in the seventeenth century at Deventer. Following a year's stay at the University of Heidelberg in 1416, he pursued higher education in canon law at the University of Padua from 1417 until 1423. After receiving a doctorate in canon law (*doctor decretorum*) he returned to Germany and enrolled at the University of Cologne in early 1425. He seems to have studied philosophy and theology at Cologne and he practiced and probably also taught canon law. (In 1428 he turned down an offer of a professorship in canon law at the University of Louvain.) In 1427 and 1429–30, Cusanus travelled to Rome as the secretary of the Archbishop of Trier and established contacts with the Italian humanists who were interested in his reports

[1] Biographical details have been taken from Edmond Vansteenberghe, *Le Cardinal Nicholas de Cues*, Paris, 1920; Erich Meuthen, *Nikolaus von Kues 1401–1464*, 6th edn, Münster, 1982; and the collection of original sources on Cusanus' life, edited by Erich Meuthen and Hermann Hallauer, *Acta Cusana*, vol. 1 (1401–1437), Hamburg, 1976. I have also drawn on personal conversations with Professor Meuthen of the University of Cologne and with present and former associates of the Cusanus Institut, now located in Trier, especially Rudolf Haubst, and I have consulted Nicholas of Cusa's library in Kues, one of the oldest private foundations in Europe (established by his will in 1464).

of having discovered lost classical manuscripts in German monastic and cathedral libraries. In December 1429, he brought to Rome an eleventh-century manuscript of the comedies of Plautus that is still preserved in the Vatican library.

In 1430, Ulrich von Manderscheid, a member of the local nobility in the Moselle valley, made Nicholas his chancellor. Ulrich had been dean of the cathedral chapter in Cologne, and after the death of the Archbishop of Trier in 1430, he attempted to secure election to that post. (In addition to his spiritual functions, the Archbishop of Trier exercised temporal power over considerable territory in the Rhine and Moselle valleys, and was one of the seven electors of the Holy Roman Empire.) The first vote of the cathedral chapter went to another candidate but after the dispute was appealed to Rome and the pope named another candidate, Ulrich succeeded in persuading the chapter to vote for him. The dispute was then appealed to the Council of Basel which had begun to meet in July 1431. In February 1432, Nicholas of Cusa was formally incorporated into the council as a member of the delegation representing the claim of Ulrich to the Trier archbishopric.

Since its opening, the council had been embroiled in disputes with the pope. The Council of Constance (1414–1418) had voted in its decree *Haec sancta* (April 6, 1415) that it held its power "directly from Christ [and] every man, whatever his estate or office, including the pope, is obliged to obey it in matters concerned with the faith, the extirpation of schism, and reform of the church in head and members . . ." It also stated that it could not be dissolved until the necessary reforms had been carried out. On October 9, 1417, the council had adopted the decree, *Frequens*, which called for a new council in five years, another seven years later, and councils every ten years thereafter. The council had met at Constance in order to end the schism created by the existence of three rival claimants to the papal throne. After persuading the Roman pope to resign and deposing the other two, it had elected a new pope who took the name of Martin V. Following his election, Martin swore to observe "whatever has been defined, concluded, and decreed in a conciliar fashion [*conciliariter*] in matters of faith by the present council." Whether that oath included the doctrine of conciliar supremacy contained in *Haec sancta* is a matter of dispute to this day (centering principally around the signifi-

cance of the word *conciliariter* in relation to the assertion of conciliar supremacy)[2] but in observance of *Frequens* Pope Martin called a council which met at Pavia and Siena in 1423–24. After an inconclusive discussion of possible reform decrees the meager representation (two cardinals, twenty-five bishops) in attendance at Siena voted to hold another council at Basel in 1431.

The papal legates had acted as chairmen at the Council of Siena and the pope had given them power to transfer or dissolve the council if they saw fit. As the date for the meeting at Basel approached, the Basel Council was seen as a possible site for discussions with the representatives of the Greek Church who were interested in negotiating a reunion with the West, and also as an occasion to deal with the Hussite heresy in Bohemia (modern Czechoslovakia) which had continued to spread even after Jan Hus had been burned at the stake at Constance. Before he died in early 1431, Pope Martin appointed Cardinal Giuliano Cesarini to preside over the council, and gave him the same power to dissolve or transfer it that had been given to the papal legates at Siena. Soon after the Basel assembly opened, Pope Martin's successor, Eugene IV, decided that it should be transferred to a site in Italy, both so that he could be in attendance, and because the Greeks had indicated their preference for an Italian city. In late 1431 he attempted to dissolve the council and to call a new one at Bologna, but by the time the papal bull of dissolution arrived in Basel (it took as long as two months for messages to travel between Rome and Basel) it had already organized itself and renewed the *Frequens* decree of Constance. At its second session in February 1432, the council reissued *Haec sancta* asserting conciliar supremacy, and it interpreted *Frequens* and *Haec sancta* as prohibiting papal dissolution or transfer of a council without its consent. Thus it was in a period of intense conflict between the council and the pope that Nicholas arrived at the Basel Council.

The disputed Trier election was referred to the Committee (*Deputacio* – the Basel Council was divided into committees, rather

[2] For the controversy on whether the claim of conciliar supremacy has "ecumenical" standing, see Francis Oakley, *Council over Pope?*, New York, 1970, and the literature cited there. On the dogmatic status of *Haec sancta*, see the literature cited in Erich Meuthen, "Der Dialogus concludens Amedistarum Errorum," in *Mitteilungen und Forschungsbeiträge der Cusanus-Gesellschaft* (*MFCG*), vol. 8, Mainz, 1970, p. 43.

than "nations" as at Constance) on Matters of Common Interest (*pro communibus*) and to the Committee on Peace (*pro pace*). Nicholas, already known to several participants in the council, was made a member of the Committee on the Faith (*de Fide*). He remained in Basel in February and March, but in April he returned to Koblenz where he was dean of the Church of St. Florin to give an Easter sermon, which is still preserved.[3] He returned to Basel in May, preached in Koblenz in August, returning thereafter to Basel, preached in Koblenz at Christmas, and was back in Basel in January 1433. (The Rhine river made it relatively easy to go back and forth between Koblenz and Basel.) In February 1433, Nicholas of Cusa was one of those named by the council to negotiate with the Hussite delegates from Bohemia and in this connection he wrote a work, *De usu communionis* on the disputed issue of communion under both species, i.e. bread and wine.

Pope Eugene continued to maintain that a council could only be valid with the pope's approval and that its chairman should be the representative (*legatus*) of the pope. The council answered that it alone was infallible and that the pope was only the minister of the church as a whole. In April 1433 the council threatened the pope with suspension and deposition; in June, it refused to recognize the papal representatives; and in July the council threatened to cite the pope for contempt (*contumacia*) and set deadlines for him to recognize its validity. It also voted that all church offices should be filled by election with papal rights of appointment and reservation to be strictly limited to those specified in canon law. In August 1433 under pressure from the newly-crowned Holy Roman Emperor Sigismund, Pope Eugene formally annulled his earlier bull of dissolution and recognized the council's decrees except for those that "prejudiced the rights of the Holy See." A subcommittee of the Committee on the Faith which included Nicholas of Cusa in its membership examined the papal bull of submission and pronounced it insufficient, and the council began to move in the direction of a formal break with the papacy. On the papal side, Pope Eugene issued a bull that condemned as heretical the doctrine of conciliar supremacy. The arrival of the Emperor on October 11, 1433, introduced a moderating influence as he pressed for reconciliation with the pope, and in December, Eugene accepted

[3] See Nicolai de Cusa, *Opera omnia*, XVI, fasc. 3, *Sermones I* (1430–1441) edited by Rudolf Haubst and Martin Bodewig, Hamburg, 1977, Sermo XII, pp. 229–251.

all the demands of the council. The pope revoked all previous bulls against the council, declared it legitimate from its inception, and recognized as one of the council's purposes "the general reform of the church in its head and members."[4] Although he may have appeared thereby to accept conciliar superiority, it was clear from Eugene's letters of the time and from his subsequent actions that he had no intention of subordinating the pope to the council, a doctrine which he viewed as heretical.

The Composition of *De concordantia*

During this period Nicholas wrote his major work of political theory, *De concordantia catholica* (the *Catholic Concordance*). Nicholas refers in the Preface (no. 2) to his use of original sources located in "ancient cloisters" and later (III, 3, no. 316) cites a manuscript that he has seen in the Cologne Cathedral library, so that he seems to have used materials from other locations than Basel. The *Concordantia*, however, was probably written in Basel, following Nicholas' return from Koblenz in early 1433. The early discussions in Book I of predestination, membership of the church, and the validity of sacraments administered by sinful clergy seem to have been influenced by the debates with the Hussites (Bohemians) at the council between January and April 1433. Book II uses records of early church councils that were probably only available there[5] and in the same Book, he refers to

[4] For details, documentation, and chronology, see Joseph Gill, *Constance et Bale-Florence*, Paris, 1965 (vol. IX of *Histoire des conciles oecumeniques*), Johannes Haller, *Concilium Basiliense*, vols. I–II, Basel, 1896–1897; and Johannes Helmrath, *Das Basler Konzil, 1431–1449*, Cologne, 1987. The major documents relating to the Council of Basel have been translated into English by C. M. D. Crowder, *Unity, Heresy and Reform, 1378–1460*, London, 1977, Part IV.

[5] John of Segovia's *History* of the Council of Basel mentions Cardinal Cesarini's use of an ancient collection of the records of earlier councils (*librum de antiquis conciliis antique scriptum*) and notes that Nicholas of Cusa, a close friend (*singulariter dilectus*) of Cesarini's, argued from an even older collection. Nicholas' argument as summarized by Segovia is similar to that of the *Catholic Concordance* in distinguishing different types of councils and emphasizing the role of the patriarchs in the earlier history of the church. See Ernest Birk (ed.), *Historia gestorum generalis synodi Basiliensis*, Book VII, chs. 14 and 18 in *Monumenta conciliorum generalium seculi XV*, vol. II, Vienna, 1873, pp. 605 and 612–613. Book I, ch. 12, no. 54 of the *Catholic Concordance* refers to the Council as "gathered there" (*ibi congregatis*) which may argue for composition of that chapter outside of Basel. There are also minor parallels between passages in Book I, chapters 1 and 3 and Cusanus' Christmas 1432 sermon in Koblenz, (*Opera omnia*, XVI, fasc. 3, *Sermones*, Sermo XVII, p. 271) including a reference to "*graduatione concordante et harmoniaca.*" However the bulk of the evidence favors composition in Basel in 1433.

"this council" (II, 20, no. 184), mentions decrees adopted in August 1432 (II, 17, no. 155) and in July 1433 (II, 18, no. 162), and alludes (II, 26, no. 211) to "a certain little work against the Bohemians," presumably *De usu communionis*, which we know he wrote in Basel in March or April 1433.

The manuscript evidence indicates that initially there was a shorter version of the *Concordantia*, comprising Book I and chapters 1–7, 16–21, and 26–33 of Book II, which was entitled *Libellus de ecclesiastica concordantia* (*Little Book on Concordance in the Church*).[6] It was more directly focused on the relations of the pope and council, and did not include the more general philosophical discussions of consent or the analysis of the constitution of the Holy Roman Empire which are contained in the final version of the work. This would explain the shift of interest in the course of the work from the attempt in Books I and II to describe the patterns of harmony (*concordantia*) among the spiritual authorities to the analysis in Book III of the temporal power and its relation to the priesthood.

A short tract on the superiority of the councils to the pope (*De maioritate auctoritatis sacrorum conciliorum supra auctoritatem papae*) which has been identified as written by Nicholas is similar in argument to, and identical in some of its quotations with, parts of Book I, chapter 16 and Book II, chapters 2, 3, 7, 16, and 20. Since the tract was one of a number of such works written in the first part of 1433 when several council committees at Basel were discussing the

[6] The Basel manuscript of the *Catholic Concordance* contains an earlier introduction (*prohoemium*) which gives the title of the work as *Libellus de ecclesiastica concordantia* and summarizes the argument in a way that corresponds to the chapters cited. In addition, two sections appear in Book II that are located in Book III, ch. 35 in the final version – a quotation from an imperial decree calling the Council of Arles which in the Basel manuscript appears in Book II, ch. 7 as well as in Book III – and the description of a suggested electoral procedure in Book II, ch. 33 which appears in a slightly different form in Book III, ch. 37. On the dating and order of composition, see Gerhard Kallen's preface to the Latin edition of the *Concordantia* (*Opera omnia*, vol. XIV, *De concordantia catholica*, Book I, Hamburg, 1964, pp. ix–xii) and his article, "Die Handschriftliche Überlieferung der Concordantia des Nikolaus von Kues," *Sitzungsberichte der Heidelberger Akademie der Wissenschaften*, Philosophisch-historische Klasse, 1963, no. 2, pp. 51–59. See also the review of the Latin edition by Werner Krämer in *Historische Zeitschrift*, no. 209 (1969), pp. 143–150. Krämer believes (p. 146) that the *Libellus* continued to exist as a separate treatise. He bases his argument on the presence of a work entitled *Concordantia ecclesiastica* in the description of the books accompanying Nicholas at the time of his death in 1464.

council's response to the papal bulls including the possible use of a decree of nullification (*irritans*) against papal appointments to church offices, the first draft of the *Concordantia* must have been written after this time. That draft includes the aforementioned reference to a conciliar decree adopted in July 1433 (II, 18, no. 162) so that it could not have been completed until mid-1433.[7]

Additions were then made to Book II, including the chapters that are of most interest to modern students of political philosophy – the discussion of the requirement of consent as a prerequisite for legitimate law and government (Book II, chapters 8–15) – along with four chapters (22–25) on provincial councils and additional canon law references elsewhere in Book II. Then, the news of the impending arrival of the emperor and the announcement in September of the convocation of the Reichstag later in the year led Nicholas to extend his argument for legislation in councils and elective government (although not for conciliar supremacy) to the empire in an additional section (Book III). The last part of Book III from its frequent references to the emperor's presence in Basel (III, 24, nos. 465–468; III, 40, no. 565; III, 42, no. 596) must have been written after October 11, 1433, the date of the emperor's arrival. There is no reference to the papal submission to the council in December 1433 which was known in Basel at the end of January 1434, so that the work was probably completed before that time. The use of new sources, principally Marsilius of Padua's *Defensor pacis* (without acknowledgment), and a different style indicate that the preface to the third book

[7] See Erich Meuthen, "Nikolaus von Kues in der Entscheidung zwischen Konzil und Papst," *MFCG*, vol. IX, Mainz, 1971, pp. 19–33; Meuthen, "Kanonistik und Geschichtsverständnis" in Remigius Bäumer (ed.), *Von Konstanz nach Trient*, Munich, 1972, pp. 147–170, and his careful analysis of the relation of *De maioritate* and *De concordantia* in the introduction and notes to the published edition, "Cusanus Texte, II, Traktate 2. De majoritate auctoritatis sacrorum conciliorum supra auctoritatem papae," *Abhandlungen der Heidelberger Akademie der Wissenschaften*, Philosophisch-historische Klasse, Heidelberg, 1977. Nicholas' report on February 16, 1433 of discussions in the Committee on the Faith of the legal form to be used against the pope is mentioned in the records of the proceedings of the Council published in Johannes Haller (ed.), *Concilium Basiliense*, vol. II, Basel, 1897, p. 350. The council's debates on the nullification (*irritans*) decree in late 1432 and early 1433 are cited in Haller, *Concilium*, vol. I, Basel, 1896, p. 111. On the date of composition, and the role of Helwig of Boppard, a fellow Padua-trained canon lawyer at Basel, as collaborator with Cusanus in the composition of *De majoritate* and the *De concordantia*, see Werner Krämer, *Konsens und Rezeption: Verfassungsprinzipien der Kirche im Basler Konziliarismus*, Münster, 1980, ch. 6.

was added after Book III had been completed. The manuscript evidence also shows that new final chapters were added to Books II and III as well as additional documentation in Cusanus' hand.

It seems then that Book I and the two versions of Book II were written after Nicholas' return to Basel in early 1433, and Book III was written in the latter part of the same year. The entire work, with the possible exception of the preface to Book III and the final chapters of Books II and III, would then have been submitted to the council at the end of 1433 or the beginning of 1434. It is referred to in a work that Nicholas wrote in February 1434 so that it had been completed by that time, although minor additions may have been made thereafter.[8]

Despite its appearance in the midst of a profound constitutional crisis in the church, the *Catholic Concordance* is more than a canon lawyer's brief for conciliar supremacy. Faithful to its title, and to the theologically-inspired outlook that characterizes all of Nicholas' writing, it is an attempt to synthesize and harmonize many different and apparently conflicting strands in ecclesiological and political theory. While Nicholas argues for conciliar supremacy, he also grants that the pope possesses an independently-derived position as the divinely-intended head of the church. He relies on canon law, the writings of the fathers of the church, and the history of the early church councils for much of his analysis, but he also relates his argument to general philosophical principles of consent and representation that are of interest to modern political theorists and to students of the political and institutional development of the West. While the *Catholic Concordance* was occasioned by a conflict over the internal constitution of the church, the last book makes practical suggestions for the reform of the empire including an ingenious preferential voting system that would be of interest to modern political scientists (III, 37, nos. 535–540). In many ways the work appears rigidly formal and traditional in substance and form, but it also contains striking anticipations of modern concepts and practices – including themes that have received renewed attention during the last twenty-five years in the Roman Catholic Church in connection with the reforms introduced by the Second Vatican Council.

[8] See "Cusanus Texte, II, Traktate 1. De Auctoritate Presidendi in Concilio Generali," *Sitzungsberichte der Heidelberger Akademie der Wissenschaften*, Philosophisch-historische Klasse, Heidelberg, 1935, p. 27, and English translation by H. Lawrence Bond, Gerald Christianson, and Thomas Izbicki, "Nicholas of Cusa, 'On Presidential Authority in a General Council'," *Church History*, 59, 1 (March 1990), 19–34.

The structure of the argument

Because of the way in which the *Concordantia* was written, a simple outline or table of contents is not sufficient to make clear its basic structure. It is not as contradictory or confused as some observers have claimed, but the basic unity of its argument is sometimes obscured, and the reader who begins with Book I and reads through to the end of the work may find its argument difficult to follow. Book I begins with an elaborate outline of the hierarchical structure of the universe and of the church. This is followed by an analysis of the relation between the pope and the bishops and the place of Rome in the church constitution. Book II focuses at greater length on the disputed issue of the relation of the pope to the council and the need for consent to church law and government. Book III on the reform of the Holy Roman Empire seems in many respects to be an afterthought to the argument already developed. It is less elaborate in its argumentation, its sources are cited either too briefly, or at too great length (or – in the case of the dependence of the Preface to Book III on Marsilius – not at all). Yet it is necessary to consider the work as a whole, both in order to understand Nicholas' fully developed theory with its intricate system of harmonies and parallelisms, and to explain his subsequent change of loyalties to the side of Pope Eugene IV after 1437 when he became, in Aeneas Sylvius Piccolomini's phrase, "the Hercules of the Eugenians."

On the basic issue, Nicholas upholds the doctrine of conciliar supremacy over the pope. "Even in the decision on matters of faith which belongs to him by virtue of his primacy he is under the council of the Catholic Church" (I, 15, no. 61). It is not required that the council be called by the pope; in cases of necessity or danger to the church the emperor can do so (III, 15, no. 402). In the face of the pope's persistent refusal to attend, the council once it has met "should provide for the needs and welfare of the church" (II, 2, no. 73; II, 13, no. 125). "The council has power both over abuses and the one who causes the abuses . . . Its power is immediately from Christ and it is in every respect over both the pope and the Apostolic See" (II, 16, no. 148). It can remove him for heresy and "when he governs incompetently" (II, 18, no. 159). The council's "judgment is always better than the individual judgment of the Roman pontiff" (II, 18, no. 158). "The canons of the ancients [in the early church councils] are

of greater authority than decretals of the popes which contradict them – despite what modern writers say" (II, 18, no. 177). "The universal council . . . has supreme power in all things over the Roman pontiff" (II, 34, no. 249).

Yet Nicholas' theory is not as simple as the above quotations may appear to indicate. The papacy as an institution does not depend on the council; it is part of the divinely-established constitution of the church with rights and prerogatives of its own. Christ made Peter and his successor, the pope, the head of the church "to maintain unity" and "to avoid schism" (I, 6, no. 35; II, 34, nos. 259, 261, and 264). The pope is "prince of the bishops" and he has "rulership over all men in the church, for he is the captain of that army" (I, 15, no. 61). He is "first over the others" (II, 13, no. 126) with inherent powers of administration which in Nicholas' opinion (although, as he admits, not that of the Councils of Constance and Basel) cannot be taken away from him on a temporary basis (suspension) but only by removing him from office (deposition) (II, 16, no. 162). He can grant dispensations from church law out of his "personal prerogative" (II, 20, no. 187). In ordinary circumstances, the pope calls the council into session. After waiting "a long time" for him to appear, it can proceed without him, but it cannot define an article of faith without considering the views of Rome (II, 2, no. 74). The pope is obliged to yield to the majority view in the Council, but decisions on matters of faith should be unanimous (II, 15, no. 137). He is "judge of the faith"; and on matters of faith "the Roman See", understood as the pope acting with his patriarchal council, "can not err" (II, 7, nos. 94–95), and declarations on matters of faith by the synod of the patriarchate of Rome can not be reversed by the universal council (II, 4, no. 81).

Nicholas developed his ecclesiological theory in order to resolve the apparently contradictory statements in the written records of the church concerning the relationship of the pope and the council. Some of the early church councils, as well as the recent Council of Constance, seemed to assert a general theory of conciliar supremacy over the pope. Yet statements of the papacy and in church law (including the forged Pseudo-Isidorean Decretals) seemed to enunciate a theory of papal supremacy. Nicholas, confident as any orthodox medieval churchman of the basic underlying harmony and rationality of the universe, convinced that the Holy Spirit was providing the guidance to the church that had been promised to it by Christ, and trained as a

canon lawyer in the interpretation and resolution of contradictory texts (the basic canon law text, Gratian's *Concordantia discordantium canonum*, usually referred to as the *Decretum*, was compiled in order to reconcile apparently contradictory canon law texts) was certain that a harmonious intermediate position (*medium concordantiae*) could be found.

His belief in an ordered harmonious universe was derived from the version of the Christian world view that was transmitted to the Middle Ages by the writings of "Dionysius the Areopagite", (or Pseudo-Dionysius), a fifth-century Syrian Christian disciple of the neo-Platonist philosopher, Proclus.[9] The opening chapters of the *Catholic Concordance* show the influence of the thought of Dionysius, who was mistakenly thought to be the Athenian convert of St. Paul mentioned in Acts 17:34. Dionysius wrote, among other works, *The Celestial Hierarchy* and *The Ecclesiastical Hierarchy* describing the hierarchical order of the universe beginning with God through nine choirs of angels, down to the sacraments, clergy, and people. The clergy, in turn, was divided into bishops, priests, and deacons, and the people into monks, the faithful, and catechumens.

Dionysius' hierarchical and triadic view of the world, as reflected and developed by Nicholas at the beginning of the *Concordantia*, begins with nine choirs of angels, continues through nine heavenly spheres from the prime moving sphere through the planets, sun, and moon to the earth. On earth all nature is divided into rational, sensate, and vegetative; man is body, soul, and spirit; and the church is made up of sacraments, priesthood, and the faithful. The sacramental power of the priesthood is distributed into nine ranks – bishops, priests and deacons; subdeacons, acolytes, and exorcists; and readers, porters, and tonsured clergy (I, 7, no. 41).

It is only in the sixth chapter of Book I that Nicholas reaches the subject of the structure of church government. Although all bishops

[9] On Nicholas' knowledge of Dionysius, see Paul E. Sigmund, *Nicholas of Cusa and Medieval Political Thought*, Cambridge, Mass., 1963, pp. 247–249. Among the more important mediators of the tradition of Dionysius was Albertus Magnus (1200–1280), whose works Nicholas came to know through his associate at Cologne, Heimericus de Campo. At Cologne and in a visit to France in 1428 he also developed a strong interest in the Majorcan neo-Platonic mystic, Ramon Llull (1235–1316). The definition of *concordantia* in Llull's *Ars generalis* was borrowed by Cusanus, and he also adapted a system of preferential voting suggested by Llull (III, 37, nos. 535–541). For discussion, see Sigmund, *Nicholas of Cusa*, pp. 59–61.