

## **Council of Vienne 1311-1312 A.D.**

Six years into the 'Avignon Exile' (1305-1377), the Council of Vienne lasted two years. It was called in 1311 by the first of the Avignon Popes **Pope Clement V** in the city of Vienne just south of Lyons. Though the Patriarchs of Antioch and Alexandria joined the Pope, it was a noticeable difference from the last Council for far fewer bishops and dignitaries attended. Nevertheless, the council suppressed the Knights Templars and **Jacques de Molay**, the one who laid the satanic seeds of Freemasonry. They had abused their privileges after the Crusades. Politics also played a huge role in this council with **King Philip IV** ruler of France being reinstated in the Church after his legendary excommunication battle with Clement's predecessor **Pope Boniface VIII** who had issued his famous *ex cathedra* bull *Unam Sanctam*. The Council also condemned various heresies.

## **INTRODUCTION**

The general council of Vienne was summoned by pope Clement V with the bull *Regnans in caelis*, which he had written on 12 August 1308 at Poitiers (the Roman pontiff had remained in France from the year of his election, thus beginning the period of the church's history known as the Avignon captivity). The pope was subject to forceful pressure from the European states, particularly from France. Philip IV of France, the king who had opposed Boniface VIII so bitterly, had so much power over Clement V that he seems to have been able to change the whole state of ecclesiastical affairs at will. The council of Vienne is seen as an outstanding example of this political pressure, although the pope energetically defended the liberty of the church as far as circumstances allowed and he himself had the power. The council had been summoned for 1 October 1310 at Vienne. This city did not belong to the kingdom of France, though Philip IV in 1310 had occupied nearby Lyons by force. There were no general summonses and only 231 ecclesiastics were invited; the others however could employ a procurator.

The complaint against the Templars seems to have been the first and greatest concern of the council. Thus, the bull convoking the council was written at the same time as Clement V summoned the Templar order to a canonical enquiry. Through the whole of Europe cases were heard concerning the order and individual Templars. This work had not been completed by 1310 and so the pope deferred the opening of the council to 1 October 1311. Events had moved, however, in such a way that the Templars' condemnation and Philip's victory seemed very probable. This placed the authority and freedom of the council under severe constraint.

The council began at Vienne on the 16 October 1311 in the presence of 20 cardinals, 4 patriarchs, about 100 archbishops and bishops, and a number of abbots and priors. From the sermon given in the first session by Clement V, three questions were seen as of greatest importance: the case of the Templars, the business of the holy Land, and the reform of the church. Clement-himself gave an account of the allegations which had been made against the Templar order. The work of the council was carried on outside the full assembly, that is to say, through a consistory of cardinals together with the pope, and through a committee which was elected by the council fathers from their own body and which seems to have acted in place of the whole council, the full assembly merely confirmed the decrees and bulls, promulgating them in the second and third sessions. A commission of cardinals was appointed in order to probe the grievances and advice put forward by the bishops and other fathers on the subject of church reform.

The council fathers gave long and careful consideration to the case of the Templars. It is likely that they preferred the order to be allowed to defend itself against the accusations than to condemn it too easily and without sure proof. However, "all the difficult questions which were considered in the council seemed to be left doubtful or unsettled, or else to be treated". So when the case was still unresolved in January 1312, the fathers devoted themselves to the business of the holy Land and to decrees which seemed

timely for the reform of ecclesiastical morals. Regarding the former, the delegates of the king of Aragon thought the city of Granada should first be attacked and occupied in order that the enemy might be enfeebled by a threat to each flank. Other fathers and ambassadors favoured an expedition to the east only. As far as we know, however, after an agreement by kings and princes that a crusade to the holy Land was opportune and necessary, and the imposition of a tithe on all ecclesiastical provinces, no decision was taken.

Meanwhile in March 1312 Philip IV held a general assembly of his kingdom in Lyons, his object being to disturb and steamroller the minds of the council fathers and of the pope himself. Secret bargains had been made between Clement V and the envoys of Philip IV from 17 to 29 February 1312; the council fathers were not consulted. By this bargaining Philip obtained the condemnation of the Templars. It is most likely he used the threat that he would bring a public action against Boniface VIII. The king of France made for Vienne on 20 March, and after two days Clement V delivered to the commission of cardinals for approval the bull by which the order of Templars was suppressed (the bull *Vox in excelso*). In the second session of the council, which took place on 3 April 1312, this bull was approved and the pope announced a future crusade. The Templars' property, of immense value, was entrusted to other persons by the bulls *Ad providam* of 2 May and *Nuper in concilio* of 16 May. The fate of the Templars themselves was decided by the bull *Considerantes* of 6 May. In the bulls *Licet dudum* (18 Dec. 1312), *Dudum in generali concilio* (31 Dec. 1312) and *Licet pridem* (13 Jan. 1313) Clement V gave further treatment to the question of the Templars' property.

In the third session of the council, which was held on 6 May 1312, certain constitutions were promulgated. We do not know their text or number. In Mueller's opinion, what happened was this: the constitutions, with the exception of a certain number still to be polished in form and text, were read by the council fathers; Clement V then ordered the constitutions to

be corrected and arranged after the pattern of decretal collections. This text, although read in the consistory held in the castle of Monteux near Carpentras on 21 March 1314 was not promulgated, since Clement V died a month later. It was **pope John XXII** who, after again correcting the constitutions, finally sent them to the universities. **It is difficult to decide which constitutions are the work of the council. We adopt Mueller's opinion that 38 constitutions may be counted as such, but only 20 of these have the words "with the approval of the sacred council"**. The texts that we publish are taken from Hefele's edition (see above p. 334, n. 17) for the bull Vox in excelso, and from the edition of the Vatican register (= Regestum) for the other bulls; for the text of the constitutions, we have used Friedberg's edition of Corpus Iuris Canonici (= Fr).

**[Where there is considerable doubt that a document is the work of the council it is in smaller print]**

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**[Bulls and ordinances of the Roman curia concerning the order of the Templars and the business of the holy Land]**

[1]. Clement, bishop, servant of the servants of God, for an everlasting record. A voice was heard from on high, of lamentation and bitter weeping, for the time is coming, indeed has come, when the Lord shall complain through his prophet: This house has aroused my anger and wrath, so that I will remove it from my sight because of the evil of its sons, for they have provoked me to anger turning their backs to me, not their faces, and setting up their idols in the house in which my name is invoked, to defile it. They have built the high places of Baal in order to consecrate their sons to idols and demons. They have sinned deeply as in the days of Gibeah. When I learnt of such deeds of horror, at the dread of such notorious scandal -- for who ever heard of such infamy? who ever saw the like? -- I fell down at hearing it, I was dismayed at seeing it, my heart grew embittered and darkness overwhelmed me. Hark, a voice of the people from the city! a voice from the temple! the voice of the Lord

rendering recompense to his enemies. The prophet is compelled to exclaim: Give them, Lord, a barren womb and dry breasts. Their worthlessness has been revealed because of their malice. Throw them out of your house, and let their roots dry up; let them not bear fruit, and let not this house be any more a stumbling block of bitterness or a thorn to hurt.

Not slight is the fornication of this house, immolating its sons, giving them up and consecrating them to demons and not to God, to gods whom they did not know. Therefore, this house will be desolate and in disgrace, cursed and uninhabited, thrown into confusion and levelled to the dust, lowly, forsaken, inaccessible, spurned by the anger of the Lord, whom it has despised; let it not be lived in but reduced to a wilderness. Let everyone be astonished at it and hiss at all its wounds. For the Lord did not choose the people on account of the place, but the place on account of the people. Therefore the very place of the temple was made to share in the punishment of the people, as the Lord proclaimed openly to Solomon when he built the temple for him, to Solomon who was filled with wisdom like a river: But if your sons turn aside from me, not following and honouring me but going instead after strange gods and worshipping them, then I will cut them off from before me and expel them from the land which I have given to them; and the temple which I have consecrated to my name I will cast out of my sight, and it will become a proverb and a byword among all peoples. Everyone passing by it will be astonished and shall hiss, and shall say, “Why has the Lord done thus to this temple and to this house?” And they will say: “Because they forsook the Lord their God who bought and redeemed them, and followed instead Baal and other gods, worshipping and serving them. Therefore, the Lord has brought all this evil upon them”.

Indeed, a little while ago, about the time of our election as supreme pontiff before we came to Lyons for our coronation, and afterwards, both there and elsewhere, we received secret intimations against the master,

preceptors and other brothers of the order of Knights Templar of Jerusalem and also against the order itself. These men had been posted in lands overseas for the defence of the patrimony of our lord Jesus Christ, and as special warriors of the catholic faith and outstanding defenders of the holy Land seemed to carry the chief burden of the said holy Land. For this reason the holy Roman church honoured these brothers and the order with her special support, armed them with the sign of the cross against Christ's enemies, paid them the highest tributes of her respect, and strengthened them with various exemptions and privileges; and they experienced in many and various ways her help and that of all faithful Christians with repeated gifts of property. Therefore, it was against the lord Jesus Christ himself that they fell into the sin of impious apostasy, the abominable vice of idolatry, the deadly crime of the Sodomites, and various heresies. Yet it was not to be expected nor seemed credible that men so devout, who were outstanding often to the shedding of their blood for Christ and were seen repeatedly to expose their persons to the danger of death, who even more frequently gave great signs of their devotion both in divine worship and in fasting and other observances, should be so unmindful of their salvation as to commit such crimes. The order, moreover, had a good and holy beginning; it won the approval of the apostolic see. The rule, which is holy, reasonable and just, had the deserved sanction of this see. For all these reasons we were unwilling to lend our ears to insinuation and accusation against the Templars; we had been taught by our Lord's example and the words of canonical scripture.

Then came the intervention of our dear son in Christ, Philip, the illustrious king of France. The same crimes had been reported to him. He was not moved by greed. He had no intention of claiming or appropriating for himself anything from the Templars' property; rather, in his own kingdom he abandoned such claim and thereafter released entirely his hold on their goods. He was on fire with zeal for the orthodox faith, following in the well marked footsteps of his ancestors. He obtained as much information as he lawfully could. Then, in order to give us greater light on the subject,

he sent us much valuable information through his envoys and letters. The scandal against the Templars themselves and their order in reference to the crimes already mentioned increased. There was even one of the knights, a man of noble blood and of no small reputation in the order, who testified secretly under oath in our presence, that at his reception the knight who received him suggested that he deny Christ, which he did, in the presence of certain other knights of the Temple, he furthermore spat on the cross held out to him by this knight who received him. He also said that he had seen the grand master, who is still alive, receive a certain knight in a chapter of the order held overseas. The reception took place in the same way, namely with the denial of Christ and the spitting on the cross, with quite two hundred brothers of the order being present. The witness also affirmed that he heard it said that this was the customary manner of receiving new members: at the suggestion of the person receiving the profession or his delegate, the person making profession denied Jesus Christ, and in abuse of Christ crucified spat upon the cross held out to him, and the two committed other unlawful acts contrary to christian morality, as the witness himself then confessed in our presence.

We were duty-bound by our office to pay heed to the din of such grave and repeated accusations. When at last there came a general hue, and cry with the clamorous denunciations of the said king and of the dukes, counts, barons, other nobles, clergy and people of the kingdom of France, reaching us both directly and through agents and officials, we heard a doleful tale: that the master, preceptors and other brothers of the order as well as the order itself had been involved in these and other crimes. This seemed to be proved by many confessions, attestations and depositions of the master, of the visitor of France, and of many preceptors and brothers of the order, in the presence of many prelates and the inquisitor of heresy. These depositions were made in the kingdom of France with our authorisation, edited as public documents and shown to us and our brothers. Besides, the rumour and clamour had grown to such insistence that the hostility against both the order itself and the individual members

of it could not be ignored without grave scandal nor be tolerated without imminent danger to the faith. Since we though unworthy, represent Christ on earth, we considered that we ought, following in his footsteps, to hold an inquiry. We called to our presence many of the preceptors, priests, knights and other brothers of the order who were of no small reputation. They took an oath, they were adjured urgently by the Father, Son and holy Spirit; we demanded, in virtue of holy obedience, invoking the divine judgment with the menace of an eternal malediction, that they tell the pure and simple truth. We pointed out that they were now in a safe and suitable place where they had nothing to fear in spite of the confessions they had made before others. We wished those confessions to be without prejudice to them. In this way we made our interrogation and examined as many as seventy-two, many of our brothers being present and following the proceedings attentively. We had the confessions taken down by notary and recorded as authentic documents in our presence and that of our brothers. After some days we had these confessions read in consistory in the presence of the knights concerned. Each was read a version in his own language; they stood by their confessions, expressly and spontaneously approving them as they had been read out.

After this, intending to make a personal inquiry with the grand master, the visitor of France and the principal preceptors of the order, we commanded that the grand master, the visitor of France and the chief preceptors of Outremer, Normandy, Aquitaine and Poitou be presented to us while we were at Poitiers. Some of them, however, were ill at the time and could not ride a horse nor conveniently be brought to our presence. We wished to know the truth of the whole matter and whether their confessions and depositions, which were said to have been made in the presence of the inquisitor of heresy in the kingdom of France and witnessed by certain public notaries and many other good men, and which were produced in public and shown to us and our brothers by the inquisitor, were true. We empowered and commanded our beloved sons Berengar, cardinal, then with the title of Nereus and Achilleus, now bishop of Frascati, and



Stephen, cardinal priest with the title of saint Cyriacus at the Baths, and Landulf, cardinal deacon with the title of saint Angelo, in whose prudence, experience and loyalty we have the fullest confidence, to make a careful investigation with the grand master, visitor and preceptors, concerning the truth of the accusations against them and individual persons of the order and against the order itself. If there was evidence, it was to be brought to us; the confessions and depositions were to be taken down in writing by a public notary and presented to us. The cardinals were to grant absolution from the sentence of excommunication, according to the form of the church, to the master, visitor and preceptors -- a sentence incurred if the accusations were true -- provided the accused humbly and devoutly requested absolution, as they ought to do.

The cardinals went to see the grand master, the visitor and the preceptors personally and explained the reason for their visit. Since these men and other Templars resident in the kingdom of France had been handed over to us because they would freely and without fear of anyone reveal the truth sincerely to the cardinals, the cardinals by our apostolic authority enjoined on them this duty of telling the truth. The master, the visitor and the preceptors of Normandy, Outremer, Aquitaine and Poitou, in the presence of the three cardinals, four notaries and many other men of good repute, took an oath on the holy gospels that they would tell the truth, plainly and fully. They deposed one by one, in the cardinals' presence, freely and spontaneously, without any compulsion or fear. They confessed among other things that they had denied Christ and spat upon the cross at their reception into the order of the Temple. Some of them added that they themselves had received many brothers using the same rite, namely with the denial of Christ and the spitting on the cross. There were even some who confessed certain other horrible crimes and immoral deeds, we say nothing more of these at present. The knights confessed also that the content of their confessions and depositions made a little while ago before the inquisitor was true. These confessions and depositions of the grand master, visitor and preceptors were edited as a public document by four

notaries, the master and the others being present and also certain men of good repute. After some days, the confessions were read to the accused on the orders and in the presence of the cardinals; each knight received an account in his own language. They persisted in their confessions and approved them, expressly and spontaneously, as they had been read out to them. After these confessions and depositions, they asked from the cardinals absolution from the excommunication incurred by the above crimes; humbly and devoutly, on bended knee, with hands joined, they made their petition with many tears. Since the church never shuts her heart to the sinner who returns, the cardinals granted absolution by our authority in the customary form of the church to the master, visitor and preceptors on abjuration of their heresy. On their return to our presence, the cardinals presented to us the confessions and depositions of the master, visitor and preceptors in the form of a public document, as has been said. They also gave us a report on their dealings with these knights.

From these confessions, depositions and report we find that the master, the visitor and the preceptors of Outremer, Normandy, Aquitaine and Poitou have often committed grave offences, although some have erred less frequently than others. We considered that such dreadful crimes could not and should not go unpunished without insult to almighty God and to every Catholic. We decided on the advice of our brothers to hold an enquiry into the above crimes and transgressions. This would be carried out through the local ordinaries and other wise, trustworthy men delegated by us in the case of individual members of the order; and through certain prudent persons of our considered choice in the case of the order as a whole. After this, investigations were made both by the ordinaries and by our delegates into the allegations against individual members, and by the inquisitors appointed by us into those against the order itself, in every part of the world where the brothers of the order have usually lived. Once made and sent to us for examination, these investigations were very carefully read and examined, some by us and our brothers, cardinals of the holy Roman church others by many very learned, prudent, trustworthy and

God-fearing men, zealous for and well-trained in the catholic faith, some being prelates and others not. This took place at Malaucene in the diocese of Vaison.

Later we came to Vienne where there were assembled already very many patriarchs, archbishops, selected bishops, exempt and non-exempt abbots, other prelates of churches, and procurators of absent prelates and of chapters, all present for the council we had summoned. In the first session we explained to them our reasons for calling the council. After this, because it was difficult indeed almost impossible, for the cardinals and all the prelates and procurators gathered for the council to meet in our presence in order to discuss how to proceed in the matter of the Templars, we gave orders as follows. Certain patriarchs, archbishops, bishops, exempt and non-exempt abbots, other prelates of churches, and procurators from all parts of Christendom, of every language nation and region, were concordantly chosen out of all the prelates and procurators at the council. The choice was made from those believed to be among the more skilful, discreet and apt for consultation on such an important affair and for discussing it with us and the above-mentioned cardinals. After this we had the attestations received during the inquiry read publicly in the presence of the prelates and procurators. This reading went on during several days, for as long as they wished to listen, in the place assigned for the council, namely the cathedral church. Afterwards the said attestations and the summaries made from them were considered and examined, not in a perfunctory manner but with great care, by many of our venerable brethren, by the patriarch of Aquileia, by archbishops and bishops of the present sacred council who were specially chosen and delegated for the purpose, and by those whom the whole council had chosen very carefully and earnestly.

We convoked therefore the said cardinals, patriarchs, archbishops and bishops, the exempt and non-exempt abbots, and the other prelates and procurators elected by the council to consider this affair, and we asked

them, in the course of a secret consultation in our presence, how we should proceed, taking special account of the fact that certain Templars were presenting themselves in defence of their order. The greater part of the cardinals and nearly the whole council, that is those who were elected by the whole council and were representing the whole council on this question, in short the great majority, indeed four-fifths among every nation taking part, were firmly convinced, and the said prelates and procurators advised accordingly, that the order should be given an opportunity to defend itself and that it could not be condemned, on the basis of the proof provided thus far, for the heresies that had been the subject of the inquiry, without offence to God and injustice. Certain others on the contrary said that the brothers should not be allowed to make a defence of their order and that we should not give permission for such a defence, for if a defence were allowed or given there would be danger to a settlement of the affair and no small prejudice to the interests of the holy Land. There would be dispute, delay and putting off a decision, many different reasons were mentioned. Indeed, although legal process against the order up to now does not permit its canonical condemnation as heretical by definitive sentence, the good name of the order has been largely taken away by the heresies attributed to it. Moreover, an almost indefinite number of individual members, among whom are the grand master the visitor of France and the chief preceptors, have been convicted of such heresies, errors and crimes through their spontaneous confessions. These confessions render the order very suspect, and the infamy and suspicion render it detestable to the holy church of God, to her prelates, to kings and other rulers, and to Catholics in general. It is also believed in all probability that from now on there will be found no good person who wishes to enter the order, and so it will be made useless to the church of God and the carrying on of the undertaking to the holy Land, for which service the knights had been destined. Furthermore, the putting off of a settlement or arrangement of this affair of the Templars, for which we had set ourselves a final decision or sentence to be promulgated in the present

council, would lead in all probability to the total loss, destruction and dilapidation of the Templars' property. This has for long been given, bequeathed and granted by the faithful for the aid of the holy Land and to oppose the enemies of the christian faith.

There were therefore two opinions: some said that sentence should immediately be pronounced, condemning the order for the alleged crimes, and others objected that from the proceedings taken up to now the sentence of condemnation against the order could not justly be passed. After long and mature deliberation, having in mind God alone and the good of the holy Land without turning aside to right or to left, we elected to proceed by way of provision and ordinance, in this way scandal will be removed, perils avoided and property saved for the help of the holy Land. We have taken into account the disgrace, suspicion, vociferous reports and other attacks mentioned above against the order, also the secret reception into the order, and the divergence of many of the brothers from the general behaviour, way of life and morals of other Christians. We have noted here especially that when new members are received, they are made to swear not to reveal the manner of their reception to anyone and not to leave the order; this creates an unfavourable presumption. We observe in addition that the above have given rise to grave scandal against the order, scandal impossible to allay as long as the order continues to exist. We note also the danger to faith and to souls, the many horrible misdeeds of so many brothers of the order, and many other just reasons and causes, moving us to the following decision.

The majority of the cardinals and of those elected by the council, a proportion of more than four-fifths, have thought it better, more expedient and advantageous for God's honour and for the preservation of the christian faith, also for the aid of the holy Land and many other valid reasons, to suppress the order by way of ordinance and provision of the apostolic see, assigning the property to the use for which it was intended. Provision is also to be made for the members of the order who are still

alive. This way has been found preferable to that of safeguarding the right of defence with the consequent postponement of judgment on the order. We observe also that in other cases the Roman church has suppressed other important orders for reasons of far less gravity than those mentioned above, with no fault on the part of the brethren. Therefore, with a sad heart, not by definitive sentence, but by apostolic provision or ordinance, we suppress, with the approval of the sacred council, the order of Templars, and its rule, habit and name, by an inviolable and perpetual decree, and we entirely forbid that anyone from now on enter the order, or receive or wear its habit, or presume to behave as a Templar. If anyone acts otherwise, he incurs automatic excommunication. Furthermore, we reserve the persons and property for our disposition and that of the apostolic see. We intend with divine grace, before the end of the present sacred council, to make this disposition to the honour of God the exaltation of the christian faith and the welfare of the holy Land. We strictly forbid anyone, of whatever state or condition, to interfere in any way in this matter of the persons and property of the Templars. We forbid any action concerning them which would prejudice our arrangements and dispositions, or any innovation or tampering. We decree that from now on any attempt of this kind is null and void, whether it be made knowingly or in ignorance. Through this decree, however, we do not wish to derogate from any processes made or to be made concerning individual Templars by diocesan bishops and provincial councils, in conformity with what we have ordained at other times. Let nobody therefore ... If anyone ...

Given at Vienne on 22 March in the seventh year of our pontificate.

[2]. For an everlasting record. It belongs to Christ's vicar, exercising his vigilant care from the apostolic watch-tower, to judge the changing conditions of the times, to examine the causes of the affairs which crop up and to observe the characters of the people concerned. In this way he can give due consideration to each affair and act opportunely; he can tear out the thistles of vice from the field of the Lord so that virtue may

increase; and he can remove the thorns of false dealing so as to plant rather than to destroy. He transfers slips dedicated to God into the places left empty by the eradication of the harmful thistles. By thus transferring and uniting in a provident and profitable way, he brings a joy greater than the harm he has caused to the people uprooted; true justice has compassion for sorrow. By enduring the harm and replacing it profitably, he increases the growth of the virtues and rebuilds what has been destroyed with something better.

A little while ago we suppressed definitively and perpetually the order of the Knights Templar of Jerusalem because of the abominable, even unspeakable, deeds of its master, brothers and other persons of the order in all parts of the world. These men were spattered with indecent errors and crimes, with depravity- they were blemished and stained. We are silent here as to detail because the memory is so sad and unclean. With the approval of the sacred council we abolished the constitution of the order, its habit and name, not without bitterness of heart. We did this not by definitive sentence, since this would be unlawful according to the inquiries and processes carried out, but by apostolic provision or ordinance. We issued a strict prohibition that nobody might henceforth enter the order or wear its habit or presume to behave as a Templar. Anyone doing otherwise incurred automatic excommunication. We commanded, by our apostolic authority, that all the property of the order be left to the judgment and disposition of the apostolic see. We strictly forbade anyone, of whatever state or condition, to interfere in any way regarding the persons or property of the order or to act in prejudice of the direction or disposition of the apostolic see in this matter, or to alter or even to tamper; we decreed all attempts of this kind to be henceforth null and void, whether made knowingly or in ignorance.

Afterwards we took care lest the said property, which over a long period had been given, bequeathed, granted and acquired from the worshippers of Christ for the help of the holy Land and to assail the enemies of the

christian faith, should be left without management and perish as belonging to nobody or be used in ways other than those intended by the pious devotion of the faithful. There was the further danger that tardiness in our arrangements and dispositions might lead to destruction or dilapidation. We therefore held difficult, lengthy and varied consultations and discussions with our brothers, the cardinals of the holy Roman church, with patriarchs, archbishops, bishops and prelates, with certain outstanding and distinguished persons, and with the procurators at the council of the chapters, convents, churches and monasteries, and of the remaining absent prelates, in order that, through this painstaking deliberation, a wholesome and beneficial disposal of the said property might be made to the honour of God, the increase of the faith, the exaltation of the church, the help of the holy Land, and the salvation and peace of the faithful. After especially long carefully thought out, deliberate and complete consultations, for many just reasons, we and the said fathers and patriarchs, archbishops, bishops, other prelates, and the outstanding and distinguished persons, then present at the council, finally came to a conclusion. The property should become forever that of the order of the Hospital of saint John of Jerusalem, of the Hospital itself and of our beloved sons the master and brothers of the Hospital, in the name of the Hospital and order of these same men, who as athletes of the Lord expose themselves to the danger of death for the defence of the faith, bearing heavy and perilous losses in lands overseas.

We have observed with the fullness of sincere charity that this order of the Hospital and the Hospital itself is one of the bodies in which religious observance flourishes. Factual evidence tells us that divine worship is fervent, works of piety and mercy are practised with great earnestness, the brothers of the Hospital despise the attractions of the world and are devoted servants of the most High. As fearless warriors of Christ they are ardent in their efforts to recover the holy Land, despising all human perils. We bear in mind also that the more plentifully they are supplied with means, the more will the energy of the master and brothers of the order



and Hospital grow, their ardour increase and their bravery be strengthened to repel the insults offered to our Redeemer and to crush the enemies of the faith. They will be able to carry more lightly and easily the burdens demanded in the execution of such an enterprise. They will therefore, not unworthily, be made more watchful and apply themselves with greater zeal.

In order that we may grant them increased support, we bestow on them, with the approval of the sacred council, the house itself of the Knights Templar and the other houses, churches, chapels, oratories, cities, castles, towns, lands, granges, places, possessions, jurisdictions, revenues, rights, all the other property, whether immovable, movable or self-moving, and all the members together with their rights and belongings, both beyond and on this side of the sea, in each and every part of the world, at the time when the master himself and some brothers of the order were arrested as a body in the kingdom of France, namely in October 1308. The gift is to include everything which the Templars had, held or possessed of themselves or through others, or which belonged to the said house and order of Knights Templar, or to the master and brothers of the order as also the titles, actions and rights which at the time of their arrest belonged in any way to the house, order or persons of the order of Knights Templar, or could belong to them, against whomsoever of whatever dignity, state or condition, with all the privileges, indults, immunities and liberties with which the said master and brothers of the house and order of Knights Templar, and the house and order itself, had been legitimately endowed by the apostolic see or by catholic emperors, kings and princes, or by other members of the faithful, or in any other way. All this we present, grant, unite, incorporate, apply and annex in perpetuity, by the fullness of our apostolic power, to the said order of the Hospital of saint John of Jerusalem and to the Hospital itself.

We except the property of the said former order of Knights Templar in the kingdoms and lands of our beloved sons in Christ, the illustrious kings of Castile, Aragon, Portugal and Majorca, outside the kingdom of France. We reserve this property, from the said gift, grant, union, application, incorporation and annexation, to the disposal and regulation of the apostolic see. We wish the prohibition made a little while ago by other proceedings of ours to remain in full force. Nobody of any state or condition may intervene in any way as regards these persons and property in prejudice to the regulation or disposition of the apostolic see. We wish that our decree concerning these persons and property in the kingdoms and lands of the above kings should remain in full force until the apostolic see makes another arrangement.

Occupiers and unlawful detainers of the property, irrespective of state, condition, eminence or dignity, even if this is pontifical, imperial or royal, unless they abandon the property within a month after it is called for by the master and brothers of the Hospital, or by any of them, or by their procurators [. . .]. The property must be fully and freely restored to the order of Hospitallers and to the said Hospital, or to the master, priors, preceptors or brothers of the said Hospital, in any regions or provinces, or to any of them individually, or to their procurator or procurators, in the name of the said order of Hospitallers, even if the priors, preceptors and brothers and their procurators or any one of them have no special mandate from the master of the Hospital, provided that the procurators hold or show a special commission from the priors and preceptors or from any one of them, in the provinces or regions in which these priors and preceptors have been delegated. The priors, preceptors and brothers are obliged to give a full reckoning to the master concerning everything: conduct, actions, receipts and negotiations. The procurators are to render a similar account to the priors and preceptors, and to each one of them, by whom they were delegated. All who have knowingly given counsel, aid or favour to the occupiers and detainers mentioned above concerning such occupation or detention, publicly or secretly, lie under excommunication.

Chapters, colleges or governing bodies of churches and monasteries, and the corporations of cities, castles, towns and other places, as well as the cities, castles, towns and other places themselves which were at fault in this, and the cities, castles and places in which the detainers and occupiers hold temporal lordship, if such temporal lords place obstacles to the giving up of the property and its restoration to the master and brothers of the Hospital, in the name of the Hospital, not desisting from such conduct within a month after the property is called for, are automatically laid under interdict. They cannot be absolved from this until they offer full satisfaction. Moreover the occupiers and detainers and those who have given them counsel, aid or favour, whether individuals or the chapters, colleges or governing bodies of churches or monasteries, as also the corporations of cities, castles, lands or other places, incur, in addition to the above-mentioned penalties, automatic deprivation of everything they hold as fiefs from the Roman or other churches. These fiefs are to revert freely without opposition to the churches concerned, and the prelates or rulers of those churches may dispose of the fiefs at will, as they judge will be to the advantage of the churches. Let nobody therefore . . . If anyone ..

Given at Vienne on 2 May in the seventh year of our pontificate.

Continued in E:

We therefore commission you by our apostolic letters, that acting together or in pairs or singly, directly or through one or more others, you induct the master or priors or preceptors or brothers of the Hospital, or any individual member, or their procurator or procurators, in the name of the Hospital, into possession of the house of the Knights Templar and of their other houses, churches, chapels, oratories, cities, castles, towns, lands, granges, places, possessions, jurisdictions, revenues and rights to all their other movable, immovable and self-moving property, with all their members, rights and belongings, both on the near and far side of the sea and in every part of the world, which the order, master and brothers of the Knights Templar had, held or possessed, directly or through others, at the time of their arrest. The Hospitallers are to be inducted by our authority and defended afterwards; occupiers,

detainers, administrators and conservators are to be removed. You are to ask a full account from those who have been delegated by apostolic authority and any other, including those sub-delegated, to care for the aforesaid property. The account is to comprise all the fruits, revenues, incomes, rights and accretions. The occupiers or detainers, administrators, conservators and others, unless within the prescribed time they abandon the property and revenues, and restore them freely and fully to the order of the Hospital and to the same Hospital, or to the master, prior, preceptors or brothers of the Hospital, in the regions and provinces in which the property has been, including to each of them individually, or to their procurator or procurators, in the name of the Hospital, as said above, as well as those who give help, counsel or favour to the occupiers, detainers, administrators or conservators, are to be excommunicated by you, if they are individuals; but if they are chapters, colleges, convents or corporations, as well as the cities, castles, towns and places themselves at fault in this, and those in which the detainers and occupiers have temporal dominion and are obstructive when asked to abandon the property and restore it to the master and brothers of the Hospital, in the name of the Hospital, and refuse to desist from such conduct within a month, you are to lay them under interdict. The offenders are also to be deprived of all property which they hold in fief from the Roman or any other church. You will give notice everywhere where you think it useful and have it announced by others that the excommunicated persons are to be strictly avoided until they have made suitable satisfaction and merited absolution. No exception is to be made on account of any indult from the apostolic see to the effect that they cannot be laid under interdict, suspended or excommunicated by apostolic letters which do not make an express, full and word for word declaration. You are also to suppress any other objectors, if there be such, by ecclesiastical censure, disregarding appeals. It is our will also and we decree by our apostolic authority, that with the present instruction you all and singly are given power and jurisdiction in every detail of this matter. You may from now proceed freely as if this same jurisdiction were perpetuated by citation or by any other lawful way. The jurisdiction shall be considered perpetuated as though the case were no longer undecided. Each of you may continue the part which has been left unfinished by one of your colleagues, in spite of his opposition and unhampered, notwithstanding the constitution of pope Boniface VIII, our predecessor of happy memory, as often and whenever this is suitable. Given as above.

[3]. Clement, bishop, servant of the servants of God, for assurance in the present and for future record. The inquiries and various processes commissioned not long ago by the apostolic see through all parts of Christendom against the former order of Knights Templar and its individual members, concerning accusation of heresies, brought them into grave disrepute. In particular there was the accusation that the brothers of the former order at, and sometimes after, their reception denied Christ and spat in his dishonour on a cross held out to them, and sometimes trampled it underfoot. The master of the order, the visitor of France, the chief preceptors and many brothers of the order confessed at their trial to these heresies. The confessions cast grave suspicion on the order. In addition, the widespread disgrace, the strong suspicion, and the clamorous charges of the prelates, dukes, communes, barons and counts of the kingdom of France also gave grave scandal which could hardly be allayed without suppression of the order. There were many other just reasons mentioned in the legal process which influenced us. We therefore, with the approval of the sacred council, our heart filled with great bitterness and sorrow, suppressed and abolished the said former order of the Temple and its constitution, habit and name and we forbade its restoration. We did this, not by definitive sentence since we could not legally do this according to the inquiries and processes mentioned above, but by apostolic provision and ordinance. We reserved the persons and property of the order to the decision and disposal of the apostolic see. In doing so, however, we had no intention of derogating from the processes made or to be made concerning individual persons or brothers of the said former order by diocesan bishops and provincial councils, as we have ordained elsewhere.

Now therefore we wish to provide more suitably for individual persons or brothers. We reserved lately for our own disposition the master of the former order, the visitor of France and the chief preceptors of the holy Land, Normandy, Aquitaine, Poitou and the province of Provence, as well as brother Oliver de Penne, a knight of the said former order, whom henceforth we reserve to the disposition of the apostolic see. We have

decided that all the other brothers should be left to the judgment and disposition of provincial councils, as we have indeed done until now. We wish judgment to be given by these councils in accordance with the different cases of individuals. Thus, those who have been legally acquitted, or will be acquitted in the future, shall be supplied with the goods of the former order whereby they can live as becomes their state. With those who have confessed concerning the above errors, we wish the provincial councils prudently to temper justice with mercy: the situation of these men and the extent of their confessions are to be duly weighed. With regard to those who are impenitent and have relapsed, if any -- which God forbid -- be found among them, justice and canonical censure are to be observed. As for those who even when questioned have denied their involvement in the above errors, the councils are to observe justice and equity according to the canons. With the approval of the sacred council, we hereby cite those who have not yet been questioned and who are not held by the power or authority of the church but are perhaps fugitives, to appear in person before their diocesans within a year from today. This we assign them as a precise and final limit. They are to undergo an examination by their diocesans, receiving a just judgment from the said councils according to their deserts. Great mercy however is to be shown and observed both to these last and to those previously mentioned, except the relapsed and impenitent. They should also be provided from the property of the order with the necessities of life; all the brothers of the former order, whenever they return to the obedience of the church and as long as they persist in that obedience, shall be maintained as becomes the circumstances of their state. All of them shall be placed in houses of the former order or in monasteries of other religious, at the expense however of the former order itself according to the judgment of the said provincial councils; but many of them shall not be placed together at the same time in one house or monastery.

We order also and strictly command all those with whom and by whom the brothers of the former order are detained, to surrender them freely whenever required to do so by the metropolitans and the ordinaries of the brothers. If within the year those cited do not appear before the diocesans, as stated above, they incur automatically sentence of excommunication; and because in a case especially concerning the faith, contumacy adds strong presumption to suspicion, the contumacious who stubbornly remain excommunicate for a year are henceforth to be condemned as heretics. This citation of ours is made of set purpose and we wish the brothers to be obliged by it as if they had received a special citation personally, for as vagabonds they can in no way be found or at least not easily. In order, then, to prevent all subterfuge, we publish our edict in the present sacred council. And in order to bring this citation more assuredly to the knowledge of the brothers themselves and to the general knowledge of all, we shall have papers or parchments containing the citation and sealed with our bull hung or fastened to the doors of the principal church of Vienne. This will secure a loud and widespread publication of this citation, so that the brothers whom the citation concerns can claim no excuse that the citation has not reached them or that they were ignorant of it, since it is improbable that what is so openly made public to all can remain unknown or hidden to them. Furthermore, in order to observe greater precaution, we order the local diocesans to make public this edict of our citation, as soon as conveniently possible, in their cathedrals and in the churches at the most conspicuous places in their dioceses.

Given at Vienne on 6 May 1312 in the seventh year.

[4]. To all the administrators and guardians of the property of the former house and order of the Knights Templar, delegated by apostolic and any other authority. Recently we held, as the Lord so disposed, a general council at Vienne. There we gave long and careful consideration to the disposal of the former house and order of the Knights Templar. We thought it more acceptable to the most High, more honourable to those who worship in the true faith, and more useful for the aid of the holy Land, to grant this property to the order of the Hospital of saint John of Jerusalem, rather than to give it or even attach it to a new order to be created. There were some, however, who asserted that it would be better to confer the property on an order to be newly created than to attach it to the order of the Hospital, and so we were unable to obtain the result we hoped for. At last, however, by God's favour, on 2 May of this present month, with the approval of the sacred council, we judged that the property should be granted and attached and even united to the said Hospital or order. We made an exception, for certain reasons, of the Templars' property in the kingdoms and lands of our beloved sons in Christ, the illustrious kings . . . of Castile, . . . of Aragon, . . . of Portugal, and . . . of Majorca', outside the kingdom of France. We reserved this property for our disposition and that of the apostolic see, until some other arrangement be made by us and the apostolic see for its use to aid the holy Land.

We therefore strictly command all of you, by apostolic ordinance, to restore in full, in the name of the said Hospital and order, this property with the revenue gathered from it, after all expenses have been paid, to the master and brothers of the Hospital, or to restore individual items to the said Hospital's individual priors or preceptors of the provinces or cities or dioceses or places in which the property lies, or to the procurator or procurators of one or more of them, according to the terms of your commission, within a month of being so required. For this the master, brothers, priors and preceptors, or their procurator or procurators, shall fittingly commend you, and we shall rightly acknowledge your prompt and devoted obedience.

Given at Livron in the diocese of Valence on 16 May in the seventh year. {1}

[5]. {2} Our redeemer, the only-begotten Son of God, our Lord Jesus Christ, loved so much the daughter of Zion, the holy Land, that he chose her as his inheritance and his own patrimony. He therefore, clothed with our flesh, honoured her with his presence and consecrated her by the shedding of his precious blood. But we mourn and bitterly lament that so noble an inheritance of our redeemer has been turned over to strangers



and laid low by the frenzy of the Babylonian persecutor, trampled underfoot by the feet of the defiled. She is dishonoured by the vile grasp of the unclean Saracens, faithless enemies of the christian name. She has been occupied and wretchedly retained, the christian people have been savagely slaughtered. To the insult of the creator, to the outrage and sorrow of all Christendom, the name of Christ is horribly blasphemed by the filthy and detestable conduct of the enemy. This sad region therefore weeps under the lash and repeatedly laments to the vicar of Christ about this intolerable persecution. Wounded by her disgrace, she pleads with christian princes and the catholic people. She uncovers her wounds to those from whom she awaits the work of the healer. She demands liberation from those for whose salvation the author of salvation bore within her borders the suffering of the cross. All this and more besides, which the mind cannot fully conceive nor the tongue tell, rose to our heart and roused our mind as soon as we were called by divine favour, though unworthy, to the summit of apostolic dignity. We gazed tenderly at the doleful state of the holy Land and we applied ourselves to think out remedies by which, with the aid of heaven, that Land, freed from the enemy's criminal hands, might see, after the darkness of so many tribulations, the bright times of longed-for peace

For this and other holy works acceptable to God, to be advanced by his almighty power, we convoked a general council in the city of Vienne{3}. Then, together with our brothers the cardinals of the holy Roman church, the patriarchs, archbishops, bishops and other prelates and our beloved sons in Christ the illustrious kings Philip of the Franks and Louis of Navarre, who were present at the council, as also some other eminent men and the procurators of the remaining absent prelates and of chapters, convents, churches and monasteries, assembled at the council, we held a long, complete and careful discussion on bringing aid to the holy Land. At last we resolved, with the council's approval, to succour the holy Land by a general crusade. Intending to use our apostolic power zealously to this end, and having duly weighed all we have said, we judged, with the

approval of the sacred council, that a tithe should be imposed by our apostolic authority on all ecclesiastical revenues and incomes throughout the world. Only the persons and places belonging to the Hospital of saint John of Jerusalem and the other military orders were to be exempted. The tithe was to be collected and paid for six years to be reckoned from 1 January last, in fixed installments, as we should find best, and to be directed to helping the holy Land and opposing the infidels and the enemies of the catholic faith. {4}

But actually we reflected of late that our letters concerning the imposition, collection and payment of the tithe had not reached you by 1 January, nor could easily do so in a short time, on account of the great distance of those parts from the Roman curia. Wishing, then, to consult your ease and convenience, we have decreed that the six years are to begin in your region on 1 October next. We therefore ask, admonish and earnestly exhort you, also commanding you strictly by apostolic ordinance in virtue of obedience, to pay without difficulty the tithe for six years beginning from 1 October. The tithe is to be paid in the customary way, namely for the first half of the first year on 1 October next, and for the second half on 1 April immediately following, and in the same way for each of the remaining five years. Each of you is to pay it in full from your ecclesiastical revenues and incomes. If you fail to pay the tithe within the above periods, each of you automatically incurs sentences similar to those pronounced for nonpayment by you or by the suitable and trustworthy persons delegated by you to collect the tithe in your cities and dioceses.

Furthermore, you are to collect the tithe from our beloved sons, the abbots, priors, deans, archdeacons, provosts, archpriests and other prelates of churches, the chapters, colleges and convents of the Cistercians, Cluniacs, Premonstratensians, of saint Benedict and saint Augustine, of the Carthusians, Grandmontines and other orders, and other non-exempt secular and regular ecclesiastical persons, in your cities and dioceses, that is, each of you in each city and diocese. The priors, preceptors, masters

and other persons and the places of the Hospital of saint John of Jerusalem and of the other military orders are to be the only exceptions made. The tithe is to be collected by you or by other suitable and trustworthy persons delegated by you for this service in each of your cities and dioceses. It is altogether our wish and command that you should delegate such persons. We entrust to them and command them by this document to claim and collect it in full by our authority, in each of the cities and dioceses where they are delegated, from our beloved sons the abbots, priors, deans, provosts, archdeacons, archpriests and other prelates of churches, and the exempt chapters, colleges and convents of the above-mentioned orders, in your cities and dioceses. Only the priors, preceptors, masters, persons and places of the Hospital of saint John of Jerusalem and of the said other military orders are to be excepted.

The tithe is to be claimed and collected in full from the ecclesiastical revenues and incomes, by our authority, in the customary way according to the years and periods mentioned above. The delegates are to collect it from both the exempt and the non-exempt: each is to hand over and assign it for each period to the person among you by whom he was delegated, without delay or as soon as he conveniently can. You are to compel them by ecclesiastical censure, without any appeal, to give you an account of the money claimed and collected from the aforesaid non-exempt persons, as well as to hand over and assign the tithe claimed and collected from both the exempt and the non-exempt. Public instruments are to be drawn up and other due precautions taken concerning the handing over and assigning of the tithe. In this way, when needed, it can be established how much, from whom, when and for what period the delegates received the money and how much, when and for what period they handed over and assigned it to each of you.

The money which has been duly claimed and collected by you and your delegates from the exempt and non-exempt persons and has been handed over to you, including that which has been claimed and collected by your

delegates from the said exempt persons, as mentioned above, and also the money which you will pay from your own revenues and incomes, is to be put away by each of you, together with your cathedral chapter, beneath the church or even elsewhere, as you think best, in some more becoming and safe place. Here, at your expense and that of the chapter, you will have it guarded carefully and faithfully, to be consigned by each of you to our delegates as and when shall seem good to us, for the business of the holy Land and the service of the faith.

In order that you may more easily and effectively collect this tithe, we grant by this document full and unrestricted power to each of you to constrain by ecclesiastical censure directly or through your delegates, disregarding any appeal, the abbots, priors, deans, provosts and other aforesaid non-exempt persons, in your cities and dioceses. We grant the same power to your delegates, in each city or diocese for which they have been delegated, with regard to the abbots, priors, deans, provosts and other aforesaid exempt persons. This power may also be used to constrain any opponents and rebels. In addition, we grant full and unrestricted power to you to absolve in your cities and dioceses, after satisfaction has been made, the aforesaid non-exempt persons, and to your delegates regarding the aforesaid exempt persons who, because of non-payment of the tithe in due time, are bound by sentences of excommunication, suspension or interdict; also to dispense from irregularity contracted by celebrating divine worship or taking part in it while bound by one or more of the above sentences. In order that you and your delegates may have a reward for the labours undertaken, we enjoin on you the above things in remission of your sins.

The tithe is to be paid even if the apostolic see has granted an indult to you or some of you, or to the abbots, priors and other aforesaid exempt or non-exempt persons, or to anyone else, that you are not obliged and compelled to pay, or that you cannot be laid under interdict, suspension or excommunication by apostolic letters which have not made full and

express mention of this indult and its tenor word for word, or of the names of your orders, localities and persons. The same applies to any privileges, indulgences, exemptions and apostolic letters which have been granted generally or specially in any form of words by the said apostolic see to any dignities, orders, places or persons, and of which and their whole tenor there should be made in our letters word for word, special, full and express mention. Consider, besides, that in these duties you are engaged in God's business, and that you are acting in the sight of him who sees all. You will therefore be obliged to render an account to him and to us; we intend to use all diligence in this matter. You will receive due reward from both him and us. You should therefore act prudently and carefully, not only to avoid the danger of punishment and confusion, but also to gain the glory of praise and well-deserved reward.

It is our wish also that each of you oblige the persons delegated by you for collecting the tithe, to swear that they will be diligent and careful in their work and to use this formula: "I swear . . . by you, lord . . ., who am delegated by the authority of the apostolic see and by the same see itself to claim, collect and receive a tithe of all ecclesiastical revenues and incomes from all exempt and non-exempt ecclesiastical persons in your city and diocese, that I will faithfully claim, collect, receive and guard this tithe which has been imposed by the apostolic see for the business of the holy Land and of the catholic faith. Only the priors, preceptors masters and other persons and places of the Hospital of saint John of Jerusalem and of the other military orders are excepted. I shall not give way in this to any person, of whatever dignity, status or condition, whether from entreaty, fear, gratitude, favour or any other cause. I shall restore and consign the full tithe to you at your order. I shall render a final and integral account concerning everything in detail, namely to you regarding what I have claimed, collected and received from non-exempt persons, and to the delegate or delegates of the holy see regarding exempt persons. If you lay down your office in this matter, I shall do the same according to the orders of your successor. So may God help me and these holy gospels of God."

Given at Avignon on 1 December in the eighth year.

[6]. For future record. Not long ago, in the general council at Vienne, we transferred, with the approval of the sacred council, the property, rights, privileges, indults, immunities and liberties of the former order of the Temple to the order of the Hospital of saint John of Jerusalem. For the sake of greater peace and concord between prelates of churches and other clergy on the one hand, and the brothers of the order of the Hospital on the other, as also for other justifiable reasons, we suspended, in the last session of the council, all the privileges granted to the Hospital by the apostolic see, and with them as a necessary consequence the privileges of the former Temple, which should be thought of as belonging to the said Hospital and transferred to it. We excepted the privilege of exemption, if they had any. We wished these privileges to be suspended at our good pleasure. There are some, however, who assert on insufficient grounds that the suspension of these privileges of the Hospital does not extend to the privileges of the former order of the Temple. Although there is not the faintest reason for such an assertion, we wish to remove from their minds the slightest doubt that it was our intention, by the said suspension of the privileges of the order of the Hospital, to suspend the privileges of the former Temple, which have become by the transference those of the Hospital itself. We declare therefore by our apostolic authority and decree that these, like the other privileges of the Hospital, are and remain suspended.

Indeed, before the suspension, it was said in general by some of our brothers cardinals of the holy Roman church, to many of the prelates assembled at the general council, that there would be a suspension of the Hospital's privileges until everything that was still uncertain among the said prelates and other clergy, with regard to concord, lawsuits and disputes, had been completely settled. We observed, however, that if it was necessary to await the end of all these lawsuits and disputes, one little case might generate grave prejudice against the Hospitallers, and great

loss might result from the continuing suspension of their privileges. We reflected that this might provide material for many misrepresentations. In the last session of the council, therefore, wishing to obviate such greater dangers, we judged it fitting to make known orally, clearly and openly, even for a third time, so that each and all might clearly understand, that we wished the said suspension of the privileges of the order of the Hospital to continue until we willed otherwise. We intend with the Lord's help to consider what is good for both sides and to make provision for both prelates and other clergy on the one hand, and the Hospitallers on the other, so that neither will have reason for complaint but both will receive due satisfaction. Let nobody therefore ...

Given at Avignon on 18 December in the eighth year.

[7]. For an everlasting record. Not long ago, under the Lord's providence, we held a general council at Vienne, at which we suppressed the former order of the Knights Templar of Jerusalem. We granted, attached and joined the Templar possessions, with the approval of the sacred council, to the order of the Hospital of saint John of Jerusalem, for the help of the holy Land; with the exception, for certain reasons, of their property lying in the kingdoms and lands of our beloved sons in Christ, the illustrious kings . . . of Castile, . . . of Aragon, . . . of Portugal and . . . of Majorca, outside the kingdom of France, which we reserved for our disposal and that of the apostolic see until we made other arrangements. Then, in the same council, we made some sound provisions for furthering the cause of the holy Land and others by which quarrels, scandals and discord might be prevented, and continuous peace and concord be established, between prelates of churches and other clergy on the one hand and the brothers of the Hospital on the other. We also made provision on other points relating to the reform of the order of the Hospital.

Actually, business has pressed upon us. It is like an ocean pouring into the apostolic see. The waters of care constantly harass our heart. We have not been permitted until now, and are still not permitted, to put into execution the arrangements we desire. In order that the fruit of such sound proposals may not perish through oblivion or pressure of business, but rather may be gathered up, by the Lord's will, at the opportune time, we have had the headings of these projected decrees inserted into the present document. Their drift is as follows. We wish that the transfer of property of the former order of the Temple to the order of the Hospital may, by our provision,

be of advantage to the holy Land. We also wish that quarrels, scandals and discord be prevented between prelates and other clergy on the one hand and the brothers of the order on the other; that lasting concord be established between them; and that the order and its members be reformed, if and as this seems good. We have therefore made three special provisions regarding the order of the Hospital.

The first has to do with the holy Land. We shall have an exact and careful enquiry made into the past and present possessions of the order of the Hospital and their exact annual value. We shall wish to know fully the annual value of each old and new house of the order, and how much this represents each year in terms of assistance to the holy Land. On completion of this valuation, and taking into account the necessary local expenditure, we shall oblige the order to maintain continuously in the holy Land a certain number of brothers and knights. These brothers and knights are to labour effectively and strive to win the holy Land and keep it, as far as God grants. We shall arrange and provide that very few brothers of the order remain on this side of the sea. These shall be only those required to govern the houses of the order and those who are old, sick or unfit for war. The young and the strong, who are able to fight, shall be required to go and stay overseas so that the holy Land may have its needs met. The order will thus pursue the purpose for which it was instituted, as is only right and fitting. In this way it will not reserve for itself great wealth or many persons of quality. Rather, the order will lose all occasion for pride or the prosecution of idle enterprises, since the brothers and knights who drag their feet on this side of the sea will be far fewer than before. The property remaining behind will also be heavily and more than usually burdened as a result of our above-mentioned provisions.

We cannot impose on our successors the continuation of the above policy. Yet, in order to make this course of action possible and easier for them, we shall have the annual value of each house registered exactly in the Roman curia, and also the service which it will be able to provide each year for the holy Land, and the fixed number of brothers and knights required to stay overseas. We shall arrange that the registered material be kept permanently with the papal registers under our bull. Further, that there be no lack of carefulness or caution in this matter, we shall send the registered material under our bull to all christian kings to be permanently kept by them in order that if it should happen -- though may it not -- that this ordinance is not observed by the Hospitallers, the kings themselves, being informed in the above manner, may more quickly and fully know where the observance of this



ordinance has ceased. As a result, they will also be moved to take care that it is observed.

Secondly, in order to establish tranquility and peace, as was said above, between the churches with their prelates and the order of the Hospital, we shall see that all the privileges of the order are fully shown to us. And although we have no intention whatsoever of taking away its exemption, if the order has such, or of granting exemption, if the order has none, we shall altogether take away any privileges, if such there be, which are odious or provide matter for quarrels, discord or scandals. If we happen to find areas of uncertainty which it is not advisable to remove, we shall clarify. In addition, we shall delegate in each province two of its prelates and one of our clerics or another cleric to provide more fully for concord, giving them full and unrestricted powers, so that simply and easily, and without the din of a court of law, they may hear and settle or make peace between the parties in all disputes and cases that have arisen or might arise for any reason between the aforesaid order and the churches and any ecclesiastics with regard to churches, tithes, first-fruits, procurations and any property or rights whatsoever. This is to include questions concerning the property and rights of the former order of the Temple. The parties may be summoned or not as they wish; charges may be laid or not, as they please. Before or after the delegates' decision there can be no appeal. Whatever they do or decide shall altogether be regarded as done or decided by us.

We shall also grant to them the power of regulating the procurations owed by the order to the bishops in different places so that, when and as seems good to them, they are converted into an annual payment as money to be paid by the order to the bishops. The bishops, on receiving such payments, are bound to visit at their own expense, at a time suitable for them, the places making them. If this regulation does not seem useful, the bishops will receive on visitation the procurations owed to them by the churches of the order, if these are able to pay them. If a church cannot pay the full procuration, the above delegates will make an estimate of the amount payable to the bishop as the procuration for that church. We shall also ordain that all churches which have annexed to them the cure of souls and belonged to the order of the Hospital on account of any right of the Temple, or even on account of any other rights which belong or shall belong to the Hospital, shall be subject in all spiritual matters to their diocesans, notwithstanding any privilege of exemption. Indeed, in order that everything decreed above may be fulfilled more quickly and without evasion on the part of the order, and that our good will may appear to everyone, we suspend entirely from now all the privileges for long granted by the apostolic see to

the order, except for the privilege of exemption, if possessed, and we wish them to remain suspended at our pleasure.

Thirdly, concerning the order of the Hospital itself, we shall be making decrees regarding its regulation and reform. We shall be seeing and examining carefully the rules, statutes, form of government and progress of the order itself and of its members. We shall approve and confirm what is good. We shall clarify doubtful points that we find in need of revision in the order itself and in its personnel, both head and members. We shall restore the norm of truth, justice and regular observance with the equilibrium of reason and equity, to the advantage and welfare of the order and for the help of the holy Land. In this way the order itself will be preserved from decay and kept in a healthy and prosperous condition.

The prelates of France, after the above intentions had been explained to them, petitioned that we should take away the privilege of exemption, if the order of the Hospital possessed it, or at least suspend such exemption, just as we have decreed the suspension of the order's other privileges. These prelates also declared that, as long as the unlettered and simple brothers of the order remain under the care of their simple priests, and the prelates themselves are unacquainted with the brothers' deeds and consciences, they can be in grave danger of losing their souls through having the privilege of exemption, if they do in fact possess it. Our reply is that because of shortness of time we are unable here to formulate a full and determinate decree. As soon as we can conveniently do so we shall with the Lord's help decree and provide in this matter. Also, as these prelates earnestly petitioned us, it is our will and decree that just as individual catholic kings shall receive in writing the valuation of the order's revenues and the other relevant information, so each province ought to have and shall have the same document.

Also, in accordance with the petition of these prelates, we decree and determine that the compositions pending or made within the last ten years, which were extorted from churches and ecclesiastics through fear of the order of the Hospital and the order of the former Temple, do not disadvantage or harm the said churches and ecclesiastics in any way, and that if two prelates and a non-prelate delegated by us cannot reach agreement, then whatever is decided by one of the prelates and the non-prelate, or decreed by them by way of composition or agreement, shall have effect and full validity. Also, we wish to be as gracious as possible to the said prelates. Therefore we shall allow the two prelates delegated by us to raise in ready money the procurations of their dioceses while absent, and we shall have the non-prelate

provided for in money from the property of the former order of the Temple. We shall also decree in accordance with the petition of the prelates of France, that Hospitallers who publicly receive excommunicated persons or those under interdict or notorious usurers for ecclesiastical burial, or for solemnizing their marriages or having them solemnized or permitting them to be solemnized in their churches against the law, or for administering the sacraments to outside parishioners or permitting this in their churches, incur automatic excommunication. And we strictly forbid the Hospitallers to trouble anyone unduly by use of apostolic letters. We shall also decree, in accordance with the petition of the same prelates, against the building of new churches or chapels, the erecting of bell-towers and the making of cemeteries; we shall provide adequate laws on these subjects to be observed by the Hospitallers.

Given at Avignon on 31 December in the eighth year of our pontificate {5}

[8]. For an everlasting record. Some time ago, in the general council held at Vienne under the Lord's inspiration, we suppressed the former order of the Temple for certain good reasons as explained in the letter of suppression. After long and careful deliberations with our brothers and the whole council, we bestowed on the order of the Hospital of saint John of Jerusalem, on the Hospital itself and on our beloved sons, the master and brothers of the Hospital, in the name of the Hospital and of the order of these men, who as the Lord's athletes expose themselves unfailingly to the danger of death in defence of the faith and have borne and still bear heavy loss overseas, the house of the Knights Templar and their other houses, churches, chapels, oratories, cities, castles, towns, lands, granges and all their other movable, immovable and self-moving property, together with all the members and rights and all that belongs to them, beyond and on this side of the sea and in all parts of the world, which the former order and its master and brothers had and comprised at the time when the master himself and some of the brothers were arrested as a body in the kingdom of France, namely in October 1308.

The property includes that which the Templars had of themselves or through others, and anything belonging to them in any way, with all their rights, privileges, indulgences, immunities, liberties, honours and charges. We donated and united all this forever to the Hospital and incorporated it into the Hospital, with the approval of the sacred council and from the fullness of our apostolic power, for the help of the holy Land. However, whatever rights belonged to kings, princes, prelates, barons, nobles and any other Catholics, before the arrest of the master of the former order of the Temple and of some other brothers, were to remain. We excepted from the said donation,

union and incorporation the property of the former order of the Temple in the kingdoms and lands of our beloved sons in Christ, the illustrious kings ... of Castile, ... of Aragon, ... of Portugal, and ... of Majorca, lying outside the kingdom of France, which we reserved with good reason for the disposal of the apostolic see.

### **Pope Clement V's Papal Bull *Licet pridem* continued**

In the letter of donation, union and incorporation, however, through the carelessness, neglect or engagements of the scribe or secretary, mention was omitted of the non-violation of the rights of kings, princes, prelates and other persons concerned. Lest therefore any doubt arises in the future from such an omission concerning these charges and rights, and any prejudice be generated against the said kings, princes, prelates, barons, nobles and other persons, we, who desire that everyone retains his rights unimpaired, wishing to provide a suitable remedy in the matter for the said kings, princes, prelates, barons, nobles and any other Catholics, declare that we have made the above donation, union and incorporation to the order of the Hospital of saint John of Jerusalem, and to the Hospital itself and its master and brothers, in the name of the said Hospital and order, in the way expressed above. We determine and decree of our certain knowledge that, without violation of the property of the former order of the Temple donated to the order of the Hospital, together with all its privileges, indults, immunities, liberties, rights, honours and charges, for the help of the holy Land, nevertheless whatever rights belonged to kings, princes, prelates, barons, nobles and any other Catholics, at the time of the said arrest of the master and some brothers of the Temple, remain intact, unimpaired and exactly as they would be in everything as if they had been distinctly and expressly mentioned in the said letter of donation, union and incorporation. Let nobody therefore . . .

Given at Avignon on 13 January in the eighth year. {6}

### **DECREES**

[1]. Adhering firmly to the foundation of the catholic faith, other than which, as the Apostle testifies, no one can lay, we openly profess with

holy mother church that the only begotten Son of God, subsisting eternally together with the Father in everything in which God the Father exists, assumed in time in the womb of a virgin the parts of our nature united together, from which he himself true God became true man: namely the human, passible body and the intellectual or rational soul truly of itself and essentially informing the body. And that in this assumed nature the Word of God willed for the salvation of all not only to be nailed to the cross and to die on it, but also, having already breathed forth his spirit, permitted his side to be pierced by a lance, so that from the outflowing water and blood there might be formed the one, immaculate and holy virginal mother church, the bride of Christ, as from the side of the first man in his sleep Eve was fashioned as his wife, in this way, to the determinate figure of the first and old Adam, who according to the Apostle is a type of the one who was to come, the truth might correspond in our last Adam, that is to say in Christ. This, we say, is the truth, fortified by the witness of that huge eagle which the prophet Ezechiel saw flying over the other gospel animals, namely blessed John the apostle and evangelist, who relating the event and order of this sacrament, said in his gospel : But when they came to Jesus and saw that he was already dead, they did not break his legs, but one of the soldiers pierced his side with a spear, and at once there came out blood and water. He who saw it has borne witness - his testimony is true, and he knows that he tells the truth -- that you also may believe.

We, therefore, directing **our apostolic attention, to which alone it belongs to define these things**, to such splendid testimony and to the common opinion of the holy fathers and doctors, declare with the approval of the sacred council that the said apostle and evangelist, John, observed the right order of events in saying that when Christ was already dead one of the soldiers opened his side with a spear. Moreover, with the approval of the said council, we reject as erroneous and contrary to the truth of the catholic faith every doctrine or proposition rashly asserting that the substance of the rational or intellectual soul is not of itself and essentially

the form of the human body, or casting doubt on this matter. **In order that all may know the truth of the faith in its purity and all error may be excluded, we define that anyone who presumes henceforth to assert defend or hold stubbornly that the rational or intellectual soul is not the form of the human body of itself and essentially, is to be considered a heretic.**

All are faithfully to profess that there is one baptism which regenerates all those baptized in Christ, just as there is one God and one faith'. We believe that when baptism is administered in water in the name of the Father and of the Son and of the holy Spirit, it is a perfect means of salvation for both adults and children. Yet because, as regards the effect of baptism in children, we find that certain theologians have held contrary opinions, some saying that by baptism guilt is indeed remitted in infants but grace is not conferred, others on the contrary asserting that both guilt is remitted and the virtues and sanctifying grace are infused with regard to habit though for the time being not with regard to use, we, considering the general efficacy of Christ's death, which through baptism is applied in like manner to all the baptised, choose, with the approval of the sacred council, the second opinion, which says that **sanctifying grace and the virtues are conferred in baptism on both infants and adults**, as more *probable* and more in harmony with the words of the saints and of modern doctors of theology.

[2]. Abbots and other religious holding any major ecclesiastical office may not, when it is a question of priories or other places subject to them, bring an action against anyone on the authority of letters of the apostolic see or its legates, except in such places and before such persons as is permitted to the priors and other persons in charge of the priories and other places. Nor is anything else of this kind permissible in the case of places belonging to the table maintenance of these abbots and other religious, except when these places have special officials in charge of them. If anyone presumes to molest someone in contravention of the above, he is

to be condemned by the judge of the case to pay the expenses and for any damage. Any process contrary to this decree is null and void.

[3]. Although the chief official of a bishop, or a religious obtaining the office of conventual prior (even though that office is not customarily elective), may be delegated by the apostolic see or its legate, nevertheless we do not wish this to be observed in the cases of an official-forane or of a religious who is the claustral prior of his monastery.

[4]. Since prelates of religious orders occasionally neglect to fill vacant priories, churches, offices or other benefices pertaining to their disposition within the time prescribed by the Lateran council, the local diocesan bishops shall supply for this negligence by their own authority in the case of the non-exempt, and by apostolic authority in the case of the exempt. Those which have customarily been governed by the secular clergy shall be conferred on secular clerics, those which have usually been entrusted to or conferred on only religious shall be conferred on the religious of the monasteries whose prelates were negligent. The diocesan bishops, by the same authority, shall in no way permit the said prelates to apply such priories, churches, offices or benefices to their table maintenance, to impose new payments or to increase the old ones any new ones imposed or old ones increased shall be paid back. By the said priories, churches, offices and benefices we mean those that are not for the table maintenance of their prelates and customarily have their own priors, administrators or rectors, even though these priors and administrators can be freely recalled, if necessary, to the cloister.

In this matter we have decided to uphold the constitution of our predecessor pope Boniface VIII, which prohibits the property of vacant benefices to be appropriated by prelates or anyone else, as well as that other constitution of the same Boniface which forbids any religious to have several priories or churches with the cure of souls, even though the cure is exercised by someone other than himself and there is no danger to souls for the priories.

[5]. So that those who are obliged to divine office in cathedrals or secular collegiate churches, or will be so obliged in the future, may be more readily moved to receive sacred orders, we decree that nobody henceforth may have in such churches a voice in the chapter, even though this is freely granted to him by the others, unless he has received at least the subdiaconate. Moreover, those who now hold peacefully dignities, parsonages, offices or prebends to which certain orders are annexed, or will hold them in future, shall have no voice in the chapter unless, having no just impediment, they receive the corresponding orders within a year. They shall receive only half the payment made to those who assist at certain hours, all customs and statutes to the contrary notwithstanding. The penalties, moreover, which are decreed by law against those refusing to be promoted to orders, are to remain in force.

[6]. We wish to check, in the cases mentioned below, the expensive prolongation of lawsuits which, as experience teaches us, arises sometimes from overprecise observance of judicial order. We therefore decree that in cases concerning elections, postulations, or provisions, concerning dignities, parsonages, offices, canonries, prebends or any other church benefices, concerning tithes, even when those obliged to pay them have been admonished and can be corrected by ecclesiastical censure, and concerning matrimony or usury and anything connected with it, that a simple, easy process shall be valid without the noise and rhetoric of a court of justice. We wish this decree to apply not only to future business but also to the present, and even to cases awaiting appeal.

[7]. Although it is generally forbidden by the sacred canons for a bishop to exercise jurisdiction in a diocese other than his own, we nevertheless make an exception for bishops who have been driven from their sees by the insolence of the ungodly and do not dare, from fear of their persecutors, to reside in their cities and dioceses or in any part of them, nor to exercise their jurisdiction there directly or through others. Lest the wrong done to their churches by their expulsions remains unpunished, we



have considered it necessary to permit that in other dioceses, from cities or other prominent places near their churches, where they will be able to reside securely and to exercise freely their jurisdiction they may freely proceed against their expellers and their counsellors and supporters, as justice shall advise. (The cities and places must be such as are untroubled by these expellers and their counsellors and supporters. They are to be cited personally or to the bishop's house, if this can be done safely; if not, they are to be cited publicly in the cathedral church of the place or of their domicile.) If, however the bishops have not dared to cite their expellers or their counsellors or supporters in this way, or if these have maliciously frustrated their being cited, it is lawful for the bishops to cite the expellers, counsellors and supporters, or to have them cited, on Sundays and festivals when the people assemble for divine worship, so that the accused may be presumed in all probability to have learned of the citation. This shall take place publicly in the churches of the cities or other prominent places, and then the bishops shall proceed against their persecutors, if they refuse to appear in the bishops' presence within a suitable fixed time, just as if the citation had been made legally elsewhere. We grant also to those bishops, lest justice suffer, authority to exercise full jurisdiction over their subjects from the other dioceses in which they have to stay, provided that they cannot or dare not do this, either directly or through someone else, in their own dioceses. The subjects, however, excluding the expellers or their counsellors and supporters, should not have to travel more than two days' journey from the boundary of their diocese. It is our will also that the bishops first seek permission from the diocesans of their places of exile; if they are not able to obtain this, they may nevertheless proceed as we have said. Of course if the said bishops have asserted that they did not dare to cite the expellers or their counsellors and supporters, personally or to the bishop's house, or publicly in their cathedral church, as has been said, or that they maliciously prevented the citation, or that the bishops cannot or dare not exercise jurisdiction in their dioceses either directly or through someone else against these persecutors, then we wish these

assertions to be reliable, strictly enjoining the bishops, under threat of the divine judgment, that they do not assert or invent anything false or deceptive. The neighbouring bishops, when asked by the exiled bishops, should give notice or have notice given throughout their dioceses of the verdicts and the legal processes which the exiled bishops have judged necessary. No prejudice shall arise from the passage of time, or for any other reason, to the local ordinaries or to anyone else having jurisdiction in these places where the expelled bishops also exercise jurisdiction.

[8]. We strictly command local ordinaries to admonish by name three times clerics who publicly and personally engage in the butcher's trade or conduct taverns, that they cease to do so within a reasonable time to be fixed by the ordinary and never resume such trades. If after admonition they do not leave off or if they resume them at any time, then as long as they persist in the above ways of life those who are married shall automatically lose all clerical privileges, and those who are unmarried shall automatically lose their clerical privileges relating to things, and if the latter go about in every way as laymen they shall also lose automatically their personal privileges as clerics. As for other clerics who apply themselves publicly to secular commerce and trade or any occupation inconsistent with the clerical state, or who carry arms, the ordinaries are to be diligent in observing the canons, so that these clerics may be restrained from such misconduct and they themselves may not be guilty of reprehensible negligence.

[9]. Since he who abandons the dress proper to his order, and puts on other clothes and wears them in public, without a good reason, renders himself unworthy of the privileges of that order, we ordain by the present constitution that any cleric wearing striped or variegated clothes in public, without a good reason, is automatically suspended, if he is beneficed, from receiving the revenues of his benefices for a period of six months. If however he does not have a benefice but is in sacred orders below the priesthood, he becomes automatically disqualified for the same period

from obtaining an ecclesiastical benefice. The same penalty applies to other clerics having the tonsure yet wearing such clothes in public. He who holds a dignity, a parsonage or another benefice to which the cure of souls is annexed, as also any other priests and religious, whose outward garb should reveal their inner integrity, who without reasonable cause wear such clothing in public, or appear thus with a woollen band or linen cap on their heads, are, if beneficed, automatically suspended for a year from receiving the revenues of their benefices. Such other priests and religious are also disqualified for the same period from obtaining any ecclesiastical benefices. These and any other clerics who wear a gown or tabard which is furred to the edge and so short that the lower garment is clearly seen, if they are secular clergy or religious with administrative posts, are obliged to give the gown to the poor within a month. The other religious who do not have administrative posts are obliged within the same period to consign the gown to their superiors, to be used for some pious purpose. If this is not done, the above penalties, of suspension in the case of the beneficed clergy and of disqualification in the case of the rest, are incurred for the above period of time. To this penalty we add that clerics, especially those with benefices, may not wear in public chequered, red or green boots.

[10]. The following decretal, published a little while ago by our predecessor pope Boniface VIII, was revoked by our predecessor pope Benedict XI. Since, as results have proved, the revocation did not bring with it the peace hoped for by its author, but rather stimulated the discord which it was designed to allay, we annul it altogether and renew, with the insistence and approval of the sacred council, the said decretal published by Boniface which runs as follows.

“Boniface, bishop, servant of the servants of God, for an everlasting record.

“Having been placed by the divine clemency on the chair of pastoral preeminence, burdened though we are by the many arduous affairs which

flow like a torrent from all directions into the Roman curia, summoned by many cares distracted by many proposals, we nevertheless aim ardently and devote ourselves with ever-active solicitude so that, to the glory of the divine name, the exaltation of the catholic faith and the profit of faithful souls, after the thornbushes of disagreement have been rooted out and the intricacies of quarrels removed, the tranquility of peace may thrive with the ardour of charity, and unity of heart and mind may grow and persist, between the bishops charged with the care and rule of the Lord's flock and other persons in the clerical state. We know, and experience teaches us, that only in time of peace is the author of peace duly worshipped, nor are we ignorant that dissensions and scandals prepare the way to wicked acts, stir up rancour and hatred, and give boldness to evil living. For a long time past there has existed between prelates and rectors or priests and clerics of parish churches throughout the different provinces of the world on the one hand, and the friars Preacher and Minor on the other, grave and dangerous discord, produced by that enemy of peace, the sower of cockle, in the matters of preaching to the faithful, hearing their confessions, enjoining penances, and burying the dead who choose to be buried in the churches or lands of the friars.

“As an affectionate father rightly suffers with his children, we carefully considered and turned over in our mind the great danger and loss that such discord brings, and how detestable it is in the sight of the divine majesty. We therefore intend with all the energy of fatherly care to eradicate and remove it wholly, so that with the Lord's favour it may never revive in the future. We desire greatly that this business, so close to our heart, may be beneficially and speedily completed by apostolic sagacity. After careful deliberation with our brothers, we decree and ordain, with the advice of our brothers and by our apostolic authority, to the honour of God and the exaltation of the catholic faith and for the peaceful condition of the aforesaid parties and the salvation of the souls of the faithful, that the friars of the said orders may freely preach and explain the word of God to the clergy and the people in their churches and other places as also in public

places, except at that hour only when the local prelates wish to preach or have someone to give a special sermon in their presence; at this hour they shall not preach, except the prelates decide otherwise and give special permission. In institutes of general studies, where it is customary to give a special sermon to the clergy on certain days, at funerals, and on special feasts of the friars, they are at liberty to preach, unless perhaps during the hour when it is customary to preach to the clergy in the above places the bishop or a higher prelate should summon the clergy in general to his presence, or for some urgent reason should assemble them. In parish churches, however, the said friars may not preach or explain God's word, unless invited or called to do so by the priests of the parishes, and with their good will and assent, or having asked and obtained permission, unless the bishop or higher prelate should through them commission a friar to preach.

“By the same authority we also decree and ordain that in each city and diocese in which the friars have houses, or in neighbouring cities and dioceses where they have no houses, the masters and priors provincial of the Preachers or their vicars, and the ministers general and provincial and the guardians of the Minors, should gather in the presence of the prelates of those places either personally or through friars whom they judge will be suitable delegates, and humbly request that friars chosen for the purpose may freely hear the confessions of those of the prelates' subjects who wish to confess to them, may impose salutary penances as they shall think right in God's eyes, and may grant absolution to them, with the leave, favour and good will of the prelates. The masters, priors, provincials and ministers of the orders are then to choose diligently sufficient persons who are suitable, of approved life, discreet, modest and skilled for such a salutary ministry and office. These they are to present or have presented to the prelates that by their leave, favour and good will, they may hear the confessions of those wishing to confess to them in the prelates' cities and dioceses, impose salutary penances and grant absolution, as has been said above. They are by no means to hear

confessions outside the cities and dioceses for which they were appointed. We want them to be appointed for cities and dioceses, not for provinces. The number of persons to be chosen for this ministry ought to be in proportion to that which the number of clergy and people demands.

“If the prelates grant the permission requested for hearing confessions, the said masters, ministers and others shall receive it with thanks, and the persons chosen should carry out the duties entrusted to them. If the prelates do not accept one of the friars presented to them, another may and should be presented in his place. But if the prelates issue a general refusal to the friars chosen, we graciously grant, from the fullness of our apostolic power, that they may freely and lawfully hear the confessions of those wishing to confess to them and impose salutary penances, and then impart absolution. By this permission, however, we by no means intend to give more ample power to such friars than is granted by law to the parish clergy, unless perhaps the prelates of the churches think that such power should be given to them.

“To this decree and regulation of ours we add that the friars of the said orders may provide free burial everywhere in their churches and cemeteries, that is they may receive for burial all who have chosen these places for their burial. Yet, lest parish churches and their clergy, whose office it is to administer the sacraments and to whom it belongs by law to preach God’s word and to hear the confessions of the faithful, should be denied their due and necessary benefits, since the labourer deserves his wages, we decree and ordain by the same apostolic authority, that the friars are obliged to give the parish clergy a fourth part of all the income from funerals and from everything left to them, expressly or not, for whatever definite purpose, even from such bequests of which a fourth or canonical part is not claimed by custom or by law, and also a fourth part of bequests made at the death or at the point of death of the giver, whether directly or through a third party. We set and also limit this amount to the fourth part by our apostolic authority. The friars are to see to it that

bequests are not left to others from whom this fourth part is not owed, to the advantage or interest of the friars themselves, nor go in this way as gifts to these others; and that they do not arrange for that which would be given at death or in illness to the friars, to be given to themselves while the donors are healthy. We intend to prevent anything of this kind by binding the friars' consciences, so that if, which God forbid, any deceit or fraud has been practised by the friars themselves, contrary to their obligation to the said priests, rectors and pastors, a strict account will be demanded at the last judgment. The rectors of parishes, pastors and prelates may not, however, exact more than this portion, nor are the friars obliged to pay more, nor may they be compelled by anyone to do so.

“In order that everything may go forward evenly and peacefully with the Lord's favour, we revoke, void, annul and invalidate completely all the privileges, favours and indults granted orally or in writing, in any form or expression of words, by ourself or our predecessors as Roman pontiffs to any of the said orders, and also customs, agreements and contracts, in so far as these are contrary to the above provisions or any one of them. We declare all such privileges to be null and void. Furthermore, by this present decree, we earnestly ask and exhort, indeed we strictly command, all prelates of churches, of whatever pre-eminence, status or dignity, and the parish priests, pastors and rectors, out of their reverence for God and the apostolic see, to show friendliness to these orders and their members, not being difficult, severe, hard or austere to the friars, but rather gracious, favourable and kind, showing them a spirit of holy generosity. They should accept the friars as suitable fellow-workers in the office of preaching and explaining God's word and in everything else mentioned above, admitting them with ready kindness and affection to a share in their labours, so as to increase their reward of eternal happiness and the fruitful harvest of souls. Nor let them be unaware that if perhaps they act otherwise, the kindness of the apostolic see, which honours these orders and their members with great favour and holds them in its heart, will with good reason be roused against them, nor can it tolerate with good will

such behaviour without applying a suitable remedy. The indignation, moreover, of the heavenly king, the just rewarder, whom the friars serve with all earnestness, will not be lacking.”

[11]. There are religious who presume to usurp by cunning fraud, or under a feigned title, tithes on newly tilled land or other tithes owing to churches, to which they have no legal claim, or who do not permit or even forbid tithes to be paid to the churches on animals belonging to their familiars and shepherds or others whose animals intermingle with their flocks, or on animals which they buy in many places and then hand over to the keeping of sellers or others, thus defrauding the churches, or on land the cultivation of which they have entrusted to others. If such religious, after claim has been made by those whom it concerns, do not desist within a month from the above practices, or if they do not make fitting satisfaction to the defrauded churches within two months, they are and remain suspended from their offices, administrative posts and benefices until they have desisted and made satisfaction, as stated above. If these religious have no administrative posts or benefices, they incur, in place of suspension, the sentence of excommunication, from which they cannot receive absolution before making due satisfaction, notwithstanding privileges to the contrary. We do not wish, however, this decree to apply where animals are held by oblates of the religious, provided that these oblates have given themselves and their possessions to the religious.

[12]. If a tithe on the benefices of anyone be granted for a time, the tithe can and should be raised in accordance with the customary valuing of the tithe in the regions in which the grant is made, and in the money generally current. We do not wish the chalices of churches, books and other equipment destined for divine worship to be taken or received as security or distraint by the collectors, raisers or exactors of the tithe, nor are such objects to be distrained or seized in any way.



[13]. In order that those who profess poverty in any order may persevere more readily in the vocation to which they have been called, and that those who have gone over to a non-mendicant order may apply themselves to live there more peacefully the more the ambition which produces discord and division is checked, we decree, with the approval of the sacred council, that any mendicants, who even with apostolic authority shall go over to non-mendicant orders in the future or have hitherto done so, even though they now hold the office of prior or obedientiary or other offices, or have any care or government of souls in the non-mendicant order, shall have no voice or place in the chapter, even though this be granted freely to them by the others. They may not continue to hold the office of prior or obedientiary or other offices previously held, even as vicar or minister or deputy, nor may they have the care or government of souls either directly or on behalf of others. All actions contrary to this decree shall be automatically null and void, notwithstanding any privilege whatsoever. We do not however wish this constitution to extend to those mendicant orders which the apostolic see has allowed to continue on condition that they admit no more persons to profession, and to which it has granted a general permission for passing to other approved orders.

[14]. That nothing unbecoming or corrupt find its way into that field of the Lord, namely the sacred order of the black monks, or anything grow into a ruinous crop, but rather that the flowers of honour and integrity may there produce much fruit, we decree as follows.

We forbid the monks all excess or irregularity with regard to clothes, food, drink, bedding and horses. We decree that the upper garment next to their habit should be black, brown or white, according to the custom of the region in which they live. The quality of the cloth should not exceed monastic moderation, nor should they seek what is expensive and fine, but what is practical. The garment itself should be round and not slit, neither too long nor too short; it should have broad sleeves extending to the hands, not sewn or buttoned in any way. The monks should be content

with an almuce of black cloth or fur in place of a hood together with the hood of the habit which they wear, or by arrangement of the abbot they may wear unpretentious hoods which are open over the shoulders. They should not wear silk in place of fur. They may use large summer shoes or high boots for their footwear. None shall presume to wear an ornate belt, knife or spurs, or ride a horse with the saddle highly ornamented with nails or sumptuous in any other way, or with a decorative iron bridle.

In communities in which there are twelve monks or more, the abbot, prior or other superior may wear within the monastery walls a frock of the cloth customarily used for the frocks and cowls of the monastery; other monks in monasteries where frocks are customarily worn should use them also. In other monasteries, however, and in houses and priories where there is a smaller community, they should wear cowls which are closed and of becoming appearance. When the abbots, priors or other superiors and other monks set foot outside the monastery, they should wear a frock or a cowl or a closed cloak; if they wear the cloak, they should wear underneath it a cowl or, if they prefer, a scapular. When they put on albs or sacred vestments in order to minister at the divine offices, or when they are engaged in work, they may wear the scapular. Lest any uncertainty arises from the different meanings in different regions of the world of the words cowl and frock, we declare that by cowl we understand a long and full habit without sleeves, and by frock we understand a habit with long full sleeves.

At least once every month, both inside and outside the monastery, each and all of the monks must go to confession, and on the first Sunday of each month they should receive communion in the monastery, except for some reason which they should make known to the abbot, prior or confessor in the monastery; they should abide by his decision. When the rule is read in chapter, it is to be explained in the vernacular by him who presides, or by someone else appointed by him, for the sake of the younger

monks. The novices shall have a competent instructor in the divine offices and in regular observance.

All shall always abstain from hunting and fowling. They shall not be present at them, nor presume to have hunting-dogs or birds of prey in their keeping or in that of others, nor permit familiars living with them to keep them, unless the monastery has woods, game preserves or warrens, or has the right to hunt on property belonging to others, in which there might be rabbits or other wild animals. They are then permitted to keep such dogs and birds, as long as they do not keep the hunting-dogs in the monastery or the houses in which they live or within the cloister, and the monks themselves do not appear at the hunt.

If someone rashly violates the above regulations, he shall be subject to the regular discipline. If he presumes to wear unlaced high shoes, or a hood not open as aforesaid, he is also suspended from conferring benefices for a year, if he is an abbot or a prior who does not have an abbot above him; if anyone else, he is suspended for a year from administrative office, if he holds any. If he has no administrative office, he is automatically disqualified for a year from holding such office or an ecclesiastical benefice. If any are deliberately present at rowdy hunting or fowling or occupied in other ways with dogs and birds, they incur automatic suspension and disqualification, according to the above distinction of persons, for two years. If the abbot or prior has been suspended from conferring benefices, this devolves, with the counsel and assent of the community or its greater part, on the claustral prior.

Some monks, as we hear, throw off the sweet yoke of regular observance and leave their monasteries, feigning that they cannot securely remain there, or under some other pretext, to wander about the courts of princes. Unless these monks' superiors grant them the pension or subsidy which they ask for, the monks conspire against their superiors, betray them or otherwise oppress them, bring about their capture and imprisonment, have their own monasteries burned, and occasionally even presume to seize in

whole or in great part the property of the monastery. We wish to counter such unprincipled audacity. We forbid, by this perpetual edict, that monks and canons regular who are not administrators should presume, without special leave of their superiors, to betake themselves to the courts of princes. If, in order to do harm to their superiors or monasteries, they presume to go to such courts, we determine that they incur automatic excommunication. We nevertheless strictly enjoin on their superiors to restrain them with all diligence from visiting the said courts and from any wandering about; they are to correct severely those who do not obey. We decree that monks who keep arms inside their monastery, without leave of their abbot, incur the same sentence.

Following in the footsteps of our predecessors, we forbid by a perpetual edict that monks presume to live alone in houses and priories of which they have charge. If the incomes of such priories and houses do not suffice for the support of two, then, unless the abbots make them sufficient, let the local ordinaries, with the advice and consent of the abbots, unite these houses and priories with neighbouring places belonging to the monasteries, or with offices of the monasteries, or with one another, as will be most convenient. The monks of the places which will be united to others are first to be recalled to their monastery, and due provision is to be made, from the incomes of the said places, for the clergy who are to serve there. Furthermore, conventual priories cannot be conferred or entrusted to anyone under twenty-five, and non-conventual priories having the care of souls, even if that care is exercised by secular priests, to anyone under twenty. Those who hold priories of either kind are to have themselves ordained priest within a year from the time of their collation or commission and taking possession, or before the age of twenty-five if they are entrusted with or collated to non-conventual priories when they are under that age. If they have not done this, and are without reasonable excuse, they are deprived of the said priories, even without previous admonition, and the priories may not be conferred on them again that time. Nobody may be given or entrusted with a priory or an administrative post

unless he has previously made profession in a monastic order. Those appointed to priories or administrative posts outside the monastery are not permitted to remain in the monastery and are obliged to reside where they hold office, notwithstanding any contrary custom, unless they are excused for a time from this residence for some reasonable cause, such as studies. In order to promote divine worship, we decree that every monk, at the command of his abbot, should have himself raised to all the sacred orders, unless there is some lawful excuse. Further, in order that the monks may not be deprived of the opportunity to make progress in knowledge, there should be in each monastery which has sufficient means a suitable master to instruct them carefully in the primary branches of knowledge.

All the foregoing, and those things which our predecessor pope Innocent III of happy memory decreed for greater religious observance in the monastic state, regarding clothing, poverty, silence, the eating of meat, the triennial chapter, and anything else, we approve, renew and expressly wish and decree to be strictly observed.

[15]. Considering that where discipline is despised, religion suffers shipwreck, we have thought it especially necessary to provide that such contempt produces nothing discordant in those who have dedicated themselves to Christ by vow, staining the good name of religious life and offending the divine majesty. We therefore, with the approval of this sacred council, have judged it wise to decree that every convent of nuns should be visited each year by their ordinary as follows: exempt convents subject to the apostolic see alone, by the authority of that see; non-exempt convents by the ordinary's authority, and other exempt convents, by the authority to whom they are subject. The visitors are to be very careful that the nuns -- some of whom, to our sorrow, we have heard are transgressors -- do not wear silk, various furs or sandals; do not wear their hair long in a horn-shaped style, nor make use of striped and multicoloured caps, do not attend dances and the banquets of seculars, do not go walking through the streets and towns by day or night; and do not lead a luxurious life in

other ways. They shall carefully withdraw the nuns from the excesses and allurements of this world and persuade them to devote themselves in their convents to the cultivation of the virtues which is due to the Lord. We order the visitors to compel the nuns to observe all this by suitable measures, notwithstanding exemptions and privileges of any kind, without prejudice however to these exemptions in other respects. We also decree that anyone chosen for the office of abbess in those convents where it is customary for abbesses to be blessed, should receive that blessing within a year from the time of her confirmation in office. If she does not, unless there be reasonable cause, she has completely lost her right, and provision is to be made canonically for the monastery to be provided with an abbess by those to whom this belongs. We also order, by our apostolic authority, that those women who are commonly called secular canonesses and who lead a life like that of secular canons, making no renunciation of private property and no profession, should be visited by the local ordinaries, who are to visit the non-exempt on their own authority and the exempt on the authority of the apostolic see. By this, however, we are not intending to approve the status, rule or order of secular canonesses. We command the visitors, in making their visitation, to be content with two notaries and two persons from their own church and four other men of undoubted honour and maturity. Those who presume to hinder the visitors in their task or any part of it, unless they repent on being admonished, incur automatic excommunication, notwithstanding any privileges, statutes and customs to the contrary. ‘

[16]. The women commonly known as Beguines, since they promise obedience to nobody, nor renounce possessions, nor profess any approved rule are not religious at all, although they wear the special dress of Beguines and attach themselves to certain religious to whom they have a special attraction. We have heard from trustworthy sources that there are some Beguines who seem to be led by a particular insanity. They argue and preach on the holy Trinity and the divine essence, and express opinions contrary to the catholic faith with regard to the articles of faith

and the sacraments of the church. These Beguines thus ensnare many simple people, leading them into various errors. They generate numerous other dangers to souls under the cloak of sanctity. We have frequently received unfavourable reports of their teaching and justly regard them with suspicion. With the approval of the sacred council, we perpetually forbid their mode of life and remove it completely from the church of God. We expressly enjoin on these and other women, under pain of excommunication to be incurred automatically, that they no longer follow this way of life under any form, even if they adopted it long ago, or take it up anew. We strictly forbid, under the same penalty, the religious mentioned above, who are said to have favoured these women and persuaded them to adopt the Beguinage way of life, to give in any way counsel, help or favour to women already following this way of life or taking it up anew; no privilege is to avail against the above. Of course we in no way intend by the foregoing to forbid any faithful women, whether they promise chastity or not, from living uprightly in their hospices, wishing to live a life of penance and serving the Lord of hosts in a spirit of humility. This they may do, as the Lord inspires them.

[17]. It happens now and then that those in charge of hospices, leper-houses almshouses or hospitals disregard the care of such places and fail to loosen the hold of those who have usurped the goods, possessions and rights of these places. They indeed permit them to slip and be lost completely and the buildings to fall into ruin. They have no care that these places were founded and endowed by the faithful so that the poor and lepers might find a home and be supported by the revenues. They have the barbarity to refuse this charity, criminally turning the revenues to their own use, even though that which has been given by the faithful for a certain purpose should, except by authority of the apostolic see, be applied to that purpose and no other. Detesting such neglect and abuse, we decree, with the approval of the sacred council, that they to whom the duty belongs by right or by statute laid down at the foundation of these places, or by lawful custom, or by privilege of the apostolic see, should strive to

reform these places in all that has been referred to above. They are to restore what has been seized, lost and alienated. They should compel the persons in charge to receive the poor people and maintain them in accordance with the resources and revenues of the places. If they are remiss in this, we enjoin on the local ordinaries, even if the institutions enjoy the privilege of exemption, to fulfil each and all of the foregoing, either directly or through others, and to compel the nonexempt rectors by their own authority and the exempt and otherwise privileged rectors by the authority of the apostolic see. Those who object, of whatever state or condition they may be, and those who give them counsel, help or favour, are to be checked by ecclesiastical censure and other legal remedies. By this, however, we do not impair the validity of exemptions or privileges in relation to other matters.

In order that the above may be more readily observed, none of these places shall be conferred as benefices on secular clerics, even though this may have been observed as a custom (which we utterly condemn), unless it was otherwise determined at the foundation or unless the post is to be filled by election. But let these institutions be governed by prudent suitable men of good repute, who have the knowledge, good will and ability to rule the institutions, to take care of their property and defend their rights to advantage, to distribute their revenues faithfully for the use of needy persons, and who are not likely to divert the property to other uses. We lay these responsibilities on the consciences of those entrusted with these places, calling on the witness of the divine judgment. Those who are entrusted with the government or administration of such places shall also take an oath, after the manner of guardians, and make inventories of the property belonging to the place, and give an account each year of their administration to the ordinaries or others to whom these places are subject, or to their representatives. If anyone attempts to act otherwise, we decree that the appointment, provision or arrangement is null and void.



We do not wish, however, the foregoing to apply to the hospices of military or religious orders. For these hospices we order those in charge of them, in virtue of holy obedience, to provide in them for the poor in accordance with the institutes and ancient observances of their orders, and to show themselves duly hospitable. They shall be compelled to do this by strict disciplinary measures of their superiors, notwithstanding any statute or custom. Furthermore, our intention is that, if there are hospices which have had from old times an altar or altars and a cemetery, with priests who celebrate divine services and administer the sacraments to the poor, or if the parish priests have been accustomed to do this, these ancient customs are to be retained.

[18]. We wish the constitution to be observed which forbids that anyone even at the presentation of exempt religious, be admitted to some church, contrary custom notwithstanding, unless a portion of the revenues of that church has been assigned to him in the presence of the diocesan bishop, wherewith he may be able to meet his obligations to the bishop and have a suitable means of livelihood. We are therefore taking care, with the approval of the sacred council, to explain the constitution and to add certain considerations. Thus we strictly forbid, adjuring the divine judgment, diocesan bishops to admit anyone presented by any ecclesiastical person having the right of presentation to some church, unless within a certain suitable period, set beforehand by the bishop for the presenter, the one presented is assigned, in the bishop's presence, a suitable portion of the revenues. If the one presenting neglects to assign this within the period, we decree, lest this neglect harm the presentee, that the bishop should then admit him, unless there is some other canonical obstacle, and the power of assigning is to devolve on the bishop as a penalty against the presenter. We admonish however the diocesan bishops, adjuring the divine judgment, and we lay it on their consciences, that they act justly in assigning this portion, nor are they to be knowingly swayed by hatred or favour or in any other way to assign more or less than what is due. Of course in the churches of priories or of other places,

regular as well as secular, in which religious or others, to whom the revenues belong, have been accustomed to carry the burdens mentioned above the above instructions are not to be observed; but the said religious and others are obliged to undertake all the burdens which would lie upon the permanent priests or vicars if the portion had been assigned to them, to treat the priests and vicars correctly, and to provide them with adequate and fitting sustenance. We wish the diocesan bishops to compel the religious and others by ecclesiastical censure to full observance of all this, including the assignation of a just portion by the bishop if the religious and others fail to do this themselves, notwithstanding any exemptions, privileges, customs or statutes, which we wish to be of no avail to the religious and others with regard to the above.

[19]. Since it is only reasonable that those who enjoy advantages should not refuse the burdens connected with them, we decree by the following inviolable constitution that any religious who have in any way obtained monasteries or churches, should take care to pay the procurations of legates of the apostolic see and the obligations to bishops and others which were in force before they took possession, unless they are excused by privilege of the apostolic see, exemption or other lawful cause. We do not wish, however, that such privileges or exemptions should be extended to monasteries or churches which they may happen to acquire in the future.

[20]. We have heard with sorrow that prelates visiting the monasteries of the Cistercian order, although charitably received and courteously served with all that is needful, are nevertheless not content with the food prescribed by the monastic rule. Contrary to the privileges of the said order they demand meat and if it is not served to them, they obtain it by force. Although they receive suitable alms in these monasteries, the prelates procure more for themselves against the will of the religious, sometimes even in places where neither custom nor law provide a title to procurations. They demand and extort money for their horses to be shod, even when this is unnecessary, and their cooks demand and extort money

by reason of their office; nor do they observe the arrangements made between the prelates and the monks concerning procurations.

In receiving the procurations they are so oppressive that in one short hour they consume what would last the community for a long time. They have with them, while they are receiving the procurations, their hunting-dogs, falcons and hawks. Unless their demands are met, the doors of monasteries or churches are often violently broken and the ornaments of the church are carried off. Without any privilege from the apostolic see they receive several procurations in one day occasionally paid in money, even without making a visitation; and on the occasion of these procurations they often demand from the monks what these are not obliged to pay them, laying on the monks an intolerable burden. There are also some prelates who impose on exempt and other religious the greater part of procurations due to nuncios of the apostolic see and other extraordinary burdens, in order to free themselves and secular priests, without any consultation with the religious about dividing the load. In many other ways the said prelates oppress exempt monasteries and churches which are subject to these monasteries in both civil and canon law, in receiving their procurations and in imposing unaccustomed burdens.

We wish therefore to provide a suitable remedy for this state of affairs. We decree, with the approval of the sacred council, that if the bishops come to the said monasteries not for visitation but for hospitality, they should receive graciously the refreshment offered in charity to them. But if the bishops come to these monasteries and receive the procurations due to them by common law custom, privilege or any other law, they may if they wish be served with meat on days when it is permitted, in the houses of the monasteries if these are available, but outside the monastic precincts, notwithstanding any privilege to the contrary; if the houses are not available, they may be served within the monastic precincts but not inside the religious door, as it is called. Nor do we consider it unbecoming

if the fragments which are collected from the tables of the bishops and the members of their households are collected up and given by the bishops' almoners to the poor of the area. The prelates are carefully to refrain from all the other oppressions mentioned above, if they wish to avoid the indignation of God and of the apostolic see.

[21]. By the present constitution we order local ordinaries, when the matter becomes known to them, to publish or have published by their subjects the sentences of excommunication and interdict pronounced by law against those who, either on their own initiative or at the command of others, exact or extort tolls or imposts, to the danger of their own souls and the disadvantage of those they oppress, from churches or ecclesiastical persons for goods that are their own, which they are not carrying or having carried or sending for the purposes of trade. They shall continue to publish such sentences until restitution is made for the exactions and fitting satisfaction is given.

[22]. We are gravely disturbed that, owing to the negligence of some rectors, their subjects fear no punishment and so are encouraged in bad behaviour. Many ministers of churches have cast aside clerical modesty. They ought to offer to God a sacrifice of praise, the fruit of their lips, in purity of conscience and devotion of mind. Instead they presume to say or chant the canonical hours in a hurried manner, omitting parts, mingling with them conversation which is mostly vain, profane and unbecoming. They come late to choir, or often leave the church without good reason before the end of the office, occasionally carrying birds or having them carried and bringing hunting-dogs with them. As if regardless of their clerical obligations, they presume to celebrate or be present at office, even though tonsured and vested, with an utter lack of devotion. There are some, both clergy and laity, especially on the vigil of certain feasts when they ought to be in church persevering in prayer, who are not afraid to hold licentious dances in the cemeteries of the churches and occasionally to sing ballads and perpetrate many excesses. From this sometimes there

follows the violation of churches and cemeteries, disgraceful conduct and various crimes; and the liturgical office is greatly disturbed, to the offence of the divine majesty and the scandal of the people nearby. In many churches also the vessels, vestments and other articles necessary for divine worship are, considering the churches' means, unworthy.

We do not wish these transgressions to increase and become a bad example to others. We therefore, with the approval of the sacred council, forbid these practices. We decree that those whose duty it is -- namely the local ordinaries for the non-exempt and the superiors for the exempt and otherwise privileged-- must exercise watchful, care to get rid of all negligence and carelessness, to reform the above-mentioned things and to correct each of them. Also, the day and night office is to be devoutly chanted at the proper hours in cathedrals and in regular and collegiate churches, and in other churches it is to be fittingly and duly celebrated, if ordinaries and superiors wish to avoid the indignation of God and of the apostolic see. They are to curb, if they have jurisdiction, those who oppose correction, by ecclesiastical censure and other suitable remedies. In this and other matters which concern the worship of God and the reform of morals, and also the honourable reputation of churches and cemeteries, they are to see to it, as far as duty binds them, that the sacred canons are inviolably observed, and they shall take care to be well acquainted with these canons.'

[23]. We think it altogether right and fitting that clerics, both religious and others, who belong to the household of a cardinal of the holy Roman church or of any bishop in communion with the apostolic see, should join with them in the divine office. We therefore concede, with the approval of the sacred council, that these clerics may lawfully say the same office as the cardinal or bishop, nor are they obliged to say any other.

[24]. Among the cares lying heavily on us there is one on which we reflect constantly: how we may lead the erring into the way of truth and win them for God with the help of his grace. This is what we seek earnestly and

longingly, to this we direct our mind with great zeal, to this we are alert with an ever-attentive enthusiasm. We are in no doubt that to attain our desire, the word of God should be fittingly explained and preached to great advantage. Nor are we unaware that the word of God is learned in vain and returns empty to the speaker if it is directed to the ears of those ignorant of the speaker's language. We are therefore following the example of him whom we, though unworthy, represent on earth. He wished that his apostles, going through the whole world to evangelize, should have a knowledge of every tongue. We desire earnestly that holy church should be well supplied with catholic scholars acquainted with the languages most in use by unbelievers. These scholars should know how to train unbelievers in the christian way of life, and to make them members of the christian body through instruction in the faith and reception of sacred baptism.

In order, then, that skill in these languages be attained by suitable instruction, we have stipulated, with the approval of the sacred council, that schools be established for the following languages wherever the Roman curia happens to reside and also at Paris, Oxford, Bologna and Salamanca: that is, we decree that in each of these places there should be catholic scholars with adequate knowledge of Hebrew, Arabic and Chaldaic. There are to be two experts for each language in each place. They shall direct the schools, make faithful translations of books from these languages into Latin, and teach others those languages with all earnestness, passing on a skilful use of the language, so that after such instruction these others may, God inspiring, produce the harvest hoped for, propagating the saving faith among the heathen peoples. The salaries and expenses of these lecturers in the Roman curia will be provided by the apostolic see, those at Paris by the king of France, and those at Oxford, Bologna and Salamanca by the prelates, monasteries, chapters, convents, exempt and nonexempt colleges, and rectors of churches, of England, Scotland, Ireland and Wales, of Italy, and of Spain respectively. The burden of contributing shall be imposed on each in accordance with the

needs of the faculties, notwithstanding any contrary privileges and exemptions, which however we do not wish to be impaired in other respects.

[25]. It is an insult to the holy name and a disgrace to the christian faith that in certain parts of the world subject to christian princes where Saracens live, sometimes apart, sometimes intermingled with Christians, the Saracen priests commonly called Zabazala, in their temples or mosques, in which the Saracens meet to adore the infidel Mahomet, loudly invoke and extol his name each day at certain hours from a high place, in the hearing of both Christians and Saracens and there make public declarations in his honour. There is a place, moreover, where once was buried a certain Saracen whom other Saracens venerate as a saint. A great number of Saracens flock there quite openly from far and near. This brings disrepute on our faith and gives great scandal to the faithful. These practices cannot be tolerated any further without displeasing the divine majesty. We therefore, with the sacred council's approval, strictly forbid such practices henceforth in christian lands. We enjoin on catholic princes, one and all, who hold sovereignty over the said Saracens and in whose territory these practices occur, and we lay on them a pressing obligation under the divine judgment that, as true Catholics and zealous for the christian faith, they give consideration to the disgrace heaped on both them and other Christians. They are to remove this offence altogether from their territories and take care that their subjects remove it, so that they may thereby attain the reward of eternal happiness. They are to forbid expressly the public invocation of the sacrilegious name of Mahomet. They shall also forbid anyone in their dominions to attempt in future the said pilgrimage or in any way give countenance to it. Those who presume to act otherwise are to be so chastised by the princes for their irreverence, that others may be deterred from such boldness.

[26]. The apostolic see has received many complaints that some inquisitors, appointed by it to suppress heresy, have overstepped the limits of the power given to them. They occasionally so enlarge their authority that what has been wisely provided by the apostolic see for the growth of the faith, oppresses the innocent under pretext of piety and results in harm to the faithful. The work of the inquisition will be the more successful the more solemnly, diligently and cautiously its investigations are prosecuted. We decree therefore, for the glory of God and the increase of the faith, that this work will be done by both diocesan bishops and by inquisitors appointed by the apostolic see. All worldly affection hatred and fear shall be put aside, as also any seeking of temporal advantage. We decree that the bishops and the inquisitors may act independently of one another. They may summon, arrest or hold for sake-keeping, even securing those arrested hand and foot if it seems necessary. For this we hold them responsible. They may also inquire about those concerning whom inquiry seems right before God and just. The bishop, however, without the inquisitor, or the inquisitor without the diocesan bishop or his officer or the delegate of the chapter when the see is vacant, may not commit to harsh or close imprisonment, which seems more like punishment than custody, or subject anyone to torture or pronounce sentence on anyone, if they can have access to each other within eight days after seeking it; any contravention of this has no legal validity. If nevertheless the bishop, or the delegate of the chapter when the see is vacant, cannot or will not personally meet the inquisitor, or if the inquisitor cannot or will not personally meet either of the other two, the matter may be entrusted to their proxies or settled by counsel and consent through letters.

In regard to the custody of prisons for heretics, commonly called walls in certain regions, we have realized that much deceit has been practised of late, and we wish to obviate this. We decree that any such prison or wall, which we wish for the future to be for the joint use of bishop and inquisitor, shall have two principal guards, discreet, diligent and trustworthy, one to be appointed and provided for by the bishop, the other



by the inquisitor. Each of these guards may have a loyal and trustworthy assistant. For each room of the prison there will be two different keys, one held by each guard. He may entrust or subdelegate his key to his assistant for the purpose of ministering to the prisoners. Furthermore, the guards, before they assume office, shall, in the presence of both the bishop, or the chapter while the see is vacant, and the inquisitor, or their substitutes, take an oath on the holy gospels, which they shall touch, that they will use all diligence and care in their duty of guarding those placed or to be placed in their custody on account of the crime of heresy; that one guard shall say nothing in secret to a prisoner out of hearing of the other guard; that they will administer faithfully and without any deduction the provisions which the prisoners receive from the administration and those that they may be offered by relatives, friends or other trustworthy persons, unless there is an order to the contrary from the bishop and the inquisitor or their deputies, and that in this matter there will be no fraud. The assistants of the guards shall take the same oath in the presence of the same persons before exercising their office. And since it often happens that bishops have their own prisons, not shared with inquisitors, we wish and strictly command that the guards appointed by the bishop, or by the chapter while the see is vacant, and their assistants, shall take a similar oath before the inquisitors or their substitutes. Notaries of the inquisition shall also swear in the presence of the bishop and the inquisitor or their substitutes, to exercise the office of notary faithfully. The same shall hold good of other persons necessary for the carrying out of this duty.

While it is a grave offence not to work for the extermination of heresy when this monstrous infection requires action, it is also a grave offence and deserving of severe punishment to impute maliciously such wickedness to the innocent. We therefore order bishops, inquisitors and their substitutes, in virtue of holy obedience and under threat of eternal damnation, that they proceed discreetly and promptly against those suspected of heresy, while not imputing maliciously or deceitfully such a disgraceful crime to an innocent person, or accusing him of hindering

them in the execution of their office. If they fail, because of hatred, favour, affection, money or temporal advantage, to proceed against someone when they ought, against justice and their conscience, then the bishop or superior is suspended from office for three years and others incur automatic excommunication, in addition to other punishments imposed in accordance with the gravity of the offence. The same penalties apply if they presume for the same reasons to disturb someone with the imputation that he is a heretic or has hindered them in their duties. They shall obtain absolution from this excommunication only from the Roman pontiff, except at the hour of death, and then after making satisfaction. No privilege shall avail in this matter. We wish of course, with the approval of the sacred council, that any other rulings made by our predecessors concerning the office of the inquisition and not in conflict with the above are to remain in full force.

[27]. We do not wish the splendour of the faith to be obscured, as it were by a dark shadow, by the indiscreet and wicked acts of any inquisitors of heresy. We therefore decree, with the approval of this sacred council, that nobody below the age of forty may be entrusted with the office of inquisitor. We enjoin very strictly on all commissaries of inquisitors or of bishops or, in vacant sees, of chapters that they do not, under pretext of the office of the inquisition, extort money by any unlawful means from anyone, or knowingly attempt to apply the property of churches, on account of the offences of clerics, even to the treasury of a church. If the commissaries disobey, we place them automatically under sentence of excommunication. They cannot be absolved, except at the moment of death, until they have made full satisfaction to those from whom they have extorted the money; all privileges, pacts and remissions are of no avail. Notaries and officials of the inquisition, as also the brethren and associates of the inquisitors and commissaries, who have secret knowledge that the inquisitors and commissaries have committed such extortions, if they wish to avoid the indignation of God and of the apostolic see as well as offence to both, shall strive to correct the culprits severely in secret. If

they have such knowledge as to be able to offer proof if need be, they should earnestly report the matter to the relevant superiors of the inquisitors and commissaries, and these superiors are obliged to remove from office those found guilty and then duly to punish or correct them in other ways. Superiors of inquisitors who fail to do this are to be informed of this decree by the local ordinaries, whom we strictly order in virtue of holy obedience to make known these affairs to the apostolic see. Furthermore, we strictly forbid the inquisitors themselves to abuse in any way the concession to carry arms, or to have any but the necessary officials for accomplishing the duties of their office.

[28]. We entertain in our heart a deep longing that the catholic faith prosper in our time and that the perverseness of heresy be rooted out of christian soil. We have therefore heard with great displeasure that an abominable sect of wicked men, commonly called Beghards, and of faithless women, commonly called Beguines, has sprung up in the realm of Germany. This sect, planted by the sower of evil deeds, holds and asserts in its sacrilegious and perverse doctrine the following errors.

1. First, that a person in this present life can acquire a degree of perfection which renders him utterly impeccable and unable to make further progress in grace. For, as they say, if someone could always make further progress, he could become more perfect than Christ.
2. Secondly, that it is not necessary to fast or pray after gaining this degree of perfection, for then the sensitive appetite has been so perfectly subjected to the spirit and to reason that one may freely grant the body whatever pleases it.
3. Thirdly, that those who have reached the said degree of perfection and spirit of liberty, are not subject to human obedience nor obliged to any commandments of the church, for, as they say, where the spirit of the Lord is, there is freedom.
4. Fourthly, that a person can gain in this life final beatitude in every degree of perfection that he will obtain in the life of the blessed.

5. Fifthly, that any intellectual nature in itself is naturally blessed, and that the soul does not need the light of glory to elevate it to see God and enjoy him blissfully.
6. Sixthly, that the practice of the virtues belongs to the state of imperfection and the perfect soul is free from virtues.
7. Seventhly, that to kiss a woman is a mortal sin since nature does not incline one to it, but the act of intercourse is not a sin, especially in time of temptation, since it is an inclination of nature.
8. Eighthly, that at the elevation of the body of Jesus Christ, they ought not to rise or show reverence to it; it would be an imperfection for them to come down from the purity and height of their contemplation so far as to think about the ministry or sacrament of the eucharist, or about the passion of Christ as man.

With the counterfeit appearance of sanctity they say and do other things also that offend the eyes of the divine majesty' and constitute a grave danger to souls. Since the duty of the office committed to us obliges us to extirpate from the catholic church this detestable sect and the above execrable errors, lest they be further propagated and corrupt the hearts of the faithful, we condemn and utterly reject, with the approval of the sacred council, the sect itself and the errors described above, and we strictly forbid anyone henceforth to hold, approve or defend the errors. We decree that those who act otherwise are to be punished with canonical censure. The diocesans and the inquisitors of heresy for the regions where these Beghards and Beguines live, are to exercise their office with special care concerning them, making inquiries about their life and behaviour and about their beliefs in relation to the articles of faith and the sacraments of the church. They are to impose due punishment on those whom they find guilty, unless there is voluntary abjuration of the above errors and repentance with fitting satisfaction.

[29]. Serious suggestions have been made to us that communities in certain places, to the divine displeasure and injury of the neighbour, in violation of both divine and human law, approve of usury. By their statutes, sometimes confirmed by oath, they not only grant that usury may be demanded and paid, but deliberately compel debtors to pay it. By these statutes they impose heavy burdens on those claiming the return of usurious payments, employing also various pretexts and ingenious frauds to hinder the return. We, therefore, wishing to get rid of these pernicious practices, decree with the approval of the sacred council that all the magistrates, captains, rulers, consuls, judges, counsellors or any other officials of these communities who presume in the future to make, write or dictate such statutes, or knowingly decide that usury be paid or, if paid, that it be not fully and freely restored when claimed, incur the sentence of excommunication. They shall also incur the same sentence unless within three months they delete from the books of their communities, if they have the power, statutes of this kind hitherto published, or if they presume to observe in any way these statutes or customs. Furthermore, since money-lenders for the most part enter into usurious contracts so frequently with secrecy and guile that they can be convicted only with difficulty, we decree that they be compelled by ecclesiastical censure to open their account books, when there is question of usury. If indeed someone has fallen into the error of presuming to affirm pertinaciously that the practice of usury is not sinful, we decree that he is to be punished as a heretic; and we strictly enjoin on local ordinaries and inquisitors of heresy to proceed against those they find suspect of such error as they would against those suspected of heresy.

[30]. Complaints, loud, frequent and incessant come to us from certain religious that very many prelates -- bishops, their superiors and others -- unjustly disturb in many ways the peace of the religious. Some of them seize and imprison exempt religious when the law does not permit this. Some, by threat of severe penalties, hinder those who owe tithes or revenues to exempt religious from paying and prevent people from

hearing their masses. They suspend, interdict and excommunicate without reasonable cause the millers of the religious, their cooks, servants, vassals, and members of household, and anyone who has any relation with them, occasionally also seizing unlawfully their goods. They in no way submit to the appeals which the said exempt religious sometimes make with good reason, because of the foregoing or other oppressions. They now and then seize the appellants on the occasion of these appeals, or they have them seized and thrown into prison.

There are some prelates, moreover, who without lawful cause do not permit chaplains to celebrate nor to administer the sacraments to the parishioners in churches belonging fully and lawfully to the exempt religious. There are even some prelates who with indiscreet haste unjustly suspend, excommunicate, seize and imprison exempt abbots, monks and laybrothers, as also clerics legally subject to them, and lay under interdict their churches and houses, if they do not obey even in matters where there is no obligation. In addition, the prelates exceed all measure in claiming charitable aid from the exempt religious themselves and from those subject to them. Contrary to law they make demands which are unjust and unusual. They lay new taxes and unfair burdens on parish churches in which exempt religious have the right of patronage. They do not permit legal actions and decisions justly made in favour of the exempt religious, by delegates of the apostolic see or by conservators, to be made public or to be put into execution by their subjects. They restrain public notaries from drawing up instruments, judges from administering justice, and lawyers from giving counsel or aid in the suits or legal business of the exempt religious.

The prelates also refuse to admit to orders or benefices those presented by exempt religious who have the right of presentation, unless the presenters profess obedience in the greeting of the letter of presentation. Furthermore, these prelates, when the churches for which monasteries have the right of patronage become vacant, turn away the suitable persons

presented to them and appoint people who are incompetent and unworthy. Certain prelates confer churches, which have the cure of souls and belong to the table maintenance of abbots, and the revenues of which they sometimes hand over for a rent to secular clerics, on their own clergy at the death of those secular clerics, even though the churches because of this are not truly vacant. Some prelates appropriate unjustly for themselves the rights of monks in churches belonging to monasteries, and so regulate the disposal of the revenues that not enough remains for the livelihood of the rectors.

Some prelates, armed and with standards hoisted, destroy the mills and other property of exempt religious, disregarding all justice, even when the religious have been in possession from time immemorial. Prelates also often send their relatives and nephews to the monasteries in their cities and dioceses, occasionally with their animals and herdsmen, with the demand that they be provided for. Often also prelates compel abbots and priors of monasteries to grant the possessions of their monasteries or priories to their kindred and nephews either perpetually or for a period; these grants or pensions we wish to be of no consequence in law. They also compel the abbots and priors to present to them for vacant churches in which the monks have the right of patronage, and occasionally to receive into their order, their friends, kindred and nephews. Frequently also they permit and tacitly consent to the seizure, in the prelates' temporal domains, of movable and immovable property of the monasteries in cases not permitted by law, by the prelates' soldiers, vassals and secular officials. They also outrage in various other ways both the clerical and lay persons of the monasteries.

Besides, the prelates occasionally deprive unjustly of their benefices abbots, priors and others, so that if they can take the revenues of the benefices in the first year, under pretext of a privilege which they claim to have, then they may be able to receive the first year's revenues of vacant benefices for a certain time. Not content with this, they seize

unlawfully horses, cattle, treasure and other property of monasteries and vacant benefices which should be reserved for posterity. Some prelates sell for a time to knights and other powerful persons the revenues and incomes of their dignities, in order to oppress the neighbouring exempt religious more heavily by means of these people. Some even destroy monasteries without just cause. Others often seize houses, hospitals and other property of the monasteries, both movable and immovable, and retain what they have seized. Many times also, without just cause, they prevent exempt religious from repairing their houses. Certain prelates enact statutes derogatory to the privileges of the exempt religious. And in general, very many prelates unjustly inflict grave injury and loss on religious, especially on those who are exempt and have privileges: on their persons, property and rights, both spiritual and temporal.

Since however there is for both regulars and seculars, for superiors and subjects, for exempt and non-exempt, one universal church, outside of which there is no salvation, for all of whom there is one Lord, one faith and one baptism, it is right that all who are of the same body should be of one will, and as brethren bound to one another by the bond of charity. It is right therefore that both prelates and others, exempt and non-exempt, should be content with their rights and abstain from inflicting injury or loss on one another. We therefore strictly command, by the present decree, all prelates of churches that they desist altogether from the oppression described above, and see to it that their subjects do likewise. They are to treat religious men, whether exempt or having privileges or non-exempt, both mendicant and non-mendicant, with charity, and they are to encourage them. They are to respect their rights and privileges as inviolable. And since what is specially forbidden is feared more than what is forbidden merely in general, we forbid most strictly that prelates presume to hinder in any way abbots, priors and other religious from going to their general or provincial chapters.



[31]. Religious who presume to administer the sacrament of extreme unction or the eucharist to clerics or lay people or to solemnise marriages, without the special leave of the parish priest, or to absolve those excommunicated by canon law, except in cases expressed in law or granted to them by privilege of the apostolic see, or those excommunicated by sentences promulgated by provincial or synodal statutes, or (to use their own words) to absolve anyone from punishment and guilt, incur automatic excommunication. They are to be absolved only by the apostolic see. The local ordinaries are to announce publicly that they are excommunicated, once this is established, until notified of their absolution. The religious can make no valid appeal in this matter to any exemption or privilege. We also strictly forbid religious, in virtue of holy obedience and under threat of eternal malediction, to disparage prelates in their sermons or to draw the laity away from their churches, to publish false indulgences, to restrain testators, when present at the making of their wills, from making due restitutions or legacies to their mother churches, or to bring about that money legacies, or money owed or perhaps unjustly taken, should come or be bequeathed to themselves or to other individuals of their order, or to their houses, to the detriment of other people. Nor are they to absolve anyone in cases reserved to the apostolic see or to the local ordinaries. They are not to annoy unreasonably ecclesiastical persons who prosecute justice against them, especially before judges delegated by us, nor are they to bring them to court in more than one place, especially if these places are distant.

Those who presume to act contrary to this decree are subject for two months to the penalties usually imposed by their rule or statutes on those who commit grave crimes or faults. Dispensation shall not be granted without manifest necessity. Their superiors, besides, unless after these excesses they make full satisfaction within a month to the churches or ecclesiastical persons harmed or offended, after being required to do so, incur automatic suspension until they have made due satisfaction, notwithstanding statutes or privileges of whatever tenor. Of course the

religious who have been granted permission by the apostolic see to administer the sacraments to members of their household or to the poor in their hospices, are not affected by this decree.

[32]. With the approval of the sacred council, we grant by this present constitution to an archbishop passing through, or perhaps turning aside, to exempt localities of his diocese to have the cross carried openly before him, to bless the people, to hear the divine offices there privately or publicly, also to celebrate them in pontificals and to have them celebrated in his presence without pontificals, notwithstanding any contrary privilege. In like manner we grant to a bishop that in exempt localities of his diocese he may bless the people, hear the divine offices and celebrate them there, as also have them celebrated in his presence. Under pretext of this concession, however, the archbishop or bishop may exercise no other jurisdiction in the exempt or privileged localities. He is not to annoy the exempt or privileged persons, there should be no cause for complaint and nothing prejudicial to the exemption or privileges of the religious. The archbishop or bishop does not acquire by this decree any other right.

[33]. If anyone at the instigation of the devil has committed the sacrilege of wrongfully and rashly striking a bishop, or of seizing or banishing him, or has ordered these things to be done, or approved them when done by others, or been an accomplice, or given advice or shown favour, or knowingly defended the guilty, and has not incurred excommunication by canons already published, he is excommunicated by this our present constitution, notwithstanding any custom to the contrary. Indeed, with the approval of the sacred council, we consider such a custom to be a corruption, and the culprit may be absolved by the supreme pontiff only, except at the moment of death. In addition, he shall lose all fiefs, leases, offices and benefices, whether spiritual or temporal, which he holds from the church over which the offended bishop presides. All these shall revert freely to that church. The offender's descendants in the male line to the second generation shall be disqualified, without hope of dispensation,

from holding ecclesiastical benefices in the city and diocese of the bishop. The offender's estates also, when within one diocese, shall lie under interdict until he has made due satisfaction. The place where the captured bishop is detained shall likewise be under interdict for as long as he remains detained. If the criminal's estates include two or more dioceses, then the diocese of his principal domicile and the diocese where the crime was committed, if the land is his, and two other dioceses which belong to his territory and are nearest to the place of the crime, shall he under the same interdict.

Since his confusion will increase the more his offence is known, his excommunication will be announced in public, with the ringing of bells and candles burning, until he has made due satisfaction, in all the places where the crime was committed, as also in the churches of the neighbouring cities and dioceses, on all Sundays and feast days. And when he is to receive absolution, let him be well prepared to undergo the punishment imposed and, with the help of God, to perform the penance enjoined on him. The city, moreover, that has committed any of the crimes described above against its bishop, shall be placed under the above-mentioned interdict until it has made satisfaction. The authorities, counsellors, bailiffs, magistrates, advocates, consuls, governors and officials of any description who are at fault in this affair, are likewise subject to excommunication from which they can be absolved only in the manner stated above. All these instructions shall be observed all the more strictly in dealing with those who kill bishops, since they should be punished more severely than the offenders already mentioned and merit greater indignation.

Let nobody be surprised that we do not inflict heavier punishment on those who perpetrate the above crimes. Alas! shameful to relate, these crimes are of frequent occurrence, and for the many men of violence an example is needed. The punishment of the offender ought to be in proportion to the dignity of the person wronged. Bishops are called most holy, are Christ's

ambassadors, spiritual fathers, our brothers and fellow bishops, the acknowledged pillars of the church. The punishment, then, ought to be heavy, proportionate to the guilt of one who violates the dignity of such an eminent person. However, we wish to mitigate the severity of the punishment for the present, being prepared to impose other penalties if we see that the offenders' insolence demands such action. If of course anyone involved in the above cases has been absolved at the moment of death from excommunication, he shall incur automatically the same sentence if after recovery he does not, as soon as conveniently possible, present himself before the Roman pontiff in order to receive humbly his commands, as justice shall advise. Although this has been fully enough provided for elsewhere in the law, we thought it well to make this addition, lest someone from ignorance of the law should busy himself to find excuses.

[34]. Many serious complaints have reached us that some who hold temporal power do not hesitate to capture ecclesiastics frequently and detain them with sacrilegious audacity until they resign their benefices, nor to prevent those summoned to the apostolic see by someone or by law from going there, for the most part seizing them as they depart. In view of the great offence to our honour and that of the apostolic see, as also to the peace and welfare of ecclesiastical persons, not to speak of the damnable scandal, we, with the approval of the sacred council, decree that, in addition to the penalty attached by the canon to such deeds, those who bring them about, if prelates, are suspended for three years from receiving the revenues of their churches. If they are lower clergy, they are automatically deprived of their benefices. Those who have brought about their own capture by the secular power -- this, we have heard, sometimes occurs -- as a pretext for not obeying a summons to the apostolic see, are to incur the same penalty. Resignations of benefices extorted in the above manner, although accepted and ratified by the prelates of those who resign, have no validity whatever. We enjoin on local ordinaries that, after learning that subjects of theirs have incurred these penalties, they do not

delay in publishing them and, as far as it concerns them, they put the penalties into execution.

[35]. Desiring to restrain those whom the rewards of virtue do not induce to observe the law, by the addition of new penalties and by fear of those to be added, we decree that transgressors of the constitution which forbids mendicant religious to acquire houses or places of any kind, or to exchange those already acquired or transfer them to others under any title of alienation, are automatically subject to excommunication.

The same sentence of excommunication is incurred by those religious who presume in their sermons or otherwise to restrain their hearers from due payment of tithes to churches. And since it is not enough to abstain from evil unless good is done, we enjoin on all religious, invoking the divine judgment and under threat of eternal malediction, that whenever they preach to the people on the first, fourth and last Sundays of Lent, and on the feasts of the Ascension of the Lord, Pentecost, the Birthday of blessed John the Baptist, the Assumption and the Birthday of the most blessed virgin Mary, the mother of God, they take care to exhort their hearers expressly, if required by the rectors or vicars of the churches or those taking their place, and also to inform the consciences of their penitents in confession, that they have the obligation to pay tithes. If the religious knowingly evade this duty in their sermons on the above-mentioned days, they are to receive a severe rebuke from their superiors. We also strictly command the superiors, in virtue of holy obedience, to enact laws in accordance with which they may so severely punish transgressors that their punishment may be an example for others. The constitution of our predecessor of happy memory pope Gregory IX, dealing with this matter, is to remain in full force. Those who knowingly have neglected to inform the consciences of penitents with regard to payment of these tithes, are automatically to remain suspended from preaching until they inform the consciences of their penitents, if they can conveniently do this. They are to incur automatic excommunication if

they presume to preach without atoning for their neglect as above. We do not however wish this to apply to the religious of monasteries, or the rectors of churches, who are in receipt of tithes.

Rash violators of the constitution which forbids religious and secular clerics to induce anyone to vow, swear, pledge or otherwise promise that they will choose a burial place beside their churches or, having made this choice, that they will not alter it, incur automatically the same sentence of excommunication (the penalty in the said constitution is to remain in force); they are not to be absolved except by the apostolic see, except at the moment of death, notwithstanding any privileges or statutes of whatever tenor.

[36]. Grave complaint has been made to us by prelates that certain nobles and temporal lords, when their territory has been laid under ecclesiastical interdict, have masses and other divine offices celebrated publicly and solemnly not only in the chapels of their houses, but also in collegiate churches and other churches of prominent places. They invite and, what is worse, sometimes compel now these, now those, to celebrate the offices. Not content with these excesses, they have people summoned, even those under interdict, by the ringing of bells and by the public crier, to hear these masses. Some of the lords and nobles are not afraid to order people, for the most part their own subjects, although they are publicly under excommunication and interdict, not to leave the churches while mass is being celebrated, even though the celebrants urge their departure. It therefore happens frequently that mass is left unfinished to the offence of God and the scandal of clergy and people. In order, then, that excesses so grave may not be imitated because the transgressors are left unpunished, we excommunicate, with the approval of the sacred council, all those who shall presume to compel anyone in any way in places under interdict to celebrate the divine offices, or to summon people in the above way to hear them, especially those under excommunication or interdict. The same penalty is imposed on those who forbid persons publicly

excommunicated or under interdict to leave the church during mass when warned to do so by the celebrant, also on those publicly excommunicated and those under interdict who presume to remain in church when named by the celebrant and warned that they must leave. The excommunications can be remitted only by the apostolic see.

[37]. The friars Minor receive into their churches to hear the divine offices in time of interdict brothers and sisters of the third order, instituted by blessed Francis; they are called continent or of penance. Since this practice generates scandal in the minds of others who are excluded, thus debasing ecclesiastical censure and weakening the force of an interdict, we strictly forbid the friars Minor to admit henceforth in any way to their churches for the divine offices in time of interdict any of the above-mentioned persons, even if they or the friars have privileges of any kind in this matter; we in no way favour such privileges. If the friars infringe this decree, they lie under automatic excommunication, from which they can only be absolved by the Roman pontiff or, if they have made satisfaction, by the local bishops, whom we wish to act in this matter by our authority.

[38]. I came out of paradise, I said: I will water my garden of plants. Thus speaks the heavenly cultivator, who is truly the source of wisdom, God's Word, begotten by the Father from eternity, yet remaining in the Father. In these last days, made flesh in the womb of a virgin by the operation of the holy Spirit, he went forth to the arduous work of redeeming the human race, giving himself to humanity as the model of a heavenly life. But because so often people, overcome by the anxieties of this mortal life, turned their mental gaze away from such a model, our true Solomon has made in the realm of the church militant, among other gardens, a garden of delight, far from the stormy waves of the world, in which people might devote themselves with greater peace and security to contemplating and imitating the works of the exemplar, and he himself entered this world

that he might refresh it with the fertile waters of his spiritual grace and teaching.

This garden is the holy religion of the friars Minor which, enclosed within the firm walls of regular observance, is content with God alone and is constantly enriched with fresh shoots, her sons. Entering this garden, the beloved Son of God gathers the myrrh and spices of mortification and penance which by their marvellous fragrance diffuse to everyone the perfume of an attractive sanctity. This is that form and rule of the heavenly life sketched by that eminent confessor of Christ, saint Francis, who taught his sons its observance by both word and example. The observers of that holy rule, men of zeal and devotion, as both pupils and true sons of so great a father, aspired and still ardently aspire to observe that rule faithfully in all its purity and fullness. They perceived certain particulars of which the interpretation was doubtful, and they prudently had recourse to the apostolic see for clarification. Receiving assurance from that see, to which their very rule proclaims allegiance, they were able to serve the Lord, free from all doubt, in the fullness of charity. Several Roman pontiffs, our predecessors, rightfully heeded their pious and just requests; they defined doubtful points, promulgating certain interpretations and making some concessions, as they thought good for the consciences of the friars and the purity of religious observance. But because there are devout consciences which very often fear sin where it does not exist, and dread any turning in the way of God, the previous clarifications have not fully quietened the consciences of all the friars. There are still some points belonging to their rule and state of life where doubts arise, as many have often told us in public and private consistories. For this reason the friars themselves have humbly entreated us to clarify opportunely the doubts which have arisen and those which may arise in the future, thus applying a remedy by the kindness of the apostolic see.



We have from a tender age had a warm devotion to those who profess this rule and to the whole order. Now that, though unworthy, we bear the office of universal pastor, we are the more roused to cherish them and to honour them more kindly and attentively, the more often we consider and reflect on the plentiful harvest reaped continually from their exemplary lives and wholesome teaching for the good of the universal church. Moved by the pious intentions of the petitioners, we have directed our efforts to carry out diligently what they ask. We have had a careful examination made of these doubts by several archbishops, bishops, masters in theology and other learned, prudent and discreet men.

At the beginning of the rule it is said: “The rule and life of the friars Minor is this, to observe the gospel of our lord Jesus Christ, by living in obedience without property and in chastity”<sup>2</sup>. Also, further down: “Having completed a year of probation, let them be received to obedience, promising always to observe this life and rule”<sup>3</sup>. Also, towards the end of the rule: “Let us observe poverty, humility and the gospel of our lord Jesus Christ, which we have firmly promised”<sup>4</sup>. There was uncertainty whether the friars of the order were obliged to all the precepts and counsels of the gospel by profession of their rule. Some said they were obliged to all. Others, however, asserted that they were obliged to three only, namely “to live in obedience, in chastity and without property”, and to what was stated as obligatory in the rule. With regard to this article we follow in the footsteps of our predecessors and, giving this article further clarification, we answer the doubt as follows. Since every determinate vow must have a defined object, he who vows to follow the rule cannot be considered obliged by his vow to those evangelical counsels which are not mentioned in the rule. And indeed this is shown to have been the intention of blessed Francis the founder, from the fact that he laid down certain counsels in the rule but omitted others. For if by those words, “The rule and life of the friars Minor is this” etc. he had intended to oblige them to all the evangelical counsels, it would have been superfluous and futile to include some of them and not others.

However, since the nature of a restrictive term demands the exclusion of everything foreign to it but includes everything belonging to it, we declare that the friars are bound by the profession of their rule not only to those three vows simply and solely, but also to everything related to them expressed in the rule itself. For if the friars were obliged to observe the three vows precisely and no more, in their promise to observe the rule by living in “obedience, chastity and without property”, and not also to observe everything contained in the rule that is relevant to those vows, then the words “I promise to observe always this rule” would be useless, as implying no obligation. We must not think, however, that blessed Francis intended to impose on those who profess this rule the same obligation regarding everything in the rule relating to the three vows, or anything else contained in the rule. Rather, he made a clear distinction: in some matters his words imply that transgression is a mortal sin, in others not, since he applies to some the word “precept” or its equivalent, while elsewhere he is content to use other expressions.

Besides those things laid down in the rule expressly in words of precept or exhortation or admonition, there are some things in the imperative mood in either a negative or an affirmative form. Concerning these, there has been up to now some doubt as to whether they are of precept. This doubt is not made less but rather increased by the declaration of our predecessor pope Nicholas III’ of happy memory, that the friars are obliged by rule to those evangelical counsels which the rule expresses in form of precept or prohibition or equivalent words and, in addition, to the observance of everything that the rule imposes in words of obligation. The friars therefore begged that we would, for their peace of conscience, graciously define which of these matters should be considered equivalent to precepts and obligatory. We therefore, delighted by their sincerity of conscience, observing that in matters affecting salvation the safer path is to be taken in order to avoid grave remorse of conscience, say that, although the friars are not obliged to observe everything expressed by the rule in the imperative mood in the way that they are obliged to observe

matters which are explicitly or equivalently of precept, it is right for them, if they are to observe the rule strictly in its purity, to acknowledge that they are bound to observe in this way the injunctions noted below.

In order to summarise these things which appear equivalent to precepts, in virtue of the words or at least of the subject-matter, or of both, we declare the following to be of obligation for the friars, as expressed in the rule: not having more tunics than one “with a hood, and one without a hood”<sup>2</sup>, not wearing shoes, and not riding a horse except in case of necessity; that the friars “wear cheap clothes”<sup>5</sup>; that they fast “from the feast of all saints to Christmas”<sup>6</sup> and on Fridays; that “clerics recite the divine office according to the rite of the holy Roman church”<sup>7</sup>; that ministers and guardians take great care “of the needs of the sick and of the friars’ clothing”<sup>8</sup>, that, “if a friar falls ill, the other friars are to wait on him”<sup>9</sup>; that “the friars are not to preach in the diocese of a bishop when he has forbidden them this”; that “nobody ventures at all to preach to the people unless he has been examined, approved and appointed for this by the minister general” or by others having authority according to the aforesaid declaration; that “friars who know that they cannot observe the rule in detail, may and should have recourse to their ministers”<sup>3</sup>; and everything laid down in the rule regarding the form of the habit of both novices and professed friars, the manner of reception, and profession, except for the habit of novices with regard to those admitting them (here the rule which says “according to God it may seem otherwise”<sup>4</sup> may be followed). The order generally has judged, holds and has held from of old that wherever in the rule there occurs the words “they shall be bound”, there is a precept and the friars ought to act as bound by precept.

The confessor of Christ, when prescribing the practice of the friars and their ministers in relation to the reception of those entering the order, said in the rule: “The friars and their ministers shall take care not to be solicitous about their temporal goods, but leave them free to do with them whatever the Lord inspires them to do; the ministers may have leave,

however, to send them to some God-fearing men, if counsel be needed, who may advise them how to give their goods to the poor”<sup>5</sup>. Many of the friars were uncertain, and still are, whether they may receive anything from those who enter, if it is given; whether they may without fault persuade them to give to individuals and friaries; and whether the ministers themselves or the friars ought to give advice concerning the disposal of property, when there are other suitable advisers to whom the entrants can be sent. We observe attentively that saint Francis intended to banish from his disciples, whose rule he had based on a very strict poverty, all affection for the temporal goods of those entering the order, especially in using the above words in order that, on the part of the friars, reception into the order might appear holy and pure. They should be seen to have no eye to their temporal goods, but only to deliver the novices up to the divine service. We say that both ministers and friars ought to abstain from persuasion to give them the property, and also from advice as to its distribution. They should send those who seek counsel to God-fearing men of another state, not to friars. In this way all will see them truly as zealous and perfect observers of their father’s sound tradition. Since however the rule itself wishes those entering to be free to do as the Lord inspires concerning their property, it does not seem unlawful for the friars to receive something, in view of their needs and in accordance with the aforesaid declaration, if the entrant freely wishes to give it, as he would to other poor people by way of alms. The friars however do well to take care, in accepting such offerings, that they do not create an unfavourable impression by the amount they receive.

The rule says that “those who have promised obedience should have one tunic with a hood, and another without a hood, those who wish to have it”; also, that “all the friars should wear cheap clothes”<sup>6</sup>. We have declared that the said words are equivalent to precepts. In order to express this more clearly, however, we say that it is not lawful to have more tunics, except when this is necessary in accordance with the rule, as our said predecessor has more fully explained. As for the poverty of the clothes,

both of the habit and of the inner clothing, it is to be judged in relation to the customs and observances of the country, as to the colour of the cloth and the price. There cannot be one standard for every region. We think that this poverty in dress should be entrusted to the judgment of the ministers and guardians; they must form their own consciences, but see to it that poverty in dress is maintained. In the same way we leave it to the judgment of the ministers and guardians as to when the friars have need to wear shoes.

The rule refers to two periods: “from the feast of all saints until Christmas”, and especially in Lent, when the friars are obliged to fast. We find inserted in the rule: “at other times they are not obliged to fast, with the exception of Fridays”<sup>3</sup>. From these statements some have concluded that the friars are not obliged to observe any other fasts except from propriety. We declare that they are not obliged to fast at other times except at the times established by the church. For it is not probable that either he who instituted the rule or he who confirmed it intended to dispense the friars from observing the fasting days to which the general law of the church obliges other Christians.

When St Francis, wishing his friars to be completely detached from money, commanded “firmly all the friars not to accept money in any manner, either directly or through some other person”<sup>4</sup>, this same predecessor of ours, in his interpretation, defined the cases and the ways in which the friars cannot and ought not to be called receivers of money against the rule and sincerity of their order. We declare that the friars must take the greatest care that they have no recourse to those who give money or their agents in ways other than those defined by our said predecessor, lest they deservedly be called transgressors of the precept and rule. For when there is a general prohibition, anything not expressly granted is understood to be refused. For this reason, all collection of money and acceptance of offerings in church or elsewhere, boxes for storing offerings or gifts of money, and any other recourse to money or those who have it

which is not allowed by the said declaration, is, we say, completely and absolutely forbidden. Recourse to special friends is expressly allowed in only two cases, according to the rule. These are “the needs of the sick and the clothing of the friars”. Our said predecessor kindly and wisely extended this permission, in view of their needy life, to other wants of the friars which can occur or even be pressing when there are no alms. The friars however are to observe that for no other reasons except the above or those of a similar kind, may they have recourse to such friends, either on the road or elsewhere, whether their friends themselves give the money or their representatives, messengers or trustees, whatever name they are given, even if the ways granted by the above declaration are entirely observed.

The confessor of Christ wished above all that those who professed his rule should be completely detached from love and desire of earthly things, and in particular from money and its use, as is proved by his constantly repeating in the rule the prohibition of accepting money. When, therefore, the friars need, for the reasons mentioned above, to have recourse to those who have money, destined for their needs, whether they are their principal benefactors or their envoys, these friars should so behave in the eyes of all as to show that they are completely unconcerned as regards money, as indeed it does not belong to them. Therefore such actions as to order that the money be spent and in what way, to exact an account, to ask for the return of the money in any way, to put it away or have it put away, and to carry a money-box or its key, are unlawful for the friars. These actions belong properly to the owners who gave the money and to their agents.

When the saint expressed the manner of the friars’ poverty in the rule, he said: “The friars should make nothing their own, neither house nor land nor anything, but go confidently to seek alms as pilgrims and strangers serving the Lord in poverty and humility”<sup>2</sup>. This is also the renunciation defined by certain of our predecessors as Roman pontiffs, to be understood both specifically and in general. These pontiffs have therefore

accepted for themselves and for the Roman church the absolute ownership of everything granted, offered or given to the friars, leaving them simply the right of use. Yet we have been asked to examine certain practices that are said to go on in the order and seem repugnant to the vow of poverty and the sincerity of the order.

## **Decrees**

The following are the practices which we believe are in need of remedy. The friars not only allow themselves to inherit, but even bring this about. They sometimes accept annual revenues so high that the friaries concerned can live completely on them. When their affairs, even of a temporal kind, are debated in the courts, they assist the advocates and procurators; in order to encourage them, they present themselves in person. They accept the office of executor of wills and carry it out. They sometimes meddle with settlements involving usury or unjust acquisition and the restitution to be made. Sometimes they have not only extensive gardens but also large vineyards, from which they collect great quantities of vegetables and wine to sell. At the time of harvest they collect so much corn and wine by begging or buying, storing them in their cellars and granaries, that they can live off them without begging for the rest of the year. They build churches or other edifices, or have them built, of such size, style and costliness that they seem to be the abodes of the wealthy not of the poor. The friars in very many places have so many church ornaments and so obviously precious ones as to surpass in this the great cathedrals. They also accept indiscriminately horses and arms offered to them at funerals.

Yet the community of friars, and in particular the rulers of the order, asserted that the above abuses, or most of them, did not exist in the order and any friars found guilty in such matters are punished rigorously. Moreover, very strict laws were passed long ago in the order to prevent such abuses. Wishing, therefore, to provide for the consciences of the

friars and to remove, as far as we can, all doubt from their hearts, we give the following replies.

For a way of life to be authentic, outward actions must correspond to the interior attitude of mind. The friars, therefore, who have torn themselves away from temporal possessions by so great a renunciation, must abstain from all that is or may seem to be contrary to that renunciation. Now, heirs acquire not only use of their inheritance but, in time, ownership also, and the friars cannot acquire anything for themselves in particular or for their order in general. We therefore declare that the absoluteness of their vow renders the friars altogether incapable of such inheritance, which of its nature extends both to money and to other movable and immovable goods. Nor may they allow themselves to be left or accept as a legacy the value of such inheritance, or a great part of it, so that it could be presumed that this was done by deceit; indeed, we absolutely forbid this.

Since annual revenues are considered by law as immovable goods, and are contrary to poverty and mendicancy, there is no doubt that the friars may not accept or have revenues of any kind, given their state of life, just as they may not have possessions or even their use, since this use is not granted to them.

Further, not only what is known to be evil, but also everything which has the appearance of evil, should be specially avoided by perfect men. Now, to be present in court and urge their case, when the law is concerned with matters of advantage to them, leads people to believe from external appearances that the friars present are seeking something as their own. In no way, therefore, ought the friars who profess this rule and vow, to meddle in legal processes in such courts. By abstention they will be thought well of by outsiders, and they will live up to the purity of their vow and avoid scandal to their neighbour. Indeed, the friars are to be complete strangers not only to the acceptance, possession, ownership or use of money, but even to any handling of it, as our said predecessor has repeatedly and clearly said in his interpretation of the rule. Also, the



members of this order cannot go to law for any temporal thing. The friars may therefore not lend themselves to such legal processes, but rather consider them forbidden by the purity of their state, because these activities cannot be concluded without litigation and the management or administration of money. Nevertheless they do not act in a manner contrary to their state if they give advice for the execution of these affairs, since this advice does not confer upon them any jurisdiction or legal authority or administration with regard to temporal goods.

Certainly it is not only lawful but very reasonable that the friars who devote themselves to the spiritual works of prayer and study should have gardens and open spaces for recollection and recreation, and sometimes in order to provide a bodily distraction after their spiritual labours, as also to cultivate vegetables for their needs. To keep gardens, however, in order to cultivate vegetables and other garden produce for sale, and vines likewise, is inconsistent with the rule and purity of their order. Our said predecessor has declared and also ordained that if, for this kind of use, someone were to leave a field or a vineyard or something of this nature to the friars, they should refrain absolutely from accepting it, since to have such things in order to receive the price of the produce in season is similar to having an income.

Again, saint Francis has shown, both by the example of his life and by the words of his rule, that he wishes his brothers and sons, relying on divine providence, to cast their burden on the Lord, who feeds the birds of the air, which neither sow nor reap nor gather into barns. It is not likely, then, that he would have wished them to have granaries or wine-cellars, when they hope to live by daily begging. And for that reason they should not lay by provisions from some slight fear, but only when it is very probable from experience that they will not otherwise find the necessities of life. We therefore consider that the decision should be left to the consciences of the ministers and guardians, both as a body and separately in their offices and guardianships, acting with the advice and consent of the

guardian and two discreet older priests from a house of the order in the area.

The saint wished to establish his friars in the greatest poverty and humility, both in inclination and in fact, as practically the whole rule proclaims. It is only right, then, that they should in no way build, or allow to be built, churches or edifices of any kind which, in relation to the numbers of friars living there, might be considered excessive in number or in size. We therefore wish that, everywhere in the order, the friars should be satisfied with buildings which are modest and humble, lest outward appearances, which strike the eye, should contradict the great poverty promised by the heart.

Although church ornaments and vessels are ordained to the honour of God's name, for which purpose God created everything, yet he who discerns what is secret looks chiefly at the heart of those who serve him, not at their hands. He does not wish to be served through things which jar with the professed life-style of his servants. The friars should therefore be content with vessels and church ornaments which are seemly in appearance and sufficient in size and number. Excess, costliness or over-elaboration in these or in anything else does not become the friars' profession or state of life. Everything which smacks of treasure and abundance detracts, in the eyes of people, from the profession of such great poverty. We therefore wish and command the friars to observe what we have said.

As for the presents of horses and arms, we decree that everywhere and in everything the aforesaid declaration concerning alms of money be observed.

From the above matters, however, there has arisen among the friars an uneasy question, namely, whether their rule obliges them to a strict and meagre use of things. Some of the friars believe and say that, just as they are vowed to a very strict renunciation of ownership, they are also enjoined the greatest restraint in the use of things. Other friars on the

contrary assert that by their profession they are not obliged to any restrained use that is not expressed in the rule; they are however obliged to a temperate use, in the same way as other Christians and even more fittingly. Wishing, then, to give peace to the friars' consciences and to put an end to these disputes, we declare that the friars Minor in professing their rule are obliged specially to the strict and restrained use expressed in the rule. To say, however, as some are said to assert, that it is heretical to hold that a restricted use of things is or is not included in the vow of evangelical poverty, this we judge to be presumptuous and rash.

Finally, when the rule states by whom and where the minister general should be elected, it makes no mention at all of the election or appointment of provincial ministers. There can arise some uncertainty among the friars on this point. We wish them to be able to go forward with clarity and security in all they do. We therefore declare, decree and ordain in this constitution of perpetual validity, that when a province is to be provided with a minister, his election belongs to the provincial chapter. It shall hold the election the day after assembling. The confirmation of the election belongs to the minister general. If this election is made by ballot, and the votes are divided in such a way that several ballots are made without agreement, then the choice made by the numerical majority of the chapter (leaving aside considerations of zeal or merit), notwithstanding objections of any kind from the other side, is to be confirmed or invalidated by the minister general. Having first given careful consideration to the matter, in accordance with his office, he shall take counsel with discreet members of the order, so that a decision is made which is pleasing to God. If the minister general invalidates the election, the provincial chapter shall vote again. If the chapter does not elect its minister on the day mentioned, the minister general shall freely provide a provincial minister. There are, however, certain provinces -- Ireland, Greece and Rome -- which are said to have had until now, for just reasons, another way of providing the provincial minister. In these cases, if the minister general and the general chapter judge, with good reason, that the

provincial minister should be appointed by the minister general, with the advice of good religious of the order, rather than by the election of the provincial chapter, this shall be done without dispute for the provinces of Ireland, Rome and Greece when the previous provincial minister dies or is relieved of office on this side of the sea; there shall be no deceit, partiality or fraud, the burden resting on the consciences of those who decide the appointment. As for the dismissal of provincial ministers, we wish the order to retain the procedure which has been customary up to now. For the rest, if the friars are without a minister general, his duties shall be carried out by the vicar of the order until there is a new minister general. Further, if there be any attempted violation of this decree concerning the provincial minister, such action shall be automatically null and void.

Let nobody therefore ... If anyone however ...'

## **NOTES**

1. 16 May 1312, from Regestum 7952

2. The introductory address given in Regestum 9983 is omitted here because many other introductory addresses are known of (see Regestum VIII, pp. 416-420). Regestum gives two versions of the letter. The one used here as the base text (Regestum 9983) is addressed to each and all of the bishops. The other is addressed to king Philip of France (= P), see Regestum 8986 (19 Dec. 1312).

3. P adds: Indeed our beloved son in Christ, Philip the illustrious king of the Franks, who together with our beloved son in Christ, Louis the illustrious king of Navarre, was present at the council, showed himself to be the most christian of princes. He had the cause of the holy Land very much at heart. He burned with zeal of faith and devotion to rescue the holy Land from the hands of the impious and to right the wrongs there of him who underwent disgrace and shame for the sake of our redemption.

He so directed and still directs the desires of his heart, that he undertook in the council the business of the general crusade ordained by us intending therefore to take for a certain time the sign of the life-giving cross, with the deliberate purpose of sailing personally with his forces to the aid of the holy Land.

4. But actually we . . . holy gospels of God”] And at last, commending in the Lord this purpose of the king, so acceptable to God, we thought it fitting and most proper that we and the church ought to assist such a glorious prince in proceeding with this great enterprise. We observed especially that because the cities and other places once held by the faithful had been laid waste by the wild rage of the enemy, there was no place left to admit the champions of the faith. The enterprise would be more costly than formerly when some of the king’s ancestors and other christian princes had sailed to the aid of the holy Land; then the cities and places were prosperous and could produce and admit catholic warriors. We therefore judged that the tithe for six years, namely that on the ecclesiastical revenues and incomes of France, which used to be paid in times past in that kingdom, should be granted to the king to help him in his enterprise, so that he might use it for the aid of the holy Land.

We therefore ask, admonish and exhort earnestly all our venerable brothers, the archbishops and bishops, our beloved chosen sons, the abbots, priors, deans, provosts, archdeacons, archpriests and other prelates of churches, the chapters, colleges and convents of the Cistercians, Cluniacs, Premonstratensians, of saints Benedict and Augustine, of the Carthusians, Grandmontines and other orders, and other secular and regular ecclesiastical persons, exempt and non-exempt, in the kingdom of France, with the exception only of the persons and places belonging to the Hospital of saint John of Jerusalem and of the other military orders, by our other letters, and also enjoining on them strictly by apostolic ordinance and in virtue of obedience, to pay the tithe, each and all of them, out of reverence for God, the apostolic see and us, for six years, which we

wish to be reckoned from the next feast of blessed Mary Magdalen. We enjoin further on each archbishop and bishop to claim and collect from each and all of the abbots, priors, deans, provosts, archdeacons, archpriests and other prelates of churches, the chapters, colleges and convents, and other non-exempt secular and regular ecclesiastical persons, in their cities and dioceses, except for the persons and places of the Hospital of saint John of Jerusalem and of the other military orders. The collection is to be made directly or through other persons appointed by them in each city and diocese, from the ecclesiastical revenues and incomes, in the usual manner for the periods stated below, namely for half of the first year on the next feast of blessed Mary Magdalen and for the remaining half on the coming feast of the purification of the blessed virgin Mary, and so on for the remaining five years. The tithe should be collected without difficulties being made and by our authority. We empower and command, by our aforesaid letters, the persons delegated by the archbishops and bishops to make this collection, to claim and collect this tithe by our authority from the abbots, priors, deans, provosts, archdeacons, archpriests and other prelates of churches, the chapters, colleges and convents, and other exempt secular and regular ecclesiastical persons, with the exception of the persons and places of the Hospital of saint John of Jerusalem and the other military orders. The tithe is to be collected for the years and periods mentioned above. The archbishops and bishops, as also their delegates, are to take care to transfer to you, our deputies, their own tithe and that of others as collected by themselves or their delegates for each of the six years. You are to assign the collection to the king of France or his delegate or delegates for the purpose of the crusade. In order that you may more easily and effectively collect and assign this tithe, we grant you by the present document free and unrestricted power, in virtue of our authority, to compel the archbishops and bishops and their delegates, disregarding any appeal, to the fulfilment and collection of this tithe and its assignation, as prescribed. We also grant you the same full power in imparting absolution to those archbishops and

bishops bound by sentences of excommunication, suspension or interdict for not paying the tithe in due time, after they have made satisfaction, and of dispensing with those bound by such sentences who have contracted irregularity by celebrating or taking part in divine worship. P

5. 31 December; from Regestum 9984

6. 13 January 1313; from Regestum 8973

Translation taken from Decrees of the Ecumenical Councils, ed. Norman P. Tanner