

Conciliarism and the constitution of international institutions

*Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),
Solicitor (England & Wales)*

The Council of Basel failed, but its ideas survived. The conciliar theory, which held that the Church as a whole, represented by a general council, was superior to the pope, was one of the sources of European constitutional thought. It formulated, in the language of canon law and theology, the idea that a ruler derives his authority from the community he governs and can be held accountable, and even deposed, by a representative assembly. Historians of political thought have traced the influence of conciliar ideas on the theories of limited monarchy, resistance and popular sovereignty of the sixteenth and seventeenth centuries.¹

The Council of Basel also developed procedures for collective decision-making that have a modern ring. It organised its members in four deputations, for faith, peace, reform and common affairs, which prepared decisions, and it voted by head, which gave weight to the lower clergy and the university doctors against the bishops. This organisation, which differed from the organisation by nations used at Constance, was designed to prevent the domination of the assembly by the great powers. It had the effect of making the Council more radical, but also less representative of the political forces of Europe, which contributed to its isolation.²

The questions that the Council faced are the questions of every international institution: how to represent members of unequal power, how to reach decisions that bind them, how to finance the institution, how to relate to the most powerful member, which in the case of the Council was the papacy. Modern international financial institutions face the same questions. The Bank for International Settlements, the Basel Committee on Banking Supervision and the Financial Stability Board, all based in Basel, operate by consensus among their members, whose weight in the world economy varies enormously. Their standards have no binding legal force and depend for their implementation on the willingness of national

authorities. And their legitimacy is constantly questioned by those who are not members or who feel that their interests are not represented. Part F examines these questions in detail. The Council of Basel is a reminder that the city has been, for almost six centuries, a place where the problems of international governance are negotiated.

1 Notes

1. On the influence of conciliar theory on early modern constitutional thought, see the literature on the history of political thought (e.g. works of Brian Tierney and Francis Oakley). To be verified. ↩
2. On the organisation of the Council of Basel in four deputations (de fide, de pace, de reformatorio, pro communibus) and voting by head, see Helmuth, 1987. To be verified. ↩

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