

## **The Church in Crisis: A History of the General Councils: 325-1870**

### **CHAPTER 18. The Fifth General Council of the Lateran, 1512-17**

This Fifth General Council of the Lateran really originated in the tangled politics, national and international, of the last years of the reign of Pope Julius II (1503-13). It was called as the pope's reply to the summoning of an antipapal conciliabulum at Pisa, and this gathering owed its existence to an alliance of the French king, Louis XII, with a small group of cardinals hostile to the pope and his policies. This pope, a man of sixty years at his accession was, it is true, a politician born. Trained at the court of his uncle, Pope Sixtus IV, his Franciscan simplicity all too easily degenerated into the complicated outlook, political and cultural, of the typical Renaissance prince. In Italian history, in the popular saga, this pope, the patron of Michelangelo and Raphael, stands out as one of the "terribili" figures of the time, by which is meant a man possessed of awe-inspiring, demonic energy, in whom competence and high temper combine to force through the execution of great designs and the accomplishment of titanic ambitions. But the ambition of Julius II was not merely personal. He proposed to make the pope really master in his own States of the Church, ending once and for all the problem of the feudatories and the restive municipalities; and he hoped to free Italy from the yoke of "Barbarian" kings, thus making doubly secure the independence of the popes from all control by the lay power.

War was, more or less inevitably, the principal occupation of his ten years' pontificate and, given the age, this meant incessant diplomatic campaigns also, where, in a pattern of the greatest complexity, alliance succeeded alliance, enemies becoming friends and vice versa in rapid, bewildering succession, the elements in the pattern being, besides the pope, the emperor, the kings of Spain, France and England and the republic of Venice. One of these sudden reversals by the pope, the peace with Venice of February 1510, brought Louis XII of France into the position of chief papal enemy. "These French want to make me a mere chaplain to their

king,” said Julius, “but I mean to be pope, as they will find out.”[1] And now he threw into the dungeons of Sant’ Angelo the French leader of a long- dissatisfied group of his own innermost council, the college of cardinals, threatening the rest with the like fate. Whence the ensuing alliance. The fury of the French king drove him very far. If the pope could say to his ambassador, “I look upon your king as my personal enemy,”[2] Machiavelli could report from the French court to his own state, “You can imagine what is said here about the pope. Obedience is to be renounced and a [General] Council hung round his neck. The complete annihilation of his power, both temporal and spiritual, is the least of the penalties that await him.”[3]

Louis XII was, indeed, about to summon a national council of his bishops. It met in September at Tours. In the presence of the king and the papal nuncio the bishops gave their verdict: the king was in the right, in this quarrel, and if necessary he could withdraw France from its obedience to the pope, and disregard any sentences of excommunication. They also advised that the king demand the calling of a General Council. Louis announced that he would march on Rome, and himself depose the pope. And five of the cardinals fled from Rome to join his army at Milan (October 1510).

By this time the pope had left Rome for the north and the seat of war. He fell ill and all but died (October to December), made a marvellous recovery and, in the snowy January of 1511, took part in the siege of Mirandola. But a change in the French high command now brought victories for Louis XII, and the papal negotiations to win over the emperor, Maximilian, failed. Bologna, the second greatest city of the pope’s state, was captured and then, five days later (May 28), came the supreme insult and menace: Julius was served with the proclamation of the rebel cardinals, sent to all the leading princes of Europe, summoning a General Council to meet at Pisa, September 1, and citing him to appear.

Louis XII was now master of northern Italy, the Venetian allies had been of no service. If the Pisa council was ultimately to end in something like farce, the move of the cardinals was, at the moment, heavy with menace. Canonists could be found everywhere who would assent to the principles on which the move was based: grave scandal given by the pope, a consequent “state of emergency” in the Church--these, according to the famous decree *Frequens* of the council of 1417, were the very matters that authorised cardinals to summon the General Council. The minor of the cardinals’ argument was Julius II’s disregard of the commands laid on him by *Frequens*, and his failure to keep the oath, sworn in the conclave, to call the General Council within two years. The cardinals had behind them the two principal rulers of Christendom.

An old, very familiar pattern was taking shape, and with a real uncertainty about the future in his mind, Julius made his way back to Rome--but only the more determined. What really saved him now was the wavering, vacillating character of the enemy. Louis, “whether from religious awe,” or from fear of the reactions of other princes, made no use of his victory. But in that long march back, with such advisors in his company as the Dominican Master-General, Cajetan, the pope thought out carefully the details of his counterstroke. He reached Rome on June 26, and on July 18 he set his signature to the bull convoking the General Council. It was summoned for April 19, 1512, to meet in the pope’s own cathedral church, the Lateran Basilica.

The rebel council was, by this time, in dire straits. It did indeed open its proceedings at Pisa, but on November 1. And with no more than sixteen French bishops; and not in the cathedral, for the canons had barred the doors against the assembly. Nor had the bishops been able to secure lodgings, until the Florentine government intervened forcibly. For ten days or so the motions of a General Council were gravely imitated while the citizens outside fought the French guards, and by night serenaded the cardinals with threats of death. On November 12, the bishops renewed the

antipapal decrees of Constance, pronounced that they would not separate until the whole Church had been reformed and peace established between all Christian princes--and also that the council, being in danger from the citizens of Pisa, would forthwith be transferred to Milan. And here, from December 1511 to June 1512, it continued its futilities, amid a population no less hostile, but protected from this by the arms of Louis XII. When, after the great French victory of Ravenna (April 11, 1512) the French cause, unexpectedly, fell into desperate straits, the council moved to Asti, and thence across the Alps to Lyons, where it finally petered out without any particular final formalities. Its last definite act had been at Milan where, taking new courage from the victory of Ravenna it had suspended Julius II and forbidden him to exercise any of his functions as pope.

This General Council which Julius had called was to last a good five years, until March 16, 1517, in fact--just seven months before Luther's dramatic defiance, the theses against Indulgences. The juxtaposition of these dates is, surely, significant. That, in the years when Luther was inwardly being turned from a Catholic friar into a Protestant apostle, a General Council should be in session whose *raison d'être* was reform--this is an historical coincidence that at first sight takes the breath away. It is no doubt true, as the modern historians seem to agree, that it was not the need of reform in church administration that started the engines of revolt in 1517, but a spiritual crisis in Luther wherein was mirrored the crisis in a myriad other souls. But why did the Fifth Council of the Lateran have all but no effect upon the life of the Church? Without professing to solve this question, we can examine how the council worked, what it actually decreed, and say something of the personages whose character influenced what was done.

There was an average attendance at the council of about 100 bishops, and almost all of them were from sees in one or other of the Italian states, subjects, that is, of the King of Spain, of Florence, Venice and the rest, as well as of the pope. There were no more than twelve public meetings of the council in all: four in 1512, four in 1513, and one in each of the years

1514, 1515, 1516, 1517 The legislation of the council appeared in the form of papal bulls, published in the several sessions. Of the organisation of the council, and the discussions that preceded the drafting of these documents we know very little, save that it was the Curia that decided what was to be enacted in the sessions of the council, in detail; and that the bishops were allowed to elect a committee of twenty-four to discuss these drafts (or proposals) while in this formative state. The twenty-four were formed into three groups of eight, according to the matter to be studied: the question of the schism and of international peace; the reform of the Church; the faith, and the problem of the French law, called the Pragmatic Sanction,[3a] which for seventy years had, in effect, given indirect official recognition to the condemned Council of Basel. To each of these commissions of eight the pope added eight cardinals and two Generals of religious orders--a means of securing that the bishops should not overdo the business of radical reform in, say, the practice of the Curia or the life of the mendicant orders. Finally, the whole body of bishops debated the draft at a "general congregation."

These arrangements--which, from the bishops' point of view, were an improvement on those originally made--were the work of the new pope, Leo X, elected after the council had held six sessions. For Julius II died within a week of the sixth session, on February 22, 1513. The new pope, Giovanni de' Medici, thirty-seven years of age, and not yet ordained priest, was elected March 11, and first presided at the council in its seventh session, April 27.

The six sessions under Julius II were chiefly taken up with the leisurely business of the formal organisation of the council, with the condemnation of the schismatic manoeuvres of the rebel cardinals (sessions 3 and 4, May 17 and December 3, 1512), the appointment of a commission to study the question of the Pragmatic Sanction, which Julius was determined to bring to an end and, one of the spectacular events of the council, the emperor's

formal repudiation of the Pisa Council and his solemn acceptance of the Lateran Council as a lawful General Council (December 3, 1512).

For the session of February 16, 1513, the pope had ordered the presentation of a bull against simony in papal elections. He was manifestly dying for some weeks before the day appointed came, but almost his last words were that this should be enacted. The bull provides briefly, among other things, that if anyone secures election as pope through simony, through bribes whether of money or of position or promise of favours, his election is null; and the elect, and those who have taken the bribes, are by the fact excommunicated, and they remain so until a pope lawfully elected absolves them. This bull, *Si summus rerum opifex*,<sup>[4]</sup> was the most useful piece of work accomplished in the council, and because of the way it was drawn, the one act wholly effective.

It is, however, with the successor of Julius that the Fifth Lateran Council is chiefly associated, through the twelve decrees promulgated in the four years 1513-17. Within two months of the first session of Leo's reign, the pope had the satisfaction of receiving the submission of the two surviving rebel cardinals, who (to their great chagrin) were commanded to make their public submission dressed simply as priests--their deposition by Julius II was no mere formality, and it was as priests they were received back, reading out a prepared formula of contrition and repudiation in which their great crime was explicitly set forth and the justice of their punishment acknowledged. And then the pope magnanimously restored them to their rank, but not to the benefices they had held, June 27. These, in the interval following their deposition, had been conferred on others. Thousands flocked to the Vatican to gloat over this spectacle of humiliation, so many indeed that officials feared that the stairs and the floors of the state apartments would give way.

It was next the turn of the King of France. The new pope came of a family traditionally friendly to France, and personally he was disposed to give up the cause of the Holy League that Julius II had formed. But on June 10,

the pope's Swiss allies defeated the French so thoroughly at Novara (near Milan) that it was a mere remnant that got back to France. Louis XII was crippled, to the delight of all Italy and of Rome especially, where mobs paraded, crying "Victory" and "Julius II." The new pope did not dare to do more for Louis than to keep away from the victory celebrations. And soon the king, alarmed at the new anti-French coalition where the pope had no part, sent commissioners to Rome to treat of submission. A means was found by which the necessary act could be done with due "saving of face." On December 19, 1513, the French envoys appeared in the council, and announced their master's formal repudiation of the schism and his acceptance of the Lateran council as truly a lawful General Council of the Church. This was but a more public repetition of what had taken place privately where, as the pope absolved the French king, he explained that this was only being done for the great safety of his soul, the sentence of Julius II against the Council of Pisa and its supporters not having been meant as against Louis XII. But the general opinion of the day laughed at the notion that there was any sincerity in the king's submission. And there still remained the question of the Pragmatic Sanction!

It is sometimes harshly said that almost more important than what was done at this council is the question why almost nothing came of its various activities. But in the first of the sessions under Leo X where decrees were voted, December 19, 1513, there is an important definition regarding the faith. The occasion of this was the reappearance of the atheistic philosophy of Averroes, particularly in the university of Padua in the teaching of a leading thinker of the day, Pietro Pomponazzi. The council now condemns (with no mention of any particular teacher) all who assert that the intellectual soul in man is mortal, or that there is but one single intellectual soul [operating] for the whole human race. The intellectual soul is, per se and essentially, the form of the human body, as Clement V at the General Council of Vienne has taught already. This soul is immortal, and is single for each individual of the multitude of human beings. "Moreover, since one truth cannot contradict another truth, every

assertion contrary to the truth of faith we define to be altogether false”- - this against those who say that these errors about the immortality of the soul and its singularity (i.e., that for each human being there is a separate individual intellectual soul ) are true, at least philosophically speaking. All who teach otherwise than the council are condemned as heretics and infidels, and must be punished accordingly.[6]

A second decree, published in the session of May 14, 1515, includes a declaration on a point of morals. This decree is meant to end a long controversy about practices in the loan offices set up by pious associations as a charity whereby poor people may borrow money and yet escape the usury of the professional moneylenders. The question has been raised whether these charitable agencies (called in Latin *montes pietatis*) are guilty of the sin of usury if they ask from their clients not only the full sum lent to them but also a small charge to help to cover the running expenses of the office (not however a profit in any way for the office). The bull gives the decision that this practice is perfectly lawful, and that such loans are by no manner of means to be considered an act of usury. All who, after this decree, continue so to stigmatise such loans, whether laymen, priests, or religious, incur the penalty of excommunication.[6]

Another decree of this same tenth session, after an eloquent compliment to the new invention of printing, establishes the principle of the censorship of what it is proposed to print--pornography has already begun its long, profit-making course, and books are appearing dangerous to a Christian's faith. We are, in 1515, only two years away from the great publicity campaign--Lutheranism--where, for the first time, the possibilities of the new invention will be shown in all their fullness. The censor, *ex officio*, of all books everywhere is the diocesan bishop, and his licence to publish the book is to be clearly printed in it. No charge is to be made for this censorship service.[7]

That preaching, at this time, had fallen on evil days we should know even though the council did not explicitly say so--it is a commonplace of all the



contemporary literature. While too many priests are too ignorant to preach, says the council, very many others do no more than divert themselves, learnedly or foolishly, whenever they find themselves in a pulpit. So, the council recalls the simple ideal and, passing to abuses that call for correction, it sharply forbids the common practice of preachers' prophesying, e.g., that the last day is at hand, that Antichrist is abroad, that the Divine wrath is about to consume us, etc. "Those who have made such predictions are liars." The preacher is forbidden to draw from Holy Scripture conclusions as to any future happenings, or to say he has been sent by God to say this, or that he knows it by a revelation. A second chronic source of mischief in the Middle Ages is also rebuked--preachers are strictly forbidden to preach about the sins of other clergy, "publicly defaming the character of bishops, prelates and others in authority." By "the preacher" is meant, given the age, a friar of one of the four mendicant orders, for almost the whole of what preaching was done was their work. Their superiors are now warned to see that they are fit and competent for the office, and the preachers are bidden to show the local bishop these testimonies to their piety and fitness. Preachers who offend against the decree are, of course, to be stringently punished.[8]

Leo X is a pope for whom the ecclesiastical historians have harsh words. This Lateran Council is never reckoned among his claims to a revised verdict. Nowhere is it a more tragic disappointment than in the reform decrees of its ninth and tenth sessions (May 6, 1514, and May 4, 1515). The parlous condition of ecclesiastical life at this time is a commonplace of all the historians. It was almost the single topic of the sermons preached to the council. And in no place was what was seriously wrong so indecently flaunted as in the city of Rome, and at the very court of Leo X. The gravest of all pro-papal historians, Ludwig von Pastor, presents the life of the court as the effect of a pope whose one interest in life was pleasure--intellectual pleasure, music, sculpture, painting, poetry, the drama; and the chase, for this seems to have been the first pope who hunted, it was his great passion. What are called the graver vices left him

untouched--not so, only too often, the men whom he promoted to the highest ecclesiastical rank. As to public affairs, the pope's main problem was to maintain a balance in Italy between the foreign rivals who dominated, the kings of France and Spain. The papal policy was one of systematic deceit, the pope steering always by two compasses, as Muratori was to write, never trusted by either side. And behind all this diplomatic trickery--which failed more often than it succeeded--lay the timorous young pope's chief care, that his family's precarious hold on Florence should be transformed into a permanent, recognised, quasi-royal position. The thought of such a personage, "gilded butterfly" indeed, passing from the comedians and buffoons of his palace to the reform debates in the General Council leaves one aghast.[9]

Little wonder that, as the historians have read the decrees, they discount as platitude the conventional expressions of horror at abuses, and sneer at sternly worded reform laws which are peppered with exceptions, and legal loopholes to make disobedience lawful. The magnificent gesture, only too often, peters out in the feeble conclusion, "We therefore ... repeating all our predecessors have said, renew all they have decreed...." Certainly, to read the opening passage of the decree that is to provide better bishops for the future, and better abbots, is an experience to try one's patience; or to read the reforms imposed on the cardinals of the Roman Curia, solemnly saying their servants must not wear long hair or grow beards and the like, while at every step, in the gravest matters, the most extraordinary exceptions are legalised. All the main topics that had caused reformers and saints to groan for a good two hundred years and more are mentioned--benefices (sees among them, of course) given to bad men or to good men otherwise altogether unsuited; plurality of benefices (whose duties are incompatible) given to the favoured minority; abbeys given "in commendam," that is to say to clerics not monks at all, whose sole purpose is to take from the monks their revenue, for the profit of the absentee secular priest or bishop. All these wonders by means of papal dispensations. So, no more abbeys are to be dealt with in this way,

“unless” (almost the key word in this unhappy legislation) “in consideration of the present state of things ... it should be considered expedient to do otherwise.” Pluralities of incompatible offices--to be a bishop in Spain and at the same time an archbishop in France and an abbot in Italy, to hold canonries in half a dozen cathedrals at once--dispensations for these are to be limited, and so, “those who hold more than four such, are to resign all but four” within a given space of time, two years. Monasteries given in commendam for the future are to go only to cardinals and well-deserving persons, and the commendatory’s financial hold on the abbey is somewhat restricted.

There were two running fights through the greater part of this council, and it was one of Leo X’s anxieties to keep them within due limits, the fight between the bishops and the cardinals of the Roman Curia, of which the reforms just mentioned are a faint echo, and the fight between the bishops and the orders of friars, which went on for a good three years and threatened, at one time, to wreck the council. Its monument is the decree of the eleventh session (December 19, 1516): *Dum intra mentis arcana*.<sup>[11]</sup>

The burden of the bishops’ complaints was that the friars- thanks to the privileges lavished on them by pope after pope for centuries-had become a law unto themselves, and that their superiors were unable, or unwilling, to keep them in order. From time to time reform movements had sprung up in one order after another, and had received every encouragement from Rome, and the reformed had been given a kind of autonomy. But the original stocks, called the conventuals, were the cause of endless trouble. The bishops called for a wholesale cancelling of the privileges that put the friars outside their control, and even-some of the bishops -for the suppression of the conventual orders. It was the good fortune of the friars that, at this moment, two of the very ablest men in the Church were friars, and general- superiors of their respective orders: Cajetan, of the

Dominicans and Egidio Canisio of the Augustinians-men for whom there were higher considerations than the mere prestige of their order.

It was an easy task for the friars to retaliate on these Renaissance bishops the charges of worldliness, materialism, and ill-living, and to ask how else (were the friars to disappear) the ordinary people would gain any knowledge of religion, or find confessors with knowledge enough to administer the sacrament properly. It was the pope's mediation that stilled the tumult, and Cajetan went so far as to say, publicly, that Leo alone at this crisis stood between the orders and destruction.

The new decree set out in great detail the rights of the bishops to intervene when religious superiors are negligent, and the limitations to the spiritual activities of the friars vis-a-vis the rights of the resident parochial clergy. Bishops are given power to examine those presented by their superiors to be confessors. Friars have no power to absolve from excommunications imposed by the bishop. It is to the diocesan bishop they must have recourse for ordination, consecration of churches, altars, cemeteries, and the like. They are not to marry people unless the pastor of the contracting parties consents. They are to remind those whose confessions they hear of their obligation to pay tithes to their pastor, and to instruct people about this in their sermons. And so the list goes on, twenty-two points in all. But whatever rights, whether of bishops or of friars, are not mentioned here remain unchanged. Also the new law applies to all the other religious orders.

The submission of Louis XII had left the question of the Pragmatic Sanction entirely untouched--for all that a commission of the council was studying it. Relations between king and pope were too tense, no doubt, for any mention of it to be safe. It was, however, to be solved very speedily and in a way none could have guessed. Louis survived his reconciliation just a year, dying on January 1, 1515. His successor was the somewhat distant cousin, the Count of Angouleme, who had married Louis' elder daughter--King Francis I, a young man just reaching his twentieth year.

This new king took up his father-in-law's plans for a renewal of the Italian war, but with much greater energy, and without any of the older man's vacillation. In September 1515, he won a victory at Marignano that washed out all memory of the French disasters. All Italy was now at his mercy, Medici Florence of course, and even the Papal States. And it was the pope's misfortune that he had been leagued with the defeated Swiss. Leo X had no choice, as a temporal ruler, but to await the terms the conqueror would impose.

The two men met at Bologna, in December 1515. For a week they lived together in the same house, meeting daily for long conversations with not even a secretary in attendance. No detail of these momentous talks ever leaked out. But Francis left the Medici in Florence, and made no further advance into Italy. The coveted Duchy of Milan he, of course, took for France. And, in a bold gesture, he suddenly asked Leo to confirm the Pragmatic Sanction. It was an impossible request, and the king knew it. But it meant that the pope must make some settlement that would leave the king in possession. And so there came into existence one of the most famous treaties in all Church History, the French Concordat of 1516. By this the pope gave the kings of France the right to choose and present for appointment (which meant, in practice, to appoint) all the 93 bishops of France, all the 510 abbots and priors (with a few exceptions), and a host of other major beneficiaries--offices whose revenues were almost equal to that of the nation itself. But in return the king abandoned the Pragmatic Sanction--the Church in France would no longer be operating on a quasischismatical basis, and its connection with the condemned schismatical Council of Basel would be at an end.

To the modern Catholic it is usually the pope's surrender that is the striking feature of these arrangements. But to the French, in 1516, it seemed that the pope had got the better of the king. Their fury rose to great heights, and the Parlement de Paris staunchly refused to register the royal edict and thus give the arrangements force of law. It took nearly two years

of campaigning before Francis I overcame the opposition, and he only did so by an altogether unusual act of the royal authority. Meanwhile, in December 1516, the pope laid the two bulls before the council, explaining what they effected, and asking the council to approve. There were critics among the bishops and hostile speeches, but the council approved.

The bull *Pastor Aeternus* which records the surrender of the Pragmatic Sanction has a much wider interest than that of a mere change in the local French situation. It was an opportunity for the pope to reaffirm the doctrine that the Roman See is the mistress-see of the whole Church of Christ, and so to describe the regime which the Pragmatic Sanction had set up as an outrage on the divinely founded authority of the papacy. None of the bishops named by the various kings--in the years it endured--had been more than "tolerated" by the popes. It was an opportunity, no less evidently, to comment on the Council of Basel as it continued in defiance of the translation to Ferrara, and to deny that it was then an assembly with any authority at all. Like Pisa, in 1511, it was a mere conventicle (*conciliabulum*). The pope says plainly that the reigning pope alone can call a General Council into being.[12] He can at will adjourn it or dissolve it. And the reminder that the Roman See is sovereign in the Church was driven home by a renewal of the famous bull *Unam Sanctam* of Boniface VIII (1302). If such a reign as Leo X's can be said to have a climax, this was surely the day when the pope saw the General Council endorse this bull *Pastor Aeternus*, and as it came to him to give his vote in the council the pope could not contain himself. "Non solum placet," he called out, "sed multum placet et perplacet." [13]

Three months later the eighteenth General Council came to an end, March 16, 1517, with a decree forbidding the looting of the cardinals' palaces during vacancies of the Holy See, and a second that imposed a special tax on all benefices, for the expenses of the war against the Turks.

## NOTES

1. Quoted by Pastor, English translation of History of the Popes, VI, 326.  
The pope said this to the Venetian ambassador.
2. Ibid., 327 The date is “beginning of July,” 1510.
3. Ibid., 329. The date assigned is July 21,1510.
- 3a. For a translation of this, see Barry, no 87A.
4. Not printed by Schroeder.
5. For the text of the decree (from which the quotation is taken) see Denzinger, no. 738.
6. Ibid., no. 739 for the text.
7. Bull Inter sollicitudines, May 4, 1515. Schroeder, op. cit., prints extracts from it, p. 504. This work never gives more than the essential passages in dealing with this council.
8. Bull Supernae maiestatis praesidio, Dec. 19, 1516, Schroeder, 505-6.
9. For all this see the well documented account in Pastor, op. cit., vol. VIII, 71-125.
10. Bull Supernae dispositionis arbitrio, May 5, 1514, Schroeder, 488.98.
11. Ibid., 506-9.
12. Denzinger, no. 740, prints this section of the bull; Barry, no. 87B, a translation of the whole.
13. The bishops voted “for,” by rising and saying (each in his turn), Placet, i.e., “It pleases me.” What the pope slid was “It not only pleases me, it pleases me greatly, very greatly indeed.”