

## **Fifth Lateran Council 1512-1517 A.D.**

### **Summary**

Despite **Blessed Pope Eugene IV**'s Papal Bull *Cantate Domino* problems abounded less than a century later. Thus **Pope Julius II**, trying to recoup the scandals caused by previous pontiffs - specifically the **Borgia Pope Alexander VI** - called the 18<sup>th</sup> Ecumenical Council, returning to the Lateran for the Fifth Synod in 1512. When Julius died, his successor **Pope Leo X** carried on the Council. No doctrine was proclaimed with all decrees primarily disciplinary in trying to stem the tide of **Martin Luther** and others who were outwardly rebelling against the Church. Though the idea of a Crusade against the Turks was brought up, the problems with the growing Protestant Reformation occupied the agenda. The Council reaffirmed the superiority of the Pope over conciliar powers.

### **INTRODUCTION**

This council was summoned by pope Julius II by the bull *Sacrosanctae Romanae Ecclesiae*, issued at Rome on 18 July 1511, after several schismatic cardinals, officially supported by Louis XII, king of France, had assembled a quasi-council at Pisa. Twice postponed, the council held its first session in full solemnity at Rome in the Lateran residence on 10 May 1512, at which session an elaborate address on the evils of the church was made by Giles of Viterbo, general of the order of Augustinian hermits.

There were twelve sessions. The first five of them, held during Julius II's pontificate, dealt primarily with the condemnation and rejection of the quasi-council of Pisa, and with the revoking and annulment of the French "Pragmatic Sanction". After the election of pope Leo X in March 1513, the council had three objectives: first, achieving a general peace between christian rulers; second, church reform; and third, the defence of the faith and the rooting out of heresy. The seven sessions after Leo's election gave approval to a number of constitutions, among which are to be noted the condemnation of the teaching of the philosopher Pomponazzi (session 8),

and the approval of the agreement completed outside the council between pope Leo X and king Francis I of France (session 11).

All the decrees of this council, at which the pope presided in person, are in the form of bulls. At the beginning of them are added the words “with the approval of the sacred council”, and at the end “in public session solemnly held in the Lateran basilica”. The fathers confirmed all the decrees by their votes. If anyone wished to reject a proposal, he made his dissenting opinion known verbally, or briefly in writing. The result was that the matters proposed, after various debates, were sometimes altered.

The decisions on the reform of the curia produced almost no effect because of the timidity and inadequacy of the recommendations, especially since the papacy showed slight inclination to carry the matter through. On the other hand, the council totally suppressed the Pisan schism. It is clear that bishops were never present in great numbers at the council, and that prelates who lived outside Italy were notably absent to such an extent that there has been frequent dispute about whether the council was ecumenical.

The decrees and other acts of the council were first published in Rome shortly after the council ended, namely on 31 July 1521 by cardinal Antonio del Monte, acting on the orders of pope Leo X. The title of this edition is: SA. Lateranense concilium novissimum sub Iulio II et Leone X celebratum (= Lc). It was subsequently used in various conciliar collections from Cr2 3 (1551) 3-192 to Msi 32 (1802) 649-1002. We have followed this edition of 1521 and have taken the headings of the constitutions from the summary which precedes it.

## **SESSION 1 -- 10 May 1512**

[The bull convoking the council, Sacrosancta Romanae Ecclesiae, and the bulls postponing it, Inscrutabilis and Romanus pontifex, are read out<sup>1</sup> {Msi 32, 681-690}. Masses are ordered to be celebrated, and prayers to be offered, to beg God's assistance; various arrangements are to be observed in the council and decrees are set out; advocates, procurators, notaries, guards and vote-scrutineers are chosen; assigners of places, and the location of places in their due order, are established.]

## **SESSION 2 -- 17 May 1512**

[The quasi-council of Pisa is condemned, and everything done at it is declared null and void. The Lateran council and whatever has been rightly done at it are confirmed]

Julius, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. We intend, with the help of the most High, to proceed with the holding of this sacred Lateran council which has now begun for the praise of God, the peace of the whole church, the union of the faithful the overthrow of heresies and schisms, the reform of morals, and the campaign against the dangerous enemies of the faith, so that the mouths of all schismatics and enemies of peace, those howling dogs, may be silenced and Christians may be able to keep themselves unstained from such pernicious and poisonous contagion.

Accordingly, in this second session lawfully assembled in the holy Spirit, after mature deliberation held by us with our venerable brothers, the cardinals of the holy Roman church, by the advice and unanimous consent of the same brothers from sure knowledge and by the fullness of apostolic power, we confirm approve and renew, with the approval of the sacred council, the rejections condemnations, revocations, quashings, invalidations and annulments of the summoning, convoking and public utterances of that schismatical assembly, the vaunted quasi-council of

Pisa, with its aim of rending and hampering the union of the aforesaid church, and of the citations, warnings, decrees, pardons, sentences, acts, legacies, creations, obediences, withdrawals, enjoined censures and applications issuing from it, and of the transfer of the said quasi-council to the cities of Milan or Vercellae or any other place, and of each and all of the acts and decisions of the said quasi-council, that have been expressed in our various letters completed and issued in due order, especially those issued under the dates of 18 July in the eighth year of our pontificate, and of 3 December and 13 April in the ninth year of our pontificate. Likewise we confirm, approve and renew with the approval of the sacred council, the letters themselves along with their decrees, declarations, prohibitions, commands, exhortations, warnings, applications of ecclesiastical interdicts, and other sentences, censures and penalties, whether by canonical sanctions or by our own act, especially those in the letter summoning this sacred universal council, and each and all of the other clauses contained in the said letters, the meanings of which we wish to be considered as expressed as if they were inserted herein word for word, even though, as being definite and valid, they require no other confirmation or approval for a more extensive guarantee and demonstration of the truth. We wish, decree and ordain that they be observed without alteration, and we make good each and all of the defects in them, should there be any.

We condemn and reject the aforesaid quasi-council and its transfer, and each and every thing done by it, and also those taking part in it or giving support, approval or consent, directly or indirectly, to whatever extent and in whatever manner, from the day of the summoning of the quasi-council until the present day, whether the things have already been done or are to be done in the future, even if they are or have been such that special, specific, definite and separate mention should be made about them, since we consider their meaning and characteristics as clearly expressed. We condemn and reject it like other counterfeit councils which diverge from the truth and whose acts have been condemned and rejected by the law

and sacred canons. We proclaim these things to be null, void and empty, as indeed they are, to be or to have been of no force or Importance; and, so far as is necessary, we declare them void, invalid and null, and we wish them to be considered as void, invalid and null.

We decree and declare, with the approval of this same sacred council, that this sacred ecumenical council, justly, reasonably, and for true and lawful purposes duly and rightly summoned, has begun to be celebrated, and that each and every thing which has been and shall be done and executed in it, will be just, reasonable, settled and valid, and that it possesses and holds the same strength, power, authority and stability which other general councils approved by the sacred canons, especially the Lateran council, possess and hold.

Moreover, in the arrangement of the seasons, as the summer heats approach, in order to take account of the convenience and health of the prelates, and so that those may be awaited who live beyond the mountains and across the sea and who have hitherto been unable to come to this sacred council, and for other just and reasonable causes known to and approved by the said sacred council, we are summoning the third session of this same council to take place on 3 November next, with the said council likewise giving approval. And to each and every prelate and to others present at the same council, we grant and concede the freedom and permission to withdraw from the Roman curia and to stay wherever they wish, so long as they are present at the aforesaid Lateran council on the said 3 November, any clearly legitimate hindrance having been removed, subject to the infliction of the penalties indicated in the letter summoning the council and in canonical punishments against those failing to attend to councils, the said sacred council also approving. Let nobody therefore . . . If anyone however . . .<sup>2</sup> At this session, on account of the arrival of the bishop of Gurk, representative of the most serene emperor, a postponement of the third session was made until 3 November. }

### **SESSION 3 -- 3 December 1512**

[Each and all of the measures sponsored by the schismatic cardinals are rejected]

Julius, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. To the praise and glory of him whose works are perfect, we are continuing the sacred council of the Lateran, lawfully assembled by favour of the holy Spirit, in this third session. We had summoned this session on another occasion, during the second session, for the third day of the following November. Later, by the advice and unanimous agreement of our venerable brothers, cardinals of the holy Roman church, for reasons then stated and for other lawful causes, we postponed it and summoned it to be held today, with the same sacred council giving approval to both the postponement and the summons for the said reasons which were known to it. This was after the happy and favourable adherence to, and union with, this most holy Lateran council on the part of our most dear son in Christ, Maximilian, ever revered emperor-elect of the Romans

We condemn, reject and detest, with the approval of this same sacred council, each and every thing done by those sons of damnation, Bernard Carvajal, Guillaume Briconnet, Rene de Prie, and Frederick of San Severino, formerly cardinals, and their supporters, adherents, accomplices and disciples -- who are schismatics and heretics and have worked madly to their own and others' ruin, aiming to split asunder the unity of holy mother church at the quasi-council held at Pisa, Milan, Lyons and elsewhere -- whatever the things were in number and kind that have been enacted, carried out, done, written, published or ordained up to the present day, including the imposition of taxes carried out by them throughout the kingdom of France, or shall be done in the future. Even though they are indeed null, useless and void and have already been condemned and rejected by us with the approval of the aforesaid sacred council, we nevertheless retain this present condemnation and rejection for the sake



of greater precaution. We wish the meaning and characteristics of the things done, or to be done, to be considered as expressed herein word for word and not just by general clauses. We decree and declare them to be and to have been null, without purpose and void, of no force, efficacy, effect or importance.

We renew our letter dated 13 August 1512, at St Peter's, Rome, in the ninth year of our pontificate, by which, on the advice of the Dominicans, on account of the support, favours, sustenance and help notoriously provided to schismatics and heretics in the promotion of the said condemned and rejected quasicouncil of Pisa, by the king of France and not a few other prelates, officials, nobles and barons of the kingdom of France, we placed under ecclesiastical interdict the kingdom of France and particularly Lyons, excepting the duchy of Brittany, and we forbade the customary fairs of Lyons to be held in that city and we transferred them to the city of Geneva. We also renew the decrees, declarations, prohibitions and every clause contained in the letter, the said sacred council likewise having full information about them and giving its approval. As stated, we subject the aforesaid kingdom and its cities, lands, towns and any other territories to this interdict, and we transfer the fairs from Lyons to the said city of Geneva.

In order that this sacred Lateran council may be brought to a fruitful and beneficial conclusion, and that the many other serious matters due for treatment and discussion in the council may proceed to the praise of almighty God and the exaltation of the universal church, we declare, with the full approval of the said sacred council, that the fourth session of the continuing celebration of the council shall be held on the tenth day of the present month of December. Let nobody therefore ... If anyone however...

## **SESSION 4 -- 10 December 1512**

[The Pragmatic is revoked and the acts of the quasi-council of Pisa regarding the same are annulled<sup>1</sup> {Before this constitution, in the same session, there was also read out: A warning against the Pragmatic and its supporters}]

Julius, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Giving close attention by paternal and earnest consideration to the safety of the flock entrusted to us from above, to the reform of morals and the defence of the church's liberty, and to the peace and development of the catholic faith, we approve and renew, with the approval of this holy council, for the praise and glory of almighty God and the undivided Trinity, the letter recently issued by us, of which the same council is aware, by which we made a general reform of the Roman curia's officials and of their imposts. We ordered the letter to be made public by certain persons, who were afterwards designated, for the benefit of the faithful, and in accordance with our wishes. We now order it to be made public in detail by the said designated persons together with other prelates from various nations who are present in the aforesaid council and are to be appointed. Everything that can pervert human judgment is to cease, as is right and fitting. We order, moreover, that the declarations are to be referred to us in other sessions of this sacred council and are to be approved by the same council, in order that they may be duly carried out.

Moreover, for considerable periods of time there has been great disparagement of the apostolic see and of the head, the liberty and the authority of the holy Roman universal church, as well as a limitation of the sacred canons, by a number of prelates of the French nation and by noble laymen and others supporting them, especially under pretext of a certain sanction which they call the Pragmatic<sup>2</sup> This Pragmatic Sanction had been promulgated by king Charles VII of France at Bourges on 7 July 1438, with the aim of removing abuses in the church, see DThC 12/2



(1935) 2780-2786, DDrC 7 (1958) 109-113, and NCE 11 (1967) 662-663}. We do not wish to endure further a thing so pernicious and offensive to God, a clear cheapening of and damage to the said church. For it is only in those regions that the sanction, carried out by those lacking all lawful power for that end and without the authority of popes or legitimate general councils, has been introduced and observed by way of an abuse. It must be rightly, along with its contents, be declared null and void and be repealed. Louis XI, king of France, of distinguished memory, repealed this sanction, as is clearly contained in his letters patent already made. Therefore, with the approval of the same council, we commit to the meetings of our venerable brothers, cardinals of the aforesaid church, and of other prelates, which are to be held in the upper room of the Lateran, insofar as this is necessary, the business of the declaration and abrogation which we are to make, as well as the report that is to be made to us and the same sacred council concerning the matters discussed in the first and other sessions, insofar as this can conveniently be done. We determine and decree that the prelates of France, chapters of churches and monasteries, and laymen favouring them, of whatever rank they may be, even royal, who approve or falsely use the said sanction, together with each and every other person thinking, either individually or in a group, that this sanction is to his advantage, be warned and cited, within a definite adequate term to be established, by a public edict -- which is to be fixed on the doors of the churches of Milan, Asti and Pavia, since a safe approach to France is not available -- that they are to appear before us and the aforesaid council and declare the reasons why the said sanction and its corrupting effect and misuse in matters concerning the authority, dignity and unity of the Roman church and the apostolic see, and the violation of sacred canons and of ecclesiastical freedom, ought not to be declared and judged null and void and be abrogated, and why those so warned and cited should not be restrained and held as if they had been warned and cited in person. Moreover, with regard to each and all provisions and collations of ecclesiastical benefices, confirmations of elections and petitions, grants

of concessions, mandates and indults, of whatever kind, concerning both favours and matters of justice or both together, of whatever sense they may be -- which things we wish to be regarded as clearly stated in the present letter -- which were made by the synagogue or quasi-council of Pisa and its schismatic adherents, lacking all authority and merit, though they are indeed null and void, yet, for greater caution, we decree, with the approval of the said sacred council, that they are null and of no effect, force or importance; and that each individual, of whatever rank, status, grade, nobility, order or condition, to whom they were granted, or to whose convenience, advantage or honour they pertain, are to give up their fruits, incomes and profits, or to arrange for this to be done, and they are bound to restore both these things and their benefices and to give up the other aforesaid concessions, and that unless they have really and completely given up the benefices themselves and the other things granted to them, within two months from the date of this present letter, they are automatically deprived of the other ecclesiastical benefices which they hold by lawful title. Moreover, we apply whatever has been or shall be obtained in the way of fruits, rents and profits of this kind, and money-taxes imposed by the said quasi-council, to the campaign which is to be conducted against the infidels.

In order that the declaration of reform, and of the nullity of the said sanction, as well as other business may be carried out in due season, and so that the prelates who are still to come to this sacred council (we have received news that some have already set out on their journey to attend) may be able to arrive without inconvenience, we declare, with the approval of the council, that the fifth session shall be held on 16 February, which will be Wednesday after the first Sunday of the coming Lent. Let nobody therefore ... If anyone however ...

## **SESSION 5 -- 16 February 1513**

[Bull renewing and confirming the Constitution against not committing the evil of simony when electing the Roman pontiff]

Julius, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. The supreme maker of things, the creator of heaven and earth, has willed by his ineffable providence that the Roman pontiff preside over the christian people in the chair of pastoral supremacy, so that he may govern the holy, Roman, universal church in sincerity of heart and deeds and may strive after the progress of all the faithful. We therefore regard it as suitable and salutary that, in the election of the said pontiff, in order that the faithful may look upon him as a mirror of purity and honesty, all stain and every trace of simony shall be absent, that men shall be raised up for this burdensome office who, having embarked in the appropriate manner and order in a due, right and canonical way, may undertake the steering of the barque of Peter and may be, once established in so lofty a dignity, a support for right and good people and a terror for evil people; that by their example, the rest of the faithful may receive instruction on good behaviour and be directed in the way of salvation, that the things which have been determined and established by us for this, in accordance with the magnitude and seriousness of the case, may be approved and renewed by the sacred general council; and that the things so approved and renewed may be communicated, so that the more frequently they are upheld by the said authority, the more strongly they shall endure and the more resolutely they shall be observed and defended against the manifold attacks of the devil. Formerly, indeed, for great and urgent reasons, as a result of important and mature discussion and deliberation with men of great learning and authority, including cardinals of the Roman church, excellent and very experienced persons, a document on the following lines was issued by us.

## **Inserted constitution**

Julius, bishop, servant of the servants of God, for an everlasting record. From a consideration that the detestable crime of simony is forbidden by both divine and human law, particularly in spiritual matters, and that it is especially heinous and destructive for the whole church in the election of the Roman pontiff, the vicar of our lord Jesus Christ, we therefore, placed by God in charge of the government of the same universal church, despite being of little merit, desire, so far as we are able with God's help, to take effective measures for the future with regard to the aforesaid things, as we are bound to, in accordance with the necessity of such an important matter and the greatness of the danger. With the advice and unanimous consent of our brothers, cardinals of the holy Roman church, by means of this our constitution which will have permanent validity, we establish, ordain, decree and define, by apostolic authority and the fulness of our power, that if it happens (which may God avert in his mercy and goodness towards all), after God has released us or our successors from the government of the universal church, that by the efforts of the enemy of the human race and following the urge of ambition or greed, the election of the Roman pontiff is made or effected by the person who is elected, or by one or several members of the college of cardinals, giving their votes in a manner that in any way involves simony being committed -- by the gift, promise or receipt of money, goods of any sort, castles, offices, benefices, promises or obligations -- by the person elected or by one or several other persons, in any manner or form whatsoever, even if the election resulted in a majority of two-thirds or in the unanimous choice of all the cardinals, or even in a spontaneous agreement on the part of all, without a scrutiny being made, then not only is this election or choice itself null, and does not bestow on the person elected or chosen in this fashion any right of either spiritual or temporal administration, but also there can be alleged and presented, against the person elected or chosen in this manner, by any one of the cardinals who has taken part in the

election, the charge of simony, as a true and unquestionable heresy, so that the one elected is not regarded by anyone as the Roman pontiff.

A further consequence is that the person elected in this manner is automatically deprived, without the need of any other declaration, of his cardinal's rank and of all other honours whatsoever as well as of cathedral churches, even metropolitan and patriarchal ones, monasteries, dignities and all other benefices and pensions of whatever kind which he was then holding by title or in commendam or otherwise; and that the elected person is to be regarded as, and is in fact, not a follower of the apostles but an apostate and, like Simon, a magician and a heresiarch, and perpetually debarred from each and all of the above-mentioned things. A simoniacal election of this kind is never at any time to be made valid by a subsequent enthronement or the passage of time, or even by the act of adoration or obedience of all the cardinals. It shall be lawful for each and all of the cardinals, even those who consented to the simoniacal election or promotion, even after the enthronement and adoration or obedience, as well as for all the clergy and the Roman people, together with those serving as prefects, castellans, captains and other officials at the Castel Sant' Angelo in Rome and any other strongholds of the Roman church, notwithstanding any submission or oath or pledge given, to withdraw without penalty and at any time from obedience and loyalty to the person so elected even if he has been enthroned (while they themselves, notwithstanding this, remain fully committed to the faith of the Roman church and to obedience towards a future Roman pontiff entering office in accordance with the canons) and to avoid him as a magician, a heathen, a publican and a heresiarch. To discomfort him still further, if he uses the pretext of the election to interfere in the government of the universal church, the cardinals who wish to oppose the aforesaid election can ask for the help of the secular arm against him.

Those who break off obedience to him are not to be subject to any penalties and censures for the said separation, as though they were tearing

the Lord's garment. However, the cardinals who elected him by simoniacal means are to be dealt with without further declaration as deprived of their orders as well as of their titles and honour as cardinals and of any patriarchal, archiepiscopal, episcopal or other prelacies, dignities and benefices which at that time they held by title or in commendam, or in which or to which they now have some claim, unless they totally and effectively abandon him and unite themselves without pretence or trickery to the other cardinals who did not consent to this simony, within eight days after they receive the request from the other cardinals, in person if this shall be possible or otherwise by a public announcement. Then, if they have joined themselves in full union with the said other cardinals, they shall immediately stand reintegrated, restored, rehabilitated and re-established in their former state, honours and dignities, even of the cardinalate, and in the churches and benefices which they had charge of or held, and shall stand absolved from the stain of simony and from any ecclesiastical censures and penalties.

Intermediaries, brokers and bankers, whether clerical or lay, of whatever rank, quality or order they may have been, even patriarchal or archiepiscopal or episcopal, or enjoying other secular, worldly or ecclesiastical status, including spokesmen or envoys of any kings and princes, who had part in this simoniacal election, are by that very fact deprived of all their churches, benefices, prelacies and fiefs, and any other honours and possessions. They are debarred from anything of that kind and from making or benefiting from a will, and their property, like that of those condemned for treason, is immediately confiscated and allotted to the treasury of the apostolic see. if the aforesaid criminals are ecclesiastics or otherwise subjects of the Roman church. If they are not subjects of the Roman church, their goods and fiefs in regions under secular control are immediately allotted to the treasury of the secular ruler in whose territory the property is located; in such a way, however, that if within three months from the day on which it was known that they had committed simony, or had part in it, the rulers have not in fact allotted the said goods to their



own treasury, then the goods are from that date considered as allotted to the treasury of the Roman church, and are immediately so considered without the need for any further pronouncement to the same effect.

Also not binding and invalid, and ineffectual for taking action, are promises and pledges or solemn engagements made at any time for that purpose, even if prior to the election in question and even if made in any way through persons other than the cardinals, with some strange solemnity and form, including those made under oath or conditionally or dependent upon the outcome, or in the form of agreed bonds under whatever inducement, whether it be a deposit, loan, exchange, acknowledged receipt, gift, pledge, sale, exchange or any other kind of contract, even in the fuller form of the apostolic camera. Nobody can be bound or under pressure by the strength of these in a court of justice or elsewhere, and all may lawfully withdraw from them without penalty or any fear or stigma of perjury.

Moreover, cardinals who have been involved in such a simoniacal election, and have abandoned the person thus elected, may join with the other cardinals, even those who consented to the simoniacal election but later joined with the cardinals who did not commit the said simony, if the latter are willing to join with them. If these cardinals are not willing, they may freely and canonically proceed without them in another place to the election of another pope without waiting for another formal declaration to the effect that the election was simoniacal, though there always remains in force our same current constitution. They may announce and call together a general council in a suitable place as they shall judge expedient, notwithstanding constitutions and apostolic orders, especially that of pope Alexander III, of happy memory, which begins *Licet de evitanda discordia*, and those of other Roman pontiffs, our predecessors, including those issued in general councils, and any other things to the contrary that impose restraint.

Finally, each and every one of the cardinals of the holy Roman church in office at the time, and their sacred college, are under pain of immediate excommunication, which they automatically incur and from which they cannot be absolved except by the canonically elected Roman pontiff, except when in immediate danger of death, not to dare, during a vacancy in the apostolic see, to contravene the aforesaid, or to legislate, dispose or ordain or to act or attempt anything in any way, under whatever alleged pretext or excuse, contrary to the aforesaid things or to any one of them. From this moment, we decree it to be invalid and worthless if there should happen to be, by anyone knowingly or unknowingly, even by us, an attack on these or any one of the foregoing regulations. So that the meaning of this our present constitution, decree, statute, regulation and limitation may be brought to the notice of everyone, it is our will that our present letter be affixed to the doors of the basilica of the prince of the apostles and of the chancellery and in a corner of the Campo dei Fiori, and that no other formality for the publication of this letter be required or expected, but the aforesaid public display suffices for its solemn publication and perpetual force. Let nobody therefore . . . If anyone however . . . Given at Rome at St Peter's on 14 January 1505/6, in the third year of our pontificate.

[. . .] As we ponder how heavy is the burden and how damaging the loss to the vicars of Christ on earth that counterfeit elections would be, and how great the hurt they could bring to the christian religion, especially in these very difficult times when the whole christian religion is being disturbed in a variety of ways, we wish to set obstacles to the tricks and traps of Satan and to human presumption and ambition, so far as it is permitted to us, so that the aforesaid letter shall be better observed the more clearly it is established that it has been approved and renewed by the mature and healthy discussion of the said sacred council, by which it has been decreed and ordained, though it does not need any other approval for its permanence and validity. For a more ample safeguard, and to remove all excuse for guile and malice on the part of evil thinkers and those striving to overthrow so sound a constitution, with a view to the letter

being observed with greater determination and being more difficult to remove, to the extent that it is defended by the approval of so many of the fathers, we therefore, with the approval of this Lateran council and with the authority and fullness of power stated above, confirm and renew the said letter together with every statute, regulation, decree, definition, penalty, restraint, and all the other and individual clauses contained in it; we order it to be maintained and observed without change or breach and to preserve the authority of an unchanging firmness; and we decree and declare that cardinals, mediators, spokesmen, envoys and others listed in the said letter are and shall be bound to the observance of the said letter and of each and every point expressed in it, under pain of the censures and penalties and other things contained in it, in accordance with its meaning and form; notwithstanding apostolic constitutions and ordinances, as well as all those things which we wished not to prevent in the said letter, and other things of any kind to the contrary. Let nobody therefore ... If anyone however . . . {1 At this session other measures against the Pragmatic Sanction were also recorded, especially Julius II's constitution *Inter alia* (Msi 32, 772-773).}

## **SESSION 6 -- 27 April 1513**

[Safeconduct for those who wish and ought to come to the council, for their coming, residence, exchange of views and return journey]

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. By the supreme ordinance of the omnipotent who governs the things of heaven and of earth by his providence, we preside over his holy and universal church, though we are unworthy. Instructed by the saving and most holy teaching of the doctor of the gentiles, we direct our chief attention, among the many anxieties from which we unceasingly suffer distress, towards those things in particular by means of which unending unity and unsullied charity may abide in the church; the flock committed to us may go forward along the

right courses towards the way of salvation, and the name of Christians and the sign of the most sacred cross, in which the faithful have been saved, may be more widely spread, after the infidels have been expelled with the help of God's right hand.

Indeed, after the holding of five sessions of the sacred general Lateran council, pope Julius II of happy memory, our predecessor, by the advice and agreement of our venerable brothers the cardinals of the holy Roman church, of whose number we then were, in a praiseworthy and lawful manner and for sound reasons, guided by the holy Spirit, summoned the sixth session of the council to take place on the eleventh day of this month. But after he had been taken from our midst, we postponed the sixth session until today, with the advice and consent of our said brothers, for reasons which were then expressed and for other reasons influencing the attitude of us and of our said brothers. But since there had always been an inner determination within us, while we were of lesser rank, to see the general council being celebrated (as a principal means of cultivating the Lord's field), now that we have been raised to the highest point of the apostolate, considering that a duty which results from the office of pastoral care enjoined on us has coincided with our honourable and beneficial wish, we have undertaken this matter with a more earnest desire and complete readiness of mind. Consequently, with the approval of the same sacred Lateran council we approve the postponement which we made and the council itself, until the aims for which it was summoned have been completed, in particular that a general and settled peace may be arranged between christian princes and rulers after the violence of wars has been stilled and armed conflict set aside. We intend to apply and direct all our efforts to this peace, with untiring care and leaving nothing untried for so salutary a good. We declare that it is and shall be our unchangeable attitude and intention that, after those things which affect the praise of God and the exaltation of the aforesaid church and the harmony of Christ's faithful have been achieved, the holy and necessary campaign against the

enemies of the catholic faith may be carried out and may achieve (with the favour of the most High) a triumphant outcome.

In order, however, that those who ought to attend so very useful a council may not be held back in any way from coming, we hereby grant and concede, with the approval of the said sacred council, to each and every one of those summoned to the council by the said Julius, our predecessor, or who ought to take part, by right or custom, in the meetings of general councils, especially those of the French nation, and to those schismatics and others who are coming to the said Lateran council by common or special right, on account of a declaration or apostolic letter of our predecessors or of the apostolic see (except, of course, those under prohibition), and to the attendants and associates of those who come, of whatever status, rank, condition or nobility they may be, ecclesiastical or secular, for themselves and all their belongings, a free, guaranteed and fully comprehensive safe-conduct, for coming by land or sea through the states, territories and places that are subject to the said Roman church, to this Lateran council in Rome, and of residing in the city and freely exchanging views, and of leaving it as often as they wish, with complete, unrestricted and total security and with a true and unchallengeable papal guarantee, notwithstanding any impositions of ecclesiastical or secular censures and penalties which may have been promulgated in general against them, for whatever reasons, by law or by the aforesaid see, under any forms of words or clauses, and which they may in general have incurred. By our letters we shall encourage, warn, and request each and every christian king, prince and ruler that, out of reverence for almighty God and the apostolic see, they are not to molest or cause to be molested directly or indirectly, in any way in their persons or goods, those on their way to this sacred Lateran council, but they are to allow them to come in freedom, security and peace.

In addition, for the carrying out of the celebration of this council, we declare that the seventh session shall be held on 23 May next. Let nobody therefore . . . If anyone however...

### **SESSION 7 -- 17 June 1513**

The constitution *Meditatio cordis nostril* {Msi 32, 815-818}, postponing the eighth session to 16 November, is read out and approved.]

### **SESSION 8 -- 19 December 1513**

[Condemnation of every proposition contrary to the truth of the enlightened christian faith]

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. The burden of apostolic government ever drives us on so that, for the weaknesses of souls requiring to be healed, of which the almighty Creator from on high has willed us to have the care, and for those ills in particular which are now seen to be pressing most urgently on the faithful, we may exercise, like the Samaritan in the gospel, the task of healing with oil and wine, lest that rebuke of Jeremiah may be cast at us: Is there no balm in Gilead, is there no physician there? Consequently, since in our days (which we endure with sorrow) the sower of cockle, the ancient enemy of the human race, has dared to scatter and multiply in the Lord's field some extremely pernicious errors, which have always been rejected by the faithful, especially on the nature of the rational soul, with the claim that it is mortal, or only one among all human beings, and since some, playing the philosopher without due care, assert that this proposition is true at least according to philosophy, it is our desire to apply suitable remedies against this infection and, with the approval of the sacred council, we condemn and reject all those who insist that the intellectual soul is mortal, or that it



is only one among all human beings, and those who suggest doubts on this topic. For the soul not only truly exists of itself and essentially as the form of the human body, as is said in the canon of our predecessor of happy memory, pope Clement V, promulgated in the general council of Vienne, but it is also immortal; and further, for the enormous number of bodies into which it is infused individually, it can and ought to be and is multiplied. This is clearly established from the gospel when the Lord says, They cannot kill the soul; and in another place, Whoever hates his life in this world, will keep it for eternal life and when he promises eternal rewards and eternal punishments to those who will be judged according to the merits of their life; otherwise, the incarnation and other mysteries of Christ would be of no benefit to us, nor would resurrection be something to look forward to, and the saints and the just would be (as the Apostle says) the most miserable of all people.

And since truth cannot contradict truth, we define that every statement contrary to the enlightened truth of the faith is totally false and we strictly forbid teaching otherwise to be permitted. We decree that all those who cling to erroneous statements of this kind, thus sowing heresies which are wholly condemned, should be avoided in every way and punished as detestable and odious heretics and infidels who are undermining the catholic faith. Moreover we strictly enjoin on each and every philosopher who teaches publicly in the universities or elsewhere, that when they explain or address to their audience the principles or conclusions of philosophers, where these are known to deviate from the true faith -- as in the assertion of the soul's mortality or of there being only one soul or of the eternity of the world and other topics of this kind -- they are obliged to devote their every effort to clarify for their listeners the truth of the christian religion, to teach it by convincing arguments, so far as this is possible, and to apply themselves to the full extent of their energies to refuting and disposing of the philosophers' opposing arguments, since all the solutions are available.

But it does not suffice occasionally to clip the roots of the brambles, if the ground is not dug deeply so as to check them beginning again to multiply, and if there are not removed their seeds and root causes from which they grow so easily. That is why, since the prolonged study of human philosophy -- which God has made empty and foolish, as the Apostle says, when that study lacks the flavouring of divine wisdom and the light of revealed truth -- sometimes leads to error rather than to the discovery of the truth, we ordain and rule by this salutary constitution, in order to suppress all occasions of falling into error with respect to the matters referred to above, that from this time onwards none of those in sacred orders, whether religious or seculars or others so committed, when they follow courses in universities or other public institutions, may devote themselves to the study of philosophy or poetry for longer than five years after the study of grammar and dialectic, without their giving some time to the study of theology or pontifical law. Once these five years are past, if someone wishes to sweat over such studies, he may do so only if at the same time, or in some other way, he actively devotes himself to theology or the sacred canons; so that the Lord's priests may find the means, in these holy and useful occupations, for cleansing and healing the infected sources of philosophy and poetry.

We command, in virtue of holy obedience, that these canons are to be published each year, at the beginning of the course, by the local ordinaries and rectors of universities where institutes of general studies flourish. Let nobody therefore ... If anyone however...

**[On arranging peace between christian princes and on bringing back the Bohemians who reject the faith]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. We are continuing the sacred Lateran council for the praise of the almighty and undivided Trinity and for the glory of him whose place we represent on earth, who develops peace and harmony in his high heavens, and who, on his departure from

this world, left peace as a lawful inheritance to his disciples. For, in the previous seventh session, the council was confronting, among other matters, the threatening and very obvious danger from the infidels and the spilling of christian blood, which even then was being poured out because of our blatant faults. The quarrels between christian kings and princes and peoples must also be removed. and we were being compelled to seek with all our strength for peace between them. This was the reason for having to arrange one of the more important meetings of the said council: so that peace should follow and be maintained as unbroken and leading to its due fulfilment, especially in these times when the power of the infidels is recognised to have grown to a remarkable extent. Therefore, with the approval of the same council, we have arranged and decided to send to the aforesaid kings, princes and rulers alert legates and envoys of peace, who are outstanding in learning, experience and goodness, with a view to negotiating and arranging peace. And, in order that these men may lay aside their arms, we have called upon their spokesmen who are present at the council, insofar as we were able to do with God's help, to devote all their energy and strength, out of reverence for the apostolic see and the union of the faithful, to giving notice of these matters to their kings, princes and rulers. These are invited, in our name, to negotiate and listen with good will and honour to the apostolic legates themselves, and to act in favour of our just and holy desires which are to be set before them by these messengers.

We were persuading ourself that they will do this, in order that our legates may be able to take up the task of the embassy as quickly as possible and manfully complete the undertaking, and so that, by the favour of the Father of lights (from whom comes every best gift) peace can be negotiated and arranged and, once this has been settled, the holy and necessary expedition against the frenzy of the infidels, panting to have their fill of christian blood, can take place and be brought to a favourable conclusion for the safety and peace of the whole of Christianity. After this we were hoping from the depths of our heart, because of our pastoral

office, for peace and union within the whole christian people and in particular among the same kings, rulers and princes from whose discord it was feared that prolonged and serious damage could daily affect the christian state. A hope began to rise that the christian state would be cared for in a useful and salutary way by this peace and unity, because of the authority of these men. We dispatched our messengers and letters to the aforesaid kings, princes and rulers -- at that time in disunion with each other -- for them to be exhorted, requested and warned. We omitted nothing (so far as lay in our power) to arrange and produce by our every effort that, once discord and disagreement of any kind had been removed, they would wish eventually to return, in complete agreement, grace and love, to universal peace, harmony and union. In this way, further losses would not be inflicted on Christians from the hands of the savage ruler of the Turks or from other infidels, but there would be a rallying of forces to crush the terrible fury and the boastful endeavours of those peoples.

In that situation, as we strive with all thought, care, effort and zeal for everything to be brought to the desired end, and with confidence in the gift of God, we have decreed that legates with a special mission from us - - who will be cardinals of the holy Roman church and who are soon to be named by us, on the advice of our brothers, in our secret consistory -- shall be appointed and sent with authority and with the necessary and appropriate faculties, as messengers of peace, for the arranging, negotiating and settling of this universal peace among Christians, for the embarking upon an expedition against the infidels, with the approval of this sacred council, and for inducing the said kings, out of generosity of soul befitting their rank and out of devotion towards the catholic faith, to move with ready and eager minds towards the holy tasks of both peace and the expedition, for the total and perfect protection, defence and safety of the entire christian state.

In addition, since very great offence is given to God from the prolonged and manifold heresy of the Bohemians, and scandal is caused to the

christian people, the charge of bringing back these people to the light and harmony of the true faith has been wholly entrusted by us for the immediate future to our dear son, Thomas of Esztergom, cardinal-priest of the title of St Martin in the Hills, as legate of ourself and the apostolic see to Hungary and Bohemia. We exhort these people in the Lord not to neglect to dispatch some of their spokesmen, with an adequate mandate, either to us and this sacred Lateran council or to the same Thomas, cardinal-legate, who will be nearer to them. The purpose will be to exchange views with regard to an appropriate remedy by which they may recognise the errors to which they have long been in thrall and may be led back, with God's guidance, to the true practice of religion and into the bosom of holy mother church. With the approval of the sacred council, by the tenor of the present letter, we grant and bestow on them, by the faith of a pontiff, a public guarantee and a free safe-conduct as to their coming, going, remaining for as long as the negotiation of the aforesaid matters shall last, and afterwards for departing and returning to their own territories; and we shall consent to their wishes so far as we can under God.

So that this sacred Lateran council may be brought to the completion of the fruitful benefit desired, since many other serious subjects remain to be discussed and debated for the praise of God and the triumph of his church, we declare with the approval of the sacred council, that the ninth session of the continuing celebration of this sacred Lateran council shall be held on 5 April 1514, in the first year of our pontificate, which will be Wednesday after Passion Sunday. Let nobody therefore ... If anyone however...

### **[Bull on reform]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Placed by the gift of divine grace at the supreme point of the apostolic hierarchy, we thought nothing was more in keeping with our official duty than to survey, with zeal and care,

everything which could pertain to the protection, soundness and extension of the catholic flock entrusted to us. To this purpose we have applied all the force of our activity and the strength of our mind and talent. Our predecessor of happy memory, pope Julius II, since he was concerned about the well-being of the faithful and anxious to protect it, had summoned the ecumenical Lateran council for many other reasons indeed, but also because a constant complaint was being pressed concerning the officials of the Roman curia. For these reasons there were appointed a number of committees composed of his venerable brothers, the cardinals of the holy Roman church, of whose number we were then, and also of prelates, to investigate carefully into these complaints. In order that those attached to the curia and others approaching it for favours would not in the meantime be tormented by the excessive burden of expenses and that, at the same time, the ill-repute by which the said officials were deeply disturbed might be appeased by a speedy remedy, he issued a bull of reform by which they were bound anew, under a heavy penalty, to keep the legal terms of their offices. Because death intervened, he was unable to legislate in particular about the excesses or to complete the council.

We, as the successor of the concern no less than of the office, right at the beginning of our pontificate, did not delay to resume the synod, to promote peace between christian princes and no less, since it is our intention to complete a universal reform, to strengthen by new aids what was first provided by our predecessor concerning the curial offices, and to follow this through with the expanded committees. For no more pressing anxiety weighs on us than that the thorns and brambles be pulled up from the Lord's field, and if there is anything hindering its cultivation, it is to be removed root and branch. Therefore, after a careful report had been received from the committees, with notice of what was being side-tracked by which persons, we restored to the norm whatever had deviated either from a sound and praiseworthy custom or from a long-standing institution. We gathered these together into one bull of reform published on this matter with the approval of the sacred council; {This bull *Pastoralis*



officii was published on 13 Dec. 1513, but it was never submitted to a vote of the fathers} and we appointed to execute it those who would insist on the decisions being kept. With the approval of this sacred council, we order this to be observed without alteration and without deceit by the officials themselves as well as by others, according as it affects each, under penalty of immediate excommunication from which they can only be absolved by the Roman pontiff (except in immediate danger of death), in such a way that, in addition to this and other penalties stated in detail in the bull, those acting against it are automatically suspended for six months from the office in which they committed the fault. And if they have failed for a second time in the same office, they are deprived for ever because they have contaminated the office itself. After they have been brought back to good conduct by means of our constitution, and the general damage has been checked and removed, we shall proceed to the remaining stages of the reform.

If the Almighty in his mercy allows us to settle peace among the christian leaders, we shall press on not only to destroy completely the bad seeds, but also to expand the territories of Christ, and, supported by these achievements, we shall go forward, with God favouring his own purposes, to the most holy expedition against the infidels, the desire for which is deeply fixed in our heart .

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

## **SESSION 9 -- 5 May 1514**

[The pope urges christian rulers to make peace among themselves so that an expedition against the enemies of the christian faith may be possible]

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. After we had been called by divine dispensation to the care and rule of the universal church, even though we are unworthy of so great a responsibility, we began from the

highest point of the apostolate, as from the top of Mount Sion, to turn our immediate gaze and direct our mind to the things that seem to be of primary importance for the salvation, peace and extension of the church itself. When we focused all our care, thought and zeal in this direction, like an experienced and watchful shepherd, we found nothing more serious or dangerous to the christian state and more opposed to our holy desire than the fierce madness of armed conflicts. For, as a result of them, Italy has been almost wiped out by internecine slaughter, cities and territories have been disfigured, partly overturned and partly levelled, provinces and kingdoms have been stricken, and people cease not to act with madness and to welter in christian blood. Hence we have judged that nothing should be given more importance, consideration and attention than the quelling of these wars and the re-ordering of ecclesiastical discipline in accordance with resources and circumstances, so that with God appeased by a change of life, after quarrels have been set aside, we may be able to bring together and gather into one the Lord's flock entrusted to our care, and to encourage and arouse this flock more readily, in a union of peace and harmony, as by a very strong binding force, against the common enemies of the christian faith who are now threatening it .

This our intense desire for this campaign against the evil and implacable enemies of the cross of Christ is indeed so implanted in our heart that we determined to continue and follow up the sacred Lateran council -- which was summoned and begun by our predecessor of happy memory, Julius II, and interrupted by his death -- for that special reason, as is clear from all the different sessions held by us in the same council. Thus, with the christian princes or their spokesmen assembled at the same council, and prelates from different parts of the world coming to it, once peace between these christian princes had been settled and (as is right) the noxious brambles of heresies had been first uprooted from the Lord's field, then the things necessary for the campaign against the same enemies, and what concerns the glory and triumph of the orthodox faith, and various other

matters, could be happily decided upon by the timely advice and agreement of all.

Although many distinguished men, outstanding in every branch of learning, came from different parts of Europe to this council, which had been solemnly summoned and duly proclaimed, many also, legitimately hindered, sent their instructions in official form. However, because of the difficulties from wars and circumstances as a result of which many territories have been blocked by hostile arms for a long time, the resources and large numbers which we desired could not be assembled. Moreover, that we have not as yet sent the specially appointed legates to kings and princes to promote union and peace between the same rulers -- something that perhaps seems necessary to many and that we too think is especially opportune -- cannot be attributed to us. The reason, of course, why we refrained from doing so is this: nearly all the princes made it known by letters and messages to us, that the sending of legates was not at all necessary or expedient. Nevertheless, we sent men of discretion and proved loyalty, endowed with the rank of bishop, as our envoys to those very princes who were undertaking serious armed activity among themselves and, as far as could be guessed, rather bitter wars. It has come about, especially by the action of these envoys, that truces have been agreed between some of the princes and the rest are thought to be on the point of giving their consent. Therefore, we shall not put off sending the special legates, as we decided in the last session, whenever this is necessary and profitable for the setting up of a stable and lasting peace among them, and as we previously proposed. In the meantime, we shall not cease to act and reflect on what is relevant to the situation, with the spokesmen of the same princes who are negotiating with us, and to press on and exhort them and their princes to this action by means of our envoys and letters.

Oh that the almighty and merciful God would assist from on high our plans for peace and our constant thoughts, would regard the faithful

people with more benevolent and favourable eyes and, for the sake of common safety and peace and for the suppression of the haughty madness of the wicked enemies of the christian name, would give a propitious hearing to their devout prayers! By our apostolic authority, we enjoin on each and every primate, patriarch and archbishop, on chapters of cathedral and collegiate churches, both secular and those belonging to any of the religious orders, on colleges and convents, on leaders of peoples, deans, rectors of churches and others who have charge of souls, and on preachers, alms-collectors and those who expound the word of God to the people, and we order in virtue of holy obedience, that within the celebration of masses, during the time that the word of God is being set before the people or outside that time, and in prayers which they will say in chapter or as convents, or at some other time in any kind of gathering, they are to keep the following special collects for the peace of Christians and for the confounding of the infidels respectively: O God, from whom holy desires, and, O God, in whose hands are all power and authority over kingdoms, look to the help of Christians. And they are no less to enjoin on members of their dioceses and on any other persons of either sex, whether ecclesiastical or secular, over whom they have authority by reason of a prelature or any other ecclesiastical position of authority, and to encourage in the Lord those to whom God's word is proposed on their own or another's responsibility, that they should pour forth in private devout prayers to God himself and to his most glorious mother, in the Lord's prayer and the Hail Mary, for the peace of Christians (as mentioned above) and for the complete destruction of the infidels.

Further, whoever of those mentioned above think that, by influence or favour with secular princes of any rank, distinction or dignity, or with their advisers, associates, attendants or officials, or with the magistrates, rectors and lieutenants of cities, towns, universities or any secular institutions, or with other persons of either sex, ecclesiastical or secular, they can take steps towards a universal or particular peace between princes, rulers and christian peoples, and towards the campaign against

the infidels, let them use strong encouragement and lead them on to this peace and the campaign. By the tender mercy of our God and the merit of the passion of his only-begotten Son, Jesus Christ, we exhort all of them with all possible emotion of our heart, and we counsel them by the authority of the pastoral office which we exercise, to lay aside private and public enmities and to turn to embracing the endeavour for peace and deciding on the aforesaid campaign.

We strictly forbid each and every prelate, prince or individual, whether ecclesiastical or secular, of whatever state, rank, dignity, pre-eminence or condition they may be, under threat of the divine judgment, to presume to introduce in any way, directly or indirectly, openly or secretly, any obstacle to the said peace which is to be negotiated by us or by our agents, whether legates or envoys of the apostolic see endowed (as said before) with the episcopal rank, for the defence of the christian state of the faithful. Those who, in working towards this peace, think that there is involved something of a private or a public nature that is of importance to their princes, cities or states, the care for whom or which pertains to them because of some office or public function should, as far as it will be possible in the Lord, with due moderation and calm take control of the matter inasmuch as it involves support and goodwill towards the coming peace. Indeed, those who wish to rouse the faithful by Christ's spiritual gifts, when these are duly contrite and absolved, and to pour out devout prayers for obtaining peace and for deciding on the expedition, so that the said peace and the campaign against the said enemies of the christian faith may be brought about and be secured from God himself, will devote worthwhile and well-considered efforts as often as they do this. These prayers, offered with devotion, should take place in masses, sermons and other divine services, in collegial, conventual and other public or communal prayers, and among princes, advisers, officials, governors and other persons named above who seem to have some influence in making or arranging the peace and in deciding (as said before) on the campaign against the enemies of the unconquered cross.

Trusting in the mercy of God and the authority of his blessed apostles Peter and Paul, we grant remission of one hundred days of imposed penances to those who, individually and in private, offer prayers to obtain the foregoing from God; seven times each day if they do it so often or, if fewer, as often as they shall do it; until the universal peace -- which is receiving our constant attention -between princes and peoples at present in armed dispute has been established, and the campaign against the infidels has been decreed with our approval. We lay an obligation on our venerable brothers, primates, patriarchs, archbishops and bishops, to whom the present letter or copies of it, accurately printed either in Rome or elsewhere, shall come under official seals, to have it published with all possible speed in their provinces and dioceses, and to give firm instructions for its due execution.

In the meantime, with the approval of the sacred council, we have decreed, as we proposed and desired with all our heart, the ecclesiastical reform of our curia and of our venerable brothers, the cardinals of the holy Roman church, and of others dwelling in Rome, and many other necessary things, which will be contained in our other letters due for publication in this same session. It was Julius, our predecessor, who summoned to this council all those who were accustomed to attend councils. He gave them a comprehensive safe-conduct so that they could make the journey and arrive safely and unharmed. However, many prelates who ought to have come have so far not arrived, perhaps because of the obstacles already stated. In our desire to go ahead with the more serious business due in the next session, we appeal to in the Lord, and we ask and counsel by the tender mercy of the same, prelates, kings, dukes, marquises, counts and others who usually come or send someone to a general council, but who have not yet provided spokesmen or legitimate instructions, to decide with all possible speed either to come in person or to send chosen and competent envoys, with valid instructions, to this sacred Lateran council which is so beneficial to the christian state.



With regard to those venerable brethren, patriarchs, archbishops, bishops, abbots and prelates -- especially those bound under oath to visit the place of the apostles Peter and Paul at certain fixed times, and to attend in person general councils which have been summoned, including those under that obligation at the time of their promotion -- whose obstinacy as being non-attenders at various sessions became a matter of frequent accusation by the sponsor of the same council, there is to be found in solemn form both a petition for proceedings against them and a statement of the censures and penalties incurred. This is notwithstanding any privileges, concessions and indulgences that were granted confirmed or renewed by us or our said predecessors in favour of them and their churches, monasteries and benefices. These we annul and invalidate through our certain knowledge and fullness of power, considering them to be fully stated here. We impose in virtue of holy obedience, and we strictly command under the penalties of excommunication and perjury and others derived from law or custom, and in particular from the letter which summoned and proclaimed the said Lateran council and was promulgated by our predecessor, Julius himself that they must attend in person the said Lateran council and remain in Rome until it has reached its conclusion and been terminated by our authority, unless they are prevented by some legitimate excuse. And if (as we said) they have somehow been prevented, they are to send their suitably qualified representatives with a full mandate on the matters that will have to be treated, dealt with and advised upon.

In order to remove completely all excuse and leave no pretext of any impediment to anyone who is obliged to attend, in addition to the public guarantee which was clearly granted at the summoning of this council to all coming to it we give, concede and grant, acting on the advice and power mentioned above with the same council's approval, to each and all who have been accustomed to be present at the meetings of general councils and are coming to the present Lateran council, as well as to members of their personal staff, of whatever status rank, order and condition or nobility they may be, ecclesiastical and secular, a free, safe

and secure safe-conduct and, by apostolic authority in the meaning of the present letter, full protection in all its aspects, for themselves and for all their possessions of any kind as they pass through cities, territories and places, by sea and land, which are subject to the said Roman church, for the journey to the Lateran council in Rome, for remaining in the city of freedom, for exchanging views according to their opinions, for departing therefrom as often as they may wish and also after four months from the conclusion and dispersal of the said council; and we promise to give readily other safe-conducts and guarantees to those desiring to have them. Each and all of these visitors we shall deal with and welcome with kindness and charity.

Under the threat of the divine majesty and of our displeasure, and of the penalties against those impeding the holding of councils, particularly the said Lateran council, which are contained and set down in law or in the letter of the aforesaid summons of our predecessor, we are instructing each and all secular princes, of whatever exalted rank they may be, including imperial, royal, queenly, ducal or any other, the governors of cities, and citizens governing or ruling their states, to grant to the prelates and others coming to the said Lateran council a free permission and licence, a safe-conduct for coming and returning, and a free and unharmed transit through the dominions, lands and property of theirs through which the said persons must pass together with their equipment, possessions and horses; all exceptions and excuses being completely set aside and without force.

In addition we order and command, under pain of our displeasure and of other penalties which can be inflicted at our will, each and all of our people who bear arms, both infantry and cavalry, their commanders and captains, the castellans of our fortresses, the legates, governors, rulers, lieutenants, authorities, officials and vassals of the cities and territories that are subject to the said Roman church, and any others of whatever rank, status, condition or distinction they may be, to give permission, and

to be responsible for the giving of permission, to those coming to the Lateran council, to pass through in freedom, safety and security, to stay, and to return, so that such a holy, praiseworthy and very necessary council may not be frustrated for any reason or pretext, and that those coming to it may be able to live in peace and calm and without restraint and to say and develop under the same conditions the things which concern the honour of almighty God and the standing of the whole church. This we enjoin notwithstanding any constitutions, apostolic ordinances, imperial laws or municipal statutes and customs (even those reinforced by oath and apostolic confirmation or by any other authority) which could modify in any respect or impede in any way the said safe-conduct and guarantee, even if the constitutions etc. were of such a kind that an individual, precise, clear and distinct form of speech, or some other clearly stated expression, should be employed regarding them, and not just general clauses which only imply the matter, for we consider the significance of all the above things to be clearly stated by the present letter, as if they had been included word for word.

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

### **[Bull on reform of the curia]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. It is eminently fitting for the Roman pontiff to carry out the duty of a provident shepherd, in order to care for and keep safe the Lord's flock entrusted to him by God, since, by the will of the supreme ordinance by which the things of heaven and of earth are arranged by ineffable providence, he acts on the lofty throne of St Peter as vicar on earth of Christ, the only-begotten Son of God. When we notice, out of solicitude for our said pastoral office, that church discipline and the pattern of a sound and upright life are worsening, disappearing and going further astray from the right path throughout almost all the ranks of Christ's faithful, with a disregard for law and with exemption from punishment, as a result of the troubles of the times and

the malice of human beings, it must be feared that, unless checked by a well-guided improvement, there will be a daily falling into a variety of faults under the security of sin and soon, with the appearance of public scandals, a complete breakdown. We desire, then, as far as it is permitted to us from on high, to check the evils from becoming too strong, to restore a great many things to their earlier observance of the sacred canons, to create with God's help an improvement in keeping with the established practice of the holy fathers, and to give -- with the approval of the sacred Lateran council initiated for that reason, among others, by our predecessor of happy memory, pope Julius II, and continued by us -healthy guidance to all these matters.

In order to make a start, we take up the points which for the present seem more appropriate and which, having often been neglected during particular generations, have brought great loss to the christian religion and produced very great scandals in the church of God. We have therefore decided to begin with preferment to ecclesiastical dignities. Our predecessor of devout memory, pope Alexander III, also in a Lateran council, decreed that age, a serious character and knowledge of letters are to be carefully examined in the preferment of individuals to bishoprics and abbacies. Moreover, nothing impedes the church of God more than when unworthy prelates are accepted for the government of churches. Therefore, in the preferment of prelates, the Roman pontiffs must give much attention to the matter, especially because they will have to give an account to God at the last judgment about those given preferment by them to churches and monasteries. Consequently, we rule and establish that henceforward, in accordance with the constitution of the aforesaid Alexander III, for vacant churches and monasteries of patriarchal, metropolitan and cathedral status, the person provided is to be of mature age, learning and serious character, as said above, and the provision is not to be made at someone's urging, by means of recommendation, direction or enforcement, or in any other way, unless it has seemed right to act differently on the grounds of advantage to the churches, prudence,

nobility, uprightness, experience, lengthy contact with the curia (together with adequate learning), or service to the apostolic see. We wish the same to be observed regarding the persons elected and chosen in elections and choices that have customarily been admitted by the apostolic see. But if the question arises of providing for churches and monasteries of this kind with persons of less than thirty years of age, there can be no dispensation for them to be in charge of churches before their twenty-seventh year of age or of monasteries before their twenty-second year.

Indeed, so that suitable persons may be advanced with greater exactness and care, we rule that the cardinal to whom the reporting on an election, appointment or provision to a church or monastery has been entrusted, ought, before he gives an account in the sacred consistory (as the custom is) of his carrying out of such an examination or report assigned to him, to make his report known to one of the older cardinals of each grade, personally in the actual consistory, or, if there was no consistory on the day appointed for him to give his account, then by means of his secretary or some other member of his personal staff, and the three older cardinals in question are bound to communicate the report as soon as possible to the other cardinals of their grade. The said cardinal making the report shall personally examine the business of the election, administration, appointment or promotion in summary and extra-judicial fashion. If any have spoken against it, he is obliged to call, after the objectors have been summoned, competent, responsible and trustworthy witnesses and, if it should be necessary or appropriate, others by virtue of office. He is bound to bring with him to the consistory, on the day the report has to be made, the stages and decisions of the report together with the statements of the witnesses, and he shall not give his report in any form until the person to be promoted, if he is at the curia, shall have first visited the majority of the cardinals in order that they may be able to learn at first hand, insofar as it is relevant to his character, what they shall soon learn from the report of their colleague. Moreover, the person promoted is obliged, by longstanding practice and laudable custom, to visit as soon as possible the

same cardinals who are then in the curia. This practice and praiseworthy custom, indeed, we renew and command to be kept without change.

Since it is right to maintain episcopal dignity unharmed, and for it to be protected from indiscriminate exposure to the attacks of wicked persons and to the false charges of accusers, we decree that no bishop or abbot may be deprived of his rank when anyone urges a charge or presses demands (unless the opportunity for a legitimate defence is afforded to him), even if the charges have been widely known and, after the parties have been attentively heard, the case has been fully proved; nor may any prelate be transferred against his will, except for other just and efficacious reasons and causes, in accordance with the terms and decree of the council of Constance.

Also, as a result of commendams for monasteries, the monasteries themselves (as experience, a practical mistress, has quite often taught) are seriously damaged in spiritual and temporal matters because their buildings fall into decay, partly through the negligence of the commendatories and partly through greed or lack of interest, divine worship is gradually reduced, and matter for contempt is generally offered especially to secular persons, not without a lessening of the standing of the apostolic see, from which commendams of this kind originate. In order that sounder measures may be taken to secure these monasteries from damage, we will and decree that when vacancies occur through the death of the abbot in charge, they cannot be given in commendam to anyone by any agreement unless it seems right to us to decide otherwise, in accordance with the actual circumstances and with the advice of our brothers, so as to protect the authority of the apostolic see and to oppose the evil designs of those attacking it .

But let such monasteries be provided with competent persons, in keeping with the above-mentioned constitution, so that suitable abbots will have charge of them (as is fitting). Such monasteries may be given in commendam, when the original commendam no longer exists on account



of the resignation or death of the commendatory, only to cardinals and to qualified and well-deserving persons; and in such a way that the commendatories of the monasteries, whatever their dignity, honour and high rank may be, even if they enjoy the status and dignity of a cardinal, are obliged, if they have meals in private, apart from the common table, to assign a quarter of their board for the renewal of the fabric, or for the purchase or repair of furnishings, clothings and adornment, or for the maintenance or sustenance of the poor, as the greater need demands or suggests . If, however, they share board completely, a third part of all the resources of the said monastery committed to the commendatory must be assigned, after all other imposts have been deducted, to the above-mentioned burdens and to the sustenance of the monks. Moreover, letters which are drawn up regarding such commendams to monasteries ought to contain a clause specifically stating this. If they are drawn up in some other form, they are of no worth or value.

Since it is fitting for such churches to be provided for without any loss of revenues, in such a way that both the honour of those in charge and the need of the churches and buildings are considered, we decree and rule that pensions may never be reserved from the incomes of these churches except on account of a resignation or for some other reason which has been considered credible and honourable in our secret consistory. We also rule that henceforth parochial churches, major and principal dignities and other ecclesiastical benefices whose rents, revenues and produce by ordinary reckoning do not amount to an annual value of two hundred golden ducats of the treasury, and also hospitals, leperhouses and hostels of any importance which have been set up for the use and provisioning of the poor, shall not be given in commendam to cardinals of the holy Roman church, or conferred on them by any other title, unless they have become vacant by the death of a member of their household. In the latter case they can be given in commendam to cardinals, but these are bound to dispose of them within six months for the benefit of such persons as are suitable and in good relations with them. We do not wish, however, to prejudge

the cardinals further with respect to benefices to which they may have a reserve claim.

We also ordain that members of churches, monasteries or military orders may not be detached or separated from their head -- which is absurd -- without legitimate and reasonable cause. Perpetual unions, apart from cases permitted by law or on some reasonable grounds, are not permitted at all. Dispensations for more than two incompatible benefices are not to be granted, except for great and pressing reasons or to qualified persons according to the form of common law. We set a limit of two years on persons of whatever rank who obtain more than four parish churches and their perpetual vicarages, or major and principal dignities, even if by way of union or commendam for life. They are bound to release the rest, only four being retained in the meantime. Such benefices, due for release, can be resigned into the hands of the ordinaries so that they may be provided with persons nominated by them; notwithstanding any reservations, even those of a general nature or resulting from the quality of the persons resigning. Once the period of two years is past, all the benefices that have not been disposed of may be reckoned as vacant and may freely be applied for as vacant. Those who hold on to them incur the penalties of the constitution *Execrabilis* of our memorable predecessor, pope John XXII. We also rule that special reservations of any benefice are in no way to be granted at the urging of anyone.

### **On cardinals**

Since the cardinals of the holy Roman church take precedence in honour and dignity over all the other members of the church after the sovereign pontiff, it is proper and right that they be distinguished beyond all others by the purity of their life and the excellence of their virtues. On that account, we not only exhort and advise them but also decree and order that henceforth each of the cardinals following the teaching of the Apostle, so live a sober, chaste and godly life that he shines out before people as one who abstains not merely from evil but from every appearance of evil.

In the first place, let him honour God by his works. Let all of them be vigilant, constant at the divine office and the celebration of masses, and maintain their chapels in a worthy place, as they were wont to do.

Their house and establishment, table and furniture, should not attract blame by display or splendour or superfluous equipment or in any other way, so as to avoid any fostering of sin or excess, but, as is right, let them deserve to be called mirrors of moderation and frugality. Therefore, let them find satisfaction in what contributes to priestly modesty; let them act with kindness and respect both in public and in private, towards prelates and other distinguished persons who come to the Roman curia; and let them undertake with grace and generosity the business committed to them by ourself and our successors.

Moreover, let them not employ bishops or prelates in demeaning tasks in their houses, so that those who have been appointed to give direction to others and who have been clad in a sacred character, will not lower themselves to menial chores and generally bring about a lack of respect for the pastoral office. Consequently, let them treat with honour as brothers, and as befits their state of life, those whom they have or will have in their houses. Since the cardinals assist the Roman pontiff, the common father of all Christians, it is very improper for them to be patrons of or special pleaders for individuals. We have therefore decided, lest they adopt partiality of any kind, that they are not to set up as promoters or defenders of princes or communities or of any other persons against anyone, except to the extent that justice and equity demands and the dignity and rank of such people requires. Rather, separated from all private interest, let them be available and engage with all diligence in calming and settling any disputes. Let them promote with due piety the maintenance of the just business of princes and all other persons, especially the poor and religious, and let them offer help in accordance with their resources and their official responsibility to those who are oppressed and unjustly burdened.

They are to visit at least once a year -- in person if they have been present in the curia, and by a suitable deputy if they have been absent -- the places of their titular basilica. They are, with due care, to keep themselves informed about the clergy and people of the churches subject to their basilica; they are to keep under review the divine worship and the properties of the said churches; above all, let them examine with care the lives of the clergy and their parishioners, and with a father's affection encourage one and all to live an upright and honourable life. For the development of divine worship and the salvation of his own soul, each cardinal should give to his basilica during his lifetime, or bequeath at the time of his death, a sufficient amount for the suitable sustenance there of one priest; or, if the basilica needs repairs or some other form of aid, let him leave or donate as much as he may in conscience decide. It is entirely unfitting to pass over persons related to them by blood or by marriage, especially if they are deserving and need help. To come to their assistance is just and praiseworthy. But we do not consider that it is appropriate to heap on them a great number of benefices or church revenues, with the result that an uncontrolled generosity in these matters may bring wrong to others and may cause scandal. Consequently we have determined that they are not to squander thoughtlessly the goods of the churches, but are to apply them in works of devotion and piety, for which great and rich returns have been assigned and ordained by the holy fathers.

It is also our wish that they take care, without making any excuse, of the churches entrusted to them in commendam, whether these be cathedrals, abbeys, priories, or any other ecclesiastical benefices that they take measures, with all personal effect, to see that the cathedrals are duly served by the appointment of worthy and competent vicars or suffragans, according to what has been customary, with an appropriate and adequate salary; and that they provide for the other churches and monasteries held by them in commendam with the right number of clerics or chaplains, whether religious or monks, for the adequate and praiseworthy service of God. Let them also maintain in proper condition the buildings, properties

and rights of any kind, and repair what has crumbled, in accordance with the duty of good prelates and commendatories. We also judge that the said cardinals are to use great discretion and careful foresight with regard to the number of their personal attendants and horses lest by having a greater number than their resources, situation and dignity permit, they can be accused of the vice of over-display and extravagance. Let them not be accounted greedy and squalid on the grounds that they enjoy great and plentiful revenues and yet offer sustenance to very few; for the house of a cardinal ought to be an open lodging, a harbour and refuge for upright and learned persons, especially men, for nobles who are now poor and for honourable persons. Hence let them be prudent about the manner and quantity of what has to be kept, and carefully check the character of their personal attendants, lest they themselves incur from the vices of others the shameful stain of dishonour and provide real opportunities for contradictions and false accusations.

Since very special provision must be made that our deeds be approved not only before God, whom we ought to please in the first place, but also before people so that we can offer to others an example to be imitated, we ordain that every cardinal show himself an excellent ruler and overseer of his house and personal staff, with regard to both what is open for all to see and what lies hidden within. Therefore, let each of them have the priests and deacons clad in respectable garments, and make careful provision that no one in his household who holds a benefice of any type, or is in holy orders, wears multi-coloured clothes or a garment that has little connection with ecclesiastical status. Those in the priesthood, therefore, ought to wear clothes of colours which are not forbidden to clerics by law and are of at least ankle length. Those who hold high office in cathedrals, canons of the said cathedrals those holding the chief posts in colleges, and chaplains of cardinals when celebrating masses, are obliged to wear a head-covering in public. Shield-bearers are permitted garments somewhat shorter than ankle-length. Grooms, because they are generally moving about and perform a somewhat burdensome service, can

use shorter and more suitable garments, even if they happen to be clerics, so long as they are not ordained priests; but in such a way that they do not cast aside decency and they so conduct themselves that their behaviour is in keeping with their position in the church. Other clerics are to do everything with due proportion and restraint. Both clerics holding benefices and those in holy orders are not to pay special attention to their hair and beards, nor to possess mules or horses with trappings and ornaments of velvet or silk, but for articles of this kind let them use ordinary cloth or leather.

If anyone of the aforesaid staff acts otherwise, or wears such forbidden garments after three months from the announcement of the present regulations, despite being given a legitimate warning, he incurs excommunication. If he has not corrected himself within a further three months, he is understood to be suspended from receiving the fruits of the benefices which he holds. And if he remains fixed in this obstinacy for another six months, after a similar legal warning, he is to be deprived of all the benefices which he holds, and he is to be considered as so deprived. The benefices thus made vacant may be freely sought from the apostolic see. We wish each and every one of these arrangements to apply to the households of ourself and any future Roman pontiffs, and likewise to all other beneficed clerics or persons in holy orders, even those in the curia. There is one single exception: the said attendants of ourself and future Roman pontiffs may wear red garments, in keeping with what is proper and usual for the papal dignity.

Since the care of the most important business is the special concern of cardinals, it is for them to use their ability to know which regions have been infected by heresies, errors and superstitions opposed to the true orthodox faith; where the ecclesiastical discipline of the Lord's commandments is lacking; and which kings and princes or peoples are being troubled, or fear to be troubled, by wars. Cardinals shall apply themselves to obtain information on these and similar matters and make a



report to us or the current Roman pontiff so that, by earnest effort, opportune and saving remedies for such evils and afflictions can be thought out. Since by frequent, almost daily, experience it is known that many evils quite often occur to provinces and cities on account of the absence of their own officially appointed legates, and various scandals are springing up which are not without disadvantages to the apostolic see, we decree and ordain that cardinals who are in charge of provinces or cities, under the title of legates, may not administer them through lieutenants or officials, but they are obliged to be present in person for the greater part of the time, and to rule and govern them with all vigilance. Those who now hold the title of legate, or will hold it for a time, are obliged to go to their provinces -- within three months from the date of the present proclamation if the provinces are in Italy, and within five months if they are outside Italy -- and to reside there for the greater part of the time, unless, by a command from us or our successors, they are held back in the Roman curia for some business of greater moment or are sent to other places as needs demand. In the latter cases, let them have in the said provinces and cities vice-legates, auditors, lieutenants and the other usual officials with due arrangements and salaries. Anyone who does not observe each and all of the above regulations is to be deprived of all the emoluments of his post as legate. These regulations were formulated and established long ago with this object: that the ready presence of the legates would be beneficial to the peoples; not that, being free from toils and cares, under cover of being the legate, they would fix their attention only on profit.

Since the duty of a cardinal is primarily concerned with regular assistance to the Roman pontiff and the business matters of the apostolic see, we have decided that all cardinals shall reside at the Roman curia, and those who are absent are to return within six months if they are in Italy, or within a year from the day of promulgation of this present constitution if they are outside Italy. If they do not they are to lose the fruits of their benefices and the emoluments of all their offices; and they lose completely, as long

as they are absent, all privileges granted in general and in particular to cardinals. Those cardinals are excepted, however, who happen to be absent by reason of a duty imposed by the apostolic see, or of a command or permission from the Roman pontiff, or from reasonable fear or any other motive which justifiably excuses, or for health reasons. Moreover, the privileges, indults and immunities granted to the said cardinals and contained or declared in our bull under the date of our coronation<sup>1</sup> {Bull Licat Romani pontificis, 9 April 1513; see Regesta Leonis X no. 14} remain in full force. We have also decided that the funeral expenses of cardinals, when all costs are included, ought not to exceed the total of 1,500 florins, unless the previous arrangement of the executors -- after just grounds and reasons have been set out -- has reckoned that more should be spent. The funeral rites and formal mourning are to be on the first and ninth days; within the octave, however, masses may be celebrated as usual.

Out of reverence towards the apostolic see, for the advantage and honour of the pontiff and the cardinals, in order that the possibility of scandals which could come to light may be removed and a greater freedom of votes in the holy senate may exist, and that, as is right, it may be lawful for each cardinal to say freely and without penalty whatever he feels before God and his own conscience, we lay down that no cardinal may reveal in writing or by word or in any other way, under pain of being a perjurer and disobedient, the votes that were given in the consistory, or whatever was done or said there which could result in hatred or scandal or prejudice with regard to anyone, or whenever silence on any point beyond the foregoing has been specially and clearly enjoined by ourself or the Roman pontiff of the time. If anyone acts to the contrary he incurs, as well as the punishments stated, immediate excommunication from which, except in immediate danger of death, he can only be absolved by ourself or the Roman pontiff of the time, and with a declaration of the reason.

## **Reforms of the curia and of other things**

Since every generation inclines to evil from its youth, and for it to grow accustomed from tender years towards good is the result of work and purpose we rule and order that those in charge of schools, and those who teach young children and youths, ought not only to instruct them in grammar, rhetoric and similar subjects but also to teach those matters which concern religion, such as God's commandments, the articles of the faith, sacred hymns and psalms, and the lives of the saints. On feast days they should limit themselves to teaching what has reference to religion and good habits, and they are obliged to instruct, encourage and compel their pupils in these matters insofar as they can. Thus, let them attend churches not only for masses, but also to listen to vespers and the divine offices, and let them encourage the hearing of instructions and sermons. Let them not teach anything to their pupils that is contrary to good morals or may lead to a lack of reverence.

To wipe out the curse of blasphemy, which has increased beyond measure towards a supreme contempt for the divine name and for the saints, we rule and ordain that whoever curses God openly and publicly and, by insulting and offensive language, has expressly blasphemed our lord Jesus Christ or the glorious virgin Mary, his mother, if he has held a public office or jurisdiction, he is to lose three months' emoluments of his said office for the first and second offence, and if he has committed the fault a third time, he is automatically deprived of his post. If he is a cleric or a priest, he is to be punished further as follows for being found guilty of such a fault: for the first time he blasphemed, he is to lose the fruits of whatever benefices he held for one year; for the second time he offended and was convicted, he is to be deprived of his benefice if he held only one, and if he held several then he is to be compelled to lose the one that his ordinary decides upon; if he is charged and convicted for a third time, he is automatically deprived of all the benefices and dignities that he holds, he is rendered incapable of holding them any longer, and they can be

freely asked for and allotted to others. A lay person who blasphemes, if he is a noble, is to be fined a penalty of twenty-five ducats; for the second offence the fine is fifty ducats, which are to be applied to the fabric of the basilica of the prince of the apostles in Rome; for other offences he is to be punished as set out below; for a third fault, however, he is to lose his noble status. If he is of no rank and a plebian, he is to be cast into prison. If he has been caught committing blasphemy in public more than twice, he is to be compelled to stand for a whole day in front of the entrance of the principal church, wearing a hood signifying his infamy; but if he has fallen several times into the same fault, he is to be condemned to permanent imprisonment or to the galleys, at the decision of the appointed judge. In the forum of conscience, however, nobody guilty of blasphemy can be absolved without a heavy penance imposed by the decision of a strict confessor. We wish those who blaspheme against the other saints to be punished somewhat more lightly, at the decision of a judge who will take account of individuals.

We also decree that secular judges who have not taken action against such convicted blasphemers and have not imposed rightful penalties on them, insofar as they are able to, are to be subjected to the same penalties as if they had been involved in the said crime. But those who have exercised care and severity in their examinations and punishments, will gain for each occasion an indulgence of ten years and may keep a third of the fine imposed. Any persons who have heard the blasphemer are obliged to rebuke him sharply in words, if it should happen that this can be done without danger to themselves, and they are obliged to report the same or bring it to the knowledge of an ecclesiastical or secular judge within three days. But if several persons have at the same time heard the said blasphemer committing the fault, each one is obliged to make an accusation against him, unless perhaps they all agree that one will perform the task for all . We urge and counsel in the Lord all the said persons, in virtue of holy obedience, that they command and ensure, for the reverence and honour of the divine name, that all the foregoing are kept and very

exactly carried out in their lordships and lands. Thus they will have from God himself an abundant reward for such a good and pious deed, and they too will obtain from the apostolic see an indulgence of ten years, and a third of the fine by which the blasphemer is punished, as often as they have taken the trouble to have such a crime punished. It is likewise our will that this indulgence and the remaining third of the fine imposed be granted and assigned to the person reporting the name of the blasphemer. Moreover, other penalties set down in the sacred canons against such blasphemers remain in force.

In order that clerics, especially, may live in continence and chastity according to canonical legislation, we rule that offenders be severely punished as the canons lay down. If anyone, lay or cleric, has been found guilty of a charge on account of which the wrath of God comes upon the sons of disobedience, let him be punished by the penalties respectively imposed by the sacred canons or by civil law. Those involved in concubinage, whether they be lay or cleric, are to be punished by the penalties of the same canons. Concubinage is not to be allowed by the tolerance of superiors, or as an evil custom of a great number of sinners, which should rather be called a corruption, or under any other excuse; but let those involved be punished severely in accordance with the judgment of the law.

Moreover, for the good and peaceful government of cities and all places subject to the Roman church, we renew the constitutions published some time ago by Giles, the well-remembered bishop of Sabina, and we enjoin and command that they be kept without alteration.

So that the stain and disease of abominable simony may be driven out for ever not only from the Roman curia but also from all christian rule, we renew the constitutions issued by our predecessors, also in sacred councils, against simoniacs of this kind, and we prescribe that they be observed unaltered. We wish the penalties they contain to be regarded as

clearly stated and included herein, and the offenders to be punished by our authority.

We rule and order that anyone who holds a benefice with or without the care of souls, if he has not recited the divine office after six months from the date of his obtaining the benefice, and any legitimate impediment has come to an end may not receive the revenues of his benefices, on account of his omission and the length of time, but he is bound to spend them, as being unjustly received, on the fabric of the benefices or on alms to the poor. If he obstinately remains in such negligence beyond the said period, after a legitimate warning has been given, let him be deprived of the benefice, since it is for the sake of the office that the benefice is granted. He is to be understood as neglecting the office, so that he can be deprived of his benefice, if he fails to recite it at least twice during fifteen days. However, in addition to what has just been said, he will be obliged to offer to God an explanation for the said omission. The penalty on those holding several benefices may be repeated as often as they are proved to act contrary to these obligations.

The full disposal and administration of the revenues of cathedral and metropolitan churches, monasteries and any other ecclesiastical benefices belong exclusively to us and the Roman pontiff of the time, and to those who legally and canonically hold churches, monasteries and benefices of this kind. Secular princes ought in no way to interpose themselves in the said churches, monasteries and benefices, since all divine law also forbids it. For these reasons, we rule and command that the fruits and revenues of churches, monasteries and benefices ought not to be sequestrated, held or detained in any way by any secular rulers, even if they be the emperor, kings, queens, republics or other powers, or by their officials, or by judges, even ecclesiastical ones, or by any other persons public or private, acting at the command of the said emperor, kings, queens princes, republics or powers. Those who hold such churches, monasteries and benefices ought not to be impeded -- under the pretext of the restoration



of the fabric (unless permission is expressly given by the Roman pontiff of the time) or of alms-giving or under any other guise or pretence -- so that they cannot freely and without restriction, as before, dispose of the fruits and revenues. If there have been sequestrations, seizures or retentions, then restoration of the fruits and revenues must be made totally, freely, and without exception or delay, to the prelates to whom they pertain by right and by law. If they have been scattered and can nowhere be found, it is our will, supported by the penalty of excommunication or ecclesiastical interdict to be automatically incurred by the lands and domain of the ruler, that, after a just estimate has been made about them, the said prelates receive satisfaction through those who carried out the said sequestrations, applications or dispersals or who gave orders for them to be carried out; and further, that their goods and the goods of those subject to them, wherever these may be found, may be seized and held if, after being warned, they refuse to obey. Those who act in a contrary manner do so under pain of both the penalties mentioned above and those of deprivation of the fiefs and privileges which they have obtained for a time from us and from the Roman or other churches, and of those issued against violators and oppressors of ecclesiastical liberties, including those in extraordinary and other constitutions, even if they are unknown and perhaps not now in actual use. We renew all these penalties as stated and included herein, we decree and declare that they have perpetual force- and we will and order that sentence, judgment and interpretation are to be given according to them by all judges, even cardinals of the holy Roman church, with all power of judging and declaring otherwise being removed and taken away from them.

Since no power over ecclesiastical persons is granted to lay people by either divine or human law, we renew the constitution of pope Boniface VIII, our predecessor of happy memory, which begins *Felicis*, and that of pope Clement V which begins *Si quis suadente*, and also any other apostolic ordinance, however issued, in favour of ecclesiastical freedom and against its violators. Moreover, the penalties against those who dare

to do such things, contained in the bull *In coena Domini*<sup>3</sup>, are to remain in force. It has similarly been forbidden in the Lateran and general councils, under penalty of excommunication, for kings, princes, dukes, counts, barons, republics and any other authorities exercising control over kingdoms, provinces, cities and territories, to impose and exact money contributions, tithes and other similar imposts on or from clerics, prelates and any other persons of the church, or even to receive them from those who freely offer them and give their consent. Those who openly or covertly provide help, favour or advice in the aforesaid matters automatically incur the penalty of immediate excommunication; and states, communities and universities which are at fault in any way on this point are by this very fact to be subject to ecclesiastical interdict. Prelates also, who have given consent to the foregoing without the clear permission of the Roman pontiff, automatically incur the penalty of excommunication and removal from office. For these reasons we decree and ordain that henceforth those who attempt such things, even if (as mentioned) they are qualified, in addition to the aforesaid penalties which we renew and wish them to incur by the very fact of their contravention, are to be regarded as incapable of all legal acts and as investable .

Sorcery, by means of enchantments, divinations, superstitions and the invoking of demons, is prohibited by both civil laws and the sanctions of the sacred canons. We rule, decree and ordain that clerics who are found guilty of these things are to be branded with disgrace at the judgment of superiors. If they do not desist, they are to be demoted, forced into a monastery for a period of time that is to be fixed by the will of the superior, and deprived of their benefices and ecclesiastical offices. Lay men and women, however, are to be subject to excommunication and the other penalties of both civil and canon law. All false Christians and those with evil sentiments towards the faith, of whatever race or nation they may be, as well as heretics and those stained with some taint of heresy, or Judaizers, are to be totally excluded from the company of Christ's faithful and expelled from any position, especially from the Roman curia, and

punished with an appropriate penalty. For these reasons we rule that proceedings are to be taken against them, with careful enquiry everywhere and particularly in the said curia, by means of judges appointed by us, and that those accused and rightly convicted of these offences are to be punished with fitting penalties; and we wish that those who have relapsed are to be dealt with without any hope of pardon or forgiveness.

Since these constitutions and ordinances which we are now establishing concern life, morals and ecclesiastical discipline, it is fitting that our own and other officials, both those in the Roman curia and those everywhere else, should be models of and bound to them, and it is our will and decision that they be held to their observance by an inviolable bond. Lest these constitutions seem at any point to detract from other censures and penalties imposed by ancient laws and constitutions against those acting otherwise, even though they have been thought out and issued as a development, we further declare that nothing whatever has been taken away from common law or from other decrees of Roman pontiffs by these regulations and ordinances. Indeed, if any parts of them have lost their force through the evil corruption of times, places and people, or through abuse, or for any other unapprovable reason, we here and now renew and confirm them and order them to be observed without alteration. We decree and declare that these our well-pondered constitutions are to be of binding force from two months after publication, and we strictly forbid anyone to presume to make glosses or commentaries or interpretations on them without special permission from us or the apostolic see. Anyone who rashly dares to oppose this, incurs the penalty of immediate excommunication by this very act.

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

## **SESSION 10 -- 4 May 1515**

### **[On the reform of credit organisations (*Montes pietatis*)]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. We ought to give first place in our pastoral office, among our many anxious cares, to ensuring that what is healthy, praiseworthy, in keeping with the christian faith, and in harmony with good customs may be not only clarified in our time but also made known to future generations, and that what could offer matter for scandal be totally cut down, wholly uprooted and nowhere permitted to spread, while at the same time permitting those seeds to be planted in the Lord's field and in the vineyard of the Lord of hosts which can spiritually feed the minds of the faithful, once the cockle has been uprooted and the wild olive cut down. Indeed, we have learnt that among some of our dear sons who were masters in theology and doctors of civil and canon law, there has recently broken out again a particular controversy, not without scandal and disquiet for ordinary people, with regard to the relief of the poor by means of loans made to them by public authorities. They are popularly called credit organisations and have been set up in many cities of Italy by the magistrates of the cities and by other Christians, to assist by this kind of loan the lack of resources among the poor lest they be swallowed up by the greed of usurers. They have been praised and encouraged by holy men, preachers of God's word, and approved and confirmed also by a number of our predecessors as popes, to the effect that the said credit organisations are not out of harmony with christian dogma, even though there is controversy and different opinions regarding the question.

Some of these masters and doctors say that the credit organisations are unlawful. After a fixed period of time has passed, they say, those attached to these organisations demand from the poor to whom they make a loan so much per pound in addition to the capital sum. For this reason they cannot avoid the crime of usury or injustice, that is to say a clearly defined

evil, since our Lord, according to Luke the evangelist, has bound us by a clear command that we ought not to expect any addition to the capital sum when we grant a loan. For, that is the real meaning of usury: when, from its use, a thing which produces nothing is applied to the acquiring of gain and profit without any work, any expense or any risk. The same masters and doctors add that in these credit organisations neither commutative nor distributive justice is observed, even though contracts of this kind, if they are to be duly approved, ought not to go beyond the bounds of justice. They endeavour to prove this on the grounds that the expenses of the maintenance of these organisations, which ought to be paid by many persons (as they say), are extracted only from the poor to whom a loan is made; and at the same time certain other persons are given more than their necessary and moderate expenses (as they seem to imply), not without an appearance of evil and an encouragement to wrongdoing.

But many other masters and doctors say the opposite and, both in writing and in speech, unite in speaking in many of the schools in Italy in defence of so great a benefit and one so necessary to the state, on the grounds that nothing is being sought nor hoped for from the loan as such. Nevertheless, they argue, for the compensation of the organisations -- that is, to defray the expenses of those employed and of all the things necessarily pertaining to the upkeep of the said organisations -- they may lawfully ask and receive, in addition to the capital, a moderate and necessary sum from those deriving benefit from the loan, provided that no profit is made therefrom. This is in virtue of the rule of law that the person who experiences benefit ought also to meet the charge, especially when there is added the support of the apostolic authority. They point out that this opinion was approved by our predecessors of happy memory, the Roman pontiffs Paul II, Sixtus IV, Innocent VIII, Alexander VI and Julius II, as well as by saints and persons devoted to God and held in high esteem for their holiness, and has been preached in sermons about the gospel truth.

We wish to make suitable arrangements on this question (in accord with what we have received from on high). We commend the zeal for justice displayed by the former group, which desires to prevent the opening up of the chasm of usury, as well as the love of piety and truth shown by the latter group, which wishes to aid the poor, and indeed the earnestness of both sides. Since, therefore, this whole question appears to concern the peace and tranquility of the whole christian state, we declare and define, with the approval of the sacred council, that the above-mentioned credit organisations, established by states and hitherto approved and confirmed by the authority of the apostolic see, do not introduce any kind of evil or provide any incentive to sin if they receive, in addition to the capital, a moderate sum for their expenses and by way of compensation, provided it is intended exclusively to defray the expenses of those employed and of other things pertaining (as mentioned) to the upkeep of the organisations, and provided that no profit is made therefrom. They ought not, indeed, to be condemned in any way. Rather, such a type of lending is meritorious and should be praised and approved. It certainly should not be considered as usurious; it is lawful to preach the piety and mercy of such organisations to the people, including the indulgences granted for this purpose by the holy apostolic see; and in the future, with the approval of the apostolic see, other similar credit organisations can be established. It would, however, be much more perfect and more holy if such credit organisations were completely gratuitous: that is, if those establishing them provided definite sums with which would be paid, if not the total expenses, then at least half the wages of those employed by the organisations, with the result that the debt of the poor would be lightened thereby. We therefore decree that Christ's faithful ought to be prompted, by a grant of substantial indulgences, to give aid to the poor by providing the sums of which we have spoken, in order to meet the costs of the organizations .

It is our will that all religious as well as ecclesiastical and secular persons who henceforth dare to preach or argue otherwise by word or in writing,



contrary to the sense of the present declaration and sanction, incur the punishment of immediate excommunication, notwithstanding any kind of privilege, things said above, constitutions and orders of the apostolic see, and anything else to the contrary.

**[Bull against exempt persons, in which are included some points regarding ecclesiastical liberty and episcopal dignity]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Presiding over the government of the universal church (the Lord so disposing), we readily aim to secure the advantages of subjects, in conformity with the obligation of our pastoral office. In order to preserve the church's freedom, to remove scandals, to establish harmony, and to foster peace between prelates of churches and those subject to them, we apply the effort of apostolic care in proportion as experience shows that disagreement between such groups will be harmful. Thus we are glad to regulate the indulgences and privileges granted to the same subjects by both our predecessors and the apostolic see, at the expense of the prelates concerned, in such a way scandals do not arise from them, or material be provided to anyone for fostering ill-will, or ecclesiastical persons be somehow drawn away from the benefit of obedience as well as from perseverance in the divine service.

Recently, indeed, a trustworthy report has reached our ears that canons of patriarchal, metropolitan, cathedral and collegiate churches and other secular clerics are making too many claims, on account of which they give rise to considerable ill-report concerning themselves, have an injurious effect on others from their claims of exemption and freedom obtained from the apostolic see, evade the corrections and regulations of the ordinaries, and shun their courts and judgments. Some of them, in the hope of gaining freedom from punishment for their deviations by the privilege of exemption, do not fear to commit offences which they would certainly have never committed if they did not believe that they were protected by their exemption. The result is that, on account of the

brashness of those trusting that they will obtain freedom from punishment for their offences, because of the privilege of exemption, they commit outrages on many occasions as a result of which the church is very much maligned and serious scandals arise, especially when those responsible for correcting and punishing them fail to do so. In our wish to provide the necessary remedy lest, on the above pretext, their faults remain unpunished, we rule, with the approval of the sacred council, that henceforth those to whom the correction and punishment of exempt persons has been committed by the apostolic see, are to attend carefully to these duties and diligently to carry out the obligations of the office entrusted to them. As soon as it is legally clear to them that exempt persons have been at fault, they are to punish them in such a way that they are restrained from their acts of arrogance by fear of a penalty and so that others, frightened by their example, will rightly shrink from committing similar faults.

If they are neglectful in this matter, the diocesan and other local ordinaries are to warn such persons, who have the responsibility for correcting those who are exempt, that they should punish such exempt persons who have committed faults and are guilty and should censure them within a suitable time, which is to be determined by the judgment of those giving the warning. The warning is to be given in person (if the resources and standing of the person giving it make this possible), or otherwise, if there should be no clearly recognised judge in the region of the exempt persons, they are to warn those whom they consider to be responsible for the above by means of a public edict, which is to be fixed to the doors of the cathedrals or other churches where such judges of exempt persons may happen to reside, or if there are no judges of the exempt persons there, then where the exempt persons have committed the faults. If those who have received the warning are negligent in this matter, and do not trouble or have refused to carry it out, then, so that they may be penalised for their fault, they are to be deprived of hearing the inquiry for that time and are henceforth not to be involved in any way in such inquiries. Then the

diocesan and other local ordinaries can proceed, on our authority, either to an inquiry or by means of an accusation, excluding the use of torture, against such offending and criminous persons and may personally examine the witnesses. They shall see that the process itself -- regarding which, by reason of the solemnity of the law, we forbid anything to be alleged or said except on account of an omitted citation (provided the offence has been correctly proved elsewhere) -- is held, closed and sealed by them and quickly despatched to the apostolic see, either by themselves or by another messenger, so as to be carefully examined by the apostolic see, either by the Roman pontiff or by someone else to whom he shall commit the matter; at the expense of the offending exempt persons, including the expenses incurred in the process itself, which expenses the ordinaries can compel the persons who have been investigated and charged to pay. And those found worthy of blame, either to the extent of being condemned or on account of there being sufficient evidence to justify recourse to torture so that the truth might be extracted, are to be returned to the diocesans or ordinaries so that these may lawfully proceed further, on our authority, in the inquiry or the accusation and may terminate the case according to what is just.

Notaries of the apostolic see, whose office is known to have been instituted by pope Clement I of happy memory at the beginnings of the primitive church, for the purpose of investigating and recording the acts of saints, and who have been elevated to the office of protonotary and wear an official garment and a rochet, together with other officials who are attached to us and to the said see, when they are actually engaged in their duties, are exempt from all jurisdiction of ordinaries in both civil and criminal matters. Other notaries, however, not wearing the dress of the protonotariate, unless they have adopted it within three months after the publication of this present document, both themselves and others due to be elevated to the office in the future who do not regularly wear the official dress and a rochet, as well as other officials, our own and those of the said see, when not actually engaged in their duties, are to be subject to

the jurisdiction of the said diocesans and ordinaries in both criminal and civil cases which involve sums not exceeding twenty-five golden ducats of the treasury. But in civil cases involving sums exceeding such an amount, they are to enjoy full exemption and to be totally excluded from the jurisdiction of the said diocesans and ordinaries. We also judge it worthy and appropriate that among the personal staff of cardinals of the holy Roman church, only those shall enjoy the privilege of exemption who belong to the household staff and are regular sharers of its board, or have been sent by the same cardinals to carry out their personal business, or perhaps are absent for a time from the Roman curia to refresh themselves. But for others, even when they are registered as belonging to the personal staff, the privilege of staff membership in no way entitles them to be outside the control of their diocesans and ordinaries.

By the constitution published at the council of Vienne which begins *Attendentes*, there was given to the aforesaid diocesans full faculties to visit once a year the convents of nuns, in their dioceses, that are immediately subject to the apostolic see. We renew this constitution and we prescribe and command that it be strictly kept, notwithstanding any exemptions and privileges. By the foregoing, moreover, the same diocesans and ordinaries are not to be prejudiced by cases in which jurisdiction over exempt persons has been granted by law. Rather, we define that henceforth exemptions granted for a time without reasonable cause, and without any citation of those involved, are of no force or value.

Since order in the church is confused if the jurisdiction of each person is not preserved, we rule and ordain, in an effort to support the jurisdiction of ordinaries (so far as we can with God's favour), to impose more quickly an end to lawsuits, and to restrict the immoderate expenses of litigants, that individual cases, spiritual, civil and mixed, involving in any way an ecclesiastical forum and concerned with benefices -- provided that the actual benefices have not been under a general reservation and the incomes, rents and produce of the individual benefices do not surpass in

value, by common reckoning, twenty-four golden ducats of the treasury - shall in the first instance be examined and settled outside the Roman curia and before the local ordinaries. Thus, nobody may appeal prior to a definitive sentence, nor may an appeal (if made) be in any way admitted, except from an interlocutory judgment which may have the force of a definitive sentence, or by way of a complaint which in no way concerns the main business. For, redress cannot be obtained from a definitive sentence by means of an appeal, unless one of the litigants does not dare to go to law before the ordinary because of a genuine fear of his adversary's power, or for some other acceptable and honourable reason which must be at least partially proved otherwise than by his personal oath. In these exceptional cases, the appeal can be begun, investigated and concluded in the Roman curia, even in the first instance. In other cases, the appeals and the commissions of these and other such suits, and whatever follows from them, shall henceforth be of no force or value. The judges and conservators appointed by the apostolic see, if they are not graduates in either civil or canon law, are obliged, on being asked by the parties concerned or by one of them, to take an assessor who is not under suspicion with the parties and to judge the case according to his report.

We have learnt, by many and frequent reports, that very many churches and the bishops presiding over them, on both sides of the Alps, are being troubled and disturbed in their jurisdictions, rights and lordships by esquires, princes and nobles. These, under colour of a right of patronage which they pretend to hold in ecclesiastical benefices, without the support of any apostolic privileges, or of collations or letters from the ordinaries, or even of any pretence of a title, presume to confer benefices not only on clerics but also on layfolk; to punish at their own whim priests and clerics who are at fault; to remove, purloin and usurp in an arbitrary way, either directly or by ordering others, the tithes of everything on which they are obliged by law to pay, as well as tithes belonging to cathedrals, and other things which pertain to diocesan law and jurisdiction and are the exclusive concern of bishops; to forbid such tithes and any fruits to be taken out of

their cities, lands and territories; to seize and unjustly hold fiefs, possessions and lands; to induce and compel, by threats, terror and other indirect means, the granting to them of fiefs and goods of churches and the conferring of ecclesiastical benefices on persons nominated by them; and not only to permit but even expressly to command very many other losses, damages and injuries to be inflicted on the aforesaid clerics and churches and their prelates.

We take thought, then, that no power has been granted to lay people over clerics and ecclesiastics, or over property belonging to the church, and that it is right and just that laws should be made against those who refuse to observe this. We also consider how much such actions detract, with disastrous results which must be condemned, not only from the honour of ourself and the apostolic see but also from the peaceful and prosperous condition of churchmen. We desire too, to restrain from thoughtless acts of rashness, not so much by new penalties as by a renewed fear of existing ones that should be applied, those whom the rewards of virtues do not induce to observe laws. We therefore renew each and all of the constitutions hitherto issued regarding the payment of tithes; against violators and seizers of churches; against fire-raisers and pillagers of fields; against those seizing and holding cardinals of the holy Roman church, our venerable brother bishops and other persons of the church, both secular and regular, and unlawfully taking over in any way their jurisdiction and rights, or disturbing or molesting them in the exercise of their jurisdiction, or presumptuously forcing them to confer ecclesiastical benefices on persons named by them, or to dispose of them in some other way at their arbitrary choice, or to grant or otherwise sell fiefs and goods of the church in perpetual tenure, against making regulations in conflict with ecclesiastical liberty; against providing help, advice and support for the above practices. Since these acts are not merely opposed to law but are also in the highest degree insulting and contrary to ecclesiastical liberty, we therefore, in order that we may be able to give an honest account to God of the office entrusted to us, earnestly urge in the Lord, by



fatherly sentiments and counsels, the emperor, kings, princes, dukes, marquises, counts, barons, and others of whatever other nobility, pre-eminence, sovereignty, power, excellence or dignity they may be, and we command them by virtue of holy obedience, to observe the foregoing constitutions and to make them inviolably observed by their subjects, notwithstanding any customs whatever to the contrary, if they wish to avoid the divine displeasure and the fitting reaction of the apostolic see. We decree that appointments made in the above-mentioned way to the said benefices are null and void, and those making use of them are rendered incapable of obtaining other ecclesiastical benefices until they have been dispensed in the matter by the apostolic see.

We have also been carefully reflecting that, after Christ's ascension into heaven, the apostles assigned bishops to each city and diocese, and the holy Roman church became established throughout the world by inviting these same bishops to a role of responsibility, and by gradually sharing the burdens by means of patriarchs, primates, archbishops and bishops; and that it has also been laid down by the sacred canons that provincial councils and episcopal synods ought to be established by such persons for the correction of morals, the settlement and limiting of controversies, and the observance of God's commandments, in order that corruptions may be corrected and those neglecting to do these things may be subjected to canonical penalties. In our desire that these canons be faithfully observed, since it is right for us to be interested in what concerns the christian state, we place a strict obligation on the said patriarchs, primates, archbishops and bishops, in order that they may be able to render to God a worthy account of the office entrusted to them, that they order the canons, councils and synods to be observed inviolably, notwithstanding any privilege whatsoever. Besides, we order that henceforth a provincial council is to be held every three years, and we decree that even exempt persons are to attend them, notwithstanding any privilege or custom to the contrary. Those who are negligent in these matters are to know that they will incur penalties contained in the same canons.

In order that respect for the papal dignity might be preserved, it was determined by the constitution issued at the council of Vienne, which begins In plerisque that no persons, especially no religious, may be provided to cathedral churches which are deprived of temporal goods, without which spiritual things cannot exist for long, and which lack both clergy and christian people. We renew this constitution, and we will and command that it must be observed inviolably unless we shall judge otherwise for some just reason to be approved in our secret consistory.

We decree that anything attempted against the foregoing, or any part thereof, is null and void, notwithstanding any constitution or privilege to the contrary.

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

### **[On printing books]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Among the anxieties resting on our shoulders we come back with constant thought to how we can bring back to the path of truth those going astray, and gain them for God (by his grace working in us). This is what we truly seek after with eagerness; to this we unremittingly direct our mind's desires; and over this we watch with anxious earnestness.

It is certainly possible to obtain without difficulty some learning by reading books. The skill of book-printing has been invented, or rather improved and perfected, with God's assistance, particularly in our time. Without doubt it has brought many benefits to men and women since, at small expense, it is possible to possess a great number of books. These permit minds to devote themselves very readily to scholarly studies. Thus there can easily result, particularly among Catholics, men competent in all kinds of languages; and we desire to see in the Roman church, in good supply, men of this type who are capable of instructing even unbelievers

in the holy commandments, and of gathering them for their salvation into the body of the faithful by the teaching of the Christian faith.

Complaints from many persons, however, have reached our ears and those of the apostolic see. In fact, some printers have the boldness to print and sell to the public, in different parts of the world, books -- some translated into Latin from Greek, Hebrew, Arabic and Chaldean as well as some issued directly in Latin or a vernacular language -- containing errors opposed to the faith as well as pernicious views contrary to the christian religion and to the reputation of prominent persons of rank. The readers are not edified. Indeed, they lapse into very great errors not only in the realm of faith but also in that of life and morals. This has often given rise to various scandals, as experience has taught, and there is daily the fear that even greater scandals are developing.

That is why, to prevent what has been a healthy discovery for the glory of God, the advance of the faith, and the propagation of good skills, from being misused for the opposite purposes and becoming an obstacle to the salvation of Christians, we have judged that our care must be exercised over the printing of books, precisely so that thorns do not grow up with the good seed or poisons become mixed with medicines. It is our desire to provide a suitable remedy for this danger, with the approval of this sacred council, so that the business of book-printing may go ahead with greater satisfaction the more that there is employed in the future, with greater zeal and prudence, a more attentive supervision. We therefore establish and ordain that henceforth, for all future time, no one may dare to print or have printed any book or other writing of whatever kind in Rome or in any other cities and dioceses, without the book or writings having first been closely examined, at Rome by our vicar and the master of the sacred palace, in other cities and dioceses by the bishop or some other person who knows about the printing of books and writings of this kind and who has been delegated to this office by the bishop in question, and also by the

inquisitor of heresy for the city or diocese where the said printing is to take place, and unless the books or writings have been approved by a warrant signed in their own hand, which must be given, under pain of excommunication, freely and without delay.

In addition to the printed books being seized and publicly burnt, payment of a hundred ducats to the fabric of the basilica of the prince of the apostles in Rome, without hope of relief, and suspension for a whole year from the possibility of engaging in printing, there is to be imposed upon anyone presuming to act otherwise the sentence of excommunication. Finally, if the offender's contumacy increases, he is to be punished with all the sanctions of the law, by his bishop or by our vicar, in such a way that others will have no incentive to try to follow his example.

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

### **[On setting a date for those acknowledging the Pragmatic Sanction]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Among other matters to be carried through in this sacred council, we especially desire to make known and proclaim what must be decided and announced concerning the sanction called the Pragmatic, which was issued by a number of leaders of the French nation, both clerics and laymen as well as nobles and others supporting them. This is in accordance with the wishes of our predecessor pope Julius II, of happy memory, who summoned this council. The prelates and other clergy and the aforesaid laity have been summoned on several occasions to appear before both our said predecessor, Julius, and ourself; and their obstinacy has quite often been alleged or been the subject of accusations in the said council. It was subsequently alleged on behalf of the prelates, clerics and laymen, including nobles, and their said supporters, who were legitimately summoned (as just stated) for this

purpose, that there was no route which would allow them to travel in safety to the said council. In order that they may not be able to make this excuse, we have taken measures for a comprehensive safe-conduct to be granted and conveyed to them by the Genoans, through whose territory they can travel in safety to the Roman curia, so that they may be able to bring forward the views which they may wish to present in defence of this Pragmatic Sanction.

To prevent them being able to bring up some further point against what has been set out and to claim a legitimate ignorance, and in order that their obstinacy may be overcome, we once again, with the approval of the sacred council, give notice and warning, regarding a final and definitive dead-line, to the clergy and laity, including nobles, prelates and their supporters, and to colleges of clerics and of seculars, that they must lawfully assemble (putting aside every excuse and delaying action) before I October next. We are extending the dead-line, for the aforesaid reasons and in order to remove all excuses, to the said I October, by way of a final postponement; and we grant and assign this anew. Once the dead-line has passed, however, proceedings will go forward at the next session to other matters and to the conclusion of the said business, even by means of a definitive sentence, notwithstanding their obstinacy and refusal to appear. This next eleventh session we summon for these and many other useful matters. with the approval of the sacred council, for 14 December after the next feast day of St Lucy.

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

## **SESSION 11 -- 19 December 1516**

### **[On how to preach]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Under the protection of the supreme majesty by whose ineffable providence things in heaven and on

earth are guided, as we carry out the office of watchman over the Lord's flock committed to us, insofar as this is granted to our weakness, we reflect within ourselves in great depth that, among many other important matters, the office of preaching is also our concern. Preaching is of the first importance, very necessary and of great effect and utility in the church, so long as it is being exercised rightly, from genuine charity towards God and our neighbour, and according to the precepts and examples of the holy fathers, who contributed a great deal to the church by publicly professing such things at the time of the establishment and propagation of the faith. For, our redeemer first did and taught, and by his command and example, the college of twelve apostles -- the heavens alike proclaiming the glory of the true God through all the earth -- led back from darkness the whole human race, which was held by the old bondage under the yoke of sin, and guided it to the light of eternal salvation. The apostles and then their successors propagated far and wide and rooted deeply the word itself through all the earth and unto the ends of the world. Therefore those who are now carrying this burden ought to remember and frequently reflect that they in turn, with respect to this office of preaching, are entering into and maintaining that succession of the author and founder of this office, Jesus Christ our most holy redeemer, of Peter and Paul, and of the other apostles and disciples of the Lord.

We have learnt from trustworthy sources that some preachers in our times (we record this with sorrow) do not attend to the fact that they are carrying out the office of those we have named, of the holy doctors of the church and of others professing sacred theology, who, ever standing by Christians and confronting false prophets striving to overturn the faith, have shown that the church militant remains unimpaired by her very nature; and that they ought to adopt only what the people who flock to their sermons will find useful, by means of reflection and practical application, for rooting out vices, praising virtues and saving the souls of the faithful. Reliable report has it, rather, that they are preaching many and various things contrary to the teachings and examples which we have mentioned,



sometimes with scandal to the people. This fact influences our attitude very deeply when we reflect within ourself that these preachers, unmindful of their duty, are striving in their sermons not for the benefit of the hearers but rather for their own self-display. They flatter the idle ears of some people who seem to have already reached a state that would make true the words of the Apostle writing to Timothy: For, a time is coming when people will not endure sound teaching but, having itching ears, they will accumulate for themselves teachers to suit their own likings, and will turn away from listening to the truth and wander into myths. These preachers make no attempt whatever to lead back the deceived and empty minds of such people to the path of right and truth. Indeed, they involve them in even greater errors. Without any reverence for the testimony of canon law, indeed contrary to canonical censures, twisting the sense of scripture in many places, often giving it rash and false interpretations, they preach what is false; they threaten, describe and assert to be present, totally unsupported by legitimate proofs and merely following their own private interpretation, various terrors, menaces and many other evils, which they say are about to arrive and are already growing; they very often introduce to their congregations certain futile and worthless ideas and other matters of this nature; and, what is more appalling, they dare to claim that they possess this information from the light of eternity and by the guidance and grace of the holy Spirit.

When these preachers spread this medley of fraud and error, backed by the false testimony of alleged miracles, the congregations whom they ought to be carefully instructing in the gospel message, and retaining and preserving in the true faith, are withdrawn by their sermons from the teaching and commands of the universal church. When they turn aside from the official sacred teachings, which they ought particularly to follow, they separate and move far from salvation those who listen to them. For, as a result of these and similar activities, the less educated people, as being more exposed to deceit, are very easily led into manifold errors, as they wander from the path of salvation and from obedience to the Roman

church. Gregory, therefore, who was outstanding in this task, moved by the warmth of his charity, gave a strong exhortation and warning to preachers that, when about to speak, they approach the people with prudence and caution lest, caught up in the enthusiasm of their oratory, they entangle the hearts of their hearers with verbal errors as if with nooses, and while perhaps they wish to appear wise, in their delusion they foolishly tear asunder the sinews of the hoped-for virtue. For, the meaning of words is often lost when the hearts of the audience are bruised by too urgent and careless forms of speech.

Indeed, in no other way do these preachers cause greater harm and scandal to the less educated than when they preach on what should be left unspoken or when they introduce error by teaching what is false and useless. Since such things are known to be totally opposed to this holy and divinely instituted religion, as being novelties and foreign to it, it is surely just for them to be examined seriously and carefully, lest they cause scandal for the christian people and ruin for the souls of their authors and of others. We therefore desire, in accord with the word of the prophet, who makes harmony dwell in the house, to restore that uniformity which has lost esteem, and to preserve such as remains, insofar as we can with God's help, in the holy church of God, which by divine providence we preside over and which is indeed one, preaches and worships one God and firmly and sincerely professes one faith. We wish that those who preach the word of God to the people be such that God's church suffers no scandal from their preaching. If they are amenable to correction, let them abstain in future from these matters into which they have recently ventured. For it is clear that, in addition to the points which we have mentioned, a number of them are no longer preaching the way of the Lord in virtue and are not expounding the gospel, as is their duty, but rather invented miracles, new and false prophecies and other frivolities hardly distinguishable from old wives' tales. Such things give rise to great scandal since no account is taken of devotion and authority and of its condemnations and rejections. There are those who make attempts to

impress and win support by bawling everywhere, not sparing even those who are honoured with pontifical rank and other prelates of the church, to whom they should rather be showing honour and reverence. They attack their persons and their state of life, boldly and without discrimination, and commit other acts of this kind. Our aim is that so dangerous and contagious an evil and so mortal a disease may be thoroughly wiped out and that its consequences may be so completely swept away that not even its memory remains.

We decree and ordain, with the approval of the sacred council, that nobody -whether a secular cleric or a member of any of the mendicant orders or someone with the right to preach by law or custom or privilege or otherwise -- may be admitted to carry out this office unless he has first been examined with due care by his superior, which is a responsibility that we lay on the superior's conscience, and unless he is found to be fit and suitable for the task by his upright behaviour, age, doctrine, honesty, prudence and exemplary life. Wherever he goes to preach, he must provide a guarantee to the bishop and other local ordinaries concerning his examination and competence, by means of the original or other letters from the person who examined and approved him. We command all who undertake this task of preaching, or will later undertake it, to preach and expound the gospel truth and holy scripture in accordance with the exposition, interpretation and commentaries that the church or long use has approved and has accepted for teaching until now, and will accept in the future, without any addition contrary to its true meaning or in conflict with it. They are always to insist on the meanings which are in harmony with the words of sacred scripture and with the interpretations, properly and wisely understood, of the doctors mentioned above. They are in no way to presume to preach or declare a fixed time for future evils, the coming of antichrist or the precise day of judgment; for Truth says, it is not for us to know times or seasons which the Father has fixed by his own authority. Let it be known that those who have hitherto dared to declare

such things are liars, and that because of them not a little authority has been taken away from those who preach the truth.

We are placing a restriction on each and all of the said clerics, secular and regular and others, of whatever status, rank or order, who undertake this task. In their public sermons they are not to keep on predicting some future events as based on the sacred writings, nor presume to declare that they know them from the holy Spirit or from divine revelation, nor that strange and empty predictions are matters which must be firmly asserted or held in some other way. Rather, at the command of the divine word, let them expound and proclaim the gospel to every creature, rejecting vices and commending virtues. Fostering everywhere the peace and mutual love so much commended by our Redeemer, let them not rend the seamless garment of Christ and let them refrain from any scandalous detraction of bishops, prelates and other superiors and of their state of life. Yet these they rebuke and hurt before people generally, including the laity, not only heedlessly and extravagantly but also by open and plain reproof, with the names of the evildoers sometimes being stated by them.

Finally, we decree that the constitution of pope Clement of happy memory beginning *Religiosi*, which we renew and approve by this present decree, must be observed by preachers without alteration, so that, preaching in these terms for the people's advantage and winning them for the Lord, they may deserve to gain interest on the talent received from him and to win his grace and glory. But if the Lord reveals to certain of them, by some inspiration, some future events in the church of God, as he promises by the prophet Amos and as the apostle Paul, the chief of preachers, says, Do not quench the Spirit, do not despise prophesying, we have no wish for them to be counted with the other group of story-tellers and liars or to be otherwise hindered. For, as Ambrose bears witness, the grace of the Spirit himself is being extinguished if fervour in those beginning to speak is quietened by contradiction. In that case, a wrong is certainly done to the holy Spirit. The matter is important inasmuch as credence must not be

easily given to every spirit and, as the Apostle states, the spirits have to be tested to see whether they come from God. It is therefore our will that as from now, by common law, alleged inspirations of this kind, before they are published, or preached to the people, are to be understood as reserved for examination by the apostolic see. If it is impossible to do this without danger of delay, or some pressing need suggests other action, then, keeping the same arrangement, notice is to be given to the local ordinary so that, after he has summoned three or four knowledgeable and serious men and carefully examined the matter with them, they may grant permission if this seems to them to be appropriate. We lay the responsibility for this decision on their consciences.

If any persons dare to carry through anything contrary to any of the above, it is our will that, in addition to the punishments set down against such persons by law, they incur the penalty of excommunication from which, except at the imminent approach of death, they can be absolved only by the Roman pontiff. In order that others may not be urged on by their example to try similar acts, we decree that the office of preaching is forbidden to such persons forever; notwithstanding constitutions, ordinances, privileges, indulgences and apostolic letters for religious orders and the aforesaid persons, including those mentioned in *Mare magnum*, even if perchance they have been approved, renewed or even granted anew by us, none of which in this matter do we wish to support at any point in their favour.

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

**[Bull containing agreements between the pope and the most christian king of France, on the Pragmatic]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. In accord with the dispensation of the divine mercy by which kings reign and princes rule, established as

we are despite our lack of merit in the lofty watch-tower of the apostolate and set over nations and kingdoms, we ponder how permanent force and effect may be given to the things which have been granted, carried out, established, ordained, decreed and done by our praiseworthy and prudent arrangement, in union with our venerable brothers, the cardinals of the holy Roman church, for the wholesome and peaceful government of kingdoms and for the peace and justice of peoples, especially with regard to rulers who are well-deserving of the catholic faith, the christian state and the apostolic see. Nevertheless, we sometimes add the force of our renewed approval to such things, with the approval of the sacred council, so that these things may persist with greater steadiness in an undamaged state the more often they are strengthened by our authority as well as by the protection of a general council. We readily supply effective care for the preservation of such things in order that the kings and peoples of the kingdoms in question, full of gladness in the Lord because of such concessions, privileges, statutes and regulations, may rest together in the sweetness of peace, quiet and delight and may persevere more fervently in their accustomed devotion to the same see.

Recently, in order that the church, our spouse, might be kept in a holy union and use might be made by Christ's faithful of the sacred canons issued by Roman pontiffs and general councils, we ordained and decreed, with the unanimous advice and consent of our said brothers, the cardinals of the holy Roman church certain constitutions that had been treated with our dearly beloved son in Christ, Francis, the most christian king of France, while we were at Bologna with our curia, and which were to take the place of the Pragmatic Sanction and the things contained in it for the sake of peace and harmony in the kingdom of France and for the general and public advantage of the kingdom. These constitutions were carefully examined by our said brothers, agreed upon with the said king on their advice, and accepted by a legitimate procurator of the king. Their contents are contained rather fully in our letter which follows, *Primitiva illa ecclesia . . .* {Msi 32, 948-963, Raccolta di concordati su materie



ecclesiastiche tra la Santa Sede e le autorità civili, edited by A. Mercati. I Rome. 1954. 233-25}

The letter has been published chiefly in order that continuing charity and unbroken peace may abide in the mystical body, the church, and that any dissenting members may be re-grafted into the body in a convenient way. The letter will be better observed according as it is more clearly established that it has been approved and renewed by us, after mature and healthy consideration, with the approval of the said Lateran council. Although there is no need of another approval for the validity and reality of the same letter, however, to provide an ampler surety so that observance may be firmer and abolition more difficult, greater strength will be given to it by the approval of so many fathers. Therefore, with the approval of the sacred Lateran council, by apostolic authority and fullness of power, we approve and renew, and order to be observed and maintained in their totality and without change, the said letter together with each and every statute, ordinance, decree, explanation, agreement, compact, promise, wish, penalty, restraint and clause contained in it; especially the clause by which it was our will that if the said king of France does not approve and ratify the aforesaid letter, and each and every thing contained in it, within six months from the date of this present letter, and does not arrange for the contents to be read, published, sworn to and registered, like all other royal constitutions in his kingdom and in all other places and lordships of the said kingdom, for all future time without limit, by all the prelates and other ecclesiastical persons and courts of parlements, and if he does not convey to us, within the said six months, letters patent or authentic written documents concerning each and all of the aforesaid matters about the acceptance, reading, publication, oath and registration referred to, or does not deliver them to our nuncio attached to the king, in order to be passed on by him to us, and does not subsequently arrange for the letter to be read each year and effectively observed without alteration exactly as other binding constitutions and ordinances of the king of France have to be

observed, then the letter itself and whatever follows from it are null and void and of no force or value.

We decree and declare that the enduring effect only continues in the event of the said ratification and approval, and not otherwise or in any other way, and that all who are included in the said letter, regarding the observance of the actual letter and of each and everything set down in it, are bound and obliged by the censures and penalties and other things contained in it, in accordance with the meaning and form of the same letter. This is notwithstanding apostolic constitutions and ordinances, all those things which we did not wish to oppose in the and any other things of any kind to the contrary.

Let nobody If anyone however.. .

### **[On the abrogation of the Pragmatic Sanction]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. The eternal Father, who will never abandon his flock up to the close of the age, so loved obedience, as the Apostle testifies, that to make expiation for the sin of disobedience of the first parent, he humbled himself and became obedient unto death. Moreover, when he was about to depart from the world to the Father, he established Peter and his successors as his own representatives on the firmness of a rock. It is necessary to obey them as the book of the Kings testifies, so that whoever does not obey, incurs death. As we read in another place, the person who abandons the teaching of the Roman pontiff cannot be within the church; for, on the authority of Augustine and Gregory, obedience alone is the mother and protector of all virtues, it alone possessing the reward of faith. Therefore, on the teaching of the same Peter, we ought to be careful that what has been introduced in due season and for sound reasons by our predecessors the Roman pontiffs, especially in sacred councils, for the defence of obedience of this kind, of

ecclesiastical authority and freedom, and of the apostolic see, should be duly discharged by our effort, devotion and diligence and be brought to the desired conclusion. The souls of the simple, of whom we shall have to render an account to God, are to be freed from the deceits and snares of the prince of darkness. Indeed, our predecessor of happy memory, pope Julius II, summoned the sacred Lateran council for lawful reasons which were then made clear, on the advice and with the consent of his venerable brothers, the cardinals of the holy Roman church, among whom we were then numbered. Together with the same sacred Lateran council, he pondered on the fact that the corruption of the kingdom of France at Bourges, which they call the Pragmatic Sanction, had been strong in the past and was still vigorous, resulting in very great danger and scandal to souls, and a loss and cheapening of respect for the apostolic see. He therefore entrusted discussion of the Pragmatic Sanction to specifically named cardinals and to the prelates of a certain congregation.

Although the aforesaid sanction should clearly be subject to nullity on many counts, and was supporting and preserving open schism, and therefore it could have been declared to be essentially of no effect, null and invalid, without the need for any preceding formal citation, yet, from a great sense of caution, our same predecessor Julius, by a public edict -- which was to be fixed to the church doors of Milan, Asti and Pavia, since there was then no safe access to France -- gave warning and summoned the prelates of France, the chapters of churches and monasteries, the parlements and the layfolk supporting them and making use of the said sanction, and each and all of the rest who were thinking that there was some advantage for them in the foregoing individually or collectively, to appear before him and the said council within a fixed period, which was then clearly stated, and to declare the reasons why the aforesaid sanction, and its corruptive and abusive effect in matters touching on the authority of the Roman church and the sacred canons, and on the violation of ecclesiastical liberty should not be declared null and invalid. During the lifetime of the said Julius our predecessor, various obstacles made it

impossible to implement the summons or to discuss fully the business of the abrogation, as had been his intention. After his death, however, the summons, in full lawful form, was again brought forward by the promoter of the sacred council, the procurator fiscal. Those summoned and not presenting themselves were accused of obstinacy and the request was made for matters to be taken further. At the time we, who have been brought to the highest peak of the apostolate by the favour of the divine mercy after duly considering the whole situation, gave no response to the request, for definite reasons. Later, when a variety of impediments were being alleged by the said persons who had been warned and summoned, as to why they had been unable to present themselves at the appointed time (as stated above), we postponed, several times at several sessions, with the approval of the sacred council the date fixed by the said summons and warning to later dates, which have now long gone past, so that all occasion for just excuse and complaint might be taken away from them.

Although all obstacles have been removed and all dead-lines have passed nevertheless the aforesaid persons, despite being warned and summoned, have not appeared before us and the said council, nor taken any steps to appear, in order to bring forward a reason why the said sanction should not be declared null. There is therefore no longer room for any excuse. They can justly be regarded as obstinate; as indeed, by the demands of justice, we reckoned them to be. We are therefore thinking seriously about this Pragmatic Sanction, or rather corruption, as has been stated, which was issued at the time of the schism by those who did not have the necessary power, and which is not at all in accord with the rest of the christian state or with God's holy church. It was revoked, made void and abolished by the most christian king of France, Louis XI, of distinguished memory. It damages and lessens the authority, liberty and dignity of the apostolic see. It completely removes the power of the Roman pontiff to provide both cardinals of the holy Roman church, who work earnestly on behalf of the universal church, and learned men, with churches, monasteries and other benefices, in accordance with the demands of their

status, even though such persons are numerous in the curia and it is by their counsel that the authority and power of the apostolic see, the Roman pontiff and the whole church is kept safe and its affairs guided and promoted into a prosperous state. Thus, it offers excuses to church prelates of the aforesaid faction for breaking and violating the sacred nerve of obedience to ecclesiastical discipline and for setting up opposition against us and the apostolic see, their mother, and it opens the way for them to attempt such things. Clearly it is subject to nullity and is to be supported by no prop except of a temporary nature, or rather, of a kind of tolerance. Our predecessors as Roman pontiffs, for all their high hopes expressed in their own days, may have seemed to have tolerated this corruption and abuse, not being able to confront it completely either because of the evil nature of the times or because they were providing for it in some other way. We remember, however, that almost seventy years have passed since the publication of this sanction of Bourges, and that no council has been lawfully held within this time except the present Lateran council. Since we have been placed in this council by the Lord's disposition, we therefore judge and resolve, with Augustine as our witness, that we cannot refrain or desist from the eradication and total annulment of the same vile sanction if we are to avoid disgrace to ourself and to the many fathers assembled in the present council as well as to avoid danger to our own soul and those of the above-mentioned persons using it.

Just as pope Leo I, our predecessor of holy memory, whose footsteps we readily follow insofar as we can, gave orders and brought to pass that the measures which had been rashly carried out at the second synod of Ephesus, contrary to justice and the catholic faith, were later revoked at the council of Chalcedon, for the sake of the constancy of the same faith, so we too judge that we cannot, or ought not to, withdraw from or abandon the revocation of so evil a sanction and its contents if we are to preserve our own honour, and that of the church, with a safe conscience. The fact that the sanction and its contents were published at the council of Basel and, at the instance of the same council, were received and recognised by

the meeting at Bourges, ought not to influence us since all those happenings after the transfer of the same council of Basel took place -- the transfer being made by pope Eugenius IV, our predecessor of happy memory -- have remained the deeds of the quasi-council, or rather the conventicle, of Basel. For, especially after that transfer, it did not deserve to be called a council anymore and therefore its acts could not have any force. For it is clearly established that only the contemporary Roman pontiff, as holding authority over all councils, has the full right and power to summon, transfer and dissolve councils. This we know not only from the witness of holy scripture, the statements of holy fathers and our predecessors as Roman pontiffs, and the decisions of the sacred canons, but also from the declarations of the same councils. Some of this evidence we have decided to repeat, and some to pass over in silence as being sufficiently well known.

Thus we read that the synod of Alexandria, at which Athanasius was present, wrote to Felix, bishop of Rome, that the council of Nicaea had decided that councils ought not to be celebrated without the authority of the Roman pontiff. Pope Leo I transferred the second council of Ephesus to Chalcedon. Pope Martin V authorised his presidents at the council of Siena to transfer the council with no mention being made of the council's consent. The greatest respect was shown to our predecessors as Roman pontiffs: to Celestine by the first synod of Ephesus; to the said Leo by the synod of Chalcedon; to Agatho by the sixth synod; to Hadrian by the seventh synod; and to Nicholas and Hadrian by the eighth synod, of Constantinople. These councils submitted with reverence and humility to the instructions and commands of the same pontiffs which had been composed and issued by them in the sacred councils. Moreover, pope Damasus and the other bishops assembled at Rome, writing to the bishops at Illyricum about the council at Rimini, pointed out that the number of bishops assembled at Rimini counted for nothing since it was known that the Roman pontiff, whose decrees were to be preferred before all others, had not given his consent to their meeting. It appears that pope Leo I said



the same when writing to all the bishops of Sicily. It was customary for the fathers of the ancient councils humbly to ask for and obtain a warrant and approbation from the Roman pontiff in order to corroborate the matters dealt with in their councils. This is clear from the synods and their acts held at Nicaea, Ephesus, Chalcedon, the sixth synod at Constantinople, the seventh at Nicaea, the Roman synod under Symmachus and the synods in Haimar's book. We would certainly be without these recent troubles if the fathers at Bourges and Basel had followed this laudable custom, which it is known that the fathers at Constance also finally adopted.

We desire this matter to be brought to its proper conclusion. We are proceeding on the strength of the many citations issued by us and our said predecessor Julius, and of the other things mentioned above which are so notorious that they cannot be hidden by any excuses or evasions, as well as in virtue of our pastoral office. We are supplying for each and every defect, both of law and of fact, if perchance any happen to exist in the above. We judge and declare, from our certain knowledge and from the fullness of apostolic power, with the approval of the same sacred council, by the contents of the present document, that the aforesaid Pragmatic Sanction or corruption, and its approbations however issued, and each and every decree, chapter, statute, constitution or ordinance that is included, or even inserted, in any way in the same and has been published by others, as well as the customs, expressions and uses, or rather abuses, in any way resulting from it and observed until the present, have been and are of no force or value. In addition, for a more extensive safeguard, we revoke, make void, abrogate, quash, annul and condemn that same sanction or corruption of Bourges and its approval, whether expressed or tacit, as said above, as well as each and everything of whatever nature included or even inserted in it, and we judge, declare and will them to be considered as of no effect, revoked, made void, abrogated, quashed, annulled and condemned. Moreover, since subjection to the Roman pontiff is necessary for salvation for all Christ's faithful, as we are taught by the testimony of

both sacred scripture and the holy fathers, and as is declared by the constitution of pope Boniface VIII of happy memory, also our predecessor, which begins *Unam sanctam*, we therefore, with the approval of the present sacred council, for the salvation of the souls of the same faithful, for the supreme authority of the Roman pontiff and of this holy see, and for the unity and power of the church, his spouse, renew and give our approval to that constitution, but without prejudice to the declaration of pope Clement V of holy memory, which begins *Meruit*.

In virtue of holy obedience and under the penalties and censures to be declared below, we forbid each and all of Christ's faithful, both laity and secular clergy, and regulars of whatever order including mendicants, and other persons without restriction, of no matter what status, rank or condition they may be, including cardinals of the holy Roman church, patriarchs, primates, archbishops, bishops, and any others distinguished by ecclesiastical or worldly or any other honour, and each and all other prelates, clerics, chapters, secular convents, regulars of the aforesaid orders, including abbots and priors of monasteries, dukes, counts, princes, barons, parlements, royal officials, judges, advocates, notaries and scribes, both ecclesiastical and secular, and any other regular or secular ecclesiastics in any high office, as said above, who are now or shall be living in the said kingdom of France and the Dauphine and wherever the said Pragmatic has been in force directly or indirectly, silently or openly, to presume to make use of the aforesaid Pragmatic Sanction, or rather corruption, in any way or for any reason, by keeping silence or by clear speech, directly or indirectly, or by any other excuse or clever evasion, in any judicial or extrajudicial acts, or even to appeal to it or make judgments on its terms, or to quash, by themselves or through another or others, any judicial or extra-judicial acts on the grounds of the general meaning of the said sanction or of parts of it, and they may not permit or order these things to be done by means of others. They are not to keep the aforesaid Pragmatic Sanction, or sections or decrees contained in it, in their own houses or in other public or private places. Indeed, they are to destroy it,

or have it destroyed, in archives, including royal and capitular ones, and in the above-mentioned places within six months from the date of this present letter.

The penalties to be incurred, automatically and without the need for any further declaration, for each and all of the aforesaid persons, if they act to the contrary (though may they not!), are immediate major excommunication, the incapacity for all and singular legal acts of any kind, being branded as infamous, and the penalties expressed in the law of treason; in addition for the aforesaid ecclesiastical and religious persons, the loss of all patriarchal, metropolitan and other cathedral churches, of all monasteries, priories and convents, and of all secular dignities and ecclesiastical benefices, as well as the inability to hold them in the future; and in addition for secular persons, the loss of any fiefs held for any reason from the Roman or some other church, and the inability to hold them in the future. They cannot be absolved from these penalties by any faculty or by clauses contained in privileges regarding the hearing of confessions, no matter by what persons or verbal formulae they may have been granted. Except when at the point of death, they can only be absolved by the Roman pontiff acting canonically or by someone else having a faculty from him specifically for that purpose.

By the knowledge, power and statements mentioned above we expressly and specifically repeal anything to the contrary. This is notwithstanding anything mentioned above as well as constitutions, ordinances, decrees and statutes, however they may have been published and granted, and frequently renewed, repeated, confirmed and approved, as enduring in their force, by apostolic or any other authority, even conciliar authority and even by our certain knowledge and fullness of apostolic power, the tenor of all of which we regard as sufficiently expressed and included, for the purposes of the above, as if they had been inserted herein word for word; notwithstanding if the apostolic see has granted to any communities and universities, and any individual persons mentioned above, even if

they are the aforesaid cardinals, patriarchs, archbishops, bishops, marquises and dukes, or any others, whether individually or communally, that they cannot be interdicted, suspended, excommunicated, deprived or incapacitated by apostolic letters which do not make full and express mention, word for word, of the indult in question; and notwithstanding any other general or special privileges, indulgences and apostolic letters, of whatever tenor they may be, by means of which, because they are not expressed or included in whole in the present letter, the effect of the above might be impeded or deferred in any way, since special mention of their contents is to be regarded as included, word for word, in this our letter. Let nobody therefore . . . If anyone however . . .

### **[On religious and their privileges]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. We consider and diligently ponder the hardworking and anxious zeal, and the unending labours for the glory of the divine name, for the triumph of the catholic faith and the preservation of the church's unity, and for the training and salvation of the souls of the faithful, which are carried on by bishops and their superiors, who have been placed by the apostolic see at the head of their churches in different parts of the world, as well as by the friars of the different orders, especially the mendicant orders, who are engaged without respite or rest. So great is the satisfaction that has reached our heart, as a result of their fruitful labours in the Lord's vineyard and their opportune and praiseworthy actions, that we are devoting every effort to encourage the things which we know to contribute to the preservation of peace and quiet among them. We are conscious that the bishops have become partners in our anxiety. Ambrose bears witness that their distinction and greatness have no possible equal. We also know that religious have done much in the field of the Lord for the defence and advance of the Christian religion and that they have produced and are

daily producing abundant fruit. Consequently all of the faithful are aware that the good works of these bishops and religious have enabled the true faith to make progress and to spread everywhere throughout the world.

These men have likewise not hesitated on innumerable occasions, with much dedication and competence, to destroy the schisms in God's church, to bring unity to that church and to undergo innumerable pains so that the same church might gain the quiet of peace. Therefore, it is just that we direct our efforts so to unite them to one another by the bond of peace and by a fraternal unity and charity that, linked in unity of doctrine and actions, they may foster more abundant fruits in God's church. The exercise of spiritual rights, which concern the glory of God and the salvation of the souls of Christ's faithful, has been entrusted to bishops and their superiors in their respective dioceses, since they have been chosen to be sharers of our burden, as we have already said, and since dioceses with defined boundaries have been assigned to each of the bishops. We truly desire, then, that these spiritual rights be exercised by the bishops, and that the right of freely exercising them be truly, as far as possible, kept intact for them. If our predecessors as Roman pontiffs and the apostolic see have granted any such spiritual rights to the said mendicant friars to the harm of the bishops we consider that such concessions made to religious ought in future to be limited, so that the friars themselves will be supported in all charity by the said bishops rather than be troubled and disturbed. For, regulars and seculars, prelates and subjects, exempt and non-exempt, belong to the one universal church, outside of which no one at all is saved, and they all have one Lord and one faith. That is why it is fitting that, belonging to the one same body, they also have the one same will; and just as the brethren are united by the bond of mutual charity, so it is not fitting that they arouse among themselves injustice and hurt, since the Saviour says, My commandment is that you love one another as I have loved you.

We wish to preserve charity and mutual goodwill among bishops, their superiors, prelates and friars, as well as to promote divine worship and the peace and tranquillity of the universal church. We know this can be done only if each preserves as far as possible his own jurisdiction. We have therefore decided and decreed, with the approval of the sacred council, that the said bishops, their superiors and other prelates may visit the parish churches which legitimately belong to the same friars by reason of their residences, with regard to what concerns the care of the parishioners and the preservation and administration of the sacraments, without however the exceptional trouble and expense of official visitors. They may punish those responsible for the churches and failing in this matter: if they are religious, then in accordance with the rules of their order within the precincts of the religious house, if they are secular priests or friars who hold benefices of this kind, then they may freely punish them as being subject to their jurisdiction. Both prelates and secular priests who are not excommunicated may celebrate masses out of devotion in the churches of the said religious houses, if they wish to do so, and the friars themselves ought to welcome them. Friars who are invited by the same prelates to take part in solemn processions ought to agree, provided the suburban friary in question is not more than a mile away from the city.

The friars' superiors are bound to specify and present in person to the same prelates the friars whom they have chosen to hear for a time the confessions of the prelate's subjects, if the prelates ask for them to be specified and presented to them; if not, then to their vicars; with the condition that they are not bound to go to prelates who are more than two days' journey away. The friars in question may be examined by the same bishops and prelates, at least regarding the sufficiency of their learning and their other skills relative to this sacrament. If they are accepted, or if the refusal is unjust, then, in accordance with the constitution *Omnis utriusque sexus*, let them be considered as accepted at least as regards confession, and they can even hear the confessions of strangers. They have no power, however, to absolve layfolk and secular clergy from



manimposed penalties. They may not administer the eucharist and extreme unction and the church's other sacraments to those whose confessions they have heard, including the sick and the dying, who say that their own priest has refused to give the sacraments to them, unless the refusal was made without a just reason and this is proved by the testimony of neighbours or by an investigation carried out before a public notary. They have no authority to administer these sacraments to persons requesting their ministrations except during a period of actual service to them. Temporary agreements and contracts between friars and prelates or curates are valid unless they are rejected by the next general or provincial chapter and the rejection is duly communicated by the chapter. Friars may not enter parishes bearing a cross in order to carry out the funerals of those who have chosen to be buried at the churches of their houses or institutions, unless the parish priest, having received due notice and a request, does not refuse, and in that case without prejudice to himself and the ordinary; or unless there is an ancient custom on this point with the friars, which is currently in force and is mutually agreed upon. Those who wish to be buried in the habit of the said friars, but who live in their own houses and not in enclosure, are free to choose a burial place for themselves in their last wills.

Friars due to be promoted to orders are to be examined by the ordinaries on grammar and their competence. Provided they answer adequately, they ought to be readily admitted by the ordinaries. They may not, however, be ordained in their churches or houses or other places by anyone except the diocesan bishop or his deputy (the latter is to be asked with due reverence), unless the bishop refuses on insufficient grounds or is absent from his diocese. They should not ask for the consecration of a church or an altar, or the blessing of a cemetery, from another bishop; and they may not arrange for the first stone of a church being built for them to be laid by a strange bishop, unless the ordinary refuses without any just reason after he has been asked two or three times with due reverence and urgency. Friars may not bless a bride and bridegroom without the consent of those

in charge of the parish. In order to render to the mother church the honour due to her, friars and secular clerics may not ring the bells of their churches on Holy Saturday before those of the cathedral or mother church have been rung, even if they are supported on this point by a privilege of the apostolic see. Those acting otherwise incur a penalty of one hundred ducats. They are to publish and observe in the churches of their own houses the censures which are imposed promulgated and solemnly published by the ordinaries in the mother churches of cities as well as in the collegiate and parish churches of castles and towns, when they are asked to do this by the same ordinaries. To provide more fruitfully for the salvation of the souls of Christ's faithful of both sexes, they are obliged to advise and encourage those whose confessions they have heard for a time, no matter of what standing or status they may be, that they are bound in conscience to pay tithes, or a portion of their goods or produce, in those places where such tithes or dues are customarily paid; and they are obliged to refuse absolution to those who will not pay them. They are bound, moreover, to include this in their public preaching and exhortations to the people when they are asked to do so.

The conservators assigned for a time to the same friars by the apostolic see ought to be outstanding in learning and good reputation and of established ecclesiastical rank. They cannot oblige to appear before them anyone living more than two days' journey away, notwithstanding any privileges granted to the conservators at other times. Excommunicated persons wishing to enter a mendicant order cannot be absolved when the interests of a third party are involved, unless satisfaction has previously been made. Procurators, business agents and workers in the service of the said friars are subject to sentences of excommunication which have been promulgated, if they have given cause for them or have offered help, favour or advice to the guilty. Brothers and sisters of the third order, and those known as the cloaked ones, the girdled ones and the devotees, and others no matter how named, living in their own homes, can choose whatever place of burial they wish. They are bound, however, to receive

the eucharist at Easter as well as extreme unction and the other sacraments of the church, with the exception of the sacrament of penance, from their own priest. They are obliged to undertake the tasks incumbent upon the laity, and they can be brought before lay judges in a secular court. To avoid the cheapening of ecclesiastical censures, and sentences of interdict being regarded as of little importance, members of the said third orders are in no way to be admitted to hear divine services in the churches of their orders during a period of interdict, if they have given grounds for the interdict or encouraged or supported those grounds, or if they have in any way offered help, counsel or favour to the guilty. But those living in an official group, or dwelling with the enclosed, and women who are leading a life of virginity, celibacy or chaste widowhood under an expressed vow and with a habit, ought to enjoy the privileges of the order of which they are tertiaries.

We wish and decree that each and all of the above norms are to be extended to and observed by, all other religious of other orders. In matters not mentioned above, the rights of the said bishops and friars and other religious are to be maintained. We do not wish to prejudice these rights in any way by the above statements, or to introduce anything new. This is notwithstanding apostolic constitutions and ordinances; statutes and customs of the said orders which have been strengthened by oath, apostolic confirmation or any other form of reinforcement; and privileges, indults and apostolic letters which have been granted to the same orders and are contrary to what has been set down above or to any part of it, even what was included in *Mare magnum*. If there is required a mention or other statement that is special, specific, clear, distinctive, word for word, and not by general clauses, regarding these things and their meaning, or if some other carefully chosen form should be used, in order that they might be abrogated, then we consider their meaning to be sufficiently expressed and included in this present letter, we expressly and specially abrogate anything to the contrary, and we decree as null and void anything that is

knowingly or unknowingly attempted to the contrary in these matters by any person acting on any authority .

We warn the friars, in virtue of holy obedience, to revere bishops with fitting honour and due respect, out of the reverence owed to us and the apostolic see, since they act as deputies in place of the holy apostles. As for bishops, we urge and appeal by the tender mercy of our God that, while attending to the friars with well-disposed affection, treating them with kindness and encouraging them, they present themselves to them as in no sense difficult or hard or peevish, but rather as easy, mild, well-disposed and liberal in loving generosity, and that in all the above-mentioned matters they welcome them with ready kindness as co-workers in the Lord's vineyard and as sharers in their labours, and that they guard and defend their rights with all charity, so that both bishops and friars, whose works as burning lamps set on a hilltop ought to provide light to all Christ's faithful, may move forward from strength to strength for the glory of God, the triumph of the catholic faith and the salvation of peoples, and in consequence deserve to obtain from the Lord, the most generous recompenser of all good deeds, the reward of eternal life. Let nobody therefore . . . If anyone however . . .

## **SESSION 12 -- 16 March 1517**

### **[Against those attacking the houses of cardinals]**

Leo, bishop, servant of the servants of God, with the approval of the sacred council, for an everlasting record. Certain audacious persons disdain to show the appropriate deference to the cardinals of the holy Roman church, who are the chief pillars of the catholic church. They do not fear to lay violent hands, with impious boldness, on their possessions and properties. Their uncontrolled desire warns and induces us to strengthen, increase and extend -- in accordance with the character of the times and with what we perceive in the Lord to be soundly in keeping with

so distinguished an office in God's church -- those measures which, by wise planning, were established by our predecessors for the safe-guarding of the high office of the said cardinals, in order that the boldness of these people may be restrained before it extends even further. Indeed, there has recently grown up in Rome a damnable abuse and lack of restraint in wrongdoing. Thus, while there is a vacancy in the apostolic see, and the election of a future Roman pontiff is actually being discussed by the cardinals in conclave, if some rumour leaks out, even if false, that one of the cardinals has been elected as pontiff, the mob attacks his house with arms and contends by force with his servant-guards, while he is still in the conclave, over the despoiling of his house. If an entry is forced by breaking down the doors or digging under the wall, the mob rushes in to plunder all the goods that are there, unless a defence is made by armed guards. Sometimes there are some who are so audacious and headstrong that they do not fear even on other occasions to attack the houses of cardinals in a hostile fashion and with arms, under the guise of general brawling, and to strike and wound while they are there, as a result of which there is considerable loss to the honour of the cardinalate, by which the most holy church militant is fully adorned as by a purple garment, contempt for the cardinals is aroused, and occasion is given for murders and other scandals.

We wish to suppress audacious tendencies of this kind by fitting punishments. We therefore renew by this letter, with the approval of the sacred council and by our apostolic authority, the published constitutions of our predecessors as Roman pontiffs, Honorius III and Boniface VIII of happy memory, against those pursuing any cardinal of the said church in a hostile manner, those assisting such persons by their presence, counsel or support, or knowingly harbouring or defending them, and those attacking their houses or dwellings, as said above, and their descendants and property. We decree that these constitutions must be observed everywhere without alteration for all future times. We also extend these same constitutions, with each and every censure and penalty contained in

them, to each and every living person of whatever status, condition and distinction, who attacks with an armed band the home of any of the said cardinals, both at the time of the said conclave, even if the cardinal in question has been elected pope, and at other times and for any reasons, and who seizes anything in the house with violence like an enemy or wounds anyone of those dwelling there, and also their associates and those who have given orders for it to be done, or have given personal approval to the deed or have provided counsel and support to the attackers in the above matters and have defended them. This is notwithstanding apostolic constitutions and ordinances and other measures of whatever kind to the contrary.

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

### **[Constitution imposing taxes and closing the council]**

Leo, bishop, servant of the servants of God, with the approval of the council, for an everlasting record. We have been set over nations and kingdoms, as the prophet declared, although our merits are unequal to this. We are suitably carrying out the duty of our office when we renew again that reform of the whole church and its affairs which we have accomplished with profit; when we plan to apply suitable remedies for the unchallenged observance of the reform and to make provision for cathedrals and metropolitan churches so that they may no longer be without their pastors; and when we supervise these remedies with ever-present attention and untiring efforts, by means of which we may be able to render the Lord's flock, which has been entrusted to our care, acceptable and submissive in the sight of the divine majesty. Our aim is also to crush the Turks and other infidels standing firm in the eastern and southern regions. They treat the way of true light and salvation with complete contempt and totally unyielding blindness; they attack the life-giving cross on which our Saviour willed to accept death so that by dying he might destroy death, and by the ineffable mystery of his most holy life



he might restore life; and they make themselves hateful enemies of God and most bitter persecutors of the christian religion. Strengthened by defences not only spiritual but also temporal, we may be able, under God's guidance and favour, to oppose the bitter and frequent sallies by which, in wild rage, they move savagely amidst christian blood.

Indeed, pope Julius II, our predecessor of happy memory, acting in union with the holy Spirit, in a laudable and legitimate manner, for sound reasons, with the advice and consent of his venerable brothers, the cardinals of the holy Roman church, of whom we were then one, summoned the sacred Lateran council. He held five sessions and summoned a sixth. He then passed from the human scene. We were then raised to the summit of the highest apostolate by the favour of the divine mercy. We had always had a heartfelt desire, even at lesser meetings, to see a general council being celebrated as a very important development in the Lord's field. We realised that an obligation had been added to our honourable and useful desire as a result of the duty of pastoral care now laid upon us. We therefore undertook this matter with a more burning commitment and a total readiness of mind. We gave approval in the said sixth session, with the advice and consent of our said brother cardinals and with the approval of the same sacred Lateran council, to the postponement of the council to a fixed date, which was then clearly stated, for reasons made clear from the situation and for others affecting our own and the minds of our said brother cardinals. The council was to continue towards the completion of the objectives for which it had been summoned; and especially that, once the terrible conflicts between christian princes and rulers were settled and weapons of war set aside, a universal and lasting peace could be established. Leaving nothing untried, we intended to use all our efforts to bring about this peace and to conclude it, as if it were a good of supreme advantage. We also declared that it is and shall be part of our unchangeable thought and intention that, once the matters concerning the praise of God and the exaltation of the aforesaid church have been completed, the holy and most necessary expedition against the

enemies of the catholic faith shall take place and a successful triumph over them be accomplished with the aid of the most High. In order that those under an obligation to attend this most useful council might not be held back in any way from coming to it, and so that they might be unable to proffer any excuse, we provided and granted, with the approval of the said Lateran council, to each and all of those summoned to the celebration of the council by our predecessor Julius, and to their attendants, a safe-conduct while they were travelling to and staying in Rome for the purposes of the said Lateran council. We urged kings and princes, out of reverence for the apostolic see, not to molest those coming here but to permit them to travel in safety.

We summoned the seventh session. We wanted nothing more than that those useful and necessary matters on account of which the said Lateran council had been summoned might be brought to their conclusion. We therefore set up three special committees of cardinals and other prelates to listen to and discuss matters of this kind and other conciliar business, and we ordered them to report to the council on what they had heard and discussed. One of the committees had the special task of establishing a universal peace between christian kings and princes, which was one of the chief reasons for the said council coming together, and of rooting out the schism; the second had the special task of general reform, including the reform of the curia; and the third had the special task of examining and abrogating the Pragmatic Sanction and of dealing with matters concerning the true faith. Each committee carefully examined many useful and necessary topics and accurately reported to us about them. The subjects discussed and investigated by them were completed and concluded by us, with God's favour and the approval of the sacred council, in the remaining five sessions of the council which we held. We then knew beyond all doubt that God himself, the giver of gifts, had favoured our devout desires and those tending to the common good, out of his exceeding goodness and mercy, and that he had granted to us what we had planned in our own mind and for which we had greatly laboured namely that once the matters

on account of which the council had been summoned had been concluded in conformity with the council's aims, the council itself could be closed and discharged.

The emperor-elect Maximilian, our dear son in Christ, in the time of our said predecessor Julius, and king Louis of France, of happy memory, in our own time, as well as other kings and princes adhered to the Lateran council, lawfully assembled in the holy Spirit, to the greatest satisfaction of everyone. The quasi-council at Pisa, which had been summoned by certain persons without the necessary authority and had been condemned by the same Julius who preceded us, was treated by them as condemned in accordance with the decision of the said Julius. The schism which had begun to grow from this was ended (although it is clear that so long as the situation continued, it brought very many injuries to prelates and others of Christ's faithful at various times, as well as to other general councils held until this time). There was peace for the whole church and a resulting union. The moral habits of churchmen as well as of secular and other persons were reformed, insofar as this seemed appropriate, and several matters concerning the true faith were defined. Several other matters, after being carefully examined and debated in the three committees of cardinals and prelates mentioned above, were considered with care and skill in the said council and a final decision was reached. Finally, it was reported to us on several occasions, through the cardinals and prelates of the three committees, that no topics remained for debate and discussion by them, and that over several months nothing at all new had been brought before them by anyone. The bishops who had been invited to share with us the responsibility for the support and care of the Lord's flock, as well as other prelates, had remained in Rome rather a long time beyond the normal usage of sacred councils, with inconvenience and loss to themselves and to their churches.

Therefore, there seemed to remain, of all the above things which we and the said committees so much desired to be completed in the council, only

peace between kings and princes and a harmony of minds. Our attitude in favour of this, and our striving with every effort for its accomplishment, can be made abundantly clear to all who read our letters. God himself, who is the supreme light and truth of all things, knows how we never ceased to beg and implore of him, by many prayers and constant appeals, that he would deign of his mercy to influence the christian flock -- which he has entrusted to our care, despite our lack of merits -- to enter upon a stable and enduring peace, now that this same flock has been roused by the warmth of mutual charity. We have earnestly urged this in the Lord, whose cause is principally in question, upon kings and princes, by means of persuasive reasons, through the nuncios whom we keep at the court of the emperor-elect Maximilian and with the aforesaid kings and princes, and through letters; especially if they wish to provide and take measures, as is right, on behalf of the christian religion and the catholic faith, which have been brought into serious danger and risk by the recently extended power of the ruler of the Turks. We have learnt from the letters of the same nuncios, kings and princes that our appeals have been of such great power and efficacy with the said kings and princes, and have influenced their hearts and minds to such an extent, that the peace so long desired by us for the good of the whole christian state has been almost concluded in intention, and the hope is that if anything remains it will soon be resolved (by God's favour). Our heart exults in our Lord Jesus Christ as we ponder over this in our mind and spirit. We give thanks for this to him, the giver of all graces, because he has guided these persons to the harmony we had longed for. We think that all Christ's faithful should offer to God thanks and those signs of joy which are customary on such occasions, and that God be asked that the peace achieved may endure.

It only remains, therefore, for the holy and very necessary campaign to be undertaken against the fury of the infidels thirsting for christian blood, and for all the measures decided upon as powerful safeguards in the eleven sessions, held partly by us and partly by our predecessor Julius, to be approved and renewed and ordered to be observed unchallenged.

Accordingly, after mature deliberation on these matters with our brothers and other prelates, we approve and renew by apostolic authority, with the approval of the sacred council, all and each of the acts and decisions of the said eleven sessions, and the letters published above together with all the clauses contained in them -- apart from certain excepted matters which we judge should be conceded to specified persons for the sake of the peace and unity of the universal church -- as well as the business carried out by the committees. We decree and order that they are to be observed without alteration forever, and that those carrying them out are to see that they and their contents are observed, namely: in the Roman curia, the current governor of our mother city and our vicar as well as the auditor general of the apostolic camera, who have the power to oblige and compel persons subject to them; and outside the Roman curia, we depute for this purpose each and all local ordinaries. We forbid each and all of Christ's faithful, under penalty of immediate excommunication, to presume to interpret or gloss what has been produced and carried out in the present council without our permission and that of the apostolic see.

We decree, with the approval of the sacred council, that the said campaign against the infidels is to be undertaken and carried through. Zeal for the faith prompts us to this. It has been so often proposed and promised by us and our predecessor Julius in the sessions referred to, when the business of the council was being explained. On several occasions it was communicated to, and discussed with, spokesmen at our court representing kings and princes. Pope Nicholas V, our predecessor of pious memory, summoned a general expedition against the infidels after the disastrous fall of Constantinople in order to crush their fury and to avenge the wounds of Christ. Callistus III and Pius II, of happy memory our predecessors as Roman pontiffs, urged on by zeal for the faith, followed in the same path with skill and energy. During a subsequent period of three years, we imitated them by means of an authorisation from ourselves and our said brothers for imposing and exacting a tithe on the revenues of churches, monasteries and other benefices throughout the world and for

doing each and every other thing that is necessary and customary in a campaign of this kind. We continually pour forth holy, humble and earnest prayers to almighty God that the campaign may have a happy outcome. We order the same to be done by all Christ's faithful of either sex. We exhort Maximilian, the emperor-elect, and kings, princes and christian rulers, whose courage God bids us to rouse, beseeching them by the tender mercy of our God, Jesus Christ, and appealing to them by his fearful judgment to remember that they shall have to render an account of their defence and preservation -- even by giving their lives -- of the church itself, which has been redeemed by Christ's blood, and to rise up in strength and power for the defence of the christian faith, as is incumbent on them as a personal and necessary duty, with all mutual hatred being set aside and quarrels and conflicts among themselves being committed to everlasting oblivion. At this time of such great need, let them offer with eagerness their ready assistance in keeping with their resources. We urge with paternal affection and ask them that, at least during the campaign, out of reverence for almighty God and for the apostolic see, they assure the unbroken observance of the peace into which they have entered, so that such an important good, which we hope and desire will be obtained with the help of the Lord's right hand, may not be impeded by some interruption from discord and dissension.

In order that prelates and others at the present council, which has lasted for nearly five years, may not be further wearied by their labours and expenses and so that they may be able to visit and bring encouragement to their churches, and for other reasonable and just causes, we bring the present council to a close and we discharge it with the Lord's blessing. With the approval of the same sacred council, we grant permission to each and all who are present at the council to return to their own countries. In order that they may be able to go back with ever increasing joy and strengthened with spiritual gifts, we impart to them and to all their attendants a plenary remission and indulgence for all their sins, once in their lifetime and again at the hour of death.



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

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