

## THE THIRD PARTY IS NECESSARILY INVOLVED IN THE CONFLICT. REFORM BETWEEN THE COUNCIL OF BASEL AND THE FALL OF CONSTANTINOPLE

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### ABSTRACT

*The Council of Basel (around 1431-1435) was one of the key moments of 15<sup>th</sup> Century political and religious tensions, preparing the time of the Reformation and its confessional religious wars. On the Council, the conflict between the reform-party of the Counciliarists and the more conservative defenders of papal authority, prepared already in 14<sup>th</sup> Century, came to a climax. At the end, the conflict escalated in such a way, that the Council broke up, it was even never officially closed. Together with the Fall of Constantinople in 1453, the Council was one of the most influential events leading to the breakdown of medieval order.*

*In the first stage of the Council, the young canonical lawyer Nicholas of Cusa set up for being one of the mediating participants, able to install reconciliation between the conflicting parties. In his book *De concordantia catholica* the later cardinal and philosopher, developed a compromise between the two conflicting concepts of church and society. In this contribution I will first of all analyze the concept of reconciliation (*concordantia*) against the background of the conflicts of the time. Secondly I will show that Cusanus failed become the third party, a role which he wished to play in the chaos of the conflict. Furthermore, I will show that this failure meant for Cusanus the starting point for a new way of thinking about conflict and reconciliation. Some years later, he seems to have translated his model of reconciliation into a more spiritual paradigm of *concordantia*, as it becomes clear in his book on the Fall of Constantinople in 1453.*

*In the view of Cusanus, there never can be a "third party" which is not one of the two conflicting partners. In a way, the whole of Nicholas' philosophical project can be seen as an attempt to deal with this concrete political – and paradoxical – experience. For Cusanus this inability to find an external neutral position requires a new logical and epistemological framework.*

*As such we can find in Cusanus both the concrete wrestling with the search for the position of a reconciling third party as well as a early modern political theory, attempting to solve older metaphysical paradigms and preparing modern political models at the same time.*

*Key words: Council of Basel, Fall of Constantinople, Nicholas of Cusa, third party*

LA TERZA PARTE È NECESSARIAMENTE COINVOLTA NEL CONFLITTO.  
LA RIFORMA FRA IL CONCILIO DI BASILEA E LA CADUTA DI  
COSTANTINOPOLI

*SINTESI*

*Il Concilio di Basilea (tenutosi fra il 1431 e il 1435) fu un momento chiave per le tensioni politiche e religiose nel XV secolo, anticipatore della Riforma e delle guerre religiose fra le diverse confessioni. Durante il Concilio, infatti, il conflitto fra la fazione pro-riforma dei Conciliaristi e quella più conservatrice dei difensori dell'autorità papale, cominciato già nel XIV secolo, giunse ad un apice. Infine, la contrapposizione si inasprì a tal punto da far fallire il Concilio, il quale invero non fu mai dichiarato ufficialmente concluso. Assieme alla caduta di Costantinopoli nel 1453, il Concilio fu uno degli eventi di maggior influenza nella definitiva rottura dell'ordine medievale.*

*Nella prima fase del Concilio il giovane giurista canonico Niccolò Cusano si distinse come uno dei partecipanti di indole mediatrice, capace di indurre la riconciliazione fra le parti in conflitto. Nella sua opera *De concordantia catholica* il futuro cardinale e filosofo elaborò un compromesso fra le opposte visioni in campo circa la chiesa e la società. In questo intervento analizzerò innanzitutto il concetto di riconciliazione (*concordantia*) sullo sfondo dei conflitti dell'epoca. In secondo luogo mostrerò come Cusano non riuscì ad imporsi quale terza parte, un ruolo a cui ambiva considerata la confusione generata dal conflitto. Inoltre, farò vedere come questo fallimento venne vissuto da Cusano come punto di partenza per un nuovo modo di ragionare sul conflitto e sulla riconciliazione. Alcuni anni più tardi pare infatti avesse tradotto il suo modello di riconciliazione in un paradigma più spirituale di *concordantia*, come risulta evidente dalla sua opera sulla caduta di Costantinopoli nel 1453.*

*Nella visione di Cusano non può esistere in alcun caso una “terza parte” che non sia una delle due parti in conflitto. In un certo senso, l'essenza del progetto filosofico di Niccolò Cusano può essere visto come un tentativo di trattare tale esperienza politica concreta, nonché paradossale. Secondo Cusano questa impossibilità di individuare una posizione esterna e neutrale abbisognava di una nuova impalcatura logica ed epistemologica.*

*In questa prospettiva, possiamo trovare nel pensiero di Cusano sia lo sforzo concreto di ricercare la posizione conciliante d'una terza parte, sia una prima teoria politica, nel tentativo ad un sol tempo di risolvere antichi paradigmi metafisici e di preparare moderni modelli politici.*

*Parole chiave: Concilio di Basilea, caduta di Costantinopoli, Niccolò Cusano, terza parte*

The increasing awareness of the original and irreducible power of conflicts belongs to the main characteristic of modern culture. In a sense, “conflict” became the key word of the new paradigm of social and cultural rationality at least since Thomas Hobbes and his political theory of sovereignty entered the stage of European history. Challenged by the experience of the not ending religious and confessional wars in Early modern Europe, Hobbes reinterpreted the whole of human society – now not anymore deducing the human order from the order of being – but from the unavoidable character of conflict. Whereas in pre-modern time conflicts were accidental expressions of the fact that the order of being was not realized yet, Hobbes saw in the possibility of conflict the original nature of human beings. Within this paradigm, social and moral conflicts only can be resolved by the sovereign, taking a neutral position from the outside – a secularized, *mortal* God – as Hobbes mentions in his *Leviathan*. The necessity of a neutral position *outside* the conflicting parties, is since Hobbes the founding idea of social and moral reconciliation. E.g. in the philosophy of Immanuel Kant, this figure returns in the metaphor of the *Judge* – the Judge of critical reason, which is the only legitimate Judge in the battle field of metaphysical, ontological and religious ideas and visions. The philosophy of Kant may be partly a critical correction of the authoritarian model of Hobbes – nevertheless, both models are characterized by the idea that conflicts only can be resolved by an instance *outside* the battlefield of conflicting parties. In recent years there has been a lot of scholarly research to the metaphor of the Judge in modern philosophy, science and political theory. Modernity is often characterized by the strong conviction that conflicting moral and religious parties need a judge, taking an external and neutral position, an instance which is not involved in the conflict itself. Today, this model seems to be questioned again. We are not sure anymore whether the liberal state, with its neutral public space, reconciling different moral positions, is still able to claim the neutral position – to deliver the view from nowhere, as Thomas Nagel (1986) calls it. Is it really possible to find such a position, or is this (liberal) claim nothing else than a hidden ideological construct?

We are struggling today with this neutral, external position. Therefore it is of interest to look back deeper into history, in order to develop a more sophisticated way of defining the neutral position of the *third party* – to the 15<sup>th</sup> Century, where we meet the famous philosopher and Cardinal Nicholas of Cusa (Cusanus, 1401-1464) (Christianson, 2008). Being the most important philosopher of 15<sup>th</sup> Century, as well as one of the leading practical politicians of his time, Nicholas of Cusa was confronted again and again with the inability to determine a neutral deciding position within different conflicts, and these both in a theoretical and practical way. For both in his biography as well as in his theoretical works, Nicholas of Cusa discussed the question how to solve conflicts between human beings. First of all I will discuss the role of Nicholas of Cusa at the famous council of Basel (around 1430), in a second paragraph, I will show how Cusanus develops his model of reconciliation (*concordia*) by referring to his interpretation of another historical event of the 15<sup>th</sup> Century, of which he was one of the important witnesses – the Fall of Constantinople. In a third part – my conclusion – I will show how in the work of Cusanus, it is not the figure of the Judge, which is the central metaphor, but far more the figure of the lawyer, defending his client in the awareness of the perspective of his opponent – no

human being ever can take the place of a judge – even if we have to judge as if one is a judge – as the best lawyers are able to do.

### CONCORDANTIA – THE CONFLICT BETWEEN COUNCILIARISTS AND PAPALISTS AT THE COUNCIL OF BASEL

The Council of Basel was, without any doubt, one of the key moments in the history of 15<sup>th</sup> Century political and religious tensions – preparing the time of the Reformation and its confessional religious wars. It was on this Council – which never was closed officially, that the elder conflict between the reform party of the Counciliarists and the conservative defenders of papal authority, found its climax. At the end, the conflict escalated in such a way that the Council broke up – without any concrete result. The conservative party, defending the authority of the pope, continued the Council in Ferrara and Florence, whereas some reform members stayed in Basel, neither with any result (Meuthen, 1994).

In the first stage of the Council, the young canonical lawyer Nicholas of Cusa, set up for being one of the mediating participants, able to install reconciliation between the conflicting parties. Even if it is often said by scholars, that Cusanus was one of the main representatives of the Reform party, it was his first aim to find ways in order to restore the harmony between the two parties, to bridge the gap between the counciliarists and the curialists. Given the radical attitude of both the reform party, and the pope, the mission of Cusanus was deemed to fail. Nevertheless, this failure can be seen as a splendid failure, for it resulted in one of the most marvelous books in late medieval respectively early modern political theory – *De concordantia catholica*, a book containing a mixture between historical reflections on the development of ideas and conceptions of ecclesial governance in relation to justice and truth, and some proposals to reform the church in such a way that papal authority could be combined with an almost democratic system of multi-levelled consent. There has been done a lot of research on the political model, proposed in the *De concordantia catholica*, but still more has to be done – for it seems to me that in this book, Cusanus is very well aware of the main problem of late medieval society, leading into modernity – the awareness of the lack of a deciding instance, an ultimate measure, founding the concordance of society, respectively the Church, and ways to deal with it (Christianson, 2004). The book combines a hierarchical model of thinking with a democratic model of consent, in which the consent of every participant is needed – only where there is concordance, as Cusanus mentions in his book, there is God. The social respectively ecclesial order never can be deduced from a divine order – nevertheless – there *is* an ultimate divine order, transcending human forms of order and judging these. At the same time – it is never possible for human beings to have knowledge of these judgments. There is no one who can claim to be the representative of these ultimate measure.

The clash between counciliarists and papal party was of such an intensity, that the fascinating attempt of Cusanus to install a system combining both model (the vertical and the horizontal one) only could fail. Cusanus was very well aware of the anomaly of his system – the conflict between the two models, which was in fact the concrete conflict between the two parties. Cusanus left the Basel Council – supposedly in a disappointed

way, but he would never forget these experiences, leading to his reflections in *De concordantia catholica*. They return later on, in a new challenging conflict – the conflict between the Muslims and the Christians at the occasion of the Fall of Constantinople in 1453. In a way, this conflict showed Cusanus new ways to think further on his model of conflict and reconciliation.

## CONFLICT AND RECONCILIATION BETWEEN CHRISTIANS AND MUSLIMS

Only some weeks after the Fall of Constantinople on May 29 1453, Nicholas of Cusa writes his book *De pace fidei – The Peace of Faith* – the work contains nothing less than a premodern vision on the reconciliation between different religious and cultural traditions. Cusanus describes a kind of peace conference between all possible cultures and religions, known at that moment. Place of the event is the Heavenly Jerusalem – all nations sent their best and wisest representatives in order to find reconciliation around the throne of the heavenly king (Hoye, 2004; Watanabe, 2001). They are all shocked by the violence by religious people in the name of God and agree at least in one point, that violence never can be real content of religion. On the contrary – the Hindu, the Muslim, the Christian, the Greek etc. are very well aware of the fact that they are at the end searching for the same – the *una religio in rituum varietate* – The one religion in the diversity of rites and habits. Many readers of the *De pace fidei* wonder that they seem to find in Cusanus an early representative of Enlightenment religion theory, searching for the religion of reason, leaving behind concrete and sensitive imagination – as we can find e.g. in Spinoza. And they seem to have right, when the dialogue partners in the heavenly Jerusalem agree that the cause of violence is not religion in itself, but far more the fact that human beings are always in danger to be fixed on old habits and images and to take these for truth itself. The dialogue partners intend to search the common truth of all these habits and images, used by human beings in order to be directed towards the Divine.

It is however exactly at this point that Cusanus goes into a direction, different from that of Enlightenment philosophy – for at the end of the dialogue, the representatives go back to their home country in order to translate the new insights into the original language of their religion. In other words, Cusanus is not searching for a new unified religion of reason. This is so, because of practical reasons – most people neither have time nor the intellectual capacity to go beyond their habits and images – but also because of a fundamental theoretical insight – namely the fact that at the end it is impossible ever to leave the realm of imagination. Even the most sophisticated rational or philosophical content of religion is at the end in itself an image, differing from divine truth as it is. Even the attempt to articulate the *una religio*, the ultimate measure of all religious habits and images, is an image in itself. People never are able to leave the realm of imagination. There is in other words, no possibility to take a neutral position from the outside. There is no arbiter, no judge, who is able to criticize the different images of divine truth. Therefore it is impossible for human beings to leave their own concrete perspective. Every attempt to claim the position of the third party presupposes that the one who does this, is involved in the process of itself.

What is possible is that the Christian is able to understand the position of the Muslim or the Hindu within his own perspective. There is no public measure, allowing to determine which position is the best – but this inaccessibility of divine truth seems to become the real criterion of the own truth: For inasmuch the Christian (or the Muslim, Hindu etc.) attempts to understand the truth of the other, he necessarily attempts to understand the truth of the other as if it were his own truth. We see this e.g. in the discussion concerning Trinity and Monotheism, which is – of course – one of the main discussion points in the Heavenly Jerusalem. Since we need, according to Cusanus, the principle of *pia interpretatio* – the interpretation of benevolence – the Christian with his Trinitarian conviction can learn from the Muslim not to forget the oneness of God – and the same is true for the discussion with the polytheism of the Hindus: polytheism shows the Christian, attempting to understand divine truth, that the one God only can be reached through a multitude of experiences and images. Thus in understanding the position of the other, the proper perspective can become richer and stronger. In being able to affirm the position of the other, the proper perspective shows its strength and realism. Cusanus does not deny that the other traditions are able to live with a *pia interpretatio* as well – but he does not elaborate this. I think this is not a problem. *Pia interpretatio* presupposes the ultimate inaccessibility of divine truth, and therefore the awareness that other traditions may have a relation towards truth too.

Inasmuch, the position of the third party is not accessible, there is no other way in order to find reconciliation than in the attempt to understand the truth of the other in our own way and to leave open the possibility (and even the necessity) that other traditions do the same from within their own perspective. The more we know that the other is able to do this too, the stronger the own perspective gets. The stronger our own perspective is in this respect, the more reconciliation and acknowledgment of the other can be realized.

Therefore, it is the inaccessibility of the neutral position from the outside, which is the real criterion for reconciliation. It is at this point that Cusanus differs from the different positions of Enlightenment philosophy. We are never able to take such a position. Always when we try it, we are still bound to our own perspective, living with concrete images and habits. This fact has to be recognized. Otherwise, reconciliation is not possible.

#### THE LAWYER AND THE THIRD PARTY

As a conclusion I want to say that in this respect, the central metaphor for Cusanus is not that of the Judge. The “real Judge” at the end is God himself. But God remains necessarily hidden. Nevertheless, according to Cusanus, we are involved in our relation towards the hidden God, through our concrete images and habits. The central figure in the paradigm of Cusanus is that of the lawyer. The lawyer is oriented towards the Judge, inasmuch he has to convince the judge of his own truth, showing that his perspective is the right perspective. At the same time, it is the best lawyer, who is able to understand that the other party has important points and arguments. The best perspective is that, which enables to integrate the good elements of the other. Today, Cusanus could be accused of an attempt to reduce otherness to his own perspective. I do not agree with this. Inasmuch

as we understand Cusanus' position against the background of the figure of the lawyer (we may not forget that Cusanus was a lawyer himself), the recognition of the other is presupposed in the attempt to understand other's position in terms of the own position.

I think this way of thinking could be helpful in an era in which the lack of an ultimate "third party" is experienced in an often dramatic way. The absence of such a position is one of the main problems of modern moral and religious situation. Therefore the figure of the lawyer, as we can find in Cusanus, has to be taken very serious.

### TRETJA STRANKA JE NUJNO VKLJUČENA V SPOR. REFORMA MED BASELSKIM KONCILOM IN PADCEM KONSTANTINOPLA

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#### POVZETEK

*Baselski koncil (okrog 1431-1435) je bil eden od ključnih trenutkov političnih in verskih napetosti 15. stoletja, ki je napovedal obdobje reformacije in verskih vojn med različnimi veroizpovedmi. Na njem je spor med reformatorsko stranko zagovornikov oblasti cerkvenega zbora in bolj konzervativnimi zagovorniki papeške oblasti, ki se je vnel že v 14. stoletju, dosegel vrhunec. Nazadnje se je tako zaostril, da se je koncil razšel in ni bil nikoli uradno zaključen. Poleg padca Konstantinopla leta 1453 je bil koncil eden najvplivnejših dogodkov, ki je vodil do razpada srednjeveškega reda. V prvi fazi koncila je mlad kanonski pravnik Nikolaj iz Kuze želel postati eden od posrednikov, ki bi jim uspelo doseči spravo med nasprotnima stranema. V svojem delu *De concordantia catholica* je poznejši kardinal in filozof razvil kompromis med dvema nasprotujočima si konceptoma cerkve in družbe.*

*V pričujočem prispevku avtor najprej analizira koncept sprave (concordantia), ki se je pojavil v ozadju takratnih konfliktov, nato pokaže, da Kuzancu ni uspelo postati tretja stranka oziroma prevzeti vloge, ki jo je želel igrati v zmedi tega spora. Avtor tudi pojasni, kako je ta neuspeh zanj pomenil izhodišče za nov način razmišljanja o sporu in spravi. Zdi se, da je nekaj let kasneje svoj model sprave prevedel v bolj duhovno paradigmo concordantiae, kot je razvidno iz njegovega dela o turškem zavzetju Konstantinopla leta 1453.*

*Po Kuzančevem mnenju ne more obstajati "tretja stranka", ki ne bi bila na strani enega od obeh partnerjev v sporu. Na nek način lahko njegov celoten filozofski projekt razumemo kot poskus spopasti se s to konkretno politično – in protislovno – izkušnjo. Za*

*Nikolaja Kuzanskega ta nezmožnost najti nevtralni položaj izven spora zahteva nov logični in epistemološki okvir. Pri Kuzancu lahko tako opazimo konkreten boj z iskanjem položaja za tretjo stranko, ki bi spravila strani v sporu, kot tudi zgodnjenovoveško politično teorijo, s katero si je prizadeval rešiti starejše metafizične paradigme in hkrati pripraviti moderne politične modele.*

*Ključne besede: Baselski koncil, padec Konstantinopla, Nikolaj iz Kuze, tretja stranka*

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