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Deposing Popes and Kings: the Praxis of Tyranny during the Great Western Schism (1378–1417)[1]

Abstract: This essay summarises the evolution of the concept of tyranny from classical antiquity through late medieval Europe, examining its application to both secular and ecclesiastical figures. Beginning with Aristotle's characterisation of tyranny as unconstitutional rule, the essay explores how classical definitions influenced early Christian thought, particularly through the writings of Isidore of Seville. Isidore's adaptation of tyranny to ecclesiastical contexts paved the way for later medieval thinkers like John of Salisbury and Bartolus de Sassoferato to articulate theories of illegitimate power in both secular and religious spheres. The essay then delves into the Great Western Schism (1378–1417), during which the papacy was divided between rival claimants, leading to accusations of tyranny against popes and secular rulers alike. Through detailed analysis of historical sources and contemporary accounts, the essay demonstrates how charges of tyranny were leveraged to justify the deposition or elimination of political and religious figures, including Pope Urban VI, King Richard II of England, King Wenceslaus of Germany, and Pope Benedict XIII. I conclude with the case of King Władysław II Jagiełło of Poland. Drawing parallels between these cases, the article highlights common themes found in accusations of tyranny, such as abuse of power, financial mismanagement, refusal of counsel, and religious dissent.

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By examining the rhetoric and political dynamics surrounding these events, the essay argues that the concept of tyranny served as a powerful tool for legitimising political action and shaping public discourse.

Keywords: Great Western Schism, tyranny, King Richard II of England, King Wenceslaus IV of Bohemia and Germany, King Władysław II Jagiełło of Poland

Tyranny, as defined in classical antiquity, derived from secular political models. To the ancient Greeks, it signified the acquisition of power through unconstitutional means. Aristotle imparted a negative connotation to tyranny by contrasting it with ideal rulership, namely kingship. Subsequently, Romans maintained this unfavourable perception, regarding tyranny as a malignant element within the otherwise superior 'Republican' body politic.[2]

Eventually, in late antiquity, Christianity adopted and adapted the definition of tyranny. Isidore of Seville's (ca. 630s) definition of tyranny still retained its classical roots. In his *Etymologies* he emphasised the difference between kings and tyrants, "For instance, one asks what the difference between a 'king' and a 'tyrant' is: we define what each is by applying a differentiation, so that 'a king is restrained and temperate, but a tyrant is cruel.' Thus, when the differentiation between these two has been given, then one knows what each of them is."[3] Still he recognised that tyrants and kings were synonymous in the past, "Tyrants (*tyrannus*) in Greek are the same as 'kings' in Latin, because for the ancients there was no distinction between a king and a tyrant, as

[2] See for example the numerous works of Cary J. Nederman, including "Tyranny," in *Encyclopedia of Medieval Philosophy*, ed. Henrik Lagerlund (Dordrecht: Springer, 2017), 1–4; "Three Concepts of Tyranny in Western Medieval Political Thought," *Contributions to the History of Concepts* 14.2 (2019): 1–22; "A Duty to Kill: John of Salisbury's Theory of Tyrannicide," *The Review of Politics* 50.3 (1988): 365–389. Regarding medieval political theory touching on tyranny and good/bad governance see for example: Jürgen Miethke, *Mittelalterliche Politiktheorie: Vier Entwürfe des Hoch- und Spätmittelalters* (Baden-Baden: Nomos Verlagsgesellschaft, 2007), that explores four works from the High and Late Middle Ages, that is Atto von Vercelli's *Polipticum*, the *Norman Anonymous*, Henry de Bracton, and Lupold von Bebenburg. See also *Das Publikum politischer Theorie im 14. Jahrhundert*, ed. Jürgen Miethke (Munich: R. Oldenbourg Verlag, 1992) that examines the reception and audience of political theory in the fourteenth century.

[3] Stephen A. Barney, W. J. Lewis, J. A. Beach and Oliver Berghof, *The Etymologies of Isidore of Seville* (Cambridge, UK: Cambridge University Press, 2006), 55.

(Vergil, *Aen*. 7.266);" but no more. "Now in later times the practice has arisen of using the term for thoroughly bad and wicked kings, kings who enact upon their people their lust for luxurious domination and the cruellest lordship."[4]

While, according to Cary Nederman, "There Are No 'Bad Kings'," only their counsellors are bad, Isidore of Seville managed to be one of the first authors to define "bad bishops."[5] He transitioned tyranny from a solely secular context to an ecclesiastical one, a move that might have posed theological challenges. In his *Sententiae*, Isidore addressed the issue of corrupt bishops, portraying them as shepherds who tyrannically oppress the people, seeking personal glory rather than serving God. These are, to quote *Sententiae* III. 41. 2, "Proud pastors, however, tyrannically oppress the common people. They do not guide them, and they demand of their subjects not the glory of God but their own."[6] Here Isidore did not equivocate, and he tied tyranny to episcopal charge, some bishops could be bad. Thus, it was possible that a Christian shepherd could err.

But more to the point, Isidore framed tyranny and episcopal duties around a set of bad behaviours. In a binary presentation of bishops, Isidore argued that the "ecclesiastical man [*vir*] ought to be crucified to the world through the mortification of his own flesh, and he should receive the administration of the ecclesiastical order, if he has been promoted to it through the will of god, not desiring anything himself, but governing in humble manner." (*Sententiae* III. 33. 1).[7] Therefore, a lack of humility identified Isidore's bad bishop as a tyrant.

Isidore argued further that "they must not be promoted to the governance of the Church who are still subjects to vices" (*Sententiae* III. 34. 1), offering the example of David who was constantly warring.[8] In addition, he condemned those wallowing in corruption, who were

4 Barney, Lewis, Beach and Berghof, *The Etymologies of Isidore of Seville*, 201.

5 Cary J. Nederman, "There Are No 'Bad Kings': Tyrannical Characters and Evil Counselors in Medieval Political Thought," in *Evil Lords: Theories and Representations of Tyranny from Antiquity to the Renaissance*, ed. Nikos Panou and Hester Schadee (New York: Oxford Academic, 2018), 137–156.

6 Isidore of Seville, *Sententiae*, trans. Thomas L. Knoebel. Ancient Christian Writers 73 (New York: The Newman Press, 2018), 190. The section on bad bishops is in book III, 33–46.

7 Ibidem, 184.

8 Ibidem, 185.

unable to teach the correct ways (*Sententiae* III. 34. 2).[9] *Sententiae* III 34. 5 addresses those bad clerics who accepted the charge for their own advantages and ambitions "to become rich and honored."[10] A bad clergyman was also uneducated, and as such he had the potential to corrupt his flock since teachers led by example; a bad one was worthless, even when the teaching was fine, as in "the tongue of teachers who teach well and live badly is like a treacherous bow" (*Sententiae* III 37. 2).[11] Bad examples could be catastrophic: "When the head is languishing the other members of the body are infected" (*Sententiae* III 38. 4).[12] In *Sententiae* III 40. 1 and 40. 2 Isidore especially condemned 'irascible teachers,' who teach by fear, "convert the method of their instruction into a frightfulness of cruelty by the wrath of their furor."[13] They are proud teachers who lack humility and are arrogant: "proud teachers know how to wound people rather than make them better" (*Sententiae* III 41. 6).[14] And again, the teacher who has been chosen for governance should shine in humility: "The one who is elevated to governance ought to offer himself for the discipline of his subjects in such a way that he shines forth not only in authority but also in humility" (*Sententiae* III 42. 1a).[15] Altogether, Isidore offers his reader an understanding of competent/incompetent ecclesiastical leadership grounded in charity, poise, humility, and altruism in opposition to tyrannical greed, wrath, pride, and cruelty.

Cary Nederman, reflecting on tyranny for the *Encyclopedia of Medieval Philosophy*, emphasises the lasting imprint of Isidore's reflection. The later Middle Ages did not innovate much, that is until John of Salisbury's *Policraticus*. John of Salisbury (1120–1180) offered a way out of tyranny styled in the old Roman ways. A tyrant who was violent and oppressive, evil in short, could be killed if necessary. However, in John's organic conception of tyranny, the body tyrant could only exist with the support of the body's limbs, so it seemed that the entire body was corrupted. Tyrants remained in place with the support of bad people.[16]

9 Ibidem.
10 Ibidem, 186.
11 Ibidem, 187.
12 Ibidem, 189.
13 Ibidem, 190.
14 Ibidem, 191.
15 Ibidem.
16 See Nederman, "Tyranny," passim; Idem, "A Duty to Kill," 365–389.

Nederman succinctly encapsulates the late medieval conception of tyranny as power wielded arbitrarily, oppressively, and violently. Tyrants epitomised malevolent rulership, governing in a manner that was devoid of virtue and religious principles.[17] By the fourteenth century, Bartolus de Sassoferato (1313–1357), one of the foremost thinkers of his era, delineated tyranny as the illegitimate acquisition or usurpation of power. He categorised tyranny into two distinct forms: tyranny *quoad executionem*, denoting a ruler with a rightful title to the throne but governing tyrannically, and tyranny *quoad titulum*, referring to a usurper. Bartolus made a clear distinction "between power unlawfully acquired and power unlawfully exercised."[18] He differentiated between the ones who held power *ex defectu tituli* and *ex parte exercitii*, that is, between usurpers and despots.

In Bartolus's *On Tyranny*, a usurper was one *ex defectu tituli* (who lacked a sound title), one who governed arbitrarily, who was of a proud spirit, who was 'chosen unlawfully,' 'crowned without being elected', and who 'did not rule according to law' (*non jure principatur*).[19] This form of tyrant, described as wallowing in pride (*superbia*), illegitimately seized power from 'regular, established government.'[20] We can recognise here some of Isidore's language.

In any case, late medieval political theoreticians frequently formulated definitions of inept secular rulers, yet there was scarcely an opportunity to address the issue of bad religious figures wielding significant power. Questions regarding how to handle a 'tyrannically' bad bishop, cardinal, or pope remained largely unexplored. The *Summoner's Tale* and the *Pardoner's Tale* in the *Canterbury Tales*, Dante's portrayal of bad popes and bishops condemned to hell, the criticisms voiced by ecumenical councils against priests' materialism or immoral behaviour, all showed contemporary awareness of misbehaving ecclesiastics. However, beyond occasional exceptions like the conflict between Philip the Fair and Boniface VIII, few entertained the notion of justifying an

17 See Nederman, "Three Concepts of Tyranny," 1–22; Idem, "A Duty to Kill," 365–389.

18 Maude V. Clarke, *The Medieval City State: An Essay on Tyranny and Federation in the Later Middle Ages* (Oxford: Routledge, 2016), 137.

19 See Bartolus's edition as found in Ephraim Emerton, *Humanism and Tyranny: Studies in the Italian Trecento* (Gloucester: P. Smith, 1964), 127.

20 Ibidem, 128.

attack against a religious figure as politically sound.[21] If attacks took place, they were framed in the language of canon law and heresy. Excommunication remained the most common punishment.

Still, a momentous event took place in 1378. A couple of years earlier, on 13 September 1376, after approximately seventy years spent in Avignon on the banks of the Rhône, the papacy returned to its traditional location, Rome, thereby ending the so-called Babylonian captivity, the Avignon papacy. By 1376, the circumstances that had kept the papacy away from its historical seat – including rebellions in Rome and the Papal States, and the Hundred Years' War – had improved. This liberation allowed Gregory XI, who had long desired to return the papacy to its rightful location, to actualise the move. Pope Gregory died shortly thereafter, on 27 March 1378. The first Roman conclave in close to a century – the last one having elected Nicholas IV in 1287 – commenced a few days later. Sixteen cardinals were present, of whom eleven were French, four Italian, and one Spanish. Despite internal divisions and a vocal crowd outside chanting demands for a Roman or Italian pope, the conclave successfully concluded its task. It selected Bartolomeo

[21] See for example: Jean Coste, *Boniface VIII en procès: Articles d'accusation et dépositions des témoins (1303–1311)* (Rome: L'Erma di Bretschneider, 1995); Agostino Paravicini Bagliani, *Bonifacio VIII* (Torino: Einaudi, 2003); Julien Théry, "The Pioneer of Royal Theocracy. Guillaume de Nogaret and the Conflicts between Philip the Fair and the Papacy," in *The Capetian Century, 1214–1314*, ed. William Chester Jordan and Jenna Rebecca Phillips (Turnhout: Brepols, 2017), 219–259; Julien Théry, "A Heresy of State: Philip the Fair, the Trial of the 'Perfidious Templars,' and the Pontificalization of the French Monarchy," *Journal of Medieval Religious Cultures* 39.2 (2013): 117–148. It is of note that a recent article offers an interesting interpretation of medieval tyranny. Karl Ubl, using examples drawn from literature and art of the 1300s, such as the tragedy *Ecerinis* by Albertino Mussato and a fresco by Ambrogio Lorenzetti, illustrates how tyrants were depicted as demonic figures devoid of humanity. He suggests that tyrants, who were viewed as rulers lacking legitimacy and embodying vices, became targets for both critique and potential justifications for tyrannicide. However, Ubl seeks to understand whether the discourse on tyranny served a subversive purpose or if it was also a strategy of power stabilisation. He suggests that while the critique of tyranny could be used to challenge rulers, it also played a role in defining and legitimising the power of non-tyrannical rulers. See Karl Ubl, "Die Figur des Tyrannen. Herrscherkritik im Zeitalter Philipps des Schönen (1285–1314)," in *Gewalt und Widerstand in der politischen Kultur des späten Mittelalters*, ed. Martin Kintzinger, Frank Rexroth and Jörg Rogge. Vorträge und Forschungen 80 (Ostfildern: Jan Thorbecke Verlag, 2015), 211–246.

Prignano, Archbishop of Bari, as Pope Urban VI. Though a capable curial servant, Urban had never been a member of the College of Cardinals.[22]

Crowned on 10 April 1378, Prignano was known for his strictness and integrity, yet he could also display a volatile temperament. His rebukes quickly alienated most of the French cardinals, leading them to withdraw from Rome and settle in Anagni. On 2 August 1378, the non-Italian cardinals publicly contested his election. On 9 August 1378, they declared Urban illegitimate due to alleged coercion and violence during the election process. They labelled him an intruder (usurper) and anathematised him.[23]

On 21 September 1378, while seeking refuge at the court of Onorato Caetani in Fondi, in the Kingdom of Naples, thirteen dissenting cardinals convened their own conclave and elected pope, Robert of Geneva, who took the name Clement VII. Clement was crowned in Fondi a month later, on 31 October, with the papal tiara brought from Castel Sant'Angelo by Gregory XI's former camerlengo, Pierre de Cros, who had joined his side. Upon learning of his rival's election, Urban VI responded by reshaping his College of Cardinals, appointing twenty-five new candidates.

This act solidified the Schism. For the first time in its history, the papacy had two popes, two courts, and two obediences, arising not from external intervention but from within its own rank. Nearly two generations experienced and became accustomed to a dual, and later even triple, papacy. When the Council of Pisa (1409) elected a new pope, it sought to resolve the crisis by deposing both Clementist and Urbanist popes, but they vehemently opposed these efforts. Clement VII (1378–1394) led the Clementist faction, succeeded by Benedict XIII (1394–1423, who never acknowledged his multiple depositions by the Councils of Pisa and Constance). The Urbanist faction was initially headed by Urban VI (1378–1389), followed by Boniface IX (1389–1404), Innocent VII (1404–1406), and Gregory XII (1406–1415). The later Pisan faction began with the election of Alexander V (1409–1410), followed by

[22] For details of this election see Joëlle Rollo-Koster, *Raiding Saint Peter: Empty Sees, Violence, and the Initiation of the Great Western Schism (1378)* (Leiden and Boston: Brill, 2008).

[23] On the historiography of the Schism see *A Companion to the Great Western Schism (1378–1417)*, ed. Joëlle Rollo-Koster and Thomas Izbicki (Leiden and Boston: Brill, 2009).

John XXIII (1410–1415). Unity was eventually restored when the Council of Constance (1414–1418) elected Martin V as the sole pope recognised by all on 11 November 1417. Prior to this, the Council had deposed the Pisan pope John XXIII in May 1415, accepted the resignation of Gregory XII in July 1415, and anathematised Benedict in July 1417, before initiating the conclave that elected Martin in November.[24]

The Schism unleashed a floodgate of vitriol between opposing factions, leading to a proliferation of invectives. In the case of Urban VI, was the pope considered a tyrant? I contend in *The Great Western Schism, 1378–1417: Performing Legitimacy, Performing Unity* that he was commonly labelled as an intruder or usurper. For instance, Pope Gregory XI's 'second biographer' exhibited no hesitation in employing the term 'usurper' liberally throughout his text.[25] He explains how despite Urban's prohibition that cardinals leave the city, they surreptitiously left Rome, soon after the election, "two one day, one the other, one with permission and one without," and reached Anagni to "initiate [a] procedure against this usurper who wanted the papacy so badly that he did not fear using violence."[26] It is important to note, as seen previously, that the use of violence characterised the performance of tyranny. When the biographer's narrative reaches the declaration of 9 August, he explains

[24] On these events, see for the most recent, Joëlle Rollo-Koster, *The Great Western Schism, 1378–1417: Performing Legitimacy, Performing Unity* (Cambridge, UK: Cambridge University Press, 2022); Idem, *Avignon and Its Papacy (1309–1417): Popes, Institutions, and Society* (Lanham: Rowman, 2015); Idem, "Civil Violence and the Initiation of the Schism," in *A Companion to the Great Western Schism (1378–1417)*, 9–66. The letter dated 2 August is found in Étienne Baluze and Guillaume Mollat, *Vitae paparum avenionensium: Nouvelle édition et étude critique* (Paris: Letouzey et Ané, 1914–1922), IV: 174. It is translated and analysed by Walter Ullmann in a chapter entitled "The Case of the Cardinals," as is the 9 August letter; see Walter Ullmann, *The Origins of the Great Schism: A Study in Fourteenth-Century Ecclesiastical History* (London: Burns, Oates, and Washbourne, 1948), 69–89. The 9 August letter is in Baluze, *Vitae*, 1: 450. On the responsibility of cardinals, see Stefan Weiss, "Luxury and Extravagance at the Papal Court in Avignon and the Outbreak of Great Western Schism," in *A Companion to the Great Western Schism (1378–1417)*, 67–97.

[25] On the value of this testimony, see Guillaume Mollat, *Étude critique sur les vitae paparum avenionensium* (Paris: Letouzey et Ané, 1917), 43.

[26] "Duo una die, unus alia, unus cum licentia, alter sine licenti […]. Volentes procedere contra dictum intrusum, qui sic violenter voluit tenere papatum." Baluze, *Vitae*, 1: 448.

that it was pronounced in Anagni cathedral, "and after the sermon they had a cleric read the declaration against the usurper."[27]

A passage of Dietrich of Niem exemplifies Urban's tyranny with his irrationality and uncontrollable fits of anger,

> Sed frustra hec loquebar, quia quanto plura dixit, tanto magis ipse dominus Urbanus irascebatur, et facta est facies eius tandem de iracundia quasi lampas ardens seu flammea et guttur eius raucedine replebatur.
>
> (So I [Dietrich] was speaking in vain, because the more he spoke, the more Lord Urban became angry, and his face finally became like a burning lamp or fiery flame from anger, and his throat was filled with hoarseness.)[28]

Missed 'performance' also defined illegitimacy and thus tyranny. Urban VI was not only a usurper in name but he behaved like someone who had no legitimacy. The anonymous author of Gregory XI's second life adds that the usurper "travelled (rode) like a fool, without a cross or the Host preceding him, and accompanied by none of the cardinals, he went to a city, which is called Tivoli."[29] Here the performative clue was visual. No papal cortege would deign travel with such a level of inadequacy; only a false pope who did not know what he was doing could travel so unceremoniously.

The French insistence on using strong wording such as *intrusus* facilitated a slide into the vocabulary of tyranny. While the word *tyrannus* itself was not often uttered toward the 'illegitimate' Urban, the association of 'fear' with 'usurpation' led audiences down that path. To strike fear was one aspect of the performance of tyranny. Here again we revisit Isidore's definition. For the largely French Clementist obedience, *intrusus* was the accepted designation for the 'illegitimate' pope, Urban VI. A subtler means of delegitimisation, was to un-name Pope Urban and revert to his first name or former title of bishop of Bari.

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[27] "Post sermonem fecerunt legere per unum clericum declarationem contra intrusum." Baluze, *Vitae*, 1: 450.

[28] Dietrich of Nieheim, *De Nyem de scismate libri tres*, ed. Georg Erler (Leipzig: Veit & Comp., 1890), 85.

[29] "Et videns dictus intrusus sic omnes cardinales recessisse, exivit Romam et die xxvj junii equitavit quasi stultus sine cruce precedente et sine corpore Christi et sine illo cardinali, et ivit ad unam civitatem que vocatur Tiburis." Baluze, *Vitae*, 1: 448.

Un-naming belonged to the panoply of humiliation.[30] A copy of a letter from Queen Joanna of Naples employs similar language, calling Urban "the usurper from Naples, formerly bishop of Bari."[31]

Urban was also accused of financial mismanagement, again a sign of tyranny. He had reneged on the usual electoral gift that a new pope made to his College, an enormous sum ranging between 75,000 to 100,000 florins, usually shared amongst all the cardinals. He proposed to set a moratorium on the amount of money foreign authorities offered cardinals and attempted to limit cardinals' accumulation of benefices. He then named twenty-nine new cardinals. This large number allowed him to outweigh the old College – and its resistance to his reforms – and force the College into sharing revenues amongst a larger pool. The latter reform may have been the last straw: new cardinals were named on 18 September and the rebellious cardinals elected Clement on 20 September 1378. In summary, the pope did not honour cardinals as expected. He did not perform as a pope should and that made him a tyrant.[32]

If we examine Table 1 below comparing accusations against the popes and Richard II, we can indeed discern parallels in the rhetoric employed against Urban VI, John XXIII, and Benedict XIII, and the deposition of Richard II, for instance.[33] Delving deeper into cases brought before the Council of Constance, we observe that poor political leadership was often linked with themes such as fear/violence, breach of oaths, financial mismanagement, incorrigibility, and rejection of counsel. In my book, I drew parallels between events such as

30 See Rollo-Koster, *The Great Western Schism*, 151–159 where I develop these examples.

31 "Sane credimus in toto regno nostro Sicilie et in omnibus regnicolis nostrisque comitatibus Provincie et Forqualquerii manifestum [...] quod etiam ad partes totius Ytalie ac ad remotas et varias mundi partes transivit notitia qualiter occupata Sedes apostolica contra canonicas sanctiones per intrusum illum de Neapoli, olim episcopum Barense." Baluze, *Vitae*, 1: 455. For further examples, see the lives of Gregory XI in Baluze, *Vitae*, 1: 450, 452–53, 456–57, 459.

32 Rollo-Koster, *The Great Western Schism*, 157.

33 See Rollo-Koster, *The Great Western Schism*, 173, for the sources used, mainly Baluze, *Vitae*, 1: 450–55; David R. Carlson, *The Deposition of Richard II: "The Record and Process of the Renunciation and Deposition of Richard II" (1399) and Related Writings* (Toronto: Pontifical Institute of Mediaeval Studies, 2007); *Decrees of the Ecumenical Councils*, ed. and trans. Norman Tanner (London: Sheed & Ward, 1990), I: 417–418, and 437–38.

the murder of Louis of Orleans and its justification by Jean Petit, as well as the deposition of Richard II, which were contemporaneous and thematically related to the Schism. Additionally, I would like to propose two further cases, although not covered in the book, that can be considered within this framework, that is, the deposition of Wenceslaus and the attacks against Władysław II Jagiełło of Poland. Again, because of the lack of space I only want to initiate discussion to suggest how both fit the model.

During the Schism, an unprecedented rupture in ecclesiastical leadership, the rhetoric of tyranny permeated political discourse in a manner previously unseen. Remarkably, this language seamlessly transitioned from the secular to the ecclesiastical realm and back again. As Martin John Cable noted in his review of my book for H-France Review,

> [o]ne could argue, for example, that the schism exercised a sort of social detoxifying effect which made it easier for tyranny to be identified and tackled elsewhere. Lawyers, for example, may have known all about the theory, but the schism rehearsed for them what addressing tyranny would feel like, rendering it more acceptable in that very human way by which it becomes easier for one group to accept something if others have experienced it already.

This suggests that the Schism served as a catalyst, providing a precedent for recognising and combatting tyranny across various spheres of society.[34]

Indeed, there was an infusion of language and rhetoric across different contexts. The table comparing the rhetoric used against Popes Urban VI, John XXIII, Benedict XIII, and English king Richard II for their depositions underscores a striking similarity of language. This parallelism emphasises how the discourse surrounding political authority and legitimacy transcended geographical and temporal boundaries during this tumultuous period.[35] But these cases were not isolated.

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[34] Martin John Cable, "[Review of] Joëlle Rollo-Koster, *The Great Western Schism, 1378–1417. Performing Legitimacy, Performing Unity*," *H-France Review* 23 (2023): 2, https://h-france.net/vol23reviews/vol23_no165_Cable%20LT.pdf.

[35] See Rollo-Koster, *The Great Western Schism*, 172–173 for a more encompassing discussion.

Table 1: Comparative Rhetoric during the Schism

	French Cardinals' Declaration in Anagni. 9 August 1378: Deposition of Urban VI	**Parliamentary Assembly at Westminster. 30 September 1399: Deposition of Richard**	**Constance: Session 12 29 May 1415: Deposition of John XXIII**	**Constance: Session 37 26 July 1417: Deposition of Benedict XIII**
Proceedings	**Legitimacy** of plaintiffs. 12 cardinals present in Rome at the time of Gregory's death and present at conclave. Cardinals now physically separated from pope. Protected by their mercenaries. Act for the good of the Church and in the name of orthodox faith.	**Legitimacy** of parliamentary assembly. Informed of and accepted Richard's resignation.	**Legitimacy** of council.	**Legitimacy** of council and biblical quotes to legitimise sentence.
Proceedings	**Mass of Holy Spirit** officiated by Italian Patriarch of Constantinople. **Sermon** by the same.	Review of Coronation oath.	Review of the case.	Canonical inquiry.
Charges	**Illegitimacy.** papal title obtained by uncanonical means.	**Rejection** of counsel.	John's departure from council = Unlawful, scandalous, damaging (**disobedience**).	**Persecuted and disturbed** all people and universal Church, **fostered division, refused counsel, breach of oath.**
Charges	Election = results of **cardinals' fears.**	**Intimidation of judges** (*metus*).	**Breach of his oath** to Church and council.	**Caused scandal.**
Charges	Large crowds in Rome pressured cardinals to elect a Roman or an Italian under **threats** of death.	**Attacks on barons.**	**Simoniac, destroyer of goods and rights.**	**Promotor of schism.**

	French Cardinals' Declaration in Anagni. 9 August 1378: Deposition of Urban VI	**Parliamentary Assembly at Westminster. 30 September 1399: Deposition of Richard**	**Constance: Session 12 29 May 1415: Deposition of John XXIII**	**Constance: Session 37 26 July 1417: Deposition of Benedict XIII**
Charges	**Lack of protection** for cardinals and **lack of conclave's secrecy, security, and enclosure.**	**Unjust fines.**	**Evil administrator.**	**Obstructor of peace and unity.**
Charges	**Tyranny** (*ipsum papatum tirannice occupare*).	**Obsession against his enemy** (Henry).	**Detestable and dishonest life and morality.**	**Heretic, incorrigible and unworthy.**
Charges		**Papal intercession.**	**Obstinacy.**	
Charges		**Defaulted on loans**, extortion, abuse and disrespect of civil and ecclesiastic law, dissimulation, fraud and perjury.	**Incorrigibility.**	
Results	Anathema and freed all from his obedience. Declared the **papal seat vacant** (*dicta apostolica Sede vacante*) = **deposed.**	**Deposed.**	Deprived and **deposed.** Freed Christians from allegiance to him. Safeguarded by Sigismund. Council reserves rights to additional punishments.	Cut off from Catholic Church. Deprived, **deposed**, cast out. Absolved his obedience and forbid new obedience.

Another example can further illustrate the easy slide from discontentment to deposition. Wenceslaus (1361–1419) of the House of Luxembourg is ranked by *Die Welt* as the worst king of Germany for several reasons: he never attempted to receive the imperial crown, he preferred hunting to ruling, and he was constantly surrounded by his

pack of hunting dogs, to the point that in 1386, one killed his wife Joan of Bavaria. Following this tragedy, he spiralled into heavy drinking and fits of rage. In 1393, he reportedly broke with the Archbishop of Prague and had some of his advisors arrested and tortured. On Wenceslaus's orders, the vicar-general, Jan of Nepomuk, was tied to a wooden cross and drowned in the Vltava/Moldau on 20 March 1393, giving rise to the legend of St Nepomuk, who allegedly died for refusing to reveal the queen's secret. Wenceslaus was also accused of closely associating with his executioner. He obviously fit the 'definition' of a tyrant, and indeed as Christian Oertel labels him, he was depicted as 'Wenceslaus alter Nero.'[36] Eventually, electors united forces and deposed him on 20 August 1400 as a "useless, indolent, careless divider and unworthy owner of the empire." Count Palatine Ruprecht was elected in his place. Wenceslaus fought back and was eventually captured in 1402 by his half-brother Sigismund, imprisoned and deposed by the Urbanist obedience.[37]

Of course, Wenceslaus paid the price of political expediency, and for living during the Great Western Schism. He served as King of Germany from 1376 until 1400 when he was deposed but retained the title of King of Bohemia from 1378 to 1419. His father, Charles IV, stands as a pinnacle of imperial rule for the House of Luxembourg, having held sway over Hungary and Prague. The son may have inherited his father's talents along with a profound passion for hunting and, notably, drinking, in which he openly indulged.

Michel Pintoin, the *religieux de Saint-Denis*, recounts in his eighteenth book that in March 1397, Wenceslaus decided to visit his beloved cousin, the King of France, to discuss the union of the church. Charles requested that his brother, the Duke of Orleans, escort Wenceslaus from the kingdom's border to Reims, where they were to meet. They made a grand entrance into the city, with squires dedicated to pushing back the curious crowd. Wenceslaus was escorted to the Abbaye of Saint-Denis, where he was royally accommodated. On that day, the King

36 Christian Oertel, "Wenceslaus alter Nero. Die Darstellung Wenzels IV. in der Historiographie des späten 14. und 15. Jahrhunderts," *Deutsches Archiv für Erforschung des Mittelalters* 75 (2018): 673–702.

37 See "Wenceslaus," in *Encyclopedia of World Biography*, 2nd ed., vol. 16 (Gale, 2004), 201–202. Gale eBooks, link.gale.com/apps/doc/CX3404706806/GVRL?u=rhode&sid=bookmark-GVRL&xid=2be31dc5.

of France invited his cousin to dinner the following day, an invitation Wenceslaus accepted. According to the *religieux*

> The following day, while the mass of the Sunday of the Annunciation was celebrated, the illustrious dukes of Berri and Bourbon went to fetch the king by deference but came back to the king rather confused and riled, announcing that he could not join Charles. The motif for his absence was rather unglamorous; still the dukes told the truth. This prince of rude and unbalanced morals did not really care about the courtesy/etiquette that is attached to kings, and to satisfy his gluttony and drunkenness, he participated daily into horrible orgies. On that day, he fell asleep after having stuffed himself as usual and could not as such attend the sumptuous meal that the king had ordered in his honour. I heard from many at the court that his absence cost a pretty penny to the court.[38]

His life's history is, of course, marred by propaganda. As Christian Oertel argues, Wenceslaus was portrayed as an *alter Nero* because it suited the political consciousness of the time.[39] Depicting him as a tyrant provided a convenient excuse to remove him from the throne, in line, as I have argued elsewhere, with the spirit of the Schism. His father, Charles IV, had divided his lands among his sons and relatives, leaving Wenceslaus vulnerable to threats from various quarters, including his half-brother Sigismund (King of Hungary and eventually his heir), the nobility in Bohemia, and his own chancellor, Jan of Jenstein.

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[38] *Chronique du religieux de Saint-Denys: Contenant le règne de Charles VI de 1380 à 1422*, ed. and trans. Louis-François Bellaguet and Bernard Guenée. Éditions du Comité des travaux historiques et scientifiques (Paris: Impr. de Crapelet, 1994), II: 569 (my translation). It is somewhat ironic, that Sigismund too, seemed to have carried the stigma of drunkenness. He was awarded the Golden Rose twice (in 1415 by John XXIII and in 1418 by Martin V) but could not fully participate in the celebrations because he was in bed sick, according to some, or drunk according to others. See Rollo-Koster, *The Great Western Schism*, 110. On gluttony as a feature of bad rulers, see Gábor Klaniczay, "Representation of the Evil Ruler in the Middle Ages," in *European Monarchy: Its Evolution and Practice from Roman Antiquity to Modern Times*, ed. Heinz Duchhardt, Richard A. Jackson and David Sturdy (Stuttgart: Franz Steiner Verlag, 1992), 72–79. Duke Louis of Orleans was also accused of gluttony, see Jean-Claude Mühlethaler, "Le tyrant à table: Intertextualité et reference dans l'invective politique à l'époque de Charles VI," in *Représentation, pouvoir et royauté à la fin du Moyen Âge. Actes du Colloque organisé par l'Université du Maine les 25 et 26 mars 1994*, ed. Joël Blanchard, postface Philippe Contamine (Paris: Picard, 1995), 49–62.

[39] Oertel, "Wenceslaus alter Nero," 673–702.

Wenceslaus supported the Urbanist Pope Boniface IX and tended to protect Jan Hus and his followers, the so-called Wyclifites, who succeeded in expelling Germans from the University of Prague in 1409. Following his encounter with French representatives, Wenceslaus leaned towards deposing both popes and electing a new one. By failing to claim his coronation ceremony, he was accused by his electors of failing to resolve the Schism and maintain peace. Wenceslaus ignored their summons to court, and this led to his deposition and replacement by Rupert. Wenceslaus died of maybe a heart attack in 1419 while hunting, apparently after hearing the news about the Hussite rebellion in the New Town of Prague led by Jan Želivský.

John, the Archbishop of Mainz, drafted the acts of accusations against Wenceslaus on 20 August 1400, detailing the articles of his deposition.[40] After a lengthy introduction detailing Wenceslaus' failure, negligence in protecting the Church, his indecent and disgraceful lifestyle, and his inability to maintain the dignity of the crown, he was accused of the following:

1. Failing to assist in maintaining peace within the Church.
2. Disrupting the Holy Roman Empire and selling Milan to the Visconti.
3. Losing the obedience of numerous cities in Germany and Italy.
4. Allowing his friends to use his imperial seal for financial gain and issuing documents in his name.
5. Failing to prevent wars in Germany, resulting in significant damage and devastation, including fires, homicides, pillaging, and neglecting the protection of ecclesiastics, seculars, peasants, and merchants.
6. Contributing to the deaths of many ecclesiastics.

In summary, he was deposed with accusations strikingly reminiscent of those levelled against King Richard II and any other tyrants, as well as, to some extent, those levied against Pope Benedict XIII of the Clementist obedience (see Table 1: Comparative Rhetoric during the Schism).

In 1386, a 'Commission of Governance' was set up in England to supervise Richard II after the 'Wonderful Parliament' attempted to control the king's expenses and his perceived failures of obtaining victory in the Hundred Years War. Richard lived through the 'Merciless

[40] *Deutsche Reichstagsakten unter König Wenzel (1397–1400)*, ed. Julius Weizsäcker (Munich: Oldenbourg, 1877), 260–264.

Parliament' of 1388, saw his supporters eliminated, was temporarily deposed but managed to rebuild his support over the next few years. Still, in a proactive move, in the summer of 1397, the king ordered the three great Appellants arrested: Gloucester and Arundel died, while Warwick lost his property; Richard grew more authoritative during his alleged 'tyranny' (1397–1399) finishing off with the banishment and disinheritance of Henry Bolingbroke. We know the rest, Bolingbroke came back in June, deposed the king, and put the crown on his own head.[41]

In 1399, 'The Record and Process' of Richard's deposition itemised the charges against him in 33 articles that run from the king's rejection of counsel, his arrest of earls, the murder of Gloucester, Richard's Cheshire malefactors, his fines for receiving pardon, his solicitation of papal intervention, his disinheritance of Henry, illegal elections of sheriffs, his default on loans, taxation, and dissipation, his use of blank charters, extortion of support from religious authorities, his abuse of council, misappropriation of public goods, royal dissimulation and mutability, abuses of due process, royal infringement of ecclesiastical jurisdiction, fraudulent impeachment of Archbishop Arundel, and his impeachments of the dukes of Gloucester and Warwick.[42]

Still, a few years earlier in Avignon, in the wake of Clement VII's death on 16 September 1394, a conclave convened and unanimously elected Pedro de Luna, Cardinal Deacon of Santa Maria in Cosmedin, who assumed the papal name Benedict XIII on 28 September. Prior to the conclave, the cardinals drafted a decree stipulating that the newly elected pope would strive to end the *pestiferum scisma* (the pernicious schism). However, Pope Benedict XIII was not particularly enthusiastic about this endeavour. He remained steadfast in his belief that he was the rightfully appointed pontiff and insisted that his rival should be the one to resign.

Meanwhile, in Paris, the University, along with an initial council or synod of Paris, advocated for a solution to the Schism. Their approach was straightforward: once the popes lost their respective obedience, including financial support, they would be compelled to act in the interest of unity by resigning. Presented with these options, Benedict

41 The following recapitulation of my discussion is in Rollo-Koster, *The Great Western Schism*, 164–172.

42 See Carlson, *The Deposition of Richard II*, passim.

XIII hesitated, suggesting alternative measures, such as a meeting between the two popes.

As France convened two additional councils, the country began to withdraw its obedience from Benedict XIII. Charges of procrastination, corruption, involvement in scandals, and the fear instilled in others by the pope were cited as evidence of tyranny, further complicating efforts to resolve the schism.[43]

Jan of Moravia, a student in theology, went as far as to preach that to solve the issue both popes should be killed. A University of Paris' letter of 6 June 1394 asserted that a pope refusing to accept one of its three ways of union was schismatic and a heretic who merited death.[44] Benedict was not killed, but on Sunday, 28 July 1398, the Subtraction was proclaimed in front of a large crowd. Within a couple of years late medieval history was rewritten, a pope and two kings were deposed.

To conclude this 'series of unfortunate events' I would like to highlight the case of Władysław II Jagiełło, King of Poland and Grand (Supreme) Duke of Lithuania (*rex Polonie, Lithuanieque princeps supremus*).[45] In a manner akin to Richard or Wenceslaus, there were calls for the

43 See Rollo-Koster, *The Great Western Schism*, 164–169, and "The Politics of Body Parts: Contested Topographies in Late Medieval Avignon," *Speculum: A Journal of Medieval Studies* 78.1 (2003): 66–98.

44 Howard Kaminsky, *Simon de Cramaud: De substraccione obediencie* (Cambridge, MA: The Medieval Academy of America, 1984), 47. The original words from the scholar from Moravia are found on page 112, "Et hoc forsan volebat dicere de Moravia, qui predicabat tempore Clementis quod ambo mactarentur."

45 See for a documentary example: "Vladislaus […] rex Polonie, Lithuanieque princeps supremus […]". The Wroblewski Library of the Lithuanian Academy of Sciences, https://elibrary.mab.lt/handle/1/2559. As Professor Kras kindly reminded me, the position of Jagiełło in Lithuania was complex. In 1377 he succeeded his pagan father Algirdas, Grand Duke of Lithuania. He maintained this position until 1401 when he made a compromise with his cousin Vytautas. Vytautas ruled Lithuania as Grand Duke until his death in 1430, and Jagiełło was given the title of Supreme Duke (*dux supremus).* Jagiełło never conceded his hereditary right to the Lithuanian throne. For easily available sources see: Tomas Baranauskas, "Medieval Lithuania – Sources 1283–1386," https://web.archive.org/web/20220408111626/http://viduramziu.istorija.net/en/s1283.htm (in English and Latin). See also Sebastiàn Provvidente, "The Causa of Johannes Falkenberg and Synodal Praxis at the Council of Constance (1414–1418): Between Council and Pope," *Filosofiya. Zhurnal Vysshey shkoly ekonomiki* 6.4 (2022): 61–98; Přemysl Bar, "A Tortuous Path to Reconciliation and Justice: Sigismund of Luxembourg as Arbiter in the Dispute between the Teutonic Knights and Poland (1412–1420)," *Zeitschrift für Ostmitteleuropa-Forschung* 66.1 (2017): 3–40.

deposition of King Jagiełło of Poland. He was married to Jadwiga of Anjou, the youngest daughter of Louis the Great, King of Hungary (1342–1382) and Poland (1370–1382), crowned 'king' of Poland in Kraków in 1384. This coronation had allowed Polish lords from Lesser Poland to exert control over Jadwiga's eventual husband and prevent him from ascending to kingship without their consent. They negotiated Jadwiga's Polish coronation and manoeuvred the union with Lithuania based on the marriage of Jadwiga with Jagiełło of Lithuania. Louis the Great had also arranged the marriage of Jadwiga's sister, Mary, to Sigismund of Luxembourg. Thus, we can observe the interconnectedness of these late medieval histories.[46]

After numerous deliberations, the marriage was consummated in 1386, when Duke Jagiełło converted to Christianity, along with his duchy, and was crowned king of Poland as the husband of Jadwiga. However, the Teutonic Knights, engaged in colonial conquests, were displeased with this development and viewed the marriage as a pretext for invasion. They alleged that it had been forced and they decided to invade Lithuania. When Mary, Jadwiga's sister, died childless in 1395, Jadwiga inherited her sister's titles in Hungary. However, there was strong opposition to the idea of a union between Poland, Hungary, and Lithuania. Jadwiga was accepted as heir, but only in name. Meanwhile, tensions persisted under the lead of Konrad von Jungingen, Grand Master of the Teutonic Knights.

New negotiations were initiated, with Jadwiga aiming to avoid conflict while her husband, Jagiełło, petitioned Boniface IX to appoint his cousin Vytautas as king of Lithuania and Ruthenia. In 1399, Jadwiga died postpartum at the age of 25, her infant daughter named Bonifacia, having passed away shortly before her. By 1401, Vytautas was ruling over a Christianised Lithuania that no longer required the presence of the Teutonic Knights.[47]

In 1409, a rebellion erupted in Samogitia, a still pagan Lithuanian region that had been assigned to the Knights. The Teutonic Knights

[46] A detailed analysis of the background of the Polish-Lithuanian union and the marriage between Jadwiga of Anjou and Jagiełło has recently been offered by Robert I. Frost, *The Oxford History of Poland-Lithuania*, vol. 1: *The Making of the Polish-Lithuanian Union, 1385–1569* (Oxford: Oxford University Press, 2018).

[47] Giedrė Mickūnaitė, *Making a Great Ruler: Grand Duke of Lithuania* (New York: Central European University Press, 2006).

claimed that the revolt was incited by Vytautas, leading to the famous Battle of Tannenberg (Grunwald) on 15 July 1410, where the Order suffered a crushing defeat.[48]

Despite their defeat, the Teutonic Order persisted, accusing Jagiełło and Vytautas of colluding with schismatics (Orthodox Christians) and pagans. With no resolution in sight, the matter was brought before the Council of Constance.[49] However, due to the tardiness of the Polish delegation's arrival, the Teutonic Order took advantage of the situation and launched an opening salvo to defame the Polish-Lithuanian crown.[50] The Dominican Johannes Falkenberg entered the fray, signing his famous *Satira*.[51] Previously, he had engaged in debates against figures like Jean Gerson regarding the justification of the murder of Orléans.[52] Falkenberg asserted that:

> King Władysław II Jagiełło was idolatrous and a heretic and even a pagan who had faked his conversion and baptism in order to destroy the Church and thus, he had to be eliminated. He argued that the Church could not defend itself against hypocrisy because it could not see what went on in people's hearts. In addition, in his conflict with the Order, the king had allied with pagans, committed numerous atrocities, and had rebaptised

48 Paul W. Knoll, "Religious Toleration in Sixteenth-Century Poland: Political Realities and Social Constraints," in *Diversity and Dissent: Negotiating Religious Difference in Central Europe, 1500–1800*, ed. Howard Louthan, Gary B. Cohen and Franz A. J. Szabo (New York: Berghahn Books, 2011), 30–52 (here at 37).

49 The magisterial treatment of Poland's participation in the Council of Constance remains the study of Thomas Wünsch, *Konziliarismus und Polen: Personen, Politik und Programme aus Polen zur Verfassungsfrage der Kirche in der Zeit der mittelalterlichen Reformkonzilien*. Konziliengeschichte. Reihe B: Untersuchungen 7 (Paderborn: Brill Schöningh, 1998).

50 Provvidente, "The Causa of Johannes Falkenberg," 61–98.

51 According to Tomasz Kalisz, *Ego praedicator. Zarys biografii Jana Falkenberga OP* (Kraków: Dominikański Instytut Historyczny, Wydawnictwo W drodze, 2021), Jan Falkenberg had a complex relationship with the Teutonic Knights. He was often perceived as a collaborator with the Knights against the Kingdom of Poland, a view that was strongly held by many of his contemporaries, including the Polish chronicler Jan Długosz, who referred to him disparagingly as a 'scourge'. Falkenberg was also accused of being a spy for the Teutonic Knights, sent to Kraków to gather intelligence. His involvement with the Teutonic Knights led to his reputation as a contentious and adversarial figure in the eyes of Polish historians.

52 Kalisz, *Ego praedicator*, 83–88 for Falkenberg's activities at the Council of Constance and his controversy with Polish delegates.

> (orthodox) Ruthenians. The accusation of heresy and the need to have it rooted out was expanded to all Poles as they had not rebelled against their king but many of them had been members of his armies. For that reason, it was the Christian princes' obligation to rise against Władysław and the Poles and punish them with death; otherwise, they would deserve eternal damnation and all those who fought against them would, on the contrary, obtain salvation.[53]

History often carries a layer of irony. Falkenberg's theses were condemned as heretical by the *natio gallicana*, but not by the entire Council of Constance, leaving the issue unresolved. The Falkenberg case, along with the Jean Petit affair and the rationalisation of the murder of Louis of Orleans on the orders of the Duke of Burgundy, were significant discussions at the Council of Constance.[54] Contrary to Jean Petit, Falkenberg justified his attacks on Jagiełło solely in religious terms. However, within a short span, figures such as Richard, Wenceslaus, Louis d'Orléans, Jogaila, Benedict XIII, Gregory XII, and John XXIII were all condemned and deposed, or even physically eliminated. These actions were often executed under the guise of so-called violence, intimidation, financial corruption, breach of oath, pride, refusal of counsel, and loosely defined

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53 Provvidente, "The Causa of Johannes Falkenberg," 67–68. Falkenberg presented his arguments against King Władysław Jagiełło in his ironic treatise, *Satira contra hereses et cetera nephanda Polonorum et eorum regis Jaghel*, written between 1410 and 1412, which was discussed at the Council of Constance. The *Satira* is preserved in two versions published respectively by Zofia Włodek, "La Satire de Jean Falkenberg: Texte inédit avec introduction," *Mediaevalia Philosophica Polonorum* 18 (1973): 51–96 and Heinrich Boockman, *Johannes Falkenberg, der deutsche Orden und die polnische Politik* (Göttingen: Vandenhoeck & Ruprecht, 1975), 312–353. See also Krzysztof Ożóg, "*Poloni […] sunt Deo odibiles heretici et impudici canes*: Refleksje nad poglądami Jana Falkenberga OP († ok. 1435) o Polakach i Polsce," in *Dominikanie o Polsce i Polakach od XIII do XX wieku*, ed. Tomasz Gałuszka and Katarzyna Matyja (Kraków: Dominikański Instytut Historyczny and Wydawnictwo W drodze, 2020), 141–155; Andrzej Niewiński, "The Teutonic Propaganda and the Activity of the Polish Diplomacy at the Beginning of the 15th Century," in *War in History: The History of Polish and General Military Science*, ed. Andrzej Niewiński (Lublin: Wydawnictwo Episteme, 2017), 65–83.

54 Serena Masolini, "Public Authority and Right to Kill in the 'Petit' and 'Falkenberg Affairs' at the Council of Constance (1414–1418)," *Freiburger Zeitschrift für Philosophie und Theologie* 67.2 (2020): 383–412. See also my discussion in Rollo-Koster, *The Great Western Schism*, 174–186. Of note, the recent Ph.D. thesis of Karol Skrzypczak, *Occire le tyran. Présentation et édition critique des textes sur la justification du duc de bourgogne* (1408–1410), (PhD diss., Université d'Orléans, 2022).

heresy. Although not all of them were explicitly labelled as tyrants, their actions were considered tyrannical by their contemporaries. This was rationale enough to depose or eliminate them.

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