

Pazzi conspiracy consilium

Law



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Giuliano de Medici died after the Pazzi's family and Archbishop Salviati created a conspiracy against the Medici family on 26th April, 1478. This led to the attacking and killing of Archbishop Salviati and some members of the Pazzi family by a mob in Florence. Due to these happenings, the Pope Sixtus decided to excommunicate Florence, on claims that Lorenzo de Medici caused the death of the Archbishop Pisa, with the help from eight town councils (Martinez 59). The pope through his ius commune and cannon law raises some doubt on the legality of his action to excommunicate Florence. Before the Pope decides to take this kind of action, it needs to be clear whether the attack that caused the murder of the archbishop was a simple murder or was a result of self-defense. Furthermore, it has to be clear if the pope has the capacity to carry out and order the kind of punishment that he did, that is, excommunicating and the interdiction of the whole of Florence, because of the death of the Archbishop Salviati.

Lorenzo de Medici was absent from the public for ten continuous days, due to the extent of his injuries, which he had suffered on 26th April (Weinstein 63). This is exact day that the Archbishop was hanged; therefore, it was not possible for such an injured person to be part of the mob that attacked and killed Archbishop Salviati. Consequently, the pope had no grounds to accuse Lorenzo of the death of the archbishop, and the accusations were baseless. I would like to analyze the legality of the Pope's right to accuse the accused, Lorenzo de Medici, of being responsible for the death of the late Archbishop Salviati.

During the attack, the conspirators, who were clerics, were not in any

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recognized code of dressing, such as, the robes and their actions did not suggest them as clerics (Martines 43). As a result, when they got into the Palazzo, the council members did not think of them as polite or harmless people; but looked at them as dangerous people who might harm or even kill them. Thus, when the conspirators attacked them, they had to defend themselves; consequently, they killed the conspirators. It is clear that the council members acted out of pure instinct and self-defense.

Evidently, the accused are both innocent, which raises the question: was the pope right to condemn the whole of Florence: if yes, did he have the power to do so? If the teachings and verses of the Bible are anything to go by, then it is clear that everyone is to be responsible for their own cross (Bible). The meaning of this verse is that whatever action a person has committed, they have to bear the consequences. Even if the accused persons are guilty, it is wrong to condemn the whole city for their actions; hence, they need to be punished individually. With clear indication of the evidence, the pope cannot condemn the accused, since in both cases they were not guilty of any crime. This means that the city cannot be condemn for the crimes of a few people, according to the laws of God, which the pope should observe keenly.

Not all through the events, there was any time that Lorenzo de Medici and the city of Florence were given a chance to appear in court and argue their innocence in front of a court. This is against the laws, as the laws state that the accused can be given a whole year to present his case for innocence. Furthermore, the law continues to state that the person accused of any crime does not appear in court for punishment, but to state and argue their innocence in front of a court; this is according to code 9. 40. 1 and the digest 48. 17. 1 (Pennington 1). The duration between the assassination of the
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Archbishop and the punishment of Florence was less than a week. It is now clear that the pope did not follow the right procedure of law, given that he did not give the accused a chance to defend and argue their cases; therefore, he does not have any power to excommunicate and interdict Florence.

The Pope being the prince of Christendom, there is a law that states that the emperor may be excluded from some procedural rules and actions if he is provoked by the simplest reasons. According to Braun (48), the *Digna Vox* allows the Pope to decide on events if he has the simplest reasons to do so; however, the Pope in this case does not have even a simple reason. Prior to the crime, Lorenzo de Medici had been severely injured and could not have taken part in the criminal activities. There is no basis for the pope to decide that he is the criminal; and for that reason, punish Florence for Lorenzo's supposed crime.

An important aspect of the conspiracy is whether the execution of the Archbishop was right. As seen earlier, the archbishop was responsible of the Pazzi conspiracy that led to the death of one of the Medici family members. Hence, this act of participation is a notorious act and such acts, according to the law of decretumgratiani c. 2 q. 5 c. 15, do not require a formal accusation and must not follow the due process. Pro Humani law states that if any Christian pays an assassin they are to be killed, which means that the archbishop was supposed to be put to death for the conspiracy on the Medici family (Pennington 3).

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