



*The Limits of Diplomatic Ritual:  
The Polish Embassy of Giovanni  
Francesco Commendone (1572–1573)  
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Early Modern Europe,*

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## The Limits of Diplomatic Ritual: The Polish Embassy of Giovanni Francesco Commendone (1572-1573) and Criticism of Papal Legates in Early Modern Europe

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**Abstract:** Because papal ‘possession’ of authority in much of early modern Europe was often only achieved indirectly, through diplomatic representatives and the rituals surrounding them, many Europeans’ experience of the papacy revolved around the presence of papal diplomats abroad. This essay suggests that by investigating the rituals involved in the creation and reception of papal legates *a latere*, one can understand debates over papal involvement in secular politics. This essay examines the almost uniformly negative reactions to the embassy of Cardinal Giovanni Francesco Commendone (1524-1584) during the Polish interregnum of 1572-1573. It argues that criticism of Commendone’s actions in the royal election – and challenges to the rituals involved in his arrival – reveal a larger disjuncture in early modern political theory. While secular rulers believed they should be able to rule their states autonomously for respective reasons of state, the papacy and its representatives maintained that the pope had both the right and the duty to intervene in temporal affairs when necessary. Thus, criticism of papal legates suggests a broader critique of papal authority: namely, that the Roman pontiff should not be able to interfere in political affairs, even through representatives.

**Keywords:** Diplomatic History, Early Modern Papacy, Legates, Papal Diplomacy

**P**leased at his own joke, the Holy Roman Emperor laughed. The papal nuncio, Giovanni Delfino, struggled to ignore Maximilian II’s laughter and continue speaking with the emperor. In the aftermath of Henry of Valois’ abrupt flight from Poland-Lithuania in 1574, the commonwealth’s nobility would be gathering to elect his successor, and, as Delfino explained, the pope had promised to support the Habsburg candidate, Archduke Ernest of Austria, in the coming election. Maximilian found this so amusing because similar circumstances had occurred two years earlier, when the pope had also promised to support Archduke Ernest in the interregnum following King Sigismund II Augustus’ death. Despite such promises, however, Maximilian claimed that the papal legate in Poland-Lithuania, Cardinal Giovanni Francesco Commendone, had never supported Ernest and in May 1573 had instead worked toward the eventual election of Henry.

Now, in the summer of 1574, when Delfino promised the pope would again support Ernest, the emperor – “laughing” – remarked that “it would be necessary to send Cardinal Commendone to Poland again.” Unamused, Delfino maintained that no one had considered sending the cardinal to oversee the coming election. Unfazed and perhaps still chuckling, the emperor suggested that if Commendone was not traveling to Poland, “at least his secretary”

could make the trip.<sup>1</sup>

This essay takes the emperor's ridicule as its starting point to examine two interrelated phenomena. First, it investigates what circumstances occurred so that a legate *a latere*, the highest-ranking papal diplomat, could come to be openly mocked by the Holy Roman Emperor. In particular, it asks how the elaborate ceremonial formulae used to create new legates were supposed to function and how legatine powers should have been recognized in foreign courts. Although the legate did not claim explicit possession of cities he visited through ceremonial processions, he did walk the papal *possesso* route in Rome to demonstrate the papal authority vested in him, and he was to be received as an ambassador according to a fixed set of rituals that were shared across much of early modern Europe. The first two sections of this essay therefore suggest that Commendone's legation to Poland in 1572-1573 was marked by a number of irregularities in ritual practice and by the open challenging of the legate's authority, both of which served to undermine how he should have been received and perceived.

What was specifically at issue, however, was Commendone's role in the election of the next Polish king. The emperor's bitter remarks can be seen as the response of a sovereign who had lost out in political negotiations due to the fickle support of a perceived ally, but they also reflect a more common trope in sixteenth-century Europe – namely, the fear and frustration of secular rulers that the papacy regularly interfered with temporal politics without just cause. Nor was Maximilian alone: across Europe, from Paris to Warsaw, monarchs and nobles were displeased with Commendone's conduct and questioned his actions during the Polish interregnum. Thus, the latter half of this essay argues that the tensions apparent in the ceremonial reception of Commendone in Poland reveal two competing visions of political life in early modern Europe: one in which secular rulers were free to govern their states autonomously, and another (upheld by the pope and his representatives) in which the papacy had both the right and the responsibility to advise, counsel, and if necessary instruct secular rulers how to act. This disjuncture can be seen most clearly through the careers of papal legates *a latere*, who, while acting in accordance with the second vision of political life listed above, were in fact present at royal courts that operated according to the first. As Kriston R. Rennie has argued, the study of papal legation “is nothing less than a study on power. Or, to be more precise, it relates to the transference and nature of power from Rome (center) to the distant Christian provinces (periphery).”<sup>2</sup> If the beginning of a legation was marked by rituals which created a link between

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**Abbreviations used:**

ANG XII = *Correspondance du nonce en France: Antonio Maria Salviati (1572-1578). Tome I: 1572-1574*, ed. P.

Hurtubise, *Acta Nuntiaturae Gallicae XII* (Rome, 1975)

ASV, Segr. Stato = Archivio Segreto Vaticano, Segreteria di Stato (Vatican City)

BAV = Biblioteca Apostolica Vaticana (Vatican City)

NBD III/7 = *Nuntiaturberichte aus Deutschland, nebst ergänzenden Aktenstücken. Abteilung III/7: Nuntiatur Giovanni Delfino (1573-1574)*, ed. A. Bues (Tübingen, 1990)

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<sup>1</sup> “Con molta attenzione et satisfatione la maestà de l'imperatore udì le offerte da me nel negotio di Polonia in nome di N.S. [...] poi, ridendo, disse che bisognarebbe rimandare in Polonia il cardinale Commendone, et affermandole io che di ciò non vi era un pensiero al mondo, soggiunse, almeno il suo segretario...” Giovanni Delfino to Tolomeo Gallio, Vienna, 17 July 1574: NBD III/7, 557.

<sup>2</sup> K. R. Rennie, *The Foundations of Medieval Papal Legation* (New York, 2013), 2. This echoes what John W. Perrin argued earlier, that “the investigation of legation is in fact an investigation into the nature of power, the transfer of

the *legatus a latere* and pontiff, the legate's subsequent ability to travel abroad, arrive at other courts, and engage in political negotiations meant that the pope, too, did these things. Through the figure of the legate, early modern popes (like their medieval predecessors) were able to intervene in political affairs in other courts, presuming a kind of authority over and above secular rulers. This was not lost on contemporaries, who came to resent such interference.

Legates such as Commendone therefore occupied a middle ground in which the papacy's authority, which had been exported to other parts of the Christian world in the form of diplomatic representatives, could potentially be challenged and contested. This focus on criticism stands in contrast to existing scholarship on legates, the bulk of which focuses on the Middle Ages (particularly the twelfth and thirteenth centuries) and on what we might call the "positive" nature of legatine representation – the methods by which the pope was made present in the legate *a latere*. While attacks on the figure of the pope (whether in speech, print, or image) during the Reformation have long attracted scholars' attention, much less attention has been paid to attacks on papal representatives, including papal legates.<sup>3</sup> It is true that legates were dispatched less frequently in the sixteenth and seventeenth centuries than in the Middle Ages, with legates being supplanted by the figure of the apostolic nuncio in courts across Europe, but the *ad hoc* dispatch of a legate *a latere* still signaled an especially important moment in papal diplomacy, one that required a representative of the pope himself. In fact, we should not see the arrival of the nuncio as diminishing the powers of the legate. Rather, as Paolo Prodi has suggested, the nuncio became the more widespread papal representative precisely because he was "more harmless and less feared."<sup>4</sup> This 'negative' aspect of papal representation deserves further attention, since it reveals not only how early modern Europeans conceived of the papacy, but also the contradictory claims made by secular and ecclesiastical authorities during the Reformation.

#### *Legates and Making the Pope 'Present'*

In a classic definition, Hanna Pitkin described representation as "the making present *in some sense* of something which is nevertheless not present literally or in fact."<sup>5</sup> Although much of the recent scholarship on theories of representation in early modern political history focuses on political assemblies – the diets, estates, and parliaments that collectively embodied the body politic – diplomats also "represented" their respective states in different ways. The figure of the

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power to another, and the legal limitation placed on the delegator and on the delegate. It touches on the question of who holds power, how it is held, and what it can do." J. W. Perrin, "Legatus, the Lawyers and the Terminology of Power in Roman Law", *Studia Gratiana*, vol. 11 (1967), 461-490 (464).

<sup>3</sup> For example, J. Britnell, *Le roi très chrétien contre le pape: écrits antipapaux en français sous le règne de Louis XII* (Paris, 2011); L. P. Buck, *The Roman Monster: An Icon of the Papal Antichrist in Reformation Polemics* (Kirksville, MO, 2014); C. Hill, *Antichrist in Seventeenth Century England* (London, 1990); D. M. Whitford, "The Papal Antichrist: Martin Luther and the Underappreciated Influence of Lorenzo Valla", *Renaissance Quarterly*, vol. 61 (2008), 26-52. For visual evidence in particular, see R. W. Scribner, *For the Sake of Simple Folk: Popular Propaganda for the German Reformation* (Oxford, 1994).

<sup>4</sup> P. Prodi, *Il sovrano pontefice: un corpo e due anime: la monarchia papale nella prima età moderna* (Bologna, 1982), 308-309. There was some slippage in terminology early on, with the same individual being called both *legatus* and *nuntius*, or *nuntius cum potestate legati a latere*. P. Blet, *Histoire de la représentation diplomatique du Saint Siège, des origines à l'aube du XIXe siècle* (Vatican City, 1982), 184-185. In general, however, by the late sixteenth century these two categories of papal ambassadors were easily distinguishable.

<sup>5</sup> H. F. Pitkin, *The Concept of Representation* (Berkeley, 1967), 8-9.

papal legate represented his principal, the pope, in a much more personal manner.<sup>6</sup>

The title *legatus* was used broadly in the classical period to refer to someone who was sent on behalf of another, and it was derived from the verb *legare*, to send with a commission. Initially a variety of terms were used to describe ambassadors and messengers of this kind, including *legatus*, *nuntius*, *missus*, *orator*, and *ambaxator*. Nevertheless, from approximately the eleventh century onward, *legatus* was exclusively employed to describe ambassadors of the Holy See.<sup>7</sup> There was also a complicated mix of diplomatic titles in use for papal representatives. Early popes had maintained an *apocrisiarius* at the Byzantine court, and apostolic vicars were sent to represent the bishop of Rome abroad. The legate was one papal representative among many, and over the years there were different classes of legates that had emerged: the *legati nati*, tied to a specific see (such as Canterbury or Arles); *legati missi*, who were “sent” for some purpose; and finally the *legati a latere*, sent “from the side.”<sup>8</sup>

Identifiable as early as the fourth century, during the Middle Ages legates *a latere* became the most powerful type of papal representative.<sup>9</sup> As his title suggests, the authority of the legate *a latere* (sometimes more emphatically called a legate *de latere*) derived directly from the Roman pontiff.<sup>10</sup> It is no surprise, then, that as the papacy’s power grew during the twelfth and thirteenth centuries, so did the powers accorded to his representatives. Gregory VII especially championed the figure of the legate, declaring (in his *Dictatus papae*, 1075) that they outranked all bishops. The legate *a latere* shared in the papal *plenitudo potestatis* and enjoyed broad ecclesiastical powers, limited in only a few areas (legates could not combine sees, for instance), to the extent that the jurist William Durandi suggested that because they represented the vicar of the apostles, legates were themselves vicars of the apostles.<sup>11</sup>

Perhaps most revealing is the imagery and language used to describe the legates *a latere*, much of which employed corporeal metaphors in reference to the pope’s body. Although by their very title legates *a latere* were held to come from the pope’s “side”, several pontiffs elaborated on this theme. Paschal II called a legate his own “arm” and “eye”, while Gregory VII asserted that a person who saw a legate’s face and heard a legate’s voice saw and heard the pope himself.<sup>12</sup> Moreover, the close relationship between legate and pope was reinforced by the fact that from the twelfth century onward all legates were cardinals. Decretalists described the Sacred College of Cardinals, like *legati a latere*, as “part of the pope’s body” (*pars corporis papae*), and Innocent III similarly referred to cardinals as members of the pope’s body (*membra corporis nostri*), just as legates, in accordance with the same corporeal imagery, were called members of the

<sup>6</sup> *Realities of Representation: State Building in Early Modern Europe and European America*, ed. M. Jansson (New York, 2007).

<sup>7</sup> Rennie, *The Foundations of Medieval Papal Legation*, 64; G. Mattingly, *Renaissance Diplomacy* (Boston, 1955), 29; D. E. Queller, *The Office of Ambassador in the Middle Ages* (Princeton, NJ, 1967), 5.

<sup>8</sup> Rennie also notes the generic term *legatus ad causam*: idem, 65-66. See also R. Schmutz, “Medieval Papal Representatives: Legates, Nuncios, and Judges-Delegate”, *Studia Gratiana*, vol. 15 (1972), 441-463; C. I. Kyer, “*Legatus* and *Nuntius* as Used to Denote Papal Envoys: 1245-1378”, *Mediaeval Studies*, vol. 40 (1978), 473-477; R. C. Figueira, “The Classification of Medieval Papal Legates in the ‘Liber Extra’”, *Archivum Historiae Pontificiae*, vol. 21 (1983), 211-228.

<sup>9</sup> F. Wasner, “Fifteenth-Century Texts on the Ceremonial of the Papal ‘Legatus a latere’”, *Traditio*, vol. 14 (1958), 296.

<sup>10</sup> C. M. Richardson, *Reclaiming Rome: Cardinals in the Fifteenth Century* (Leiden, 2009), 98.

<sup>11</sup> B. R. Beattie, *Angelus Pacis: The Legation of Cardinal Giovanni Gaetano Orsini, 1326-1334* (Leiden, 2007), 71.

<sup>12</sup> Schmutz, “Medieval Papal Representatives”, 455; and Wasner, “Fifteenth-Century Texts”, 300, respectively.

church.<sup>13</sup>

These juridical and rhetorical claims to papal power were enacted through ritual, which left no doubt as to the legate's exalted status. Every ceremonial aspect of the legate's embassy was scripted from the moment he was "created" legate in consistory to when he returned to Rome, and all legatine rituals were based on papal rituals, often involving a physical connection between pope and legate. Because by the sixteenth century nearly all legates were cardinals, if the person named a legate *a latere* was not already a cardinal, he was immediately elevated to that rank and received a red *galero* according to custom. He also received a silver cross, which he would carry throughout his legation. Significantly, the both the *galero* and cross would be handed directly from pope to cardinal, symbolizing the transfer of power from one to the other.<sup>14</sup> New legates would also receive instructions and *facultates*, the list of spiritual and juridical powers granted for their embassy, along with letters of credence to be presented upon their arrival.<sup>15</sup> These documents emanated from the papal chancery, and thus, like their red hat and cross, represented a tangible link to the pope.

A legatine mission required much preparation, and it would not be unusual for a week or more to pass between a cardinal being named legate and his actual departure. If early modern authors recommended that cardinals maintain sizeable households in accordance with their status, such magnificence was also expected to appear in the mobile form of the cardinal's entourage.<sup>16</sup> An auditor and secretary always accompanied a legate to assist him in his duties, as well as cooks, stewards, valets, and all the personnel typical of a nobleman's household. The size of a legate's entourage surpassed that of other papal diplomats, totaling fifty persons or more in the late sixteenth century.<sup>17</sup> Then there were the supplies to be gathered. A *Tractatus de legato* written by a papal master of ceremonies in the second half of the sixteenth century includes an extensive list of items that should be procured for an embassy: crosses for the altar, candelabras, and the necessary vestments, a list that did not include the food and drink to be purchased.<sup>18</sup>

Once everything had been prepared, the cardinal-legate, accompanied by other members of the Sacred College, would travel along the traditional papal *possesso* route through Rome, which began at the Vatican, crossed the Tiber, and wound its way to the Lateran. If the papal *possesso* were the ritual enactment of the pope taking control of Rome after his election, the legatine *possesso* consciously echoed this ceremony with the legate assuming the pope's place and, thus, his authority. The "unchallenged display of pomp and splendor" that was the papal *possesso* now

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<sup>13</sup> A. Paravicini-Bagliani, *The Pope's Body*, trans. D. S. Peterson (Chicago, 2000), 63, 94; Beattie, *Angelus Pacis*, 69, 71; J. A. Watt, "The Constitutional Law of the College of Cardinals: Hostiensis to Joannes Andreae", *Mediaeval Studies*, vol. 33 (1971), 127-157 (129). On the juridical position of the cardinalate in the late sixteenth century, see M. T. Fattori, *Clemente VIII e il Sacro Collegio (1592-1605)* (Stuttgart, 2004), 263-300.

<sup>14</sup> B. Barbiche and S. de Dainville-Barbiche, "Les légats *a latere* à l'époque moderne et le personnel des légations", reprinted in their *Bulla, Legatus, Nuntius: Études de diplomatie et de diplomatie pontificales (XIIIe-XVIIe siècle)* (Paris, 2007), 213-223 (214-215). As examples of the cross and cap, see ASV, Segr. Stato, Principi 151, fol. 70v; Archivio di Stato di Firenze, Mediceo del Principato 3291, fols. 270r, 272r. On the *galero's* significance for legates, Richardson, *Reclaiming Rome*, 134.

<sup>15</sup> On *facultates*, B. Barbiche and S. de Dainville-Barbiche, "Les légats *a latere* en France et leurs facultés aux XVIe et XVIIe siècles", *Archivum Historiae Pontificiae*, vol. 23 (1985), 93-165.

<sup>16</sup> On cardinals' wealth and the corresponding size of their households in the fifteenth and sixteenth centuries, M. Firpo, "The Cardinal", in *Renaissance Characters*, ed. E. Garin, trans. L. G. Cochrane (Chicago, 1991), 60-64.

<sup>17</sup> B. Barbiche and S. de Dainville-Barbiche, "Les légats *a latere* et le personnel des légations", 219-220.

<sup>18</sup> BAV, Vat. Lat. 12285, fols. 4r-12r. Compare the description of Cardinal Ippolito d'Este's entourage preparing to depart Rome in M. Hollingsworth, *The Cardinal's Hat: Money, Ambition and Housekeeping in a Renaissance Court* (London, 2004), 251-254.

revolved around the figure of the cardinal-legate.<sup>19</sup> Put differently, while all of the rituals surrounding the creation of a legate were clearly rites of investiture into that role – the red hat, silver cross, and *possesso* marked his new identity – they not only served to constitute the authority of the new legate; they also invoked papal authority at each stage in order to legitimize the power of the legate.<sup>20</sup> The *galero* and cross were handed from pope to legate, and the legate took the pope's place in the *possesso*, typically a papal ceremony. However, even though every effort was made to ensure the legate embodied papal authority, there would be no overlap between pope and legate for audiences – the pope neither attended nor participated in the legatine *possesso*, and lest there be any confusion in about who was in “possession” of Rome, upon completing the procession the cardinal-legate was led to the city gates, where he and his entourage departed.

Upon his arrival at a foreign city, it was customary for a legate *a latere* – like other diplomats – to be solemnly received by civic officials and welcomed into the city according to various local customs.<sup>21</sup> Legates were then led to audiences with the local ruler, often exchanging gifts (when Commendone traveled to Portugal as a young man, for example, King John III gave him a red cross, the sign of the Order of Christ) and presenting their letters of credence.<sup>22</sup> The legate was expected to announce the pope's goodwill toward the local sovereign and to read aloud any papal briefs that he had been given. When Commendone traveled to the Imperial court in 1561, his secretary recorded that the legate “was received by this Prince in a very obliging manner, and after having read the letters which the Pope wrote him [the emperor] in his own hand, [Commendone] explained with much grace and eloquence His Holiness' intentions”.<sup>23</sup> When sent as nuncio to Poland in 1566, Commendone received similar treatment. The Polish king dispatched a palatine and the bishop of Chełm along with a large group of other men to meet Commendone three leagues outside Warsaw and to accompany him to the city “with all the show of respect and friendship that one could wish”.<sup>24</sup>

There was, of course, no equivalent of the *possesso* route for a legate to walk in a city outside the Papal States, but these ceremonial entrances and subsequent audiences ensured his place within the local community. As Edward Muir has suggested, in diplomatic entries such as these “the person entering the city was treated with honor but as a formal equal, with no claims to govern the place visited”.<sup>25</sup> The involvement of civic officials in such entrances underlined the secular arm's choice to receive and welcome a foreigner into the civic community, even a spiritual representative like a legate. Yet here lay the seeds for conflict. Although a legate *a latere* was on one hand a diplomat like many others across Europe, he was also a representative of the vicar of Christ. The legate's dress and actions while abroad constantly reminded audiences of his close relationship to the pontiff. He used the papal forms (*fiat*, *fiat ut petitur*) when signing documents, he performed tasks usually reserved for the pope, including conferring benefices

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<sup>19</sup> M. Snickare, “Performing Papal Authority: Procession as a Commonplace in Seventeenth Century Rome”, in *Commonplace Culture in Western Europe in the Early Modern Period*, vol. II: *Consolidation of God-Given Power*, eds. K. Banks and P. G. Bossier (Leuven, 2011), 143-158 (146).

<sup>20</sup> J. M. DeSilva, “Ritual Negotiations: Paris de' Grassi and the Office of Ceremonies under Popes Julius II & Leo X (1504-1521)” (Toronto Ph.D. thesis, 2007), 32-33; citing D. I. Kertzer, *Ritual, Politics and Power* (New Haven, CT, 1988), 24-25.

<sup>21</sup> The rituals and ceremonies could also vary according to the rank of the person received: for the Venetian case, see E. Muir, *Civic Ritual in Renaissance Venice* (Princeton, NJ, 1981), 232-235.

<sup>22</sup> Mattingly, *Renaissance Diplomacy*, 37-39.

<sup>23</sup> A. M. Gratiani, *La vie du Cardinal Jean François Commendon: divisée en IV livres*, trans. E. Fléchier (Paris, 1671), 93.

<sup>24</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 134.

<sup>25</sup> E. Muir, *Ritual in Early Modern Europe*, 2<sup>nd</sup> edn. (Cambridge, 2005), 262-265, quote at 262.

and absolving those excommunicated for assaulting clerics, and he alone could wear the red and white colors usually reserved for the pope.<sup>26</sup> Unlike other diplomats, the legate's spiritual role was almost always acknowledged. He was allowed to celebrate mass in local churches, dispense alms, and exercise the spiritual *facultates* requested. More than possession, such rituals point to the legate's incorporation into local society: if not as a ruler, then at least as a spiritual authority to be recognized.

*Giovanni Francesco Commendone and the Polish Interregnum of 1572-1573*

Masters of ceremonies and the parties involved sought to ensure such a detailed ritual script was followed to the letter, but in some cases – whether intentionally or not – it became impossible. The 1571-1573 legation of Giovanni Francesco Commendone is one such instance, and deviations from the script outlined above reveal profound differences in attitude regarding papal legates and their place in early modern politics. When Pope Pius V Ghislieri named Commendone legate *a latere* in 1571, his mission was to organize a league against the Ottoman Turks. Because Spain and Venice had already agreed to this project, Commendone was to visit the imperial court in Vienna to speak with the emperor before traveling to Poland-Lithuania. Commendone was already an experienced diplomat at that point, having traveled north of the Alps multiple times in service of the papacy, including as a legate to the Diet of Augsburg in 1566.<sup>27</sup>

One can immediately note the irregularities with the 'standard' procedure for creating and sending legates abroad in Commendone's case. First, because he had already been created cardinal in 1565, there was no need for him to receive a *galero* at the outset of this legation. More significant was the fact that Commendone was not in Rome when he was named legate *a latere*. He preferred to summer in Verona, far from the Roman heat, and as a result Commendone would not be able to participate in the rituals that typically marked the beginning of a legation: he did not receive a red hat or silver cross directly from the hands of Pius V, nor would he make the *posse* procession. This was not unheard of for papal diplomats, who were often absent from Rome: in such cases someone would be dispatched to carry the *galero* or cross to the legate wherever they were. Commendone had once carried Antonio Trivulzio's red hat to him for this reason, and when Commendone was himself named cardinal while nuncio to Poland, the *galero* was brought to him by a third party.<sup>28</sup> Similarly, when Commendone was named legate to the Holy Roman Empire in 1566 while staying in Verona, he received his silver legateine cross from the bishop of Verona.<sup>29</sup> In 1571, then, Commendone began his legation directly from Verona, leaving once his entourage was ready but with none of the pomp that would have occurred had he departed from Rome.<sup>30</sup> He already carried his red *biretta* and *galero* with him, but there is no mention of him receiving a silver cross. In addition, while legates departing from Rome personally received their *facultates* and letters of credence, in this case the curia dispatched such

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<sup>26</sup> Wasner, "Fifteenth-Century Texts", and DeSilva, "Ritual Negotiations", 165-175.

<sup>27</sup> D. Caccamo, "Commendone, Giovanni Francesco", in *Dizionario biografico degli Italiani*, vol. 27 (Rome, 1982), 606-612.

<sup>28</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 71-72, 273.

<sup>29</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 297.

<sup>30</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 323-324. Cf. 297 for another instance of his departing Verona directly for a legation.

documents from Rome, where they would be forwarded to Commendone en route.<sup>31</sup> The legate reached Vienna in mid-September 1571, where he was formally received and granted an audience with Maximilian II shortly afterward to discuss the league against the Turks.<sup>32</sup> In December Commendone traveled to Warsaw, where he was received by King Sigismund II Augustus and a number of nobles “with all the honors that were due according to his dignity and person,” according to his secretary, Antonio Graziani.<sup>33</sup>

The legate *a latere* found little success in these negotiations; both monarchs were reluctant to pledge to join the league. When King Sigismund II Augustus of Poland died in July 1572, however, Commendone’s mission was altered. Per instructions from the newly-elected pope, Gregory XIII Boncompagni, he was to remain in Poland until Sigismund’s successor was elected.<sup>34</sup> Commendone’s departure from Verona may have lacked many of characteristics typical of a legatine mission, but the scramble to adapt to changing circumstances became even more evident after Sigismund’s death. Although he had been formally received by the king into Warsaw, the legate now chose to quietly withdraw to a Cistercian monastery at Sulejów in an attempt to show his independence from the political turmoil following the king’s death.<sup>35</sup> Graziani, then in Vienna to keep the emperor informed of Commendone’s actions, described the instability and uncertainty surrounding the legate’s embassy: Commendone had dispatched a man to carry messages to Graziani in person, since he doubted letters would be allowed to pass across the border, which was being carefully guarded; and although the legate urged all parties to avoid open conflict and civil warfare during the interregnum, he was preparing for the worst, instructing the cathedral chapter in Cracow to hide its valuables.<sup>36</sup>

In part, the scene felt so dangerous because the rituals that had welcomed Commendone into the commonwealth as an ambassador had been rendered null. Commendone had been received as the guest of the now-deceased king, and his letters of credential were addressed to the same. Without the legitimizing presence of the king, such rituals amounted to nothing. This was exacerbated by the fact that 1572 marked the first interregnum since the Jagiellonian dynasty had died out, and as Almut Bues has shown, there was widespread confusion regarding the constitutional decisions that should be made without an heir apparent – it was unclear when the diet (*Sejm*) to elect the next king would be held, or who even had the authority to convene such a diet.<sup>37</sup> The leading figures in this struggle were the Grand Marshal Jan Firlej, a Protestant, and Jakub Uchański, the archbishop of Gniezno and primate of Poland, the latter of whom was named *interrex* and thus held a leading role in the ceremonies that took place during the interregnum.

The Roman curia tried to address this volatile situation by issuing new letters of

<sup>31</sup> Commendone’s *facultates* and instructions in *Nuntiaturreportagen aus Deutschland 1560-1572 nebst ergänzenden Aktenstücken* Abt. II, Bd. 8: *Nuntiaturreportagen G. Delfino und Kardinallegat G. F. Commendone 1571-1582*, ed. J. Rainer (Graz-Köln, 1967), 16-23 and 26-28, respectively.

<sup>32</sup> *Nuntiaturreportagen aus Deutschland: nebst ergänzenden Aktenstücken*. Abt. II/8: *Nuntius G. Delfino und Kardinallegat G. F. Commendone 1571-1572*, ed. J. Rainer (Graz-Köln, 1967), 77-85.

<sup>33</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 345.

<sup>34</sup> A. Bues, “Die päpstliche Politik gegenüber Polen-Litauen zur Zeit der ersten Interregna”, in *Kurie und Politik: Stand und Perspektiven der Nuntiaturreportagenforschung*, ed. A. Koller (Tübingen, 1998), 116-135 (120-121).

<sup>35</sup> A. Bues, *Die habsburgische Kandidatur für den polnischen Thron während des Ersten Interregnums in Polen 1572/73* (Vienna, 1984), 137.

<sup>36</sup> *Nuntiaturreportagen aus Deutschland nebst ergänzenden Aktenstücken*. Abt. III/6: *Nuntiaturreportagen Giovanni Delfinos (1582-1573)*, ed. H. Goetz (Tübingen, 1982), 438-437. Cf. 450-454.

<sup>37</sup> A. Bues, “The Formation of the Polish-Lithuanian Monarchy in the Sixteenth Century”, in *The Polish-Lithuanian Monarchy in European Context*, ed. R. Butterwick (London, 2001), 58-81 (68).

credential for Commendone. Rather than a single brief to the reigning king (since there was none), Gregory XIII sent one brief to all the Polish nobility who would be voting in the election, another to all members of the ecclesiastical estate, and a third to archbishop Uchański. The language left no doubt as to Commendone's role as a papal representative: "our son, Cardinal Commendone, our and this Apostolic See's *legatus de latere*" (*filius nostri Cardinalis Commendonis nostri et sedis Apostolicae de latere legati*).<sup>38</sup> This formula summoned all the authority standing behind the legate, referring not only to the person of the pontiff himself – the typical principal in diplomatic representation – but also the entire Roman see and its apostolic tradition.

Despite the rhetorical flourish of his credentials, Commendone discovered that the Polish nobility viewed him with extreme suspicion. In his reports back to Rome, the legate complained that the nobles were discussing expelling all ambassadors from the commonwealth, or at least from Warsaw, while the election diet was meeting. This was to ensure that the election would not be influenced by foreigners, something especially important to those who wanted a native Polish, or "Piast," candidate elected. But as Commendone noted, the crowd was discussing him in particular, and – at least in his view – the "heretics" were doing everything they could to limit his influence. As the legate noted, one noble remarked that "the election would never be free if I [Commendone] were present."<sup>39</sup>

The disputes over Commendone's place in the commonwealth can be understood through the ritual actions that took place during the interregnum. Following a convocation diet that took place in January 1573, the election diet was scheduled to open on 6 April outside of Warsaw. It was a huge gathering, totaling 100,000 men, of whom 40,000 were electors.<sup>40</sup> It stretched along the banks of the Vistula river, the centerpiece being a massive tent that could hold several thousand people where the diet's sessions were held, and which was surrounded by numerous smaller tents. Only senators, bishops, and palatines were allowed to reside in Warsaw proper, meaning that many thousands more stayed on this vast plain. Graziani remarked that it looked more like an army camp than a council of state, given that so many noblemen came carrying their weapons.<sup>41</sup>

On 3 April when some of the nobles traveled to St. John's cathedral in Warsaw where the archbishop of Gniezno celebrated Mass.<sup>42</sup> As this Mass suggests, the sacred would play a role in the selection of a new king despite the commonwealth's religious divisions: Uchański had been named *interrex*, and a number of the electors were themselves Catholic bishops. All of those men, however, were native Poles and members of the local church. An Italian prelate and representative of the Roman see was another matter. It is worth noting that although Commendone's entrance into Warsaw in 1571 had happened according to standard diplomatic protocol and been recorded by his secretary, Graziani made no such note of his entrance into the city for the election diet in 1573, saying only that the cardinal arrived sometime before the diet began.<sup>43</sup> (Commendone did note that he attended Uchanski's Mass, however).<sup>44</sup> Presumably,

<sup>38</sup> ASV, Arm. XLIV 21, fol. 129v. See his other letters of credential there, fols. 130r-134r.

<sup>39</sup> ASV, Segr. Stato, Polonia 3, fols. 106v, 109v.

<sup>40</sup> Bues, "The Formation", 69. On the rituals of Polish royal elections, Bues, "The Elections, Coronations, and Funerals of the King of Poland (1572-1764)", in *Europa Triumphans: Court and Civic Festivals in Early Modern Europe*, eds. J. R. Mulryne et al. (Burlington, VT, 2004), I, 375-385.

<sup>41</sup> H. de Noailles, *Henri de Valois et la Pologne en 1572* (Paris, 1867), II, 261-262; Gratiani, *La vie du Cardinal Jean François Commendon*, 438-439.

<sup>42</sup> Noailles, *Henri de Valois*, II, 263-264.

<sup>43</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 435.

<sup>44</sup> ASV, Segr. Stato, Polonia 3, fol. 106r.

without a reigning king, the legate's entrance lacked the usual form and was likely understated given the tensions surrounding the election.

Where Commendone did play a conspicuous role was at the first session of the election diet on 6 April 1573. All ambassadors representing foreign candidates for the throne would be allowed to speak that day, but as a legate *a latere*, Cardinal Commendone was given the opportunity to speak first. The ritual for welcoming the legate to the election diet mirrored that of receiving a diplomat into a city. Three bishops and three senators were sent to fetch Commendone, and once the legate descended from his carriage, he was met by the palatines of Cracow and Katowice, the grand marshals of Poland and Lithuania, who walked before the legate holding batons as symbols of their authority. When they entered the central tent, the senators assembled there rose and the grand marshals made them step out of Commendone's way (*écarter*), which, according to Graziani, was an honor usually reserved for the Polish king. The legate was led to the front and sat in a place of honor between the archbishop of Gniezno and the bishop of Cracow. At that point the senators were also seated.<sup>45</sup>

Commendone rose and presented the pope's letters to the senate by reading them aloud. The legate then began his own speech in Latin, reminding the assembled nobles of the need to elect a Catholic king to protect the one true faith and to do everything possible to stem the spread of heresy in the commonwealth, since a religiously-divided Poland could not endure.<sup>46</sup> At this point he was interrupted by Piotr Zborowski, the palatine of Sandomierz and a Protestant, who claimed that Commendone had exceeded his place as a legate, being nothing more than an ambassador and counselor and who, as a result, had no business speaking to the diet on how they should vote during the election. According to several reports, the cardinal did not hesitate in responding to Zborowski by saying that he "was neither counselor nor ambassador, but that [he] was doing what was [his] own duty".<sup>47</sup> The legate then completed the remainder of his speech, and after a short pause, Uchański thanked both Gregory XIII and Commendone on behalf of the diet. The legate returned to his carriage accompanied by nearly all of the senators, with the notable exception of Zborowski and several other Protestants.

The detailed description of this sequence reveals the tensions underlying Commendone's mission to Poland-Lithuania. Commendone's response to Zborowski deserves particular attention. By declaring that he was neither a councilor nor ambassador, the legate might have been referring to a distinction between two types of diplomatic envoys that had developed over the Middle Ages and Renaissance: the *nuntius* and *procurator*. A *nuntius*, as his name implied, was merely a messenger, one who merely relayed the sentiment of his principal and was not able to negotiate on his own, while a *procurator* was a higher-ranking diplomat who was able to negotiate on his own and was less closely tied to the principal who had sent him. Among other things, this meant that "a *nuntius* did not exist as a distinct legal person, because he always conceived words in the person of the principal".<sup>48</sup> The boundary between these two categories was always blurry in practice, but it seems reasonable that Commendone was suggesting he acted as a *nuntius* would,

<sup>45</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 440-441.

<sup>46</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 441; Noailles, *Henri de Valois*, II, 265-267.

<sup>47</sup> ASV, Segr. Stato, Polonia 3, fols. 111r-11v: "io gli risposi che ero ne consigliere, ne ambasciatore, ma che facevo quel che era proprio offitio mio". Cf. BAV, Urb. Lat. 1043, fol. 236r: "[Zborowski] domandò ad esso Cardinale se era consiglierio del Regno, li rispose con gran prontezza ch'era legato, et che facesse l'offitio suo"; and Graziani's account, translated into French, given as: "Je n'ignore pas qui je suis, ni quel est mon devoir. Je fais ce que vous dites que je dois faire; j'exécute les ordres que j'ay reçus du Pape". Gratiani, *La vie du Cardinal Jean François Commendon*, 442.

<sup>48</sup> Queller, *The Office of Ambassador*, 5-10, quote at 10; cf. Mattingly, *Renaissance Diplomacy*, 30.

relaying the pope's wishes to the diet and nothing more. At the same time, Commendone maintained that as a representative of Pope Gregory XIII he operated on a higher plane than other diplomatic envoys might. Rather than advocating for any particular candidate for the throne, the legate presented himself as disinterested in political maneuvering and merely sought to affirm the convergence of Roman and Polish interests against Protestantism. To underline this independence, following his speech at the *Sejm* Commendone opted to physically remove himself from the negotiations and withdrew to Skierniewice.<sup>49</sup>

For the assembled Polish nobility, on the other hand, Commendone was merely one diplomat among others, albeit one that should be treated with special respect. While the legate was allowed to speak first and was ceremonially introduced to the diet (something that did not happen for other ambassadors), the ceremonies described above reveal the Polish understanding of the legate's office. Commendone was not part of the assembled body politic that would deliberate on the choice of the next king, in contrast not only to the lay senators and palatines but also the local Polish bishops. Instead, Commendone was an outsider who needed to be ritually introduced to the assembly according to ceremonies that mirrored the reception of diplomats elsewhere. The three bishops and three senators who went to meet the legate and lead him to the diet mimicked the tradition of meeting ambassadors outside a city and leading him to its gates. The two grand marshals leading Commendone into the tent followed the custom for civic officials leading a visiting diplomat into a city. The legate's reading of papal letters aloud to the diet is what he would have normally done in a royal audience. And Commendone's entrance and subsequent exit underlined his temporary and foreign place in the Polish body politic. It is equally significant that Commendone's audience was followed by those of other diplomats, beginning with the imperial ambassadors and followed by the French, the Swedes, and others.<sup>50</sup> Within the organization of the diet, in other words, Commendone's appearance was clearly as part of the bloc of foreign diplomats.

The carefully scripted rituals by which the diet was organized and by which Commendone was introduced to speak were a form of civic ritual, meant to demonstrate the Polish nobility's unity in choosing the next king and which reproduced power dynamics between the different elements of the commonwealth.<sup>51</sup> Yet here too there was instability. Not only was there a divergence between how the diet and Commendone viewed the legate's responsibilities, there was also an obvious division within the election diet itself, made apparent by Zborowski's interruption of Commendone's speech and by his and others' decision not to accompany the legate back to his carriage. This was in sharp contrast to similar rituals in Rome – although the papal *possesso* in the Middle Ages had been marked by local challenges to papal authority, by the sixteenth century “the supremacy of the papacy was undisputed. The ritual and real threat against the Pope during the *possesso* was gradually replaced by an unchallenged display of pomp and splendour”.<sup>52</sup> In Poland, Commendone had no such assurances, and in fact he experienced explicit challenges to his authority. Simply put, although ritual was invoked at multiple stages to legitimize the legate's presence and role in the diet, there were profound disagreements over Commendone's presence in Warsaw.

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<sup>49</sup> Gratiani, *La vie du Cardinal Jean François Commendon*, 445.

<sup>50</sup> Noailles, *Henri de Valois*, II, 272-295.

<sup>51</sup> Muir, *Ritual in Early Modern Europe*, 261. Such ritual organization of the body politic would also take place in processions after the Polish king was elected; see Bues, “The Elections”, 378.

<sup>52</sup> Snickare, “Performing Papal Authority”, 146.

*The Question of Papal Support*

If there were tensions surrounding the legate *a latere* during the election diet in Warsaw, Commendone's role soon came to be resented across Europe. As the legate learned, there were rumors circulating that the pope had given Commendone a large sum of money "to excite a civil war, as in France," and that the legate was in charge of gathering Catholics for that end. According to these rumors he also possessed "a bull by which [he] would be able to crown a king in [his] own way, removing their liberty of election from them."<sup>53</sup> Far from being a neutral, disinterested party, those present in Warsaw feared that Commendone would control the proceedings of the royal election, and despite the legate's best efforts, these fears endured, and they grew to have a certain specificity. By one account, he was given 50,000 *scudi* from the king of France; by another, he was instead given 30,000 *scudi* to raise an army against the "heretics" of Poland-Lithuania.<sup>54</sup>

While Commendone was increasingly marginalized, French ambassadors found more favour. On 16 May 1573, they eventually secured the election of Henry, Duke of Anjou, as king. Whether this meant Commendone's legation was a success depends on how one interprets his instructions. On one hand, Gregory XIII's cardinal-nephew, Tolomeo Gallio, had already declared in the summer and fall of 1572 that the papacy's "principal aim" was "the service of God and the conservation of the Catholic faith in that realm," and that a Catholic candidate was to be preferred over any "heretical" (Protestant) one, including those from the royal families of Prussia or Sweden.<sup>55</sup> By this measure, Henry de Valois was a perfectly acceptable candidate. On the other, one should view the papacy's claims of disinterest in particular candidates (provided they were Catholic) with suspicion. From the outset Commendone's instructions listed specific individuals to be supported, chief among them Archduke Ernest of Austria, the Habsburg candidate. In a dispatch of 27 September 1572, for example, the legate was told that Ernest was to be preferred, but if the imperial candidate were excluded from consideration, then Anjou would be an alternative. Even after mentioning Anjou, however, Gallio reiterated that it was Archduke Ernest who should be "favoured with every kind of diligence and industry" by Commendone.<sup>56</sup>

It would appear that most of the legate's actions and speeches were in line with his generic instructions to ensure that a Catholic was elected king. This had been the subject of his speech to the Polish diet in April 1573, and on several occasions Commendone gathered Polish bishops and Catholic senators to communicate this same message.<sup>57</sup> Gallio, too, continued to stress that this was the will of Gregory XIII. The election of a Catholic king was "everything" (*consisterà il tutto*), especially in a commonwealth filled with so many non-Catholics and non-Christians. Of particular concern was the Warsaw Confederation, an agreement signed by Polish nobles in January 1573 that sanctioned Calvinist worship in the commonwealth. Protestant nobles also inserted new clauses – the so-called Henrician articles – into the traditional oaths sworn by a new king upon his election that included a promise that he would honor the

<sup>53</sup> ASV, Segr. Stato, Polonia 3, fols. 121r-21v.

<sup>54</sup> Bues, *Die habsburgische Kandidatur*, 144; ASV, Segr. Stato, Polonia 3, fol. 212r.

<sup>55</sup> ASV, Segr. Stato, Polonia 172, fols. 34r-34v, 62r. Although Gallio was not a natural nephew of Gregory XIII, he functioned in much the same way that later cardinal-nephews and secretaries of state did. See C. Castelli, "Tolomeo Gallio: Cardinale di Como", *Periodico della società storica Comense*, vol. 50 (1983), 9-85.

<sup>56</sup> ASV, Segr. Stato, Polonia 172, fol. 34v. Cf. *Nuntiaturberichte aus Deutschland III/6*, 4-5, 74, 447-448; and *Nunziature di Venezia*, vol. X (26 maggio 1571-4 luglio 1573), ed. A. Stella (Rome, 1977), 255.

<sup>57</sup> See for instance ASV, Segr. Stato, Polonia 3, fols. 106r, 267r, 280v.

confederation and its conditions.<sup>58</sup> But as Gallio explained to Commendone, one hoped that “the presence of the legate, united with the ecclesiastics and the other Catholics, next to a good king (if it pleases God to grant this) will easily prevail in annulling any decree that the heretics claim.”<sup>59</sup>

Thus, although Ernest had been named the papacy’s preferred candidate in the coming election, the consistent message sent to Commendone regarded the election of a Catholic king, a message that the legate seems to have followed and communicated to others. However, the papacy’s preferred candidates meant little to contemporaries worried about the legate’s actions. We already saw how the legate’s mere presence led to cries that the election would not be free. Perceived support for one candidate over another led to similar criticism. While the legate, Commendone, worked fastidiously for the election of a Catholic candidate, the nuncio in Poland, Vincenzo Dal Portico, openly supported the election of Ernest. Dal Portico’s actions so greatly upset Gregory XIII that the nuncio was reprimanded and told to remain united to Commendone. There were also discussions of recalling Dal Portico to Rome.<sup>60</sup> In Poland, too, he was unpopular. In Warsaw even after the election, “both at court and throughout the entire city, as well as in private, they speak very poorly of him, as they do of Cardinal Commendone, who has worked strongly in favour of France.”<sup>61</sup>

At the imperial court, dissatisfaction with Commendone’s conduct was even greater – understandably so, as many believed that Archduke Ernest had allegedly been the pope’s preferred candidate for the throne. Immediately after the election of Henry, the nuncio in Vienna, Delfino, reported that there were widespread rumors Commendone had supported the French cause, and that people were saying “very shameful” things about the legate at court.<sup>62</sup> Delfino, for his part, avoided showing much support for Commendone at the imperial court given that the legate was “so hated and persecuted.”<sup>63</sup> Maximilian II made his displeasure known at every turn, repeatedly making comments to Delfino and others that Commendone had not fulfilled his promises to support Ernest, that he instead “openly” supported the candidacy of Anjou, and that (according to rumour) Commendone had been promised a pension of 12,000 ducats to be paid in France, presumably in exchange for favouring Henry’s cause.<sup>64</sup> Note how

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<sup>58</sup> For a review of the literature on the Warsaw Confederation up to 1975, see G. Schramm, “Ein Meilenstein der Glaubensfreiheit: Der Stand der Forschung über Ursprung und Schicksal der Warschauer Konföderation von 1573”, *Zeitschrift für Ostforschung*, vol. 24 (1975), 711-736. For Catholic responses to the confederation, C. Keenan, “Polish Religious Toleration and Its Opponents: The Catholic Church and the Warsaw Confederation of 1573”, in *Polish Culture in the Renaissance: Studies in the Arts, Humanism and Political Thought*, eds. D. Facca and V. Lepri (Florence, 2013), 37-51. The *articuli Henriciani*, or “Henrician articles”, are named after Henry of Valois, the first king to agree to them.

<sup>59</sup> “Dovendosi sperare, che la presenza del legato unito con li Ecc.ci et altri Cath.ci appresso un Re buono (se piacerà a Dio di concederlo) preleverà facile.te ad annullar qualunque decreto, che pretendano gli heretici.” ASV, Segr. Stato, Polonia 172, fol. 79r.

<sup>60</sup> ASV, Segr. Stato, Polonia 172, fols. 36r, 59r, 60r. See also P. de Cenival, “La politique du Saint-Siège et l’élection de Pologne (1572-1573)”, *Mélanges d’archéologie et d’histoire*, vol. 36 (1916), 109-204.

<sup>61</sup> “Che Monsig.r Portico deve partire di Pol.a, del quale e in la corte, e per tutta la Citta, e di furta si parla assai male, così del Card.le Comendone [sic], che si habbiano molto adoperato infavore di Francia”. ASV, Segr. Stato, Polonia 3, fol. 311r.

<sup>62</sup> “Questa medesima opinione s’è sparsa per la corte, che il legato habbi favorito le cose di Francia, dicendosi di lui parole molto vergognese”. NBD III/7, 33.

<sup>63</sup> Bues, *Die habsburgische Kandidatur*, 140.

<sup>64</sup> NBD III/7, 36, 61, 69-70. See also the report of 28 July 1573 in *Die Süddeutsche Nuntiatur des Grafen Bartholomäus von Portia (Ertes Jahr 1573/74)*, ed. K. Schellhass (*Nuntiaturberichte aus Deutschland, nebst Ergänzenden Actenstücken. Abteilung III, 1572-1585*) (Berlin, 1896), 52.

much of the emperor's vitriol was directed specifically at Commendone. When Dal Portico was finally recalled to Italy and passed through Vienna in the fall of 1573, Maximilian thanked the nuncio for his work during the election, adding that "he could not say the same of the cardinal". The emperor wanted to know where the legate was and declared that he wanted to speak with Commendone, even waving a stack of letters written by Commendone in Dal Portico's face, saying that "through them, one understands his [Commendone's] wicked spirit".<sup>65</sup>

It is perhaps unsurprising that Maximilian was infuriated by Commendone's actions, since he believed the papacy was planning to support the archduke. But this explanation is complicated when we consider the reports circulating in France. While there was naturally communication between the French court and the Polish court regarding the Duke of Anjou's candidacy – with French ambassadors going to Warsaw for the diet and Polish ambassadors traveling to Paris to fetch the king-elect – the papal diplomatic network also reached across Europe, from Poland to France. Immediately after the election of Henry, Commendone wrote to Rome from Warsaw, asking the cardinal-nephew to inform the nuncio at the French court, Antonio Maria Salviati, what had transpired.<sup>66</sup> Throughout the summer of 1573 there was a steady stream of letters between Salviati and Gallio discussing the Polish election, and while there were still reports of displeasure with Commendone in Paris, the reasons for this displeasure – and accounts of his actions – are not consistent with the claims made in Warsaw and Vienna. Gallio relayed reports of the emperor's unhappiness with Commendone, saying that the emperor had described the legate "with the most ugly names possible" and reporting rumors that Commendone had spent thousands of *scudi* in favour of Henry's election.<sup>67</sup> From the French court, however, Salviati described the events in entirely different terms. Anjou, he said, had been elected due to the *pope's* support, not Commendone's, and in fact, the legate had very little influence in Poland, partly because he had worked for the election of Archduke Ernest.<sup>68</sup> According to Salviati's sources in Paris, there was still great fear that Polish Catholics would move against the "heretics," all of which was seen as the influence of imperial factions and agents.<sup>69</sup> In Paris, then, Commendone was not described an active supporter of Anjou, as he had been labeled in Warsaw and Paris; rather, he was blameworthy for having supported Archduke Ernest, and as a result, he was linked to imperial efforts to foment civil war in Poland.

### *The Roman Curia Abroad*

We can thus see the evident confusion surrounding Commendone's embassy and his role in the election of Henry de Valois. In Warsaw, he was disliked both because his mere presence suggested the election would not be free and because many believed he had worked for the French cause. In Vienna, Commendone was detested on the grounds that he had reneged on promises to support Ernest and instead favoured Henry. He was likewise unpopular in Paris, but there he was seen as aligned with imperial interests. Thus, although there was disagreement

<sup>65</sup> *NBD* III/7, 194-195, 207. On the imperial reaction to Anjou's election, see Bues, "Die päpstliche Politik", 124-127.

<sup>66</sup> ASV, Segr. Stato, Polonia 3, fols. 276r, 280r.

<sup>67</sup> "Per gli ultimi avvisi che havemo di Vienna l'Imperatore ha sempre accresciuta ogni giorno la mala satisfatione che ha del Legato, chiamandolo con li più brutti nomi che si possano dir in tal proposito, et dicendo sin che esso Legato habbi fatto sborsare grandissima quantità di danari per servitio de Francesi in quella elettione, et che a lui siano promessi 10 milia scudi d'entrare, et altre cose simili". *ANG* XII, 592-593.

<sup>68</sup> *ANG* XII, 560-561.

<sup>69</sup> *ANG* XII, 603.

about the reasons behind his actions, Commendone was universally regarded as a problematic presence during the royal election. To understand why Commendone was disliked by factions on all sides, there are two elements to consider: the instructions he had been given to follow (i.e., which candidate he should support in particular), and the place of Commendone, as a *legatus a latere*, in political negotiations in general.

Remember that since summer 1572 Commendone's instructions were to work for the election of a Catholic king first and foremost.<sup>70</sup> Although Ernest was listed as the preferred candidate, the papacy had declared that it would support others, including Henry. But this, too, understates the papacy's flexibility in approaching the election. When it was reported that Ivan IV of Moscow was close to being elected, Cardinal Gallio instructed Commendone to congratulate the tsar and ask him to favour Catholics as king.<sup>71</sup> And while many, including Delfino, believed that the legate had been instructed to "do everything he could for the benefit of prince [*sic*] Ernest," the Roman curia quickly rewrote this story upon news of Henry of Anjou's election. Soon after reports reached Rome, Gallio instructed papal diplomats at the French court to approach the royals (including Charles IX, Catherine de' Medici, and Henry) and affirm that "in the first orders that were given to [Commendone, he worked] in favour of [Anjou]," and that Commendone would confirm this, and that the curia knew the Emperor Maximilian would be displeased by the papacy's position.<sup>72</sup> Part of the problem with Commendone's embassy, then, was that it was entirely unclear what position he represented. It was not that he disobeyed orders or refused to follow instructions; on the contrary, when Commendone returned to Rome at the end of his legation and gave a report on his activities (as was customary), Gregory XIII and Gallio announced that they were pleased by the cardinal's actions, noting that he "did not fail to work in service to [Maximilian II] in accordance with the orders of [the pope]"<sup>73</sup>.

Nevertheless, one cannot conclude that Commendone's legation merely reflected the papacy's skill in refusing to support one candidate (Ernest) strongly and openly at the expense of another (Henry).<sup>74</sup> Despite the papacy's claims of disinterest in the election, Commendone was actively involved in political and ecclesiastical affairs during the interregnum. Both from his own correspondence and contemporary reports, we learn that Commendone frequently met with Catholic bishops, senators, and noblemen in Warsaw, urging them to elect a Catholic king and oppose both the Warsaw Confederation and the Henrician articles.<sup>75</sup> Moreover, while the papacy hoped for the implementation of Tridentine reform in Poland-Lithuania, Commendone was instructed to prevent the archbishop of Gniezo from convoking a national council to address abuses and questions of reform. Instead, a synod held under the leadership of papal representatives would be the eventual solution.<sup>76</sup> The phrase of Gallio's – "the legate, united with the ecclesiastics and the other Catholics, next to a good king" – is revealing of how the papacy conceived of political authority in the commonwealth, where the legate was at the center

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<sup>70</sup> ASV, Segr. Stato, Polonia 172, fols. 34rv, 62r.

<sup>71</sup> ASV, Segr. Stato, Polonia 172, fol. 92r. Cf. fol. 97r, which was written after the election of Anjou had occurred but before news had reached Rome.

<sup>72</sup> NBD III/7, 235; ANG XII, 534-535.

<sup>73</sup> NBD III/7, 422.

<sup>74</sup> This is the position of Bues in "Die päpstliche Politik."

<sup>75</sup> See note 57, above.

<sup>76</sup> ASV, Segr. Stato, Polonia 172, fols. 74r, 76v. The Synod of Petrikau (1577) was led in part by the then-nuncio to Poland, Vincenzo Lauro.

of the picture, working in concert with secular and ecclesiastical officials.<sup>77</sup>

This points to the second reason why Commendone's embassy was almost universally criticized. Here as elsewhere in early modern Europe, the papacy held a radically different view of political authority than most secular rulers. In the eyes of Rome, temporal rulers were narrowly focused on the interests of their own state, without proper consideration for the good of the Catholic faith writ large. When the French ambassadors agreed to the Warsaw Confederation on behalf of Henry in 1573, for example, the nuncio Salviati said they had done so for "reasons of state" (*ragioni di Stato*); and likewise, imperial attempts at intervention in Polish affairs were said to be done for "interests of state" (*interessi di Stato*).<sup>78</sup> The papacy, on the other hand, claimed to be immune to such petty concerns. As Gallio explained, Salviati needed to make it clear to the French royalty that "the affairs of His Holiness are not for his own particular interests [*interessi suoi particolari*], but in the interest of God and of the faith, and therefore it is neither honest nor proper to place His Holiness on the level of other princes."<sup>79</sup> When one reads the briefs sent from Gregory XIII to Polish bishops prior to the election, they depict an almost apolitical world in which concern is not for one candidate over another, but of the possibility of heresy defeating the one true faith – there are references to the battle between light and darkness, Protestants are described as ministers of Satan, and it is affirmed that no state can endure without the Catholic faith.<sup>80</sup> This mentality also sheds light on Commendone's declaration noted earlier: "I was neither counselor nor ambassador, but ... I was doing what was my own duty." As the pope's representative, his "duty" was to affirm the papacy's disinterest in any specific candidate. Commendone claimed, in other words, not to be a politically-engaged, self-interested counselor or ambassador, working for this or that candidate. As a papal representative, his goals were far nobler: the election of any Catholic candidate that would defend the Catholic religion in the realm.

It is easy to view such claims of political disinterest with skepticism. Yet the repetition of this language, particularly within private correspondence, asks that we consider it in earnest. For instance, one could imagine that when Gallio wrote to Commendone saying that the pope desired a "valiant and Catholic king," or that if Ernest were excluded, "it would be good to have another, still Catholic, refuge," he was perhaps offering language the legate could use at court to avoid naming any particular candidate.<sup>81</sup> But virtually the same description appears in a dispatch from Gallio to the nuncio in Venice, in which the cardinal-nephew affirmed that the papacy sought the quick election of a "good and Catholic king" in Poland, both for the good of the commonwealth and for all of Christendom (*tutto il Christianesimo*).<sup>82</sup> This was part of a private dispatch, meant to keep the Venetian nuncio – who was not involved in the Polish election – informed of activities in other areas of Europe. It is unlikely the Venetian nuncio would be asked to speak on this matter. Yet this dispatch reiterates the same logic that was expressed to diplomats active in Poland. It is consistent with the papacy's claims to universal jurisdiction (referring to all of Christendom) and with the simple desire that whichever king was elected be a good Catholic. This seemingly minimal criterion occurs again and again in diplomatic correspondence sent between the curia and papal diplomats in the sixteenth century. During the

<sup>77</sup> ASV, Segr. Stato, Polonia 172, fol. 79r.

<sup>78</sup> ANG XII, 603-604.

<sup>79</sup> ANG XII, 608.

<sup>80</sup> E.g., ASV, Arm. XLIV 22, fols. 54v, 86r, 106v-107r, 177r.

<sup>81</sup> ASV, Segr. Stato, Polonia 172, fols. 34r, 62r-62v.

<sup>82</sup> *Nunziature di Venezia*, vol. X, 255.

dynastic crisis over the French crown following the assassination of Henry III (the former duke of Anjou) in 1589, for example, Pope Clement VIII Aldobrandini's cardinal-nephew took a stance strikingly similar to that of Gregory XIII: "It does not matter to His Holiness who is king ... provided that they are Catholic."<sup>83</sup>

### *Conclusions*

The unusual treatment of Giovanni Francesco Commendone during his legation in Poland was only underlined as he began his trip back to Italy in October 1573. In contrast to Poland, where he did not receive a ceremonial entry during the interregnum and instead repeatedly withdrew from Warsaw (to Sulejów and Skierniewice), Commendone received a formal welcome into Venice. In January 1574 the Doge and nobility informed the legate that they wished to receive him and conduct him to the *Collegio*, "as [was] proper for such a worthy cardinal and apostolic legate." Commendone was accordingly led by a number of citizens to the piazza of San Marco, the religious and political center of the city.<sup>84</sup> While this was not the legate's laying claim to the city as in a *possesso*, it followed the usual procedure for receiving diplomatic representatives in early modern Europe, and as noted, such rituals were meant to ensure the diplomat's proper place in the city's body politic as a "formal equal," one who would be temporarily incorporated into local society.<sup>85</sup>

Tensions over the legate's role in the Polish interregnum of 1572-1573 offer an example of this ritual formula being challenged, with the result that the papacy's role in political affairs also came into question. Without a reigning monarch, the diplomatic structure for receiving ambassadors became confused; Commendone's letters of credence were addressed to a wide variety of individuals (nobles, ecclesiastics, and the archbishop of Gniezno) rather than a single ruler, for example. His ceremonial entrance into the election diet in April 1573 attempted to perform the same ritual work as an entry into Warsaw would have, but here too, his authority to speak before the diet was contested, and not all of the assembled nobility participated in the rituals. More broadly, Commendone's perceived "interference" in the election reveals a divide in early modern political theory, one in which the papacy believed it had the right to intervene in temporal affairs, while secular authorities sought to resist such intervention. The arrival of a papal legate *a latere* in a foreign court was the visible manifestation of the papacy's claims to "possession" of spiritual authority throughout Catholic Europe. His sizeable entourage signaled his wealth and status, and his ornate dress, including his red *galero* and silver legatine cross, pointed to his close connection to the pope.

To be fair, this was not the type of spiritual supremacy Pope Gregory VII sought to impose on Emperor Henry IV at Canossa. The papacy of the sixteenth and seventeenth centuries was forced to acknowledge the limits of its power in some regards; this was the era when Robert Bellarmine theorized the pope's "indirect" power (*potestas indirecta in temporalibus*).<sup>86</sup> However, the sending of papal legates abroad, as well as the actions of those legates at other courts, suggests that the papacy continued to believe in its right to intervene in secular politics. The expansion

<sup>83</sup> "a Sua Santità non importa, che sia Ré, o Umena, o Guisa, o qualsivoglia altro Prencipe, purché sia Cattolico [...] poiché qui non dovemo haver' altr' interesse, che quello solo della Religione". ASV, Segr. Stato, Francia 287, fol. 99v.

<sup>84</sup> *Nunziature di Venezia*, vol. XI (18 giugno 1573—22 dicembre 1576), ed. A. Buffardi (Rome, 1972), 121.

<sup>85</sup> Muir, *Ritual in Early Modern Europe*, 262.

<sup>86</sup> S. Tutino, *Empire of Souls: Robert Bellarmine and the Christian Commonwealth* (Oxford, 2010).

of diplomatic posts under Gregory XIII – the exact period under consideration here – ran parallel to the rehabilitation of theories of papal primacy.<sup>87</sup> This was symptomatic of a view of politics that insisted on the presence and involvement of ecclesiastical authorities in order for a state to function properly.

At the same time, critiques made of Cardinal Commendone say something about the successful ‘representation’ of the pope abroad. Put simply, the symbolism, ritual, and rhetoric used by papal *legati a latere* to convey their relationship to the pope *worked*. Criticism of Commendone is only intelligible if the person making the critique believed the legate truly represented the person and policies of the Roman pontiff. Much of the scholarship on representation centers on the relationship between principal and agent, but it is fair to suggest that when an outside party criticizes the agent, it also reveals an underlying disagreement with the principal. When Polish nobles feared that Commendone would dominate the royal election, it was because he allegedly held money provided by the pope, or because he held a papal bull allowing him to crown a king himself. And when Maximilian II laughed at the promise of papal support during the Polish election of 1574, he immediately mentioned Commendone, a response that suggests that the emperor understood well how papal policy was mediated by diplomats and representatives like Commendone. His laughter also reveals a scorn for papal promises, recognizing that the actions of the papal representative removed any weight from such pledges of support. In sum, the volume and vitriol of antipapal sentiment levied at legates, while a critique of the Roman Church, simultaneously demonstrated the efficacy of that Church’s diplomatic rituals, wherein the legate represented papal power, or to many, the excesses and abuses of papal power.

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<sup>87</sup> M. A. Visceglia, “The International Policy of the Papacy: Critical Approaches to the Concepts of Universalism and *Italianità*, Peace and War”, in *Papato e politica internazionale nella prima età moderna*, ed. M. A. Visceglia (Rome, 2013), 39-50.

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