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Papal Elections and Renunciations

MILES PATTENDEN

The Church, as much as any other human institution, has always been concerned with succession: the passing of office from one holder to another. No fresh holder of institutional office can guarantee to inherit his or her predecessor's full authority automatically, nor can he or she presume to ease into their role uncontested. Institutional stability often depends on the success with which leading players maintain continuity by negotiating risks to their established order – and few monarchies or modern state bureaucracies have managed to perfect this transfer of power consistently. The papacy has been no exception: indeed, the Western Schism, which saw two, then three, rival pontiffs set out their stall in different cities, marked a nadir in its political coherence in this as well as in other respects. Yet the popes of twenty-one centuries have generated an extraordinary number of successful transitions – indeed, by convention, 265 changes of regime at the time of writing – and this is surely one of the more remarkable things about the papacy historically. Few other institutions in world history have endured so much regime change over such an extended period and effectuated it without more than the occasional mishap. Many different groups and individuals have partaken in choosing popes over the years: the cardinals, the Byzantine Emperor, the Holy Roman Emperor, the people of Rome, and even Jesus himself (if one accepts the account of Peter's "investiture" in Matthew 16:18) among them. The forms of papal election evolve constantly – and their evolution has both reflected but perhaps also helped to shape wider processes of reinvention through which popes have kept themselves relevant. It may be partly for this reason that conclaves have played a major part in the pope's enduring presence in human affairs and – alongside their much more quixotic counterpart, papal renunciations – have emerged as iconic cultural phenomena which even now hold the attention of Vatican-watchers across the globe.

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A Brief History of Methods of Papal Election

Historians have long taken an interest in the papacy's electoral practices. The anonymous sixth- or seventh-century authors of the *Liber pontificalis* were the first proudly to record details about elections in their accounts of popes' lives. The Augustinian friar Onofrio Panvinio completed *De varia creatione Romani pontificis* (*On the Various Ways of Electing the Roman Pope*), the first book dedicated entirely to how popes are chosen, perhaps as early as 1559.[1] In 1667, the satirist Gregorio Leti penned the far more colorful *Histoire des conclaves depuis Clément V. jusqu'à présent*, the first of myriad sensationalizing accounts. Yet comparatively little is still known about how the earliest Bishops of Rome were chosen in antiquity. Matthew's Gospel records Jesus picking Peter for a special role among the disciples: "And I say also unto thee, That thou art Peter, and upon this rock I will build my church; and the gates of hell shall not prevail against it" (Matthew 16:18). Later popes would emblazon this verse inside the cupola of their prime basilica. However, Peter's traditional association with the Roman see in fact emerged only with Irenaeus of Lyons at the end of the second century, and the Early Church Fathers contested hotly what Jesus' words to him actually meant in theory or in practice.[2] Few reliable sources explicate either the names of Peter's successors or the methods by which they were chosen.[3] Early texts from Rome itself, which date from around 400, claim that Peter personally named his next three successors: Linus, Anacletus, and Clement – and such a method of selection is potentially consistent with wider patterns in episcopal succession across the second-century Roman world.[4] However, a substantive historical record of Roman bishops and their paths to office is available only for the period after emperors adopted Christianity as their official religion. Some obscure stories of disputed successions between rival third-century "popes" may allow us to infer both the possibility of multiple methods of election in Rome at this

1 See Stefan Bauer, *The Invention of Papal History: Onofrio Panvinio between Renaissance and Catholic Reform* (Oxford, 2019), 89–145.

2 Irenaeus of Lyons, *Against the Heresies Book 3* (3.3.2–3), trans. Dominic J. Unger and M. C. Steenberg (New York, 2012), 32–33. Edward Siecienski, *The Papacy and the Orthodox: Sources and History of a Debate* (New York, 2017), 93–139.

3 See also, Dominic J. Unger, "Irenaeus on the Roman Primacy," *Laurentianum* 16 (1975): 431–45; and John Behr, "St. Irenaeus of Lyons and the Church of Rome," in *Primacy in the Church: The Office of Primate and the Authority of Councils*, ed. John Chryssavgis, 2 vols. (Crestwood, NY, 2016), 1:69–89.

4 Arthur Carl Piepkorn, "The Roman Primacy in the Patristic Era: From Nicea to Leo the Great," in *Papal Primacy and the Universal Church*, ed. Paul Empie and T. Austin Murphy (Minneapolis, 1974), 73–97. Klaus Schatz, *Papal Primacy: From Its Origins to the Present*, trans. John A. Otto and Linda M. Maloney (Collegeville, MN, 1996), 28–30.

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time and also that any hierarchy among them was contested.[5] By contrast, Western Roman emperors often nominated fourth- and fifth-century popes subject to their acceptance by the Roman people; or vice versa, the Romans acclaimed their new bishop subject to imperial recognition.[6]

The fall of the Western Empire in 476 meant that imperial prerogatives over the election passed to Byzantium and most popes until Zachary (r. 741–52) sought confirmation of their tenure from there.[7] Many eighth-, ninth-, and tenth-century popes were also imposed by the new Frankish Holy Roman Emperors, who dominated Western Europe. Nevertheless, a role for the pope's Roman congregation still remained, and grew in the period that followed. Leo III's hagiographic *vita* records how his election in 795 came about through "divine inspiration, with one and the same will and concord, by all the priests and officials of the whole clergy, indeed, by the nobility and the whole Roman people."[8] Real change, in the form of a move towards the modern procedure, began only with Nicholas II's bull *In nomine Domini* (1059), a document which had its origins in the Reform movement now named for Gregory VII (r. 1073–85).[9] *In nomine Domini* established a fixed protocol for the papal election, probably for the first time. Nicholas stipulated that the seven suburbicarian bishops (that is the pope's suffragans in Ostia, Albano, Frascati, Palestrina, Porto-Santa Rufina, Sabina, and Velletri) should convene after his death to agree a presentable candidate to succeed him. Rome's priests were given a veto over their choice and her remaining clergy (i.e., deacons) and laity were invited to acclaim the bishops' choice in the event that the priests had also found him acceptable. The emperor was also permitted to "confirm" the new pope in office. *In nomine Domini* aimed quite expressly at removing any perception of lay agency in the papal succession – such an eventuality would have completely

5 See, for instance, the discussion of the disputed election of 251 between Cornelius and Novatian in Cyprian of Carthage, *Letters 1–81*, trans. Rose Bernard Donna C.S.J. (Washington, DC, 1964), 138 (Letter 55).

6 Eckhard Wirbelauer, "Die Nachfolgerbestimmung im römischen Bistum (3.–6. Jh.)," *Klio* 76 (1994): 388–437.

7 Andrew Ekonomou, *Byzantine Rome and the Greek Popes: Eastern Influences on Rome and the Papacy from Gregory the Great to Zacharias, A.D. 590–752* (Lanham, MD, 2007), 96–97, 246–47.

8 "Vita Leonis III," in Louis Duchesne (ed.), *Le Liber pontificalis: Texte, Introduction et Commentaire*, 2 vols. (Paris, 1955 [1886]), 2:5–6. See also Thomas F. X. Noble, *The Republic of St. Peter: The Birth of the Papal State, 680–825* (Philadelphia, 1985), 199.

9 Detlev Jasper, *Das Papstwahldekret von 1059: Überlieferung und Textgestalt* (Sigmaringen, 1986); Hans Erich Feine, "Zum Papstwahldekret Nikolaus II. In nomine Domini von 1059," in *Reich und Kirche. Ausgewählte Abhandlungen zur deutschen und kirchlichen Rechtgeschichte*, ed. Hans Erich Feine and Friedrich Merzbacher (Aalen, 1966), 19–29.

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undermined popes' renewed assertions that their authority was supreme above all secular lordships. It appealed to a theological and canonistic argument already routinely used to justify elections to lesser ecclesiastical office: as Walo of Metz put it, following Gregory VII's election in 1073, "so great a unanimity, so great a harmony, could only originate in the inspiration of the Holy Spirit."[10]

From 1061 (the year of Nicholas II's death) to the late thirteenth century, the papal electors developed a custom of congregating in a major ecclesiastical building close to where the old pope had died to segregate themselves from the outside world. These proto-conclaves often took place in Rome but occasionally also further afield in Perugia, Viterbo, Arezzo, Ferrara, Verona, Naples, and even Cluny abbey.[11] In 1241, the Roman populace, exasperated by delays after Gregory IX's death during Frederick Barbarossa's siege of Rome, took direct action which began consolidation of the "conclave" model: they locked the cardinals up in a dilapidated building to force them to expedite their choice.[12] In 1271, the citizens of Viterbo again stripped the roof off the palace where the cardinals had been congregating for three years to encourage them to decide faster.[13] Gregory X (r. 1271–76), that conclave's eventual winner, was sufficiently alarmed by what had happened that he decided to take matters into his own hands: his bull *Ubi periculum* (1274) prescribed normative conditions for all future elections.[14] The cardinals were to be confined to a single room, behind locked doors, to sleep in a common dormitory, to eat at a common table, and to enjoy the assistance of just a single servant. Gregory even specified the quality and quantity of conclave cuisine and that, to concentrate minds, it was to be progressively reduced: after nine days it could consist of bread, wine, and water alone.

10 Walo of Metz, "Epistola," in *Pontificum Romanorum qui fuerunt inde ab exeunte saeculo IX usque ad finem saeculi XIII vitae*, ed. Johann Matthias Watterich, 2 vols. (Leipzig, 1862), 1:741; Hagen Keller, "Wählen im früheren Mittelalter," in *Technik und Symbolik vormoderner Wahlverfahren*, ed. Christoph Dartmann, Günther Wassilowsky, and Thomas Weller (Munich, 2010), 34–52.

11 Frederic Baumgartner, *Behind Locked Doors: A History of the Papal Elections* (London, 2005), 27–32; Agostino Paravicini Bagliani and Maria Antonietta Visceglia, *Il Conclave: Continuità e mutamenti dal Medioevo a oggi* (Rome, 2018), 27.

12 Walter Ullmann, *A Short History of the Papacy in the Middle Ages*, 2nd ed. (London, 2003), 260.

13 Paolo Brezzi (ed.), *Atti di convegno di studio: VII centenario del 1º conclave (1268–1271)* (Viterbo, 1975); Antonino Franchi, *Il Conclave di Viterbo (1268–1271) e le sue origini* (Assisi, 1993); Andreas Fischer, *Kardinäle im Konklave: Die lange Sedisvakanz der Jahre 1268 bis 1271* (Tübingen, 2008).

14 On *Ubi Periculum* and the early history of its application, see Agostino Paravicini Bagliani, *Morte e elezione del papa: Norme, riti e conflitti*, vol. 1, *Il Medioevo* (Rome, 2013), 34–46.

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Gregory's rules were honored more in the breach than in the uptake, but they catalyzed a sequence of further reform bulls: Clement VI modified Gregory's stipulations in *Licet in constitutione* (1351). Pius IV and Gregory XV elaborated on them in, respectively, *In eligendis* (1562) and *Decet Romanum pontificem* (1622). Both *In eligendis* and *Decet Romanum pontificem*, at the same time, expanded on decisions Clement V had promulgated in another important bull, *Ne Romani* (1312), which had set out rules for government in the papal vacancy. These papal bulls, together with Gregory XV's *Aeterni Patris Filius* (1621), discussed below, represent the main body of formal texts that have regulated elections down to the twentieth century and constitute the legal framework within which all subsequent developments in the papal conclave have occurred.

Yet there was one subject that none of these texts addressed head on: the criteria for electoral success. The key piece of papal legislation on this subject was an earlier Apostolic Constitution, *Licet de vitanda*, which Alexander III had promulgated at the Third Lateran Council in 1179 in the context of a long series of lengthy and disputed elections during the earlier twelfth century. The problem lay with Nicholas II's original rules, which had proved impracticable. For one thing, those rules had left the question of who had the real power under their provisions entirely unclear. Was it the bishops, who had a power of nomination, or the priests, who had a power of veto? The priests often viewed the episcopal proposals with less than full enthusiasm, perhaps because the bishops tended to nominate one of their own, which caused them to veto candidates until the bishops agreed to the convention of a subcommittee drawn from all three orders to draw up names for candidates. Yet names proposed by the subcommittee were not always acceptable to the majority. Moreover, its very existence was potentially uncanonical – and this left open the possibility that its decisions, even if endorsed by the other cardinals in their immediate aftermath, could later be subjected to dispute. *Licet de vitanda* aimed to get around these problems. Under its terms, all cardinals – bishops, priests, and deacons – could propose and vote for candidates, and their votes carried equal weight when deciding between them. A candidate had to obtain the votes of more than two-thirds of the cardinals present to be eligible to claim victory. This threshold was not arbitrary: it both self-consciously recalled the precedent of the old Roman Senate and also made an electoral victory far harder to contest: a second candidate who wished to usurp the pope now had to persuade at least half his supporters to abandon him to have a path to claiming legitimate election himself.

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From the Schism to the Modern Era

The clarity of *Licet de vitanda*'s rules ensured that the threat of disputed elections did indeed recede. Whereas twelve antipopes competed with the eleven canonically recognized popes in the period from 1100 to 1180, only one challenged the canonical pope between Alexander's death and the onset of the Western Schism. Yet the Schism, which opened up in 1378 and was not resolved until 1417, represented a profound failure of *Licet de vitanda*'s model. Indeed, it was a direct consequence of *Licet de vitanda*'s lack of any additional mechanism to bind the cardinals to a choice once made.[15] Urban VI, the pope elected in 1378, undoubtedly antagonized many cardinals by asserting his authority over them with far greater rigor than his recent predecessors. And his election also highlighted a now chronic division between pro-French cardinals and some Italian members of the College. Within months of his coronation, the pro-French rump had retired to Avignon to depose him and elevate an alternative. A period followed with two rival popes and colleges, then three, all adhering to the same electoral rules but denying each other's legitimacy. Eventually, the Council of Constance deposed, or accepted the abdication of, all "reigning" popes and chose the Roman Oddone Colonna as Martin V of a re-unified papal line. Yet this conciliar election was highly irregular: the cardinals of the three obediences were not left to carry it out on their own but sat alongside appointed delegates from each of the five Christian "nations" (England, France, Germany, Italy, and Spain).[16] This extension of the electorate, even if necessary for ensuring lasting consensus, self-evidently violated the terms of *Licet de vitanda* and set a worrying precedent for the cardinals: was their exclusive right to serve as papal electors now to be permanently taken away? The quandary which all popes and cardinals over the next two centuries faced was how to ensure that this one-off violation of canonical rules would not be repeated. The whole status of cardinals within the papacy itself depended on the fact that it would not be and that they alone would retain an exclusive right to vote.

15 On the Western Schism and its causes, see Joëlle Rollo-Koster's and Stefan Weiss's recent surveys of historiographical debate on this: Joëlle Rollo-Koster, "Civil Violence and the Initiation of the Schism," and Stefan Weiss, "Luxury and Extravagancy at the Papal Court in Avignon and the Outbreak of the Great Western Schism," in *A Companion to the Great Western Schism (1378–1417)*, ed. Joëlle Rollo-Koster and Thomas M. Izbicki (Leiden, 2009), 9–66 and 67–88.

16 Philip H. Stump, "The Council of Constance (1414–18) and the End of the Schism," in Rollo-Koster and Izbicki, *Companion to the Great Western Schism*, 395–442. For a narrative account, see Ludwig Freiherr von Pastor, *The History of the Popes from the Close of the Middle Ages, Drawn from the Secret Archives of the Vatican and Other Original Sources*, 40 vols. (London, 1908–38), 1:202–7.

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With hindsight, the fifteenth and sixteenth centuries have appeared to have constituted a period of renewed consolidation of the papacy's electoral model as the threat of disruption was successfully counteracted. The cardinals embedded a number of procedural innovations into the voting, including approval voting, accession to established candidates, written ballots, and secret ballots, which were all expressly designed to speed up proceedings and to signal valuable paths to consensus.[17] Approval voting, first mentioned in Giacomo Caetani Stefaneschi's *Ordinarium sanctae Romanae ecclesiae* (*c*.1310), but which came into its own in the fifteenth century, sped up an election by allowing each cardinal to indicate not merely his main preference but all candidates acceptable to him in every round of voting.[18] The formal "accession" (*accessus*), which is first noted in the conclave of 1455, likewise gave all cardinals a chance to cast one additional vote for any candidate who had already received votes in a particular scrutiny if that would break deadlock. Written ballots served a different purpose: they seem to have been introduced from a desire to keep more formal records of each election's canonicity. However, they were not drawn up consistently: the two conclaves of 1503, and those of 1513, 1523, and 1559, involved them, but other sixteenth-century elections did not.[19] Secret ballots were still rarer, perhaps because of suspicion among early modern electors that they brought not integrity to the proceedings but unaccountability and corruption. The Florentine cardinal Francesco Soderini tried to introduce them as part of his efforts to prevent the election of the two Medici popes, Leo X, in 1513, and Clement VII, in 1523.[20] Paul IV tried to make cardinals answerable to the Holy Office for how they had voted in past conclaves, which probably increased support for them in the 1550s. However, secret and written ballots nevertheless only became a formal requirement for canonical election with Gregory XV's

17 On the technicalities of these voting mechanisms, and their implications, see Josep Colomer and Iain McLean, "Electing Popes: Approval Balloting and Qualified-Majority Rule," *Journal of Interdisciplinary History* 29 (1998): 1–22.

18 Giacomo Caetani Stefaneschi, "Ordinarium sanctae Romanae ecclesiae," in *Musei Italici*, vol. 2, *Complectens Libros Rituales Sanctae Romanae Ecclesiae*, ed. Johannes Mabillon and Michaele Germain (Paris, 1724), 248.

19 Günther Wassilowsky, *Die Konklavereform Gregors XV. (1621/22). Wertekonflikte, symbolische Inszenierung und Verfahrenswandel im posttridentinischen Papsttum* (Stuttgart, 2010), 103–4.

20 K. J. P. Lowe, *Church and Politics in Renaissance Italy: The Life and Career of Cardinal Francesco Soderini, 1453–1524* (Cambridge, 2002), 90; Blasio de Martinelli, "Diarium," in Giambattista Gattico, *Acta Selecta Caeremonialia Sanctae Romanae Ecclesiae*, 2 vols. (Rome, 1753), 1:318.

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bull *Aeterni Patris Filius* in 1621 after a new generation of reform-minded cardinals had embraced them as a tool for excluding secular influence from the conclave.[21]

Gregory XV's two bulls, *Aeterni Patris Filius* and *Decet Romanum pontificem* (1622), have sometimes been seen as a further crucial intervention in the history of the conclave's rules – one which cast them into their final and definitive form, revised only at the margins and in the twentieth century.[22] The evidence for this perspective is nevertheless as much circumstantial as technical. As Alessandro Ludovisi, Gregory was certainly interested in conclave reform and he associated with other reformist cardinals, including Roberto Bellarmine, Federico Borromeo, and Benedetto Giustiniani. However, Gregory not only mandated written and secret ballots but also abolished approval voting, affirmed a regular timetable for the election (two scrutinies per day), and reiterated the prohibition on external interference in the entire process under threat of the gravest penalties. These reforms chimed with the spirit of wider Tridentine renewal and Gregory's emphasis on generating materials that attested to an election's canonicity can reasonably be seen as reflecting the new impetus to document the Church's practices and traditions. Yet, Gregory's reforms may have changed less in practice than in theory.[23] Voting records, which survive for most conclaves from 1623 to 1730, reveal that seventeenth-century cardinals continued to take up the same sorts of tactics and strategies in their conduct of the election that sixteenth-century ones had done.[24] Most conclaves saw the College divide along factional lines, with surviving cardinal nephews typically taking charge of their respective factions.[25] External interference in papal elections did not disappear either but thus merely shifted form and focus: before, Catholic princes who wished to influence the election had instructed cardinals loyal to them how to vote; now they simply used their ambassadors in Rome to veto particular candidates (the *jus exclusivae*). The major difference in seventeenth- and eighteenth-century conclaves compared to their predecessors was that they grew substantially

21 Miles Pattenden, "Cultures of Secrecy in Pre-Modern Papal Elections," in *Cultures of Voting in Pre-Modern Europe*, ed. Serena Ferente, Lovro Kunčević, and Miles Pattenden (London, 2018), 94–112, esp. 102–3.

22 This is the principal argument of Wassilowsky, *Die Konklavereform Gregors XV. (1621/22)* (n. 19, above).

23 For a critique of Wassilowsky, see Miles Pattenden, *Electing the Pope in Early Modern Italy, 1450–1700* (Oxford, 2017), 90–97.

24 Biblioteca Apostolica Vaticana, Barb. Lat. 4435–4449.

25 On the politics of seventeenth- and eighteenth-century conclaves, see Maria Antonietta Visceglia, *Morte e elezione del papa: Norme, riti e conflitti*, vol. 2, *L'Età moderna* (Rome, 2013), 339–406; and Pattenden, *Electing the Pope in Early Modern Italy*, 159–76.

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longer. One hundred and thirty days in 1669–70, 151 in 1691, and 180 in 1740 are some of the longer examples.[26]

Changes to the papal election in the modern era have continued to be incremental rather than transformative. The *jus exclusivae*, never formalized in canon law, was finally repudiated when the Austrian government attempted to veto Leo XIII's Secretary of State Mariano Rampolla in the conclave of 1903.[27] Pius X (r. 1903–14), who as Giuseppe Cardinal Sarto had been outraged by Austria's act, subsequently issued the Apostolic Constitution *Commissum nobis* (1904), which formally denounced the concept of the veto and excommunicated anyone who tried to deploy it. In 1922, the length of time between the pope's death and the opening of the conclave was increased from its traditional eleven days to sixteen to give the now far more widely dispersed members of the College time to travel to Rome. Benedict XVI's decision to announce in advance his renunciation of office on February 10, 2013, extended this courtesy further: under his timetable the cardinals now enjoyed a full month to make arrangements before formal voting was underway. *Normas nonnullas* (2013), the most recent piece of papal legislation about the election, which Benedict promulgated immediately prior to renouncing office, empowered the cardinals with yet more discretion over the conclave's timing: they could even bring it forward if they were all already ready or delay it if they were not. A final substantive change to twentieth-century elections has concerned the number of cardinal electors, who have grown more in the last hundred years than over all previous centuries put together. In *Ingravescentem aetatem* (1970), Paul VI introduced a far-reaching innovation: henceforth cardinals would "retire" from their role as electors when they reached the age of eighty. They might participate in the pre-conclave discussions but they could no longer vote. A second Pauline constitution, *Romano pontifici eligendo* (1975), proposed measures to guarantee the cardinals' full isolation within the conclave hall but was relaxed in its severity by John Paul II's *Universi Dominici gregis* (1996). This latter constitution also stipulated that a simple majority, rather than a two-thirds majority, might be enough for election if there had been too many inconclusive ballots. Benedict XVI

26 Wassilowsky, *Die Konklavereform Gregors XV. (1621/22)*, 337, includes a useful comparative table of conclave lengths.

27 Ludwig Wahrmund, *Das Ausschliessungs-Recht (jus exclusivae) der katholischen Staaten Österreich, Frankreich und Spanien bei den Papstwahlen* (Vienna, 1888). On the use of the exclusion against Rampolla, see Owen Chadwick, *A History of the Popes, 1830–1914* (Oxford, 1998), 333–34. François Jankowiak, "Les Cardinaux *sede vacante: Libertas Ecclesiae* et législation du conclave," in *Les Cardinaux entre Cour et Curie: Une élite romaine, 1775–2015*, ed. François Jankowiak and Laura Pettinaroli (Rome, 2017), 155–66.

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reversed this rule in 2007 in the apostolic letter *De aliquibus mutationibus in normis de electione Romani pontificis*.

Sede vacante and the Social Life of the Conclave

Of course, papal elections have always been about more than their formal rules. The rituals accompanying the conclave, the intrigues which have often occurred during it, and the cultural curiosities thrown up by the phenomenon of the "Vacant See," including (until recently) the late pope's funeral, all contribute to the election's wider appeal in historical accounts and in the contemporary imagination. The old pope's death, which normally set this chain of events in motion, has itself generated a complex ritual which begins when the Chamberlain steps forward to tap him three times on the forehead with a silver hammer.[28] If the pope does not respond, the Chamberlain takes the pope's "fisherman's ring" – the symbol of his pontifical authority – and breaks it to signify that the authority conferred by his reign is now at an end.

Traditionally, nine days of public mourning for the late pontiff (the *novendiales*) followed. The pope's body was displayed publicly in St. Peter's during this time so that the multitude could file past it to pay their respects.[29] The logic of the personal monarchy which the medieval canonists constructed for the pope also meant that all extant forms of authority ceased to be valid with his demise: his covenant with God was direct and God had yet to establish a new one with his successor. Originally, this left the pope's officials in a legal limbo, but various twelfth- and thirteenth-century jurists postulated that the pope's authority in fact remained vested in the cardinals, or even with the Church as a whole, during the interregnum. Clement V's bull *Ne Romani* (1312) formalized this by recognizing an enduring mandate for the Chamberlain and Penitentiaries, who were now designated not "of the pope" (*domini papae*) but "of the Church" (*Sanctae Romanae ecclesiae*).[30] Over time, the cardinals gradually expanded the scope and scale of this "caretaker" administration. They sidelined the Chamberlain in favour of a regime overseen by the heads of the three orders of cardinal bishops, priests, and deacons (the *capi degli ordini*) in

28 Contrary to popular assumption, there are no traces of this practice in medieval *ordines*.

29 With exception, during the Black Death for example. See, Joëlle Rollo-Koster, "Failed Ritual? Medieval Papal Funerals and the Death of Clement VI (1352)," in *Histories of Post-Mortem Contagion: Infectious Corpses and Contested Burials*, ed. Christos Lynteris and Nicholas Evans (London, 2017), 27–53.

30 Agostino Paravicini Bagliani, *The Pope's Body*, trans. David S. Peterson (Chicago, 2000), 148–49.

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the early sixteenth century.[31] All cardinals then met in daily consistories to discuss relevant business and apportion corresponding duties. Later, they minted their own coins and had acquired their own ensign – the *padiglione* or *ombrellino* – which symbolized the vacuum of papal power. This practice continues to the present, with commemorative two-euro, five-euro, and ten-euro pieces struck in base metal, silver, and gold respectively in 2013.[32] Commemorative medals have also been distributed or sold during many vacancies, both by the cardinals and by foreign governments.

The conclave proper traditionally began with the cardinals' procession into the designated conclave hall. The location of this space has varied over time, even for conclaves which have taken place in Rome. The two conclaves of 1431 and 1447, the earliest for which such details are certain, were held in the convent of Santa Maria Sopra Minerva next to the Pantheon.[33] Only from 1455 did conclaves move into the Vatican, initially in the Cappella Magna, which was used as the cardinals' dormitory, and the Cappella Parva, which was where the voting took place. The former was replaced by the Sistine Chapel after 1477 and the latter by the Cappella Paolina in 1538.[34] The conclaves of 1823, 1829, 1830–31, and 1846 all took place in the Quirinal Palace, which by then was the main papal residence during a pope's lifetime.[35] The Conclave of Venice in 1799–1800, which took place under Austrian protection in the monastery of San Giorgio, is the only papal election to have taken place outside Rome since the end of the Western Schism.[36]

Much of what we know of the conclave's internal rituals comes from the diaries of papal masters of ceremonies, officials ordinarily charged with organizing of the pope's liturgical responsibilities who took charge of this aspect to the papal vacancy too – Pierre Ameil (*c*.1340–1401) being the first to compile such a record in the late fourteenth century.[37] The diaries of Johann

31 John M. Hunt, *The Vacant See in Early Modern Rome: A Social History of the Papal Interregnum* (Leiden, 2016), 33–35; Niccolò del Re, *La Curia Romana: lineamenti storico-giuridici*, 4th ed. (Rome, 1998), 285–97.

32 www.vaticanstate.va/it/servizi/numismatica/emissioni-numismatiche/48-numismatica-2013.html.

33 Pastor, *History of the Popes*, 1:286 and 2:5.

34 On the sites and spaces of conclaves from 1484, see Franz Ehrle and Hermann Egger, *Die Conclavepläne: Beiträge zu ihrer Entwicklungsgeschichte* (Vatican City, 1933).

35 Owen Chadwick, *The Popes and European Revolution* (Oxford, 1980), 482–87; Baumgartner, *Behind Locked Doors*, 186–92.

36 Alberto Lumbroso, *Ricordi e documenti sul Conclave di Venezia 1800* (Rome, 1903); Tommaso Gallarti-Scotti, "Il Conclave del 1800," in *Storia della civiltà veneziana*, ed. Vittore Branca, 3 vols. (Florence, 1979), 3:229–45.

37 Ameil's text is published in Marc Dykmans (ed.), *Le Cérémonial papal de la fin du Moyen-Âge à la Renaissance*, 4 vols. (Brussels, 1977–85), 4:69–288. See also Joëlle Rollo-Koster,

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Burchard (*c.*1450–1506) and Paride de' Grassi (*c.*1470–1528) relate the performances involved in drawing up and signing the electoral pacts, and in the voting itself, in great detail.[38] In Burchard's account of the 1484 conclave the voting took place as follows:

> The Very Rev. Lords the Cardinals … rose from their stools. Moreover, the Vice-Chancellor [i.e., Rodrigo Borgia], kneeling down before the altar, having prayed privately for a short time, rose, and held his vote in his hand, written in his own handwriting on a small piece of paper, and stamped with his own seal, and, coming before the altar, having first kissed the paper, he carried it in two fingers, that is, with the thumb and index finger of the right hand, to the chalice placed on the same altar, he being wishful to place his vote therein; the Cardinal of Siena [i.e., Francesco Todeschini-Piccolomini] slightly raised the paten off the chalice, and covered it up with the vote inside.[39]

Cardinals who were too infirm to carry out these actions were permitted to give their ballot slips to a proxy to insert into the chalice for them. When all the votes had been cast, Borgia and Piccolomini clasped the chalice together and placed it "reverently" on a table, opening each voting paper and reading its contents out loud. The writing on each paper apparently adhered to a strict formula: "I, *n.*, [the cardinal's titles], elect as supreme pontiff my Very Rev. Lord *n.*, and my Very Rev. Lord *n.*, and my Very Rev. Lord *n.*, etc." Examples of these ballot papers are printed in some seventeenth-century tracts, although by then cardinals were permitted to choose only one candidate.[40] If the result of the ballot was inconclusive, a record was often made, but the ballots themselves were destroyed. The practice of admixing burning ballots with straw to create black smoke visible from outside the conclave dates only to the nineteenth century.[41]

Beyond voting, the conclave was probably an arduous and potentially quite unpleasant experience for many cardinals through the centuries. Certainly,

"Communicating Unity during the Great Western Schism (1378–1417): Pierre Ameil and Papal Funerals," *ACTA* (*Acta ad archaeologiam et artium historiam pertinentia*) 31 (2020): 113–29.

38 Johann Burchard, *Liber notarum ab anno MCCCCLXXXIII usque ad annum MDVI*, ed. Enrico Celani, 3 vols. (Città di Castello, 1906–14); Paride de' Grassi, "Diarium," in Giambattista Gattico, *Acta Selecta Caeremonialia Sanctae Romanae Ecclesiae* (Rome, 1753), 309–18.

39 Burchard, *Liber notarum*, 1:44.

40 Wassilowsky reproduces one of these ballot papers, *Die Konklavereform Gregors XV*, 276–77.

41 Raffaele de Cesare, *Il Conclave di Leone XIII con aggiunte e nuovi documenti* (Città di Castello, 1888), 330. See also the brief appendix on this subject in Baumgartner, *Behind Locked Doors*, 241–45.

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its living conditions were often cramped and insanitary. Burchard describes how wooden cubicles, three-and-a-half meters by four, were constructed hastily on top of the Vatican's marble floor in 1484. Individual cardinals were assigned to them by lot.[42] Each cardinal was expected to share his cubicle with servants, who slept there alongside him, for the conclave's duration. His typical day consisted of morning mass, voting, lunch, more voting, dinner, and bed at 11:30 p.m. He enjoyed next to no provision for entertainment. He might take basic physical exercise by strolling through the halls and corridors within the sealed area and meals were provided through a hatch (*ruota*) in the main conclave door. However, officials checked the dishes scrupulously in case illicit messages were hidden within them. De' Grassi's diary from 1503 records a list of the possessions a cardinal might bring into the conclave with him: a bed and bedding, a clock, bed cap, and nightshirt, a portable couch, two water bowls, two chamber pots but a single commode, a trestle table for dining with two cloths and napkins, three carpets for the floor, a box of clothes, ecclesiastical books, some writing materials, and a few comestibles.[43] The inventory of a magnificent "Prince of the Church" this was not. Each cardinal had access to the communal latrines that were provided just outside the Sistine Chapel and their stench was often overpowering.[44] The Vatican itself could be freezing in winter or boiling hot in summer. Malaria was an active danger during any conclave between March and November and it afflicted those of 1623 and 1644 particularly badly.[45] Many cardinals, elderly men in less than perfect physical condition, found it all too much for them, and between the sixteenth and eighteenth centuries a small, but statistically significant, number of them succumbed to illness during or shortly after their confinement.[46]

Only *Universi Dominici gregis* (1996) finally improved the cardinals' living arrangements, abandoning the ad hoc approach which had characterized previous conclaves and authorizing the College to retire each evening to private en-suite guestrooms in the Domus Sanctae Marthae, a modern residence next to St. Peter's. And yet, the theory of how conclave life was to be regulated has never coincided entirely with its implementation in practice. Cardinals

42 Burchard, *Liber notarum*, 1:23–24. See also, de' Grassi, "Diarium," 311–12.
43 De' Grassi, "Diarium," 310.
44 Elisa Andretta, "Les Médecins du conclave: L'élection pontificale entre médicine et politique au début de l'époque moderne," *Chrétiens et Sociétés XVIe à XXIe siècle* (2012): 17–38.
45 Ferdinando Petrucelli della Gattina, *Histoire diplomatique des conclaves*, 4 vols. (Paris, 1864–66), 3:70–4. Pastor, *History of the Popes*, 30:15.
46 Pattenden, *Electing the Pope in Early Modern Italy*, 75.

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have often flouted the conclave's regulations in diverse ways, for political advantage or even just for amusement. The most obvious violations came in the sixteenth century and concerned the sumptuary rules, for few cardinals in any conclave after 1274 even adhered to the strictures for consumption set out in *Ubi periculum* (or even the watered-down rules of revisions to it). Ippolito d'Este, an aristocratic cardinal who took part in several conclaves from 1549 to 1572, has left behind account books which detail his extraordinary profligacy. He entered the 1559 conclave with plates, cutlery, silverware, dish-warmers, crystal lamps, a perfume-burner, a copper basin and water pot, two wine coolers, eight heavily lined coats, seven pairs of understockings and a pair of thermal bloomers; he also spent 10,000 *scudi* on food over the course of four months.[47]

Several amusing stories about the tedium of conclave life circulated during the 1655 conclave. A number of cardinals who took part in this election resorted to practical jokes: Cardinal Medici sent a foul-tasting stuffed fish as a fake gift to a courtesan in order to make trouble between her and an admirer and also entered a bet for fifty doubloons with Cardinal Maidalchini that the latter would not dare to sneak into the cell of Cardinal Carafa dressed as the Holy Ghost.[48] Maidalchini apparently took the bet on. Donning a white sheet, wig, false beard, saucepan halo, and angel wings fashioned from the conclave's voting papers, he reached Carafa's cell via a secret passage during the night. Cases such as this were likely what caused the papal master of ceremonies in the 1590s to lament conclave "abuses," including disorder and swirling gossip.[49] Yet such abuses were not confined to excessive consumption nor illicit communication. "Adoration," a procedure of dubious canonicity by which the cardinals all spontaneously acknowledge one of their number as pontiff by prostrating themselves before him, became a common feature of pre-1621 conclaves.[50] Bribery was also a constant threat. Indeed, part of d'Este's motivation for bringing so much into the conclave was to give him resources to ingratiate himself with colleagues via loans and gifts.[51] Whether or not such actions constituted formal simony, they brought the College into disrepute just as surely as the notorious story from

47 Mary Hollingsworth, *Conclave 1559* (London, 2013), 158–59, 177.
48 Philibert Carretto, letters of February 1 and 14, 1655, cited in Petrucelli della Gattina, *Histoire diplomatique des conclaves*, 3:167–69.
49 Paolo Mucanzio, "Gl'abusi et convenienti che si fanno nelle rote del conclave come per essempio si e' veduto o sono gl'infatti," Biblioteca Apostolica Vaticana, Vat. Lat. 12316, 492r–501r.
50 Wassilowsky, *Die Konklavereform Gregors XV*, 115–23.
51 Hollingsworth, *Conclave 1559*, 220–21.

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1492 that Rodrigo Borgia had loaded four mules with silver and sent them to Ascanio Sforza's house "for safe-keeping."[52] In both 1549 and 1559, under external pressure, the cardinals convened a "reform committee" to correct such abuses, but evidence that they were eliminated, except in the most temporary fashion, is slight.[53]

The Papal Election and the Roman People

The "reform committees" of 1549 and 1559 testify to a further truth about all conclaves since the thirteenth century: the cardinals under lock and key have never been the only actors to consider themselves stakeholders or even participants in the process. Catholic princes who exercised their vetos until 1904 were one such group of stakeholders, of course. But so too was the *popolo Romano*: the Roman people. Medieval Romans, like the populaces of other sees, saw any hiatus in episcopal power as a chance to settle scores, plunder goods, or reclaim contested authority: a mob ran riot after Adrian III's death in 885, Leo IX's in 1054, and Honorius III's in 1227.[54] In the fifteenth and sixteenth centuries, such behavior became quite ubiquitous, with the vacancies of 1484 and 1559 particularly infamous.[55] Much violence was vengeful and opportunistic but at least a part of it was also symbolic: looters who sacked the papal palace ritualistically destroyed the old regime's authority and those who desecrated the pope's corpse – something which notably happened to Innocent III in 1216 – lowered his person to human condition once again.[56] The cardinals' efforts to maintain or restore order were a notable feature of most fifteenth- to seventeenth-century vacancies and the College worked with the Capitoline magistrates and the Roman nobility to create a normative division of responsibilities.

The Roman nobility too, since the Middle Ages, played their part in the contest to maintain order, with several important families assuming military roles in support of the cardinals during the vacancy. The Savelli's role as Conclave Marshals is the best known of these but others included the Cesarini's position as Tribunes of the People, and the Mattei's as Guardians of

52 Stefano Infessura, *Diario della città di Roma*, ed. Oreste Tommasini (Rome, 1890), 281–82.

53 Pattenden, *Electing the Pope in Early Modern Italy*, 87.

54 Paravicini Bagliani, *The Pope's Body*, 99–107; Joëlle Rollo-Koster, *Raiding Saint Peter: Empty Sees, Violence, and the Initiation of the Great Western Schism (1378)* (Leiden, 2008), 107–65.

55 Hunt, *The Vacant See*, 132–73; Pattenden, *Electing the Pope in Early Modern Italy*, 104–6.

56 R. B. C. Huygens (ed.), *Lettres de Jacques de Vitry* (Leiden, 1960), 73.

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the Bridges and the Riverbank.[57] The Conservators on the Capitol also exercised authority, coordinating the *caporioni*, head of each of Rome's districts who were charged with keeping the peace within them, and issuing their own bans prohibiting this and that.[58] Only after 1623 did the cardinals push back against such overreach by the representatives of the Commune and insist that every decree had to be met with their approval prior to its publication. The dynamics at play within Rome were also replicated across the Papal States, with banditry in the countryside a particular and ongoing problem until the eighteenth century. Unsurprisingly, many – even cardinals – retained retinues for their own protection throughout this time. As late as 1730, Niccolò Coscia, Benedict XIII's secretary of state, was forced by those ranged against him to flee the city in disguise.[59]

Romans' engagement with papal elections has never been entirely limited to nihilism and destruction, however. Occasionally, they replicated the rituals of the conclave on the outside, usually as a form of satirical criticism. In 1535, students of Francesco Priscianese staged a parody of the election in his room shortly after his arrival in the city.[60] In 1559, a group of matrons from the district of Sant' Eustachio, concerned at the cardinals' delays, held their own ersatz "election" outside the Pantheon dressed in their wedding attire.[61] The mobs who moved about the city, or camped outside the Vatican, have often also hoped that their actions will influence the ongoing election's outcome – and they have rarely been shy about proclaiming candidates who enjoyed their favor. The cheers for Alessandro Farnese *seniore* in 1534, and for his grandson Alessandro Farnese *iuniore* in 1555 and 1585, were the result of the citizens' taste for local sons.[62] By contrast, in 1644, the boos accompanying Giulio Sacchetti, "for he will pillage Rome" show the menace that Romans were just as inclined to convey.[63] Indeed, the cardinals loyal to the Avignon pope in 1378 justified Urban VI's deposition on the grounds that they had only consented to him because they felt physically threatened by

57 Hunt, *The Vacant See*, 47–50.
58 Laurie Nussdorfer, "The Vacant See: Ritual and Protest in Early Modern Rome," *Sixteenth Century Journal* 18 (1987): 173–89; and Laurie Nussdorfer, *Civic Politics in the Rome of Urban VIII* (Princeton, NJ, 1992), 228–53.
59 Pastor, *History of the Popes*, 34:301–2.
60 Paolo Sachet, *Publishing for the Popes: The Roman Curia and the Use of Printing* (1527–1555) (Leiden, 2020), 92–93.
61 Pio Pecchiai, *Roma nel Cinquecento* (Bologna, 1948), 327–28.
62 "Vanus rumor de creatione Alexandri Cardinalis Farnesii in Papam" (1555), Biblioteca Apostolica Vaticana, Ottob. Lat. 2608, 341v; *Avviso di Roma*, April 23, 1585, Biblioteca Apostolica Vaticana, Urb. Lat. 1053, fos. 193r–v.
63 Giacinto Gigli, *Diario Romano (1608–1670)*, ed. Giuseppe Ricciotti (Rome, 1958), 257.

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the tumultuous clamor from outside to elect an Italian. Only since the twentieth century has this aspect to the conclave's popular politics conspicuously declined. However, arguably, it could be said not to have declined at all but rather to have exploded on a global scale. Nationalist, or regionalist, fervor for the election of an African, American, or Latin American pope fills plenty of earnest op-eds these days. Such literature joins a long and distinguished tradition of commentary – and political lobbying – which has accompanied most conclaves of the past five hundred years.

Some of the most interesting literature about papal elections has come in the form of poems – witty or vulgar – pinned up on the so-called "talking statue" of Pasquino, still in situ outside Palazzo Braschi.[64] The earliest conclave for which such texts appear is probably that of 1513, but they survive in significant quantities for most conclaves from 1521 onwards.[65] That conclave saw the production of one satire that compared the cardinals in conclave to the animals on Noah's Ark. The 1549–50 and 1559 conclaves generated unusually rich bodies of material, including a series of dialogues between Pasquino and Marforio, another talking statue.[66] Poems generated by later sixteenth-century conclaves are not so well known and few appear in print, but we know that they existed because in 1590 after the election of Gregory XIV several printers and copyists were arrested and pleaded guilty to having sold them, "having no other means to earn a living in these times."[67] Longer works – serious or whimsical – also appeared from time to time. In 1774, a play entitled "the Conclave" offended the "dignity," "decorum," and "venerable representation"

64 Massimo Firpo, "Pasquinate romane del Cinquecento," *Rivista storica italiana* 96 (1984): 600–21. A number of collections of "conclave pasquinades" have been published, including Gregorio Leti, *Il Vaticano languente. Dopo la morte di Clemente X. Con i rimedij preparati da Pasquino, e Marforio per guarirlo*, 3 vols. (1677); and Fabio Gori, "Papa Paolo IV ed i Carafa suoi nepoti giudicati con nuovi documenti," *Archivio Storico, Artistico, Archaeologico e Letterario della Città e Provincia di Roma* 1 (1875): 23–30, 193–256; 2 (1877): 47–63, 107–206, 257–65, 302–21.

65 Valerio Marucci, Antonio Marzo, and Angelo Romano (eds.), *Pasquinate romane del Cinquecento*, 2 vols. (Rome, 1983), 1:172–74 (n. 190), 2:757–64 (n. 644, the "Ark" poem) and 950–51 (n. 746).

66 Vittorio Cian, "Gioviana di Paolo Giovio poeta, fra poeti, e di alcune rime sconosciute del sec. XVI," *Giornale storico della letteratura italiana* 17 (1891): 338–42; Fabio Gori, "Papa Paolo IV ed i Carafa suoi nepoti giudicati con nuovi documenti," *Archivio Storico, Artistico, Archeologico e Letterario della Città e provincia di Roma*, vol. 1 (1875) and vol. 2 (1877), 2:170–206; Gladys Dickenson, *Du Bellay in Rome* (Leiden, 1960), 164–207; Ottavia Niccoli, *Rinascimento Anticlericale: Infamia propaganda e satira in Italia tra Quattro e Cinquecento* (Rome, 2005), 128–36. Biblioteca Apostolica Vaticana, Ottobon. Lat. 2811, Palat. Lat. 1913, Urb. Lat. 1206, and British Library, Royal 14.A.11 also contains many pasquinades from all the conclaves of the 1550s.

67 *Avviso di Roma*, December 15, 1590, Biblioteca Apostolica Vaticana, Urb. Lat. 1058, fo. 648r.

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of the Sacred College, according to an injunction published by the Governor of Rome.[68] In 1667, a still more biting satire adopted a conceit that the conclave was a whorehouse and the cardinals prostitutes fighting over who should become the madam. It ran to seven editions in several European languages.[69]

Growing demand for information about what was going on inside the Vatican has also stimulated the production of newssheets in Rome and beyond. Most ambassadors in Rome from the late fifteenth century until the nineteenth had conduits into the conclave – often agents embedded among the cardinals' servants – and their reports leaked to private newsmongers. Substantial betting markets already existed for conclaves by the sixteenth century.[70] Indeed, only the bull *Cogit nos* (1591) prohibited them after (it is said) Gregory XIV grew distressed at the prevalence of wagers about the timing of his own death. Yet such betting is not likely to have disappeared entirely. In 1878 – the first election after Italian Unification – the *New York Times* reported that "the deaths and advents of the Popes has always given rise to an excessive amount of gambling in the lottery, and today the people of Italy are in a state of excitement that is indescribable."[71] Prophesies "about the next pope," whether in conjunction with the markets or not, often circulate at election time: those of St. Malachy, which first appeared in the 1590s, are perhaps the most famous.[72] The crowd has also long since lapped up souvenir pamphlets – some official, some commercial – about the papal funeral or the cardinals' entry to the conclave. The arrival of newspapers in the nineteenth century, and of television in the twentieth, has made this "news culture" for public consumption still more voluminous. By 2005 and 2013, all major television news networks from across the globe had production teams offering live coverage of events and millions of people poured into Rome, each eager to be the first to glimpse the new pontiff when he stepped forward onto the balcony of St. Peter's.

Renunciation

In contrast to the many instances of papal election, papal renunciations have always been rare. Until the twenty-first century, only two cases can be cited

68 Bando, November 19, 1774; Simancas, Estado 5076. Pastor writes at length about this drama: *History of the Popes*, 39:10.

69 Gregorio Leti, *Il puttanismo romano o vero conclaue generale delle puttane della corte, per l'elettione del nuovo Pontefice* (Cologne, 1668).

70 John M. Hunt, "Betting on the Papal Election in Sixteenth-Century Rome," *Center for Gaming Research*, Occasional Paper Series: Paper 32 (2015): 1–10.

71 *New York Times*, March 2, 1878, 2.

72 Pastor, *History of the Popes*, 22:349.

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as absolutely definitive: Celestine V (1294) and Gregory XII (1415).[73] Benedict IX may have renounced the papacy three times, in 1044, 1045, and 1048, with Sylvester III and Gregory VI also renouncing in 1045 and 1046 between Benedict's various terms. However, these renunciations could also be viewed as really having been depositions. A few other cases have also been postulated: Clement I (r. 88–97), Pontian (r. 230–35), Cyriacus (r. 235?), Marcellinus (r. 296–304), Liberius (r. 352–66), Martin I (r. 649–55), Benedict V (r. 964), and John XVIII (r. 1003–9).[74] The "antipope" Felix V (r. 1439–49) could be added to the list – and he is, in any case, worth noting as the only former "pope" to return to serve his successor in the College of Cardinals since its instigation in the eleventh century until modern times. But most cases of renunciation relate to the era before Gregorian Reform, and this is no coincidence: this was a time when constitutional arguments about the papacy – and, specifically, the nature of the pope's covenant with God – were not yet fully developed. Many first-millennium Christians, and even the high medieval canonists, accepted the idea that the pope could err and that his removal – by himself or others – could therefore be justified.[75] Indeed, two first-millennium popes were famously repudiated post mortem: Honorius I (r. 625–38) was anathematized for his heresies by the Third Council of Constantinople in 680;[76] and Formosus (r. 891–96) was exhumed for trial by Stephen VI in the Cadaver Synod of 897.[77] Papal depositions or renunciations were thus simply part of a broader spectrum of actions governing the exercise of ecclesiastical office at this time – a spectrum which could include still more drastic (and lethal) measures.

The question of how a pope might relinquish office nevertheless interested late medieval canonists, in spite of its apparently theoretical nature. Many canonists thought it highly problematic because popes who renounced their office could also be seen as repudiating God's decision to choose them. Had

73 See the essays in Amadeo Feniello and Mario Prignano (eds.), *Papa, non più papa: La rinuncia pontificia nella storia e nel diritto canonico* (Rome, 2023), which explore this topic.

74 Patrick Granfield, "Papal Resignation," *The Jurist* 38 (1978): 118–31; Olivier Guyotjeannin, "Papal Resignation," in *The Papacy: An Encyclopedia*, ed. Philippe Levillain, 3 vols. (London, 2002), 3:1305. See also J. R. Eastman, *Papal Abdication in Later Medieval Thought* (Lewiston, NY, 1996).

75 Brian Tierney, *The Origins of Papal Infallibility, 1150–1350* (Leiden, 1972), esp. 49–52.

76 Georg Kreuzer, *Die Honoriusfrage im Mittelalter und in der Neuzeit* (Stuttgart, 1975).

77 On the context of this dispute, see Conrad Leyser, "Episcopal Office in the Italy of Liudprand of Cremona, *c.*890–*c.*970," *English Historical Review* 125 (2010): 795–817; and Annette Grabowsky, "Streit um Formosus. Edition und Analyse der Streitschriften des Auxilius und des *Eugenius Vulgarius*," Ph.D. dissertation, University of Tübingen, 2012.

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God erred? And by what authority could a mere pope claim the right to set aside God's judgment? "Let every man abide in the same calling wherein he was called," wrote Paul in 1 Corinthians (7:20). The two papal renunciations of the later Middle Ages illustrated difficulties of agreeing a protocol for such actions, let alone reaching consensus about their basic legitimacy. Celestine V, unexpectedly elected by the deadlocked conclave of 1294, decided that he could not discharge the duties of his office effectively and decreed first that he had a right to resign and then that he had resigned. Opponents of Celestine's successor Boniface VIII objected almost immediately that his election was uncanonical. A pope could hardly use his plenitude of power to resign, as Celestine had done, because the plenitude itself depended on the indissolubility of his bond of office (his marriage to the Church was the metaphor used). Boniface himself penned an alternative opinion in the *Liber sextus*: "Celestine V, Our predecessor, while still presiding over the government of the aforesaid Church, wishing to cut off all the matter for hesitation on the subject, having deliberated with his brethren, the Cardinal of the Roman Church, of whom We were one, with the concordant counsel and assent of Us and of them all, by Apostolic authority established and decreed, that the Roman Pontiff may freely resign."[78] Yet Boniface's view, if canonical, remained contested: he had played simply too large a role in arranging Celestine's renunciation to present himself plausibly as a disinterested party. Celestine probably hoped to return to his former life as a contemplative, but in fact died as Boniface's prisoner, a nail driven through his skull. The mere existence of a living former pope was too great a threat to Boniface or his supporters to be permitted.

Martin V, elected in 1417 after the Council of Constance resolved the Western Schism, avoided a similar problem of what to do with an ex-pope only because his "canonical" Roman predecessor had died a few weeks before his own election. Nevertheless, Gregory XII's renunciation, announced to the Council by Carlo Malatesta on July 4, 1415, was not without incident and revived the older arguments.[79] Those who thought that the pope could resign (or be deposed) cited the earlier precedents that he could be found guilty of heresy, but those who thought he could not pointed to new doctrines about the pope's infallibility. Just as the pope could not err, he could not recuse himself. The issue further intersected with the debate between papalism and conciliarism. If there was an authority empowered to accept the

78 Boniface VIII, *Liber sextus*, I.vii.1, in *Corpus Iuris Canonici*, ed. Emil Freidberg, 2 vols. (Graz, 1959), 2:971.

79 Pastor, *History of the Popes*, 1:200.

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pope's resignation did that not also imply that he had a superior? Observing that bishops could resign, and that what was allowed to an inferior was also allowed to a superior, did not overcome this argument because it still implied that the pope's covenant with God was not quite unique. No pope resigned during the period of the pope's temporal monarchy (*c.*1420–1870) and practical political considerations probably explain why not: the pope's family, so integral to his government, was too vulnerable after his death for any pope to countenance retiring prematurely. Nevertheless, the difficulty of resolving the canonists' theoretical concerns may also explain why debate about renunciation remained limited at this time. The eighteenth-century canonist Lucius Ferraris did entertain a question of how the College of Cardinals should proceed in an election which had been triggered by a papal renunciation: could they ever be sure that the pope had indeed successfully renounced his office, he asked? But post-Tridentine canonists often asked questions which they knew to be of a purely theoretical nature. Only the admission in the 1917 Code of Canon Law that the pope can indeed resign – reaffirmed in the 1983 code – really brought home this point.[80] And yet Paul VI (r. 1963–78) is nevertheless credited to have remarked towards the end of his pontificate that kings can abdicate but popes cannot – the pope himself thus did not agree with what the law said.

The prospect that a pope might resign has continued to be anticipated in papal legislation since 1983 – *Universi Dominici gregis*, for instance, states specifically that the procedures it sets out apply "even if the vacancy of the Apostolic See should occur as a result of the resignation of the Supreme Pontiff." Benedict XVI's decision to resign, announced in consistory on February 11, 2013, nevertheless came as a surprise to many – some even said that the cardinals present did not know enough Latin to understand what was happening. It also provoked much speculation: was it for health reasons, as the pope himself claimed, or because of something altogether more nefarious? Benedict's resignation was scheduled for February 28 and that day's events might be said to have constituted the papacy's first authentic ritual of renunciation: the pope bade farewell to the full College of Cardinals in consistory that morning; that afternoon he boarded a helicopter which carried him up and out over Rome. Images of this final flight to Castel Gandolfo into the sunset – a neo-Assumption? – were certainly striking and led global news

80 Canon 221 of the 1917 code, and canon 332 of the 1983 code, make clear that the pope can resign unilaterally. Edward N. Peters, *The 1917 Pio-Benedictine Code of Canon Law* (San Francisco, 2001), 94. www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib2-cann330-367_en.html.

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bulletins. But Benedict's renunciation has not yet established a wider significance at the time of writing. Benedict returned to the Vatican on May 2, 2013, to move into a permanent retirement home, the Mater Ecclesiae monastery inside the Gardens; he has subsequently carved out a role for himself as pope emeritus. Yet the nature of Benedict's new role has scarcely been bedded into the Church's constitution: he made few public appearances and offered only limited commentary on Church affairs – or his successor's actions. Future *papi emeriti* may take a different approach – if there are indeed to be further *papi emeriti*. Much may depend on Francis in this respect: he turned eighty-five (the age at which Benedict XVI renounced) in December 2021 and has hinted that he may also take on "emeritus" in the future.[81] If so, his successors will surely all feel pressure to follow suit. The rise of the pope emeritus as a figure raises its own quandaries: what rights does he have? And how should he react with respect to his successor's decisions? The papacy itself is therefore once again at something of a constitutional crossroads at present, and it is unclear how this will be resolved.

81 www.theguardian.com/world/2021/feb/28/pope-francis-expects-to-remain-pontiff-until-his-death.

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