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Public Authority and Right to Kill in the ‘Petit’ and ‘Falkenberg Affairs’ at the Council of Constance (1414–1418)*

Abstract

This article considers the use of Augustine’s auctoritas within the context of the discussions held at the Council of Constance (1414–1418) concerning the orthodoxy of two texts that defended the legitimacy of tyrannicide: Jean Petit’s Justification du duc d’Orléans and Johannes Falkenberg’s Satira. In particular, it will consider how some prominent figures at the Council referred to a series of Augustinian passages on public authority and the right to kill (most notably, De civ. Dei 1:21; 1:26; Decretum C. 23 q. 8, attributed to De civ. Dei 1) in order to discuss whether a tyrant could be legitimately slain by any private individual without any previous legal trial or explicit public mandate.

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