Oration “Non habet me dubium” of Enea Silvio Piccolomini (9 January 1447, Rome). Edited and translated by Michael von Cotta-Schönberg. 4th ed

(Orations of Enea Silvio Piccolomini / Pope Pius II; 11)
Abstract

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

Keywords

Enea Silvio Piccolomini; Aeneas Silvius; Aeneas Sylvius; Emperor Frederick III; Emperor Friedrich III; Pope Eugenius IV; Pope Eugene IV; Council of Basel; Council of Basle; Holy Roman Empire; Apostolic See; Papacy; German neutrality; Renaissance; Orations; Church History; History of diplomacy; 15th Century; 1447

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Contents

I. INTRODUCTION

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

II. TEXT AND TRANSLATION

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

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

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

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

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

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

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1 Rainaldus: *Annales ecclesiastici*, ad ann. 1447; Voigt, II, 9, pp. 381-399; Pastor, pp. 260-262; Paparelli, pp. 118-119; Boultling, pp. 169-170; Ady, 95-97; Mitchell, pp. 101-102; Gill, pp. 162-164
2 The Council of Konstanz, 1414-1418
3 Pope Gregory XII, Pope Benedict XIII, Pope John XXIII,
4 Sigismund of Luxembourg (1368-1437): King of Hungary and Bohemia and Roman Emperor
5 Albrecht V of Habsburg (1397-1439): Duke of Austria, King of Hungary and Bohemia, Roman Emperor as Albrecht II (uncrowned)
6 Stieber, p. 137
7 Stieber, p. 161
8 1438
9 Stieber, p. 169
After 1439, the European powers and national churches gradually came to recognize Pope Eugenius as the legitimate pope and no longer recognized the Council of Basel. In this context, German neutrality became less and less tenable. It did, however, entail considerable advantages for the German princes and prelates who did not strictly observe the neutrality, but ably played the papal or the conciliar card to their own advantage.

After the death of Emperor Albrecht in 1439, Friederich III,\(^{10}\) the new emperor, initially adhered to the German neutrality. However, from 1443 the imperial court gradually came to favour the papal cause, and through a rather convoluted course of negotiations and diets a basis was created for German recognition of the pope. The pope himself was not very helpful: at one point\(^ {11}\) he even excommunicated two imperial electors, the archbishops of Cologne and Trier, causing absolute fury in Germany.

As secretary in the imperial chancery and a protégé and friend of Kaspar Schlick, the imperial chancellor, Piccolomini came to be used in the process of negotiations, both at the papal court in Rome\(^ {12}\) and at various German diets, and eventually he became the principal imperial negotiator in this whole matter.

Thus he played a crucial role at the Diet of Frankfurt, which assembled on 14 September 1446. On behalf of the emperor, he managed to formulate a compromise formula which did not completely satisfy the conditions either of the electors or of the pope. Nonetheless, it was accepted by the various parties at the diet, albeit not without some acerbity on the part of the two deposed electors and their supporters. Thus the road was opened to German recognition of the pope if he would agree to the conditions contained in the compromise formula.\(^ {13}\)

Afterwards it was decided to send an embassy from the emperor and of the electors of Mainz and Brandenburg as well as from other German princes and prelates to Rome to negotiate the matter and, in the case of success, to declare the obedience of the German Nation to Pope Eugenius.\(^ {14}\)

The German envoys arrived in Rome on 7 January 1447.\(^ {15}\) The imperial embassy was headed by Piccolomini from whose report to the emperor the following description is taken:

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\(^{10}\) Friederich III of Habsburg (1415-1493): Duke of Austria, elected Emperor in 1440. Officially King of the Romans until his imperial coronation in Rome in 1452

\(^{11}\) 21 January 1446

\(^{12}\) Where he became reconciled with Pope Eugenius on the first of his three imperial missions to that pope, in March 1445

\(^{13}\) Stieber, pp. 292-293

\(^{14}\) Stieber, p. 297

\(^{15}\) Pastor, p. 261
We gathered the next day at San Lorenzo in Damaso. Three things were discussed there. The oration which Aeneas had drafted was reviewed. It pleased all. Nothing in it was changed, except that “suspension of allegiance” should be used whenever “neutrality” was mentioned. It was decided to seek an audience with the supreme pontiff through the efforts of the treasurer who had been sent to us, lest, by begging the goodwill of one cardinal, we should incur the indignation of another, since courts are full of envy and where one finds talents, one finds more jealousy ...

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

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

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16 “suspensio animorum”
17 11 January 1447
18 Wolkan, II, pp. 237-263; translation quoted from Reject, pp. 247-248. In his later Commentarii (van Heck), pp. 63-66, Pius gives a very condensed version of the events which agrees, however, completely with his ambassadorial report. Campano and Platina barely mention the matter (Zimolo, pp. 16-7, 101)
19 Voigt, II, 9, p. 38: Seine mündlich vorgetragenen Petitionen waren im Grunde desselben Inhalts wie seine zu Frankfurt abgefasste Punctuation, aber alles Herbe wurde durch zarte Wendungen und bescheidene Sprache gemildert. Cf. also Boulting, p. 169
20 In a letter to Siena of 23 January 1947, the abbot of San Galgano wrote about the oration: Li ambasciadori de Re de Romani e degli electori ed altri principi ultramontani sono qua come per altra rendi avisate le M.S.V. Espose la ambasciata in nome di tucti gli alteri in concistorio segreto lo eloquentissimo huomo poeta misser Enea Picogliuomini ciptadino vestro; espone in tal modo et con tanto ornate la ambasciata in se odiosa et dispiacevole che da ongni S. e stato sommamente commendato lo ingengno e la prudentia sua et non dubito che in breve saranno in qualche parte remunerate le virtu sue mediante le quali honor e gloria ne conseghuita la cipta vestra. Etsi in somma adimando quarto cose ciascuna piu exorbitante e odiosa alla S.ta di N.S. e generalmente a tucto collegio de cardenali e per la mala conditione del tempo sara necessario che nella maggior parte sieno exaldiri per schifare magiori pericoli e scandal i che advenerebbono se cosi non si facesse. (Pastor, pp. 652-653). Translation in Ady, pp. 95-96. The abbot could not know that his predictions about the future career of Piccolomini were so true that three years later he would himself be passed over as new bishop of Siena in favour of ... Piccolomini! (cf. Paparelli, p. 132)
The oration initiated a month of tough negotiating and bargaining while the pope took to his bed with an illness which turned out to be terminal. The Germans discussed whether they should suspend negotiations, awaiting the accession of the new pope, but Piccolomini persuaded them to proceed, supported by the representative of the Archbishop of Mainz who said that the declaration of obedience should be made “even if Eugene could only move one finger”.21

Having settled the remaining issues as far as possible, the German delegates

"were taken to the pope, who was lying in an inner chamber. We admired him like one of the holy fathers. We venerated him and kissed his hand. The gravity of the man was great, and his face was full of majesty. That face made the pontiff known. When he saw us, he spoke benignly and ordered a few words said. We offered obedience to his holiness, and, having received from his hand the letter already drafted, we dispatched it to those at Mainz. ... The pope gave thanks to God and sent us away, weeping, with his blessing."22

Afterwards the results of the negotiation were confirmed by the cardinals in a public consistory, and great festivities were held in Rome. The pope died some weeks afterwards, and it fell to the new pope, Nicholas V, to finish the whole matter through the Concordat of Vienna of 1447 which settled German church affairs and relations between Rome and Germany.

The oration was not included in the papal compilation of Pius’ orations prepared under his own auspices during the last years of his pontificate (1462-1464). The reason for for the non-inclusion may have been political: it might after all have been awkward for Pope Pius to publish, as pope, an oration addressed to a predecessor wherein he himself demanded a new general council, so – understandably - abhorrent to the Renaissance popes.23 If this is so, it would be an example of how Piccolomini’s changed circumstances and papal policies determined the selection of texts for the papal compilation of his orations.

21 Reject, p. 253
22 Reject, p. 254
23 Cf. O’Brien, p. 62-64. O’Brien does not mention the omission of the oration from the official papal compilation of orations, but quite plausibly surmises “that when Pius II wished in his 1463 bull In Minoribus that some of his earlier writings had ‘languished into obscurity,’ he counted this oration among such texts”
2. Themes

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

These conditions were not an expression of Piccolomini’s personal convictions, but the compromise terms hammered out between the imperial diplomats and the German princes at the fateful Diet of Frankfurt some months before. As spokesman for the emperor and the German princes, Piccolomini’s first task in Rome was to faithfully communicate the terms of this compromise to the pope and the Papal Court, notwithstanding his own personal opinions, and the text of the oration was indeed very carefully crafted and negotiated in the German delegation as late as a couple of days before its delivery. However, Piccolomini well knew that the presentation of the German requirements would be followed by negotiations with the Papal Court, and during that phase there would be scope for his diplomatic abilities to shape an agreement acceptable both to Germany and to the Papacy.²⁴

The four conditions were that the pope should agree to

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

Concerning the convocation of a new council, Piccolomini said:

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

Church reform had been somewhat neglected by the Council of Basel, too busy fighting the pope, and there was general agreement of the need for such reform. However, everybody

²⁴ O’Brien mentions that “as imperial ambassador, Aeneas’ primary responsibility was to serve the interests of the emperor”. Hower, later she writes that “Aeneas was asking for concessions that effectively hindered the [protection of papal sovereignty]”, and the “content [of the oration] pitted Aeneas not simply against the conciliar policies of Eugenius …” (O’Brien, p. 66). Such formulations seem to me to exaggerate Aeneas’ personal role in the presentation of the German demands
knew that another council would certainly not be palatable to the Apostolic See. After all, the annoying habit of 15th century councils to depose the pope and deprive him of his incomes was not a greatly motivating factor. The imperial court might no longer be very interested, either, and it was probably felt that if this whole matter was dealt with tactfully, it was not really a key issue. The pope would issue a general acceptance of the idea, hedging it, however, with conditions which could not be fulfilled, for example the unanimous acceptance of the date and location of the council by the European princes. As for the princes, they had seen how the Council of Basel slipped out of their own control and even became the breeding place of certain democratic ideas and practices which they would not like much. So, though they maintained the council as a permanent threat against the papacy, brandished by individual kings in their conflicts with the reigning pope, they actually tolerated that it took two generations more before a pope summoned a new council25 – in Rome and firmly under papal control.26

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

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

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

25 In clear defiance of the decree Frequens of the Council of Basel on the holding of general councils every ten years
26 The Fifth Council of the Lateran (1512–1517) with Church reform as its main agenda
Concerning the burdens on the German nation Piccolomini said:

*The burdens that we are dealing with are of two kinds: some have been removed by decrees of the Council of Basel, others need the assistance of Your Holiness. What has been abolished by the conciliar decrees are: the excessive reservations, the heavy annates, the frequent appeal of legal cases to the Roman Curia, and other procedures of this kind that had completely voided the ordinary jurisdiction. Though these matters had seemed very grave to the nation long before you were called to the height of the Supreme Apostolate, the nation did not on its own authority throw off the yoke - like the ten tribes did to Roboam, son of Solomon. Rather, it awaited the decisions of the Council of Basel, whose decrees it accepted, though with a number a modifications, and afterwards it used these decrees. So that the nation may be free of this burden hereafter, it asks for your permission to apply these decrees in the future. You will observe the moderation in this request. [sect. 22]*

This whole issued was later negotiated between the Empire and Eugenius’ successor, Nicholas V, and settled in the Concordat of Vienna of 1448. However, succeedings popes and the Papal Curia tended to undermine the terms of the concordat, and the whole issue of the “burdens on the German nation” would continue to fester relations between Germany and the Papacy until it found its final solution about 70 years later, at the Reformation. In historical perspective this issue was really the most critical in 1447, and the failure of the Papacy (and Piccolomini) to understand its importance, then and later, and to initiate much-needed reforms would prove to be a fatal mistake.

The issue of leaving the actual possessors of ecclesiastical offices and benefices in place, however, would be dealt with smoothly.

Concerning the reinstatement of the two archbishops and imperial Electors of Cologne and Trier, the German position was not negotiable, and Eugenius’ pragmatic successor, Nicholas V, had no difficulty in settling the matter as gracefully as possible.

### 3. Date, place, and format

According to Pastor, the German ambassadors arrived in Rome on 7 January 1447, and according to Piccolomini himself the oration was given on the third day after the arrival in Rome, i.e. two days afterwards, on 9 January 1447.

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27 Pastor, p. 260
28 Pius II: *Commentarii* (van Heck), I, cf. 17, p. 64: *Tertia die ad Eugenium vocati in consistorio secreto auditisunt, quo in loco nomine omnium Eneas oravit*
The place was the Apostolic Palace in the Vatican.

The format was that of a proper oration, as witnessed by Pius himself in his report to the emperor: The oration which Aeneas had drafted was reviewed.30

4 Text

4.1 Manuscripts

The oration is contained in the following manuscripts31:

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

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

As mentioned above, the oration was not included in the papal compilation of Pius’ orations prepared under his own auspices during the last years of his pontificate (1462-1464). Therefore the text was not revised in this connection.

4.2 Editions


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29 Ady and Mitchell have the date 12 January
30 Reject, pp. 247-248
31 For their orthographical characteristics, see the bibliography volume of the collected edition (to be published in 2017)
32 Martène and Durand do not indicate which ms. was used as the basis for the edition, but it cannot have been one of the manuscripts used for the present edition
4.3 Present edition

The edition is based on both manuscripts listed above and the edition by Martène and Durand.

The lead text is the BNB 4314.

The textual apparatus contains the variants from the other manuscript and the edition except in the cases where a reading from on or both of these is clearly better.

Pagination is from Paris 4314 (blue) and from Martène and Durand (red).

Orthography as normalized on the basis of modern Latin lexicography is used throughout.\(^{33}\)

Quotations are given in cursive.

Translations of quotations from classical authors are from the Loeb Classical Library (Digital), unless otherwise stated. Translations of quotations from the Bible are from the Douay-Reims translation into English of the Vulgate.

5. Bibliography


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

\(^{33}\) For a list of the orthographical characteristics of the two mss. used, see the List of manuscripts in the last volume of *Collected orations of Enea Silvio Piccolomini / Pius II* (to be published in 2016, in HAL Archives)
Paparelli, Gioacchino: *Enea Silvio Piccolomini – Pio II*. Bari, 1950. (Biblioteca di cultura moderna; 481)


Piccolomini, Silvio: *Epistolae*


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

- *Commentarii rervm memorabilivm que svis temporibus contigervnt*. Ed. A van Heck. II vols. Città del Vaticano, 1984 (Studi e testi; 312-313)

Pius II: *Orationes*

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


6. Sigla

\textbf{L} = London / British Library / Arundel MS 138
\textbf{P} = Paris / Bibliothèque Nationale / Ms. lat. 4314

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

[1] {980} {183r} Non habet me dubium, pater sanctissime, quin apud te sit illa domus, quam dominus in evangelio supra firmam petram laudat aedificantem, ad quam recurrendum est regnante diluvio. Nam extra eam non est salus, et ejus decorem diligere se prophetae testatur, persuasumque mihi jam dudum fuerat in amplissimo loco neminem loqui decere, nisi vel summa doctrinæ, vel auctoritate, vel vitae sanctimonia praestantem. Rursus quoque nihil huic affertur rebar oportere, nisi perfectum ingenio, elaboratum industria, rebusque ipsius illustratum esset, nec immerito, nisi fallor. Quis enim aliter vel coram te, summo pontifice, aeterni regni clavigero ac Jesu Christi vicario, vel coram his gravissimis ac sapientissimis patribus verba faciens commendatur?
Oration delivered by Enea Silvio, Bishop of Trieste, on the loyal obedience of the Germans, the healing of the schism, and the celebration of a council, before Pope Eugene IV

1. Introduction: Captatio benevolentiae

[1] Holy Father,

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

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43 Piccolomini had not yet been appointed Bishop of Trieste when he delivered this oration
44 The traditional axiom: *Extra ecclesiam nulla salus*. This theme, in the sense of communion with the Apostolic See, was also used three months later, by the new pope, Nicholas V, when he gave the oration *Nihil est* to the ambassadors of Aragon, coming to declare the obedience to the Apostolic See of their master, King Alfonso V the Magnanimous
45 Cf. Psalms, 25, 8
46 The 15 cardinals present at the secret consistory

47 tum MA
tacite L
perpendissem L
omit. L
regiae munus : regimen L
habebam L
refugit L
asserabam L
face P
omit. L
explevisset L
omit. P, MA
latentis add. in marg. L
facit dicendi : dicendi facit L
rectumque sit add. L
non add. L
in add. L
omit. P
est agendum : agendum est L
et add. L
et add. L
insciis L
When I was sent to you on another occasion, I pondered on this, and I would rather have stayed silent before you than speak. But since [at that occasion] I was the only one charged with the royal mission, necessity obliged me to do what personally I wished to avoid. Now, having been sent to you a second time, I was really hoping that I would be eased of this burden through the kindness and eloquence of the noble knight, my esteemed colleague, who could fulfill the wish of the king and the prince electors much more intelligently, seriously, and elegantly than I. But the burden of speaking has now, somehow, fallen on me who am quite unqualified and very reluctant to do so. The reason may have been that I was with you before or that I am Italian and am considered to have some knowledge of things and have the same fatherland as you. Otherwise, I have nothing that points to me rather than others as the speaker. But though the power of the one who ordered me to speak is great and though I desire to obey my superiors, I should never have dared to address your Holiness now, unless I had been forced to do so by those very matters we are dealing with, and which are extremely important to the Christian commonwealth, and if I had not been given courage by those high and exalted princes in whose name I shall be speaking and whom you will see before you as you are listening to me: what your ears would have denied to me, they will grant to them, for the things which we have been charged with saying are neither unimportant nor set forth by unwelcome princes.

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69 The German mission to Eugenius IV in April 1446 when Piccolomini delivered the oration *Et breviter me hodie* to the pope. He had actually been on a previous mission to Eugenius, in the beginning of 1445, but this mission was confidential and not referred to here.

70 Piccolomini represented Friedrich III, whereas the other ambassadors, including Gregor Heimburg, represented the prince electors and other German princes.

71 Prokop von Rabstein.

72 Friedrich III, formally referred to as king since he had not yet been crowned emperor. Later in the oration, Piccolomini uses the title of emperor for the as yet uncrowned Friedrich III.

73 I.e. on earlier mission/s to the pope.

74 Friedrich III.

75 The princes are, of course, in Germany but they are present in the person of their representative, Piccolomini.
Ceterum, quia moris est coram te loquentibus breviusculam sibi aliquam, unde exordiantur, ex sacris litteris sententiola\textsuperscript{76} assumere, non adversabor ipse\textsuperscript{77} consuetudini, quam discere magis\textsuperscript{78} quam docere oporteret. Inter auctoritates autem, quas sacrosanctis possum ex codicibus mutuari, nulla mihi aptior\textsuperscript{79} nullaque nostro convenientior proposito visa est illa, quam nobis Paralipomenon affert: morabatur in praesidiis inclytus David; accesserunt ad\textsuperscript{80} eum viri de\textsuperscript{81} Benjamin et Juda, quibus obviam David egressus: Si pacifici venitis, inquit, ad me, ut auxiliemini mihi, cor meum jungatur vobis. Si autem insidiari\textsuperscript{82} mihi\textsuperscript{83} pro adversariis meis, cum ego\textsuperscript{84} iniquitatem in manibus non habeam\textsuperscript{85}, videat Deus patrum nostrorum et judicet. Ad quem illi: Tui sumus, o David, et tecum, fili\textsuperscript{86} Isai\textsuperscript{87}, manebimus. Pax, pax tibi, pax adjutoribus tuis, te enim adjuvat\textsuperscript{88} Deus tuus.

\textsuperscript{76} sententiola L, MA
\textsuperscript{77} omit. L
\textsuperscript{78} quam discere magis omit. MA
\textsuperscript{79} altior L
\textsuperscript{80} omit. P
\textsuperscript{81} omit. MA
\textsuperscript{82} insidiari P
\textsuperscript{83} omit. L
\textsuperscript{84} virga P
\textsuperscript{85} non habeam omit. P
\textsuperscript{86} em. filii L, P, MA
\textsuperscript{87} Ysaac P
\textsuperscript{88} adjuvat L
[3] It is customary for people speaking before you to begin with a short sentence chosen from Holy Scripture, and I shall follow this custom. Among the authoritative statements that I can borrow from the Holy Books none seemed more appropriate for our purpose than one found in Paralipomenon: Glorious David was staying with his guards. And there came also of the men of Benjamin, and of Juda to the hold, in which David abode. And David went out to meet them, and said: If you are come peaceably to me to help me, let my heart be joined to you: but if you plot against me for my enemies whereas I have no iniquity in my hands, let the God of our fathers see, and judge. But they said to him: We are thine, O David, and for thee, O son of Isai: peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.

89 “affert nobis”
90 Paralipomenon = Book of Chronicles
91 1. Chronicles (Paralipomenon), 12, 16-17
92 1. Chronicles, 12, 18
[4] Aptissima, sicut mihi videtur, ad propositum nostrum\textsuperscript{93} verba sunt. Quaeris enim forsitan ex nobis, pater sanctissime, an amici venimus, quid quaerimus, quid afferimus, dum nos omnino\textsuperscript{94} - non nosipsos, qui adsumus\textsuperscript{95}, sed dominum Caesarem Fridericum\textsuperscript{96}, tuae sanctitatis devotissimum filium, ac praeclarissimos\textsuperscript{97} principes et reverendissimos patres sacri imperii electores, tum proceres et\textsuperscript{98} praelatos tibi deditissimos, quorum hic oratores vides, intelligi volo. Sumus igitur non solum amici, sed etiam adjutores; pacem afferimus; pacem quaerimus, atque idcirco cum filiis Benjamin et Judae dicimus: \textit{Pax, pax tibi, pax adjutoribus tuis; te enim adjuvat}\textsuperscript{99} Deus tuus.

[5] Plena pacis petitio est, plena pacis oblatio\textsuperscript{100}. \textit{Pacis nomen}, ut inquit orator, \textit{dulce est, et res ipsa tum jocunda, tum salutaris}. \textit{Qui ineunt pacis consilia, teste Sapiente, sequitur eos gaudium}. Dominus vero in evangelio \textit{beatos esse pacificos} tradit. Ideoque jubet in epistolis doctor gentium, ut, quae sunt pacis, sectemur, mercedemque\textsuperscript{104} repromittens: \textit{Pacem, inquit, habete, et Deus pacis et dilectionis erit vobiscum}. Hujus igitur tam sanctae rei, tam utilis, tam necessariae, tam commendatae et nuntii et\textsuperscript{105} petitores sumus, ac propterea repetimus: \textit{Pax, pax tibi, pax adjutoribus tuis; te enim adjuvat} Deus tuus.

\textsuperscript{93} propositum nostrum : nostrum propositum L
\textsuperscript{94} nomino P, MA
\textsuperscript{95} amicissimos add. L
\textsuperscript{96} Fredericum et passim P; Fredericum et passim MA
\textsuperscript{97} preclaros L
\textsuperscript{98} ac L
\textsuperscript{99} adjuvet L
\textsuperscript{100} tum add. L
\textsuperscript{101} eciam L
\textsuperscript{102} salutariam L
\textsuperscript{103} omit. L
\textsuperscript{104} mercedem L, MA
\textsuperscript{105} ac L
\textsuperscript{106} adjuvet L
These words seem to me to be highly appropriate to our purpose. Maybe you ask us, Holy Father, if we come as friends, what we ask for, and what we bring you. I wish to make it quite clear that we who are standing before you represent the Lord Emperor, Friederich, devoted son of Your Holiness, and the glorious princes and reverend fathers, electors of the Holy Empire, and nobles and prelates, who are greatly devoted to you, and whose ambassadors you see before you. We come not just as friends, but as helpers. Peace is what we bring you. Peace is what we ask for. And therefore we say with the sons of Benjamin and Judah: Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.

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

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107 Emperor Frederick III, King of the Romans, styled Emperor though not yet crowned as such
108 Marcus Tullius Cicero (106 – 43 BC): Roman philosopher, politician, lawyer, orator
109 Cicero: *Philippics*, 13, 1
110 Proverbs, 12, 20
111 Matthew, 5, 9
112 A traditional title of Paul the Apostle
113 2. Corinthians, 13, 11
[6] Super his verbis tria jacimus nostrae orationis fundamenta, et, quae ultima sunt verba thematis, prius recipimus. Ostendendum est enim quomodo te Deus tuus adjuvet,\textsuperscript{114} dum Germaniae principes in tuum dirigit\textsuperscript{115} auxilium. Monstrandum est, quam ferimus pacem. Dicendum est, quam cupimus\textsuperscript{116}. Sic enim\textsuperscript{117} pacificum esse\textsuperscript{118} nostrum adventum intelliges, et cor tuum, sicut speramus, nostris jungetur principibus, eruntque illi tui, et manebunt tecum in perpetuum\textsuperscript{119}. Adjuvat igitur te Deus tuus, sanctissime\textsuperscript{120} pater; adjutores namque tui\textsuperscript{121} Germanos (185v) principes dedit. Altius sunt (982) aliqua repetenda, si quo pacto nostri te adjuvent principes referimus, est quod brevissime faciam.

\textsuperscript{114} adjuvat MA
\textsuperscript{115} origunt L
\textsuperscript{116} petimus MA
\textsuperscript{117} et add. L
\textsuperscript{118} omit. P, MA
\textsuperscript{119} in principium MA
\textsuperscript{120} beatissime L
\textsuperscript{121} tibi L
These three words we make the basis of our oration, and first we deal with the last words of the theme. For we should show how it is God himself who helps you when the German princes send help to you. Secondly, we should explain the kind of peace we bring you. And thirdly, we should state what kind of peace we ask for. Thus you will understand how we come in peace, and – as we hope – your heart will be united with our princes, they shall be yours, and they shall remain with you forever. Thy God helpeth thee, Holy Father, for He has given you the German princes as helpers. In the following I shall, very briefly, explain how the princes will help you.
Exorto pridem apud Basileam dissidio, quod omnibus notum est, doluerunt imperii sacri principes, dum vulnerari ecclesiam et inconsutilem Christi tunicam scindire videbant, moxque ad componendam in ecclesia pacem navare operas statuerunt. Quod ut commodius facerent, utque nationis seditiones facilius evitarent, et ne processibus contrariis involverentur, quibusdam protestationibus usi sunt, devotionem tamen suam, quam erga te sanctamque sedem apostolicam gerebant, nihil propterea imminuentes: sic animorum suspensio orta est. Hanc Albertus, indelebilis memoriae Romanorum rex, amplexus est. Huic et invictissimus noster Fridericus Caesar assensum praebuit, tum ne a suis electoribus id exigentibus dissentiret, tum ne plus sa- pere velle videretur, quam suus sapuerat antecessor, speravitque regia serenitas vel pacem extemplo reperire vel melius rem cognoscere.

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

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122 primo L
123 discidio L
124 omnibus notum : notum omnibus L
125 scindi videbant : videbant scindi L
126 sanctam L
127 indelebilis L
128 speramus L
129 bene L
130 saepe principes : principes saepe L, MA
131 convenirent L
132 dabo tibi : tibi dabo L
2. God helps the Pope by sending the German Princes to his aid

[7] When some time ago, there arose in Basel the conflict known to all, the princes of the Holy Empire grieved to see how the Church was being hurt and how the seamless\textsuperscript{133} tunic of Christ was being torn apart. Very soon they decided to endeavour to restore peace in the Church. To better do this, and to more easily avoid dividing the German nation and becoming involved in legal disputes, they issued a certain declaration,\textsuperscript{134} but they never, for that reason, lost any of their devotion to you and to the Holy Apostolic See. Thus arose the “suspension of the minds”.\textsuperscript{135} Albrecht, King of the Romans, of imperishable memory, accepted this declaration, and Friederich, our Unconquered Emperor, also gave his assent. This he did so as not to enter into disagreement with his electors who demanded his adherence, and also because he did not wish to appear to be claiming to understand more about the matter than his predecessor. At any rate, His Serene Highness hoped to achieve peace soon and to become better informed about the matter.

[8] He has exerted himself often and greatly in the cause of union, but although Your Holiness were always acting in the interest of the common good,\textsuperscript{136} it so happened that, through the fault of a number of people, his efforts were unsuccessful, the princes often met in vain, and embassies were sent pointlessly hither and thither. Therefore, His Royal Majesty and his princes have decided to put an end to the “suspension of minds”. They recently met in Frankfurt, either in person or through legates, and, knowing you to be the successor of the one, to whom it as said: \textit{I have prayed for thee, that thy faith fail not};\textsuperscript{137} \textit{And I will give to thee the keys of the kingdom of};\textsuperscript{138} and \textit{Feed my sheep},\textsuperscript{139} and other similar things, they decided to offer obedience to you in the proper and ordinary way.

\begin{footnotes}
\item[133] “\textit{inconsutilis}”
\item[134] i.e. the declaration of German neutrality in the conflict between Pope Eugenius and the Council of Basel of 1438
\item[135] “\textit{animorum suspensio}”
\item[136] “\textit{bonum}”
\item[137] Luke, 22, 32
\item[138] Matthew, 16, 19
\item[139] John, 21, 17
\end{footnotes}
Sed quia nonnulli aderant tam ex Basilea quam ex aliis locis, qui longe aliter sentiebant aliterque suadebant, magna contentio fuit, et aniceps proelium nunc huc, nunc illuc acie inclinata. Cum levasti manus, hoc est cum oratores tui benigne responderunt, ex parte tua nobisque principum validius pugnabatur. Cum vero brachia remisisti, hoc est cum oratores tui duriiores fuerunt, languidior erat cuneus tuarum, vincebantque adversarii. Similis pugnae faciem habemus in Exodo: fervente namque inter populum Dei et Amalech proelio, ascenderunt Moyses et Aaron in verticem collis, Josue vero cum electis viris pugnabat, cumque levaret Moyses manus, vincebat Israel; sin autem paululum remisisset, superabat Amalech. Et ut sim brevis, non coaptabo singula, ut possem, singulis.

Sed vera est Chrysostomi sententia: non cessat impugnari ecclesia, non cessat insidias pati, sed in Christi nomine semper superat, semper vincit. Et quamvis alii insidientur, quamvis alii repercussionem faciant eam fluctus, fun- damentum tamen, quod supra petram est, non quassatur. Exploratum est, quod inquit Hilarius: Proprium esse ecclesiae solet, ut tunc vincat, cum laeditur, tunc intelligat, cum arguitur, tunc secura sit, cum destruitur, tunc obtineat, cum superata videtur. Nam etsi multitoties desperatae res viderentur, ad extremum tamen, cum ante oculos hominum tuae sanctimonia vitae, tua clementia, tua liberalitas, tua benignitas posita est, impletum est, quod inquit Sapiens: Cum placuerint Domino viae hominis, et inimicos ejus vertet ad pacem.
But as many from Basel\textsuperscript{156} and other places were present at the meeting having very different opinions and arguing for the opposite course, there was much disagreement, and the battle moved now in this direction, now in that. When you raised your hand, that is when your orators replied obligingly, yours and our princes’ supporters fought more valiantly. But when you lowered your arms, that is when your orators were harsh, your troops grew sluggish, and our opponents prevailed. We have a similar kind of war in Exodus: when the battle raged between the people of God and Amalec, Moses and Aaron went up to the summit of the mountain while Josua fought together with chosen men; when Moses raised his hands, Israel won;\textsuperscript{157} but when he lowered them, even for a short while, then Amalec prevailed.\textsuperscript{158} But for the sake of brevity, I shall not go into the detail of this matter though I could.

But Chrysostom\textsuperscript{159} is right when he says: “\textit{The Church is always under attack, she is always being plotted against, but in the name of Christ she always conquers, and though she is sometimes threatened by traps and hit by floods, she has a foundation that is based on a rock and that cannot be destroyed.}”\textsuperscript{160} We have learnt what Hilary\textsuperscript{161} says that “\textit{it is characteristic of the Church that she usually wins when she is being wounded, she gains in understanding when people argue against her, and she prevails when she seems to be conquered.}” For although many times the situation seemed desperate, in the end, when your holiness of life, your mercy, generosity, and your kindness had become obvious to all, the saying of Wisdom was fulfilled: “\textit{When the ways of man shall please the Lord, he will convert even his enemies to peace.}”\textsuperscript{162}

\textsuperscript{156} i.e. representatives of the Council of Basel, opposing the pope
\textsuperscript{157} 16 years later Piccolomini, as Pope Pius, would use this image again in the oration \textit{Sextus igitur annus} when speaking of his crusade against the Turks: during the battle, he would, like Moses, stand on a mountain or in the high poop of a ship holding up his arms and praying the success of his warriors. The identification of the pope with Moses is significant
\textsuperscript{158} Exodus, 17, 8-13
\textsuperscript{159} John Chrysostom (c. 347–407): Archbishop of Constantinople, an important Early Church Father
\textsuperscript{160} John Chrysostom: Quotation not identified
\textsuperscript{161} Hilary (Hilarius) of Poitiers (c. 300 – c. 368): Bishop of Poitiers and a Doctor of the Church
\textsuperscript{162} Proverbs, 16, 7: \textit{cum placuerint Domino viae hominis inimicos quoque eius convertet ad pacem}
[11] Namque non solum regia majestas, quae semper tibi\textsuperscript{163} deditissima fuit et quasi alter Josue pro te pugnavit, non solum principes sui electores atque alii\textsuperscript{164} viri electi tuum statum tuumque decus tuebantur, sed\textsuperscript{165} plures alii, qui malignandi causa confluxerant\textsuperscript{166}, permoti sunt et in tuum versi favorem. Quibus ex rebus manifestum est, quia \textit{te adjuvat Deus tuus}\textsuperscript{167}, Germanosque principes tibi efficit adjutores, quod fuit orationis nostrae membrum\textsuperscript{168} primum, propter quod dicimus\textsuperscript{169}: \textit{Pax, pax tibi, pax adjutoribus tuis; te enim adjuvat Deus tuus}.
[11] For not only His Royal Majesty, who was always greatly devoted to you and fought for you like another Josua, and not only his prince electors and other excellent men who were upholding your position and your dignity, but also many others who had gathered with the purpose of maligning you, were deeply moved and turned in your favour. Therefore it is evident that *thy God helpeth thee* and has made the German princes your helpers. This was the first part of our oration, and therefore we say *Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee.*

[13] Quae est enim alia gens tam inclyta et cetera hujusmodi? Quanto magis de natione Germanica licet nostris principibus gloriari, quae ab Alpibus Italiae usque in Oceanum, et a Rheni fluente usque in Tartarorum barbariam protensa, tot splendidas urbes in se continet, tot latissimas provincias, tot amplissima regna, tot venerandas ecclesias, tot potentiores principes, tot populos, tot linguas diversas; nempe si, teste Sapiente, In multitudine populi dignitas regis et in paucitate plebis ignominia principis, ingens gloria est nostris principibus, ingens dignitas. Sed major tuae sanctitati modum in mirum, quae declarationem et oboedientiam receptura est hujus nationis, in qua non solum principes ac reges potentissimi sunt, sed ipsum regnorum omnium caput, Romanum imperium, est constitutum. Vetus dictum est, sanctissime pater, per duo luminaria magna, quae Deus in firmamento posuit, sanctam apostolicam sedem et sacrum imperium significari. Duo sunt, inquit unus ex tuis antecessoribus, qui- bus principaliter hic mundus regitur, regalis potestas et auctoritas sacra pontificum.

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170 quaenam L
171 sanctitati tuae : tuae sanctitati L
disunctam L
magnum L
nam L
unius ut L
Theotonico P, MA
prebituri L
natio tam grandis : tam grandis natio L
istiusmodi L
quanta L
regis MA
imminet L
hujus nationis : nationis hujus L
et add. L
beatissime L
ficit L
sacrum imperium : imperium sacrum L
3. Peace brought to the pope by the German Nation

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

[13] For what other people is so illustrious etc.? Greatly may our princes glory in the German Nation that extends from the Alps of Italy to the Ocean, and from the river Rhine to the barbaric region of the Tartars, and that contains so many splendid cities, so many great provinces, so many large kingdoms, so many venerable churches, so many mighty princes, so many peoples, so many different languages. If, as the Wise One witnesses, "*In the multitude of people is the dignity of the king: and in the small number of the people the dishonour of the prince,*" then the glory and dignity of our princes is truly immense. But, remarkably, even greater glory accrues to Your Holiness who is to receive the declaration and obedience of this nation where not only the princes and kings are very powerful, but where even the head of all kingdoms, the Roman Empire, is based. There is an old saying, Holy Father, that the two lights that God placed on the firmament signify the Holy Apostolic See and the Holy Empire. And one of your predecessors said that "*this world is primarily governed by these two: the power of kings and the holy authority of the popes.*"

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188 Deuteronomy, 4, 7
189 Proverbs, 14, 28
190 This praise of Germany prefigures Piccolomini’s treatment of Germany in his *De Germania*, of 1458
191 Genesis, 1, 14: Let there be lights made in the firmament of heaven
192 Decretum Gratiani, D.96.10 (col. 340): Pope Gelasius to Emperor Anastasius: *Duo sunt quippe, imperator Auguste, quibus principaliter hic mundus regitur: auctoritas sacra Pontificum et regalis potestas. Cf. also Azzara, p. 17*
[14] Praetereo nunc apostolicam sedem, quae nihil aliud est quam refugium ac patrocinium orbis terrae. Taceo de sacro reverendissimorum collegio coetue cardinalium, qui recte (188v) mungi consilium totiusque militantis ecclesiae senatus appellari potest. Quis satis imperii sacri privilegia possit exprimere? Quis satis Augustalis\textsuperscript{193} culmis perorare valeat dignitatem? Sub Augusto nasci salvator et censum ferre dignatus est, didragma\textsuperscript{194} pro se Petroque solvi, et reddi quae Caesaris essent Caesar, divinum jussit oraculum. Tantum quoque ex alto suscipisse\textsuperscript{195} privilegium Caesarem sublimitatem quidam\textsuperscript{196} asserunt, ut imperio stante nihil sit, cur Antichristi formidemus adventum. Sic enim apostoli Pauli verba commentantur: \textit{Qui tenet, teneat, donec de medio fiat.} At hujus amplissimae dignitatis potestas et auctoritas\textsuperscript{197} in divinum\textsuperscript{198} Caesarem Fridericum modernum rite\textsuperscript{199} translata est. Hujus iturur maximis principis, mundi domini, inter omnes, qui regnant, altioris, suorumque principum ac nationis Germanicae debitam ex nobis recipies\textsuperscript{200} oboedientiam.

[15] Sed quoniam de\textsuperscript{201} natione loquimur, haec est\textsuperscript{202} illa natione industrios, litterarum capaces, rei militaris peritos, pacis cupidos, fidei zelatores, et ad omnia gaporan\textsuperscript{203} quaecumque agant. Haec est illa natione, quae non modo hoc, modo illud, sed semper idem vult, quando rectum est, quod semel voluit.\textsuperscript{204} Haec est illa natione, quae non\textsuperscript{205} leviter recipit aliquid, nec facile deserit. Quod\textsuperscript{206} si post dissidium ortum animorum suspensionem tardius\textsuperscript{207} videtur reliquere, confidit\textsuperscript{208}, quia utilius\textsuperscript{209} tecum\textsuperscript{210} manebit, nec\textsuperscript{211} diuelli unquam a tua devotione poterit. Atque ista pax est, quam tuae sanctitati afferimus, propter quam dicimus: \textit{Pax, pax tibi, pax adjutoribus tuis, te enim adjuvat Deus tuus.}

\begin{flushright}
[193] magiestralis L  
[194] didragma P  
[195] omit. L  
[196] quandam L  
[197] et auctoritas omit. P, MA  
[198] dominum L  
[199] modernum rite: legitima quae L  
[200] et acipies L  
[201] omit. L  
[202] omit. L  
[203] natos L  
[204] haec est illa natione ... voluit omit. L  
[205] nec L  
[206] et L  
[207] serius L  
[208] confide L  
[209] omit. L  
[210] diutius add. L  
[211] ne L
\end{flushright}
[14] I pass over the Apostolic See which is none other than the refuge and the protection of the whole world. And I shall say nothing about the holy college and assembly of the most reverend cardinals which may rightly be called the council of the world and the senate of the whole Church Militant.

As for the Holy Empire who can adequately describe its exalted status? 212 Who can by words do justice to the dignity of His August Highness? The Saviour deigned to be born under Augustus, to be enrolled, 213 and to have a didragma be paid for himself and for Peter. And the divine oracle bids to render to Caesar the things that are Caesar’s. 214 Some claim that the Imperial Highness has received so great a privilege from Heaven that as long as the Empire stands, we shall not have to fear the coming of Antichrist. As the Apostle Paul states: “He who now holdeth do hold, until he be taken out of the way.” 215 The power and authority of this great office have passed to the present Holy Emperor, Friedrich. You shall receive from us the obedience owed to you by this great prince, the lord of the world, and the highest of all rulers, and of his princes, and of the German nation.

[15] But, since we are mentioning the nation: this is a nation, Holy Father, that has industrious men, literate, experts on war, but desirous of peace, zealous in matters of faith, and good at all it does. This is not a nation that wants now this, now that; no, it always wants the same thing that it once wanted – if only it is the right thing. This is the nation that does not accept anything lightly, and does not give it up easily. After the conflict 216 arose, it may have seemed slow in ending its “suspension of the minds”, but now when it is assured that it is better to stay with you, it will never stray from its devotion to you. So, this is the peace that we are offering to Your Holiness, and because of that we say: Peace, peace be to thee, and peace to thy helpers. For thy God helpeth thee

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212 “privilegia”
213 Luke, 2, 1: And it came to pass that in those days there went out a decree from Caesar Augustus that the whole world should be enrolled
214 Matthew, 22, 21: reddite ergo quae sunt Caesaris Caesari
215 2. Thessalonians, 1, 7: For the mystery of iniquity already worketh: only that he who now holdeth do hold, until he be taken out of the way (nam mysterium iam operatur iniquitatis tantum ut qui tenet nunc donec de medio fiat)
216 I.e. the conflict between Pope Eugene and the Council of Basel
At si pacem hujusmodi, pater sanctissime, quemadmodum cupere te confidimus, opus est, ut nationem Germanicam beneficio pacis quoque impartiaris, ut sit quoque pax adjutoribus tuis. Quis enim sic pacem aliis largiatur, quod pacis ipse remaneat expers? Quis pascit gregem, et de lacte gregis non manducet? Quis os triturantis alliget bovis? Afferunt pacem Germani principes, sed pacem etiam expetunt. Cupiunt enim aliqua, quae nisi obtineant, nec curari vulnera possunt, nec pac nationis haberi.

4. The peace sought by the German Nation

[16] But if you desire this peace, Holy Father, as we are confident you do, then it is necessary that you give the German Nation the benefit of the peace so that your helpers, too, may have peace. For who gives peace to others if him himself cannot have it? Who feedeth the flock and eateth not of the milk of the flock? Who shalt muzzle the mouth of the ox that treadeth out the corn. The German princes bring peace, but they also ask for peace. They require something, and if they do not obtain it, the wounds cannot be healed, nor can the nation have peace.

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

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

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230 1. Corinthians, 9, 7
231 1. Corinthians, 9, 9. Both quotes were used by Piccolomini in his oration *Non est apud me*, but in another context
Concilium sane propterea petitur, quia plurima necessario sunt reformanda, sedum in populo, sed etiam in clero, et providendum est, ut omnis dissidii fomes in ecclesia sopiatur. Et habet haec petitio plurimum honestatis, nec quisquam est, qui non putet honestum generale concilium convocari. Venerabile est et in omnium populorum, gentium, nationumque reverentia generalis concilii nomen. Tanta quoque conciliorum dignitas est, ut ex his non solum Romani pontifices, sed etiam ipsi Caesares ingentem gloriam sint assecuti. Praetereo, quae multis in locis synodaliter et utiliter gesta sunt. In Constantiens concilio schisma, quod circiter anni quadraginta vexarat ecclesiam, abolitum est. Ex quo fit, ut honesta sit et sancta concilii postulatio. Super qua re plurima diceremus, nisi quia te numquam invenimus convocationi repugnantem, si quae vel olim Alberto regi oblata fuerunt, vel quae nuper Franckordiae tui polliciti sunt oratores memoriae repetamus.
4.1. Holding a new General Council

[18] A council is requested because there are many things in urgent need of reform, both in the laity and in the clergy, and action must be taken to remove any cause for conflict in the Church. This request is highly meritorious: everybody considers it appropriate to convoke a general council. The name of general council is greatly revered and honoured by all peoples and nations. So great is the dignity of general councils that through them immense glory has accrued not only to the Roman popes, but also to the emperors. I pass over what has so usefully been done in local synods. In the Council of Konstanz, the schism that had plagued the Church for almost 40 years was brought to an end. Therefore, the demand for a council is honest and holy. I should say more about this matter if we were not aware that you have never opposed convoking a council,²⁴⁸ and if we keep in mind what was offered to King Albrecht and what your orators recently promised in Frankfurt.

²⁴⁸ Actually, Pope Eugenius and the Roman Curia had systematically opposed all proposals for a council over which the pope would not have complete and certain control
Sed migramus jam ad petitionem secundam, cujus tenorem superius recensuimus. Scimus, pater beatissim\(^{249}\), (190v) in ea te sede sedere, quae cardo et caput ecclesiae\(^{250}\), ut factum est a domino et non ab alio constituta est\(^{251}\). Et sicut cardine ostium regitur, sic hujus sanctae sedis auctoritate omnes ecclesiae, domino disponente, reguntur. Nihil est quod aut regia majestas\(^{252}\) aut principes sui\(^{253}\) de tua vel fide, vel sinceritate, vel doctrina mussent. Sed innuerunt\(^{254}\) apud Francfordiam conceptum quemdam mentis\(^{255}\) sinistrum de auctoritate conciliorum oratores tui, qui plebi gravior videbatur. Is\(^{256}\) nunc penitus tuis litteris extinguedus est. Consueverunt antecessores tui,\(^{257}\) quos tu non solum sequeris\(^{258}\), sed aequas, ac praecedis benefaciendo, obmutescere facere malorum hominum audaciam, dum rationem omnibus de sua fide reddebat. Nec novum est, nec inusitatum\(^{259}\) Romanos pontifices\(^{260}\) Romanis regibus suae fidei puritatem rescibere. Beatus Gregorius, cujus vita sanctior an auctoritas major fuerit incertum putes, sicut quatuor evangelii libros, sic quatuor concilia se suscipere ac venerari fatetur. (191r) Non tam lata nec tam magnifica de te verba petuntur, sed solum quoddam, ut\(^{261}\) supra diximus, quod ab hac sanctissima sede non haesitamus adsequi, cujus sublimitas in humilitate fundatur, cujus auctoritas in honestate stabilitur, cujus est omnia facere, quibus salus quaeritur animarum, et omnia fu- (986) gere, quibus scandalizari fratres queant. Duas jam petitiones absolvimus.

\(^{249}\) pater beatissime : beatissime pater  L
\(^{250}\) omit.  L
\(^{251}\) constituta est : est constituta  L
\(^{252}\) magiestas  L
\(^{253}\) tui  MA
\(^{254}\) invenerunt  L
\(^{255}\) apud Francfordiam ... mentis : quemdam rumorem  L
\(^{256}\) omit.  L
\(^{257}\) clementissime pater  add. L
\(^{258}\) sequaris  L
\(^{259}\) inusurpatum  L
\(^{260}\) Romanos pontifices : Romanis pontificibus  P
\(^{261}\) quoddam ut : quod  L
4.2. Recognizing the authority of general councils

[19] Now we pass on to the second petition which We mentioned earlier. We know, Holy Father, that you are occupying the see that is the hinge and the head of the Church, as was done by the Lord himself and not instituted by anybody else. And just as the gate is governed by the hinge, thus God ordered it so that all the churches are ruled by the authority of the Holy See. 262 Neither His Royal Majesty nor his princes have any objection against your faith, your sincerity, or your teaching. But in Frankfurt your orators hinted at an ominous concept of the authority of the councils that was very painful to the people. 263 This should now be completely eradicated by a letter from you. Your predecessors, whom you not only follow, but whom you equal and even surpass in good deeds, used to silence the audacity of evil men by making a public statement concerning their faith. It is not a new or unusual thing for the Roman popes to send a declaration of the purity of their faith to the Roman kings. Blessed Gregory, whose holy life matched his great authority, declares that like the four gospels he accepts and reveres four councils. We do not ask for such far-reaching and grand statements from you, but only what we mentioned before, and which we do not doubt that we shall receive from the Holy See, whose exalted state is founded on humility, whose authority is balanced by honesty, and whose task it is to do all that leads to the salvation of souls, and to avoid all that may cause scandal among the brethren.

We have now presented two of the petitions.

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262 Decretum Gratiani, D.22.2 (col. 74): Epistola Pseudo-Isidori Anacleti Ep. III, 3: Haec vero apostolica sedes caput et cardo, ut praefatum est, a domino ... Used by Piccolominin in several orations

263 In this case, the concept of people includes also the ruling class
[20] Modo quod\textsuperscript{264} supersit\textsuperscript{265} de gravaminibus\textsuperscript{266} dicendum est. Audiat\textsuperscript{267} {6r} benigne sanctitas tua, modestiamque nationis\textsuperscript{268} attendat. Gravamina, de quibus agitur, bifariam dividuntur: alia per decreta tolluntur concilii Basiliensis, alia tuae sanctitatis indigent auxilio. Quae decretes abolentur, sunt reservationes nimiae, annatae graves, causarum ad Romanam curiam frequentes advocationes, et cetera istius modi, quibus ordinaria jurisdictio erat penitus\textsuperscript{269} evacuata. Quae licet dudum ante tuam ad summi apostolatus apicem vocationem nationi gravia viderentur, non tamen ut decem illae tribus apud\textsuperscript{270} Roboam, filium Salomonis, auctoritate propria jugum excussit, \{191v\} sed Basiliensis concilii provisionem expectavit, cujus decreta cum nonnullis modificationibus acceptavit\textsuperscript{271}, hisque\textsuperscript{272} est usa. Ergo ut\textsuperscript{273} posthac sine\textsuperscript{274} gravam nationi sit, quod his\textsuperscript{275} decrets in futurum uti possit\textsuperscript{276}, per te liceat, petitur. Habes hujus partis modestiam.

\textsuperscript{264} quo P, MA
\textsuperscript{265} em.; supra sit L; supra P, MA
\textsuperscript{266} nominibus L
\textsuperscript{267} audeat et oro L
\textsuperscript{268} orationis L
\textsuperscript{269} erat penitus : penitus erat L
\textsuperscript{270} ad L
\textsuperscript{271} cujua decreta ... acceptavit omit. L
\textsuperscript{272} hisque L; iis MA
\textsuperscript{273} ergo ut : ut ergo L
\textsuperscript{274} omit. L
\textsuperscript{275} his L; iis MA
\textsuperscript{276} in futurum uti possit : uti possit in futurum L
4.3. Removing the burdens on the German nation

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

What has been abolished by the conciliar decrees\textsuperscript{277} are: the excessive reservations,\textsuperscript{278} the heavy annates,\textsuperscript{279} the frequent appeal of legal cases to the Roman Curia and other procedures of this kind that had completely voided the ordinary\textsuperscript{280} jurisdiction. Though these matters had seemed very grave to the nation long before you were called to the height of the Supreme Apostolate, the nation did not\textsuperscript{281} on its own authority throw off the yoke - like the ten tribes\textsuperscript{282} did to Roboam, son of Solomon.\textsuperscript{283} Rather, it awaited the decisions of the Council of Basel, whose decrees it accepted, though with a number a modifications, and afterwards it used these decrees. So that the nation may be free of this burden hereafter, it asks for your permission to apply these decrees in the future. You will observe the moderation in this request.

\textsuperscript{277} I.e. decrees of the Council of Basel during the period that it was still recognized by Pope Eugenius
\textsuperscript{278} I.e. the reservation of ecclesiastical benefices for expectant candidates
\textsuperscript{279} I.e. a form of tax to the Roman Curia in connection with the bestowal of high ecclesiastical offices
\textsuperscript{280} I.e. local
\textsuperscript{281} At the accession of Pope Eugenius
\textsuperscript{282} Of Israel
\textsuperscript{283} 1. Kings, 12, 16
[21] Nunc honestatem sequentem agnosce\textsuperscript{284}. Dum locus neutralitati fuit, quamplures viri praestantes ecclesiarum metropolitarum, cathedralium, monasteriorum, diversarumque dignitatum et beneficiorum, vel integram, vel majorem partem bonorum possessionem sunt assecuti, quidam tua, quidam aliorum auctoritatibus. Horum pax securitasque deposcitur. Quod\textsuperscript{285} si in magna multitudine\textsuperscript{286} possessorum\textsuperscript{287} nonnulli comperiuntur injustis ditati titulis, tolerabilius est tamen paucos injuste possidere cum pace, quam multos juste possidentes pace\textsuperscript{288} turbari. Sunt enim quaedam sui natura injusta, quae communis boni causa et publicae pacis intuitu sororia justis fiunt. Laudatur apud veteres, magnusque habetur Scionius \textit{(192r)} ille, qui restitutis in urbe sua sexcentis exulibus\textsuperscript{289}, non quae prius habuerant bona reddidit, sed accepta mutuo pecunia, quanti res eorum fuerant, accipere jussit. Indignum namque vir bonus putavit longi temporis praescriptionem\textsuperscript{290} possessionem\textsuperscript{291} movere. Similiter et in omni unione, vel nostra vel majorum nostrorum tempestate celebrata, possessorum conditio semper melior fuit\textsuperscript{292}. Nec ab re, nam si secus fiat, pax omnibus abrumpitur.

\textsuperscript{284} cognosce P, MA
\textsuperscript{285} at L
\textsuperscript{286} in magna multitudine : magna in mutitudine L
\textsuperscript{287} possessores MA
\textsuperscript{288} omit. L
\textsuperscript{289} exsulibus MA
\textsuperscript{290} omit. L
\textsuperscript{291} possessionem L, MA
\textsuperscript{292} melior fuit : fuit melior L
Now, recognize the decency of the following proposal. During the period of neutrality, many excellent men acquired complete or extensive possession of the properties of metropolitan churches, cathedral churches, monasteries and various ecclesiastical offices and benefices, some by your authority, others by other authorities. We ask for peace and security for these persons. Among such a great number, there are of course some who do not have legitimate title to the properties in their possession. However, it is more acceptable that a few hold possession unjustly than that many who hold possession justly should be molested. For certain things are unjust by nature, but are treated as if they were just for the sake of the common good and with a view to public peace. The old ones had great respect for that Scionius who after 600 exiles had been received back in his city did not restore their property to them, but took a public loan and bade them receive an amount equivalent to their former property. For this good man considered that legal title had changed as a result of lengthy actual possession by others. Similarly, in every reunification effected in our own time and in the time of our forefathers the condition of actual possession was the favoured one. And quite reasonably so, for otherwise everybody would suffer from the ensuing loss of peace.

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

294 Mainly the Council of Basel.

295 Beata conditio possidentis: principle of Roman law.
Cetera, quae petimus\textsuperscript{296} in scriptis, leviora sunt. Annates\textsuperscript{297} enim remitti vel jus decretorum, vel tuae liberalitatis est munus, et\textsuperscript{298} relaxari censuras,\textsuperscript{299} quae contra foedus neutralitatis actae sunt, pium\textsuperscript{300} aequumque\textsuperscript{301}. Si tamen inter haec aliquid est, quod apostolicae sedi grave videatur, supplicant principes, ut tua sanctitas, quae patienter jam annis\textsuperscript{302} quindecim\textsuperscript{303} omnia\textsuperscript{304}, quae acta sunt, toleravit, nunc etiam pro parvo tempore patientiam habeat, et oboedientiam nationis, ut offertur, recipiat. Quo facto, omnia in melius redigentur. \textit{Est enim intentio regiae majestatis}\textsuperscript{305} et suorum\textsuperscript{306} principum \textit{(987)} hanc sanctissimam sedem, quae per Dei ordinationem ex munificentia Caesaris mirifice sublimata fuit, omnem dignitatem suam\textsuperscript{307} retinere, omne jus, omnem splendorem, omnem potestatem, ad quas res suis temporibus enixe laborare intendunt\textsuperscript{308}. In Franckfordiensi dieta non fuit otium\textsuperscript{309}, ut erat voluntas, de provisione tuae sanctitati tuaeque sedi facienda transigere.

\footnotesize

\textsuperscript{296} petimus L
\textsuperscript{297} dampnatos L
\textsuperscript{298} omit. P, MA
\textsuperscript{299} pium \textit{add. P}; pium et rasande \textit{add. L}
\textsuperscript{300} omit. P
\textsuperscript{301} pium aequumque : equum L
\textsuperscript{302}annis jam : jamannis L
\textsuperscript{303}ante decimam horam L
\textsuperscript{304}jam \textit{add. L}
\textsuperscript{305}magiestatis L
\textsuperscript{306}et suorum : suorumque L
\textsuperscript{307}dignitatem suam : suam dignitatem L
\textsuperscript{308}laborare intendunt : laborem tendunt L
\textsuperscript{309}actum L
[22] The rest that we shall ask for in our written petitions is easier to deal with. For the remission of annates is a matter either of the conciliar decrees or of your own generosity. And to annul the ecclesiastical censures enacted against [the participants in] the pact of neutrality is pious and fair. However, if there should be anything in this that seems difficult to the Apostolic See, the princes beg Your Holiness to patiently accept what was done more than 15 years ago and that you will have patience for a short time longer and accept the obedience of the nation as offered. When that has been done, everything may be arranged in a better way. For it is the intention of His Royal Majesty and his princes that this Most Holy See, raised up wonderfully by God’s command, through the munificence of emperors, should retain all its dignity, all its rights, all its splendour, and all its power. In time they will direct all their efforts towards this goal. At the Diet of Frankfurt\textsuperscript{310} they did not have the time, even though they had the will, to settle the matter of providing for Your Holiness and your See.

\textsuperscript{310} September 1446
[23] Quarta nunc et ultima petito superest. Coloniensem et Treverensem ecclesias
earumque praelatos res ista concernit, cujus honestas eo major est, quo tuae naturae,
humanitati, dignitati, sedique apostolicae convenientior est 311. Nihil ad nos attinet,
beatissime pater, de tuarum sententiarum viribus disputare, cum primaesedis facta
solius Dei judicio reserventur. Sed formidamus scandalum, nisi tua clementia in hac
ultima petizione preces nostras exaudiat. Namque praelati magno conatu, magnoque
potentatu, amicis et clientelis fulti, in opibus amicisque fidentes sine spoliis, sine
incendiis, sine magno ecclesiarium facta Dei judicio reserventur. In veteri
testamento cautum est, ne quis haedum in lacte matris suae coquat, quod minime
absurdum fuerit interpretatum, si quis praelatum in ecclesiae suae sanguine
mulctandum esse negaverit. Scis, beatissime pater, quam sancta est Coloniensis
ecclesia, quam vetus Treverensis, quam venerabiles ambae, quam toto memorabiles
orbe. Scis quantum cleri, quantum populi sub se habeant. Nolit tua beatitudo duas illas
ecclesias, quae duo magna nationis Germanicae luminaria sunt, nostris periclitari
temporibus. 329

311 omit. L
312 quidem add. L
313 sedi L
314 iuris L
315 preces nostras : nostras preces L
316 cognatu P, MA
317 clari add. L
318 illeg. L
319 artibus L
320 fidentibus L
321 nequeunt L
322 ventre P, MA
323 matris suae : suae matris L
324 omit. MA
325 multandum MA
326 negavit L
327 orbi L
328 nostrisque L
329 et add. L
4.4. Lifting the sanctions against the archbishops of Trier and Cologne

[23] Our fourth petition remains [to be presented]. It concerns the churches of Cologne and Trier and their prelates.\(^{330}\) This is a matter of honour well suited to your character, humanity, and to the Apostolic See. It is not our task, Holy Father, to dispute the legality\(^{331}\) of your judgments, as the acts of the First See are reserved to the judgement of God alone.\(^{332}\) But we fear a scandal unless Your Clemency hears our prayers in this last petition. For prelates who have great influence and great power, who are supported by friends and clients, and who may rely on wealth and friends, cannot easily be removed without plunder, conflagration, and great damage to the churches. In the Old Testament there is a warning not to *boil a kid in the milk of his dam*.\(^ {333}\) This verse may reasonably be interpreted as meaning that a prelate should not be punished with the blood of his church.\(^{334}\) You know, Holy Father, how holy is the Church of Cologne, how old is the Church of Trier, how venerable they both are, and how renowned in the whole world. You know how numerous their clergy and their populations are. Your Holiness, please do not endanger these two churches, the two great lights of the German Nation.

\(^{330}\) I.e. their archbishops

\(^{331}\) "de viribus"

\(^{332}\) According to the principle maintained by the medieval popes: *Nobody may judge the pope* (since the pope is God’s vicar on Earth, and nobody may judge God)

\(^{333}\) Exodus, 23, 19: *nec coques hedum in lacte matris suae*

\(^{334}\) An interesting use of allegory, typical of the time!

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335 omit. P, MA
336 obtimos L
337 extulisti solum : solum extulisti L
338 ampliasti L
339 pristinas dignitates : pristinam dignitatem L
340 nulla res : te nulla te L
341 omnibus L
342 dando L
343 verbis P, L, MA
344 soluimus L
345 aliis L
346 innata L
347 spe ducimur L
348 a L
We can support this claim with many arguments, but we know about your customs, your clemency, your piety, and your generosity. We know that cardinals, bishops, and other prelates who turned back to you were not only raised up again, but that you even increased their former state. And we know that nothing is dearer to God than to give salvation to men. Therefore, we shall be sparing with words and simply ask that Your Holiness, who has shown great kindness to many others, should now remember himself and show his innate mercy and humanity to the prelates and princes concerned and their churches. If you do as we hope, you shall have a whole, obedient nation, and all future ages shall extol your praises.

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

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350 haec add. L
351 rationem L; rationi P
352 honestati MA
353 versatitur L
354 tua add. L
355 tuae sanctitatis L
356 omnen schismatis : scismatis omnem L
357 recipere L
358 miserant L
359 illeg. eternum L
360 reperitur L
361 recepimus L
362 prosperibus L
363 omit. L
364 Finis P
5. Conclusion

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