

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

CHAPTER 14. The Second General Council of Lyons, 1274

This council has the distinction that, in its inception, and in all that directed its activity, it was the work of a pope who was a saint--Tebaldo Visconti, known in the calendar of the Church as the Blessed Gregory X.[1] It might be said that, as with many another saint, his appearance in history is, to the experienced observer, a first indication of things seriously wrong and urgently needing correction, for the role of the saints in the Church has been very much that of the prophets in the older dispensation.

The quarter of a century since the disappearance of Frederick II had, indeed, seen a marked decline in the detachment of the popes from the things of this world. Not that Innocent IV, or any of his three next successors (1Z;4-68), were what is called bad men--far from it. But they were increasingly caught up with the details of what we may term the international situation--with the political state of Italy, and above all with the affairs of the kingdom of Sicily which had now become their personal responsibility. The contest with Frederick and his sons, Conrad IV and King Manfred, involved the popes in unheard-of expenses. Nothing, then as now, so rapidly exhausts the treasury as a few good years of war, of just war no less than unjust. And from the church universal, which the popes, for the first time, now endeavoured to tax systematically and regularly, there arose a general clamour of discontent and anger; from England and from France especially, where the king, St. Louis IX (1226-70), while protecting the pope from the emperor's armies, most carefully gave the papal policy in these years not a shred of encouragement. Not even personal contact with the able Pope Innocent could move him to become an active ally; and to invitations that his brother, Charles of Anjou, should accept from the pope the kingdom of Sicily, he remained resolutely deaf for nearly twenty years.

My kingdom is not of this world. Never had this truth been so evident, as when these popes had to face, as sovereignly responsible, the task--a layman's task and speciality--of ending the long anarchy in Sicily. "There is no supernatural way of washing a floor"--nor of finance, nor logistics. By the time Clement IV died, in 1268, the anarchy, after eighteen years and sundry campaigns, had not been reduced, and the strong man--Charles of Anjou--called in, somewhat fatuously, to be the tool of the popes was threatening to become their master.[2] At this crisis, following on the layman's destruction of the last Hohenstaufen,[3] the pope died,[4] and for three years the cardinals left the Holy See vacant. In these years, the only man strong enough to control Charles also died--St. Louis (July 4, 1270). The prospect before the newly elected Gregory X[5] was grim indeed.

The new pope, a man of sixty--a great age in the thirteenth century--had never been a cardinal, nor a high official of the Curia Romana. At the moment when the cardinals chose him he was away in Syria, where for some years he had been aiding the crusade. His mind was henceforth wholly taken up with the menace from the East. The Italian question--as a matter of profit to the Holy See--did not interest him in the least. His own resolve, in such matters, was to take the papacy out of politics. That he feared Charles is unlikely, but he was aware of his strength and of the danger the king was, danger to the independent action of the Holy See, and to the pope's hopes for the East. For while Gregory X returned to Italy convinced that unless Latin and Greek were reunited there was no hope for the East, Charles now dreamt of little but a military conquest of the Greeks, a repetition of the crime of 1204, to end with himself ruling from Constantinople a new Mediterranean empire.

It was now just over two hundred years since the legates of Pope Leo IX had taken it upon themselves to excommunicate the patriarch of Constantinople, Michael Cerularius, in his cathedral of St. Sophia (1054)--an abrupt termination of a dispute that really concerned no one but that

high personage and the pope. Without any further action from Rome, in a curiously indeterminate (and yet, perhaps, inevitable) way, the whole body of the eastern sees had then silently slipped away from their ancient allegiance. The real cause was that the chronic restiveness of the Greeks towards the Roman primacy--to the presence of which the history of the General Councils hitherto is witness--had now worked out to its inevitable end.

The great flare-up preceding the council of 869-70 had provided future generations with an argued "case" against the popes, and with a hero, Photius. For the first time it had become settled belief, with the Greeks, that the Latins were heretics--their belief that the Holy Ghost proceeds from the Father and the Son was an untraditional innovation, and by adding the words "and from the Son" (Filioque) to the creed they had publicly announced their unorthodox doctrine about the Trinity. And every particular in which Latin customs and rites differed from the Greek were additional evidence that they had wandered from the primitive truth. Upon this situation, within fifty years, there had come the first of the crusades, and troubles of another kind altogether. The Latin world and the Greek were, from now on, in continuous close contact--the new Latin world, fruit of a social, political, and military renaissance. And the contact, the entry of the Latins into the internal political life of the factions at Constantinople, had intensified the division. So that, apart from the Latin charges, and the Greek countercharges, of treachery, of treaties not kept, of swindling in money matters, there was always the chance of a Latin party active in the succeeding coups d'état at Constantinople, and correspondingly intensified hatred from the mass of the Greek population.

When, in 1204 the Fourth Crusade became the instrument by which the Latin state Venice which, above all others, had been for centuries in close contact with the Greeks, as their chronic danger, achieved the conquest of the city, the overthrow of the empire, and the installation of a Latin prince as emperor--once this had happened, it might have been judged that never

again, unless by a miracle, would the Greeks even want to hear mention of the authority of the Bishop of Rome and his church.

That Innocent III, his dismay and anger at the crime once cooled down, could reconcile himself to the fait accompli, and crown it by the installation of a Latin bishop as patriarch, and by the creation of Latin sees, and by treating this as a reunion of the churches--that this did not help matters is certain. His more realistic namesake, the fourth Innocent, would have reversed this policy had his hands been free of other problems. He was willing to see the Greek emperor once more ruling in the capital and the Greek patriarch and, so long as the Greeks ceased to stigmatise as heresy the Latin way of setting out the mysterious doctrine of the Trinity, willing to put up with the Greek refusal to add Filioque to the creed. He even spoke of a General Council to regulate affairs, a council that should meet in the East, like the first eight councils whose history we have been reviewing. But Innocent died in the same year as the emperor John III with whom he had been negotiating.

And now there came on the scene in his place the capable Michael VIII, who in 1261 retook the great city. Henceforth the Latin was an emperor in partibus, as historians have noted. But Michael did all he could to keep on good terms with the pope, and to renew the negotiations. If the West felt it must hold Constantinople or give up its hope of regaining the Holy Land, the realist emperor was no less clear that without a permanent understanding with Rome his empire must disappear before the Mohammedan assaults. So, from the beginning, Michael VIII was ready for any concession that the popes demanded--especially once the sinister figure of Charles of Anjou began to dominate the Italian scene. And Michael--whose religious, or theological, interests were all but nil--was almost the only person of importance in his empire who did not heartily hate Rome and all that it stood for. The emperor persevered nevertheless, and his joy may be imagined when, after the long vacancy of the Holy See (whose other side was the opportunity of opportunities offered Charles of

Anjou), the newly elected Gregory X, even before he had returned to Rome, sent ambassadors proposing the reunion of the Greek churches.

The first difficulty the pope had to face came from the group of Frenchmen among the cardinals.[6] The pope proposed to summon a General Council, and to send Michael VIII an invitation to attend. To this the French cardinals objected, no doubt in the interests of Charles. This delayed the pope's embassy for five months. It was the spring of 1273 before the emperor's enthusiastic acceptance reached Rome. Michael already wrote as though the reunion were accomplished; he was the pope's "most obedient son," and the pope was "sovereign bishop of the whole church, Peter's successor."

With Gregory's immediate predecessor, Clement IV, the emperor had already gone almost as far as this, in 1267. That pope, a saintly man if not a saint, who all his life had been a lawyer and a judge, had replied very tersely to the compliments, stating the terms of reunion as starkly as in an ultimatum, demanding "unconditional surrender" indeed. Only when he had received from the Greeks--the emperor, the bishops, and the faithful generally--an explicit acceptance of the primacy of the Roman see, and of the whole body of its teaching, would he summon a General Council. And what Clement IV asked he set forth in the form of a creed. Before, this plain-speaking Michael had to explain that the situation was a little complicated. But there had been no aggravation of the Roman attitude, when Clement suddenly died in 1268.

The new pope who had now, to the dismay of some of the cardinals, taken the initiative was then well aware of the delicate situation. In replying to the emperor he proposed, not to send legates to Constantinople in the spirit of Clement IV's letter, but that Michael should send envoys to the coming General Council, where the related matters of reunion and a military alliance against the Saracens could be discussed. It would simplify Michael's problem if he could present the Greeks with the double fait accompli of an alliance with the West (instead of the papal alliance with

their dangerous enemy Charles) and their own acceptance by Rome as Catholics no less dear than the Angevin. Michael would meanwhile put his signature to the creed prepared by Pope Clement. And so it was done.

As the seat of the council the pope chose Lyons, as being a city beyond the influence--almost certainly malevolent--of Charles, and after some very delicate moves he secured from Charles a guarantee that he would not molest the Greek envoys as they passed through Italy.

The plight of the Christian East was not the sole anxiety of Gregory X.

This pope is, in all things, first and foremost a priest and a shepherd of souls, and grieved (as his own words show) at the miserable degradation of Christian life throughout the West. The council, in his plan, is to inaugurate a real restoration of religious fervour. And here, in 1274, we have what is lacking for all the earlier General Councils held in the West, namely, documents to show the way the pope prepared for the council.[7] There was to be no merely mechanical repetition, word for word, of laws already enacted. But from various parts of Christendom reports were sought by the pope on abuses calling for correction, and the writers were asked to suggest how these should be remedied. Moreover, once the bishops had assembled, each of them was free to petition for new remedial laws. Many of these petitions still survive in the archives of the Vatican, and we also possess the reports from the bishop of Olmuc and from the master-general of the Dominicans, Humbert of Romans.

The Second General Council of Lyons, summoned in April 1273, opened on May 7, 1274, with five hundred or so bishops present[8]--the largest number since the Second Lateran Council of 1139--and some seventy lesser prelates, abbots, procurators of chapters, and so forth.[9] It opened with an address by the pope, dealing with the work to be done: the problem of the Holy Land, the reunion of the Greeks and, of no less importance, the general reformation of morals, especially in the lives of the clergy and of the bishops. In those bygone centuries the popes had all too little say in the actual selection of bishops. The kings and princes no

longer (at least openly) named whom they would. But the popes, having secured the restoration of the rights to free election by the cathedral chapters, had been able to do little more than lay down conditions which the elect must fulfil on pain of his election being void, and to make laws with stiff penalties about episcopal sins, and to make an example of what wicked prelates came before them for judgment.[10] Gregory X now said bluntly that it was bishops who were bringing the Church to ruin.[11] It was, he said, a matter of great surprise that they did not amend, and he gave them warning that he was about to take severe action in the matter of their reformation.

The Greek delegation was long delayed, and the council had been at work some six weeks by the time it arrived, June 24, 1274. In the name of the emperor, and with letters of procuration from fifty metropolitans and another five hundred bishops, there came the patriarch of Constantinople, Germanus, the Archbishop of Nicaea, Theophanos, and the chancellor, with two high officers of the court. And in the fourth session of the council, July 6, the reunion was accomplished.[12] Two memorials of this great day call for some quotations. First of all, the dogmatic constitution on the Filioque question, which ultimately was published as the first canon of the council, *Fideli ac devota*, and then the profession of faith made in the name of Michael VIII.

The definition of faith is as follows: “We firmly profess that the Holy Ghost proceeds eternally from the Father and the Son, not as from two principles but as from one principle, not as by two spirations but as by a single spiration. This is what the holy Roman Church, the mother and teacher of all the faithful has hitherto professed, preached and taught, this is what it holds, preaches, professes and teaches. This is truly what the unchanging judgment of the orthodox Fathers and Doctors, the Latins and the Greeks equally, holds. But since there are some men who through ignorance of the aforesaid unbreakable truth have fallen into various errors, We, desiring to close the road to errors of this sort, with the sacred

Council assenting, condemn and reprobate all those who presume to deny that the Holy Ghost eternally proceeds from the Father and the Son, or who rashly dare to assert that the Holy Ghost proceeds from the Father and the Son as from two principles and not from one [principle].”¹³

The emperor’s profession of faith--it is that sent to him by Clement IV, as has been told--is too long to quote in full. The passages here translated are those with a direct bearing on the points in controversy between Latins and Greeks.

As to the doctrine of purgatory:

“But those who have died in a state of charity, truly repentant [for their sins] but before they have brought forth fruit worthy of repentance, their souls are purified after death by cleansing pains.[¹⁴] The petitions of the living, the sacrifices of Masses [for example], prayers, almsdeeds and other pious services, such as the faithful are accustomed to do for one another according to the established custom of the Church, [these] are profitable to them, [i.e., the dead persons mentioned] for the lifting of these pains.”[¹⁵]

The sacrament of the Holy Eucharist:

“The same Roman church makes use of unleavened bread in the sacrament of the Eucharist, holding and teaching that, in the very sacrament there is truly transubstantiated the bread into the body of Jesus Christ our Lord, and the wine into His blood.”[¹⁶]

Marriage:

“As to marriage it holds, that ... when a lawful marriage has been dissolved by the death of one of the spouses, second, and third, and even further successive marriages are lawful, provided there is no canonical impediment from some other cause.”[¹⁷]

The supreme authority of the see of Rome:

“This same holy Roman church itself, has over the whole Catholic Church the supreme and full primacy and sovereign authority; which, it humbly and truthfully recalls to mind, [the Roman church] received from the Lord himself, with all fullness of power, through blessed Peter, the chief and the head of the Apostles, of whom the Bishop of Rome is the successor. And as before all else that church is bound to protect the true belief, so it is that whenever disputes arise about the faith they must be decided by the judgment of that church.[18] To which church any person troubled by any matter that belongs to the ecclesiastical courts, can make appeal, and have recourse in all cases that belong to the Church’s supervision; and to this same [Roman] church, all the other churches are subject,[19] and their bishops owe to it obedience and reverence. The fullness of its authority is so constituted that it allows the other churches a part in these cares,[20] many of which churches, and especially the Patriarchal churches, the Roman church honours with divers privileges, its own special rights always respected, especially in what relates to General Councils and certain other matters.”[21]

Among the thirty disciplinary canons of this council we may perhaps notice, first, a series of seven laws about elections of bishops and abbots. They are evidence of weaknesses inherent in the elective system--disputes as to the validity of the election once it is made are chronic and the lawsuits endless. So, appeals against elections (or provisions) to churches are to be made in writing, and to be countersigned by witnesses who swear they believe the objections are true and that they can prove this: penalties are provided for those who fail to make good their charges. The elect must await confirmation before taking up his office. Voters who knowingly vote for one who is unworthy sin mortally, and are liable to severe punishment. No voter is allowed to appeal against the one for whom he has voted-- certain special cases apart. Where a double election has been made no objection will be allowed, for the future, against the majority on

the score of lack of zeal, of worth, or of authority, where the majority numbers two thirds of the voters. Finally, to protect the successful against the malice of the disappointed, it is laid down that those who revenge themselves on electors for not supporting them by pillaging the electors' property or that of the electors' relatives, or who molest the electors or their families are by the very fact excommunicated.

Bishops who break the existing law about demanding money from the parishes where they make the canonical visitation, and who, within a month, have not given back twice the amount received, are forbidden to enter any church until this restitution is made, i.e., they cannot confer sacraments nor receive them, may not say mass nor hear mass; and this even though the money was the free gift of the parish.

Whoever, unauthorised, takes upon himself to administer the properties of a vacant see or abbey is ipso facto excommunicated--and so are the clergy or monks who abet him or connive at this usurpation. And prelates who, as the price of protection, hand over properties to some lay lord, retaining merely a right of use, are suspended from their office for three years, the pacts are null, even though confirmed with an oath, and the lay lord who does not restore the property is excommunicated.

The laws against usurers have not been sufficiently enforced. To make it easier to enforce them, no ruler is henceforth to allow usurers to come into his territory and settle there. All foreigners already practicing usury are to be expelled. As to the usurer, the penalties are increased. Not even though his will orders restitution to be made, is he to be given Christian burial until the restoration has actually been made. "All religious and others," who, ignoring this law, give usurers Christian burial now incur all the penalties enacted against the usurer. Wills of usurers that do not contain instructions about restitution have no legal value.

Lawyers who abuse their profession at the expense of their clients, are another subject of this council's legislation. "It seems to us, says the canon, "that it is most urgently necessary to correct the needless dragging out of lawsuits." All ecclesiastical advocates must therefore for the future take an oath every year that they will serve their client to the best of their powers, and that if they come to find out that his cause is not just they will immediately withdraw from the case. No advocate is to take more than the sum of L. 20 (Tours reckoning) for his services. Anything accepted in excess of this he is bound to restore, and a breach of this law will be punished by three years' suspension from office.

The violence with which the faithful laity could react, in these ages of faith, against their spiritual fathers is a perpetual source of astonishment. To be, if not a bishop, then a bishop's official called for courage of every kind. We have here a canon enacting that absolutions from such penalties as excommunication and interdict which have been obtained by threats are null, and that those who brought the threats to bear on the official are excommunicated too. Also, those who, being excommunicated-- "kings, princes, nobles, magistrates or their ministers," or indeed any excommunicated persons--instruct their servants to capture or kill either the judge who gave the sentence, or those who are observing the sentence and refusing to communicate with the man excommunicated--all such instigators of violence incur ipso facto a second excommunication.

There were three questions especially which provoked opposition and plain speaking in this council; the pope's proposal to finance the coming crusade by a 10 per cent tax for six years on all clerical incomes; the disputes between the bishops and the new religious orders called Friars; the new rules about how the pope should be elected. The first of these critical subjects the pope dealt with very diplomatically. He talked it over with the individual bishops, much as Innocent IV had discussed the deposition of the emperor thirty years earlier, and so avoided the risk of a storm in any public session.

With regard to the Friars, the pope showed himself the strong champion of the principle they represented, and of the privileges lavished on them by his predecessors. "What great services the Dominicans and the Franciscans have rendered the Church is too well known for them to need any defence," he is reported as saying. The complaints amounted to this, that the Friars were displacing the parochial clergy as the ministers of salvation to the ordinary man--Catholics were attracted away from their parish churches to the sermons in the churches of the new orders. The monks, for the most part, had settled in the deep countryside, as far away from towns as they could contrive. The presence of these new monasteries in the heart of a great city was a fascinating novelty. Also a novelty was the fact that in the Friars the ordinary Catholic had his first experience, as often as not, of a really trained preacher and director. The matter of alms and gifts now flowing towards the unendowed Friars also played its part in the controversy. And the bishops complained that, by reason of the pope's exempting them from episcopal supervision, the Friars and their clients were beginning to be a church within the church. Also, it was becoming a kind of fashion for pious men to found new orders of Friars. The law of the General Council of 1215 forbidding the foundation of new religious orders had been generally ignored.

The canon now enacted justifies many of the bishops' complaints. The way in which new orders--not always authorised--had sprung up is described in pitiless language, principally orders who live on charity, on the alms they personally solicit. All orders founded since 1215 and not as yet approved by the Holy See are now forthwith abolished. Those founded since then, and approved by the Holy See, and which by their rule are dependent for their living on the alms of the public are provided for as follows: the professed members may continue to live together, but no new members are to be received and professed, nor may they accept any new foundations, nor sell what they already hold--these properties the Holy See reserves to itself to dispose of ultimately, either for the poor or some other pious uses. Members of these orders are forbidden absolutely to

preach to the faithful, to hear their confessions, or to bury them. Then comes the explicit exception of the Dominicans.[22] and Franciscans from this rule, with the encomium mentioned. As to the Carmelites and the Austin Friars, “we permit them to continue as they are till we ordain otherwise; for it is our intention to provide for these as well as for the others (including the non-mendicants) such measures as we deem expedient...” Gregory X was only at the beginning of his schemes of reform.[23]

The most striking of Gregory X’s innovations was to institute, for papal elections, the regime familiar to all of us as the conclave--the rule by which the electors are locked up, separated from all contact with others, save for their servants, until they have chosen a pope. This is the purpose of the second, famous canon of this council, *Ubi periculum*. Its opening words do not spare the cardinals--still alive--who lately had kept the Holy See vacant for nearly three years. In the severity of the discipline now imposed we may see reflected the natural indignation of a good man at this scandal That the pope now proceeding to this reform had himself never been a cardinal was, no doubt, something of an aggravating circumstance to the cardinals, who steadily opposed his proposal. In this they had the support of many of the bishops.

Reason itself, says the pope, in the opening words of the canon, demands that we do something to provide a remedy for the greatest danger of all, now that we are busy with reforms. How teeming with dangers a prolonged vacancy is in the Roman see, the remembrance of what lately happened is witness. Therefore, in addition to what Pope Alexander III decreed, we now lay down as follows, with the assent of the holy council. The cardinals present in the town where the pope happens to die shall wait ten days (and no more) for the absent cardinals to come, and then, whether the rest have come or not, they shall assemble in the residence of the deceased pope, each with a single servant, clerical or lay. There in a single locked-up chamber (in *unum conclave*), they shall all dwell together. This

place shall be so enclosed on all sides that no one can either enter it or leave it. No one is to have access to the cardinals, nor any means of secretly speaking to them, nor of sending in any written message. Whoever does anything in violation of these rules is, by the fact, excommunicated. If, which God forbid, the cardinals have not within three days chosen a pope, then for the next five days they are only to have a single course at luncheon and at supper. After these five days they are only to be served bread, wine and water. During the time the Holy See is vacant the cardinals are not entitled to any salary from the papal exchequer, nor any revenue from any other church source. And so the careful regulation goes on, with this command to the lord of the city where the conclave is set up, viz., to take full authority to see that these regulations are carried out. All pacts made between the cardinals are null and void, even though they have been confirmed with an oath. And in all cities, as soon as the news of the pope's death is known, and solemn masses have been sung for his soul, there are to be daily services for the blessing of God on the cardinals in the conclave, and solemn fasts.

The final session of the council took place on July 17. The pope said regretfully that there had not been the time to deal as fully with the reforms as he had hoped, but that he would see to this himself in some new constitutions. But no more than the crusade he planned were these ideas realised, for on his way back to Rome Gregory X died at Arezzo, January 10, 1276.

NOTES

1. Beatified by Benedict XIV (1740-58).
2. In 1263 Charles was named King of Sicily by the suzerain, Pope Urban IV, St. Louis at last consenting, after two years of negotiations. It was only in 1266 that he was in a position to begin the war to drive out King Manfred. By 1270 Charles, a man in his early forties, was to all intents the master of Italy.

3. Battle of Tagliacozzo, October 29, 1267.
4. November 29, 1268.
5. Elected September 1, 1271; consecrated and crowned March 27, 1272.
6. Fruit of the pontificates of Gregory X's two French predecessors, Urban IV (1261-64) and Clement IV (1265-68).
7. For all this, and what follows, see the invaluable study by Stephan Kuttner *Conciliar Law in the Making*, in *Miscellanea Pio Paschini*, Rome, 1949, pp. 39-81.
8. So all the chroniclers. From the acta, and contemporary authors, we have details of no more than 126 "prelates and lords": 44 from Italy, 26 from Germany and the north, 21 from France, 19 Latins from Syria and the East, 8 from Spain, and as many from England.
9. The pope, seemingly, had decided that not every monastery or chapter was to send a representative.
10. Three bishops were deposed for evil lives in this very council.
11. *Quod praelati faciebant ruere totum mundum.*
12. Despite the demonstration of that prince of "erudits," Dr. Heinrich Finke, made as far back as 1891, all who have written about the council of 1274--including the present writer--have repeated the centuries-old statement that the definition of faith was passed by the council before the Greeks arrived. My own enlightenment is due to Professor Kuttner's study, already referred to, who notes as a solitary exception in following Finke, the Dominican, Fr. H. J. Schroeder, so often referred to in these notes.
13. Denzinger, no. 460.
14. *Poenis purgatoriis seu cathariteriis.*
15. Denzinger, no. 464.

16. Ibid., no. 465.

17. Ibid., no. 465.

18. The two first sentences of this quotation appear, as the testimony of this council, in the Vatican Council's constitution defining the infallibility of the pope's ex cathedra decisions (1870).

19. In our more usual phraseology, seven hundred years later, "To this same Roman see, all the other sees are subject."

20. *Ad sollicitudinis partem admittit*. The second word recalls St. Paul (II Corinthians 11:28): "... my daily pressing anxiety, the care of all the churches"; where the Latin Bible has *sollicitudo*, the English has "care."

21. Ibid., no. 466.

22. It is of interest that within two years of this the very pope was a Dominican, Innocent V.

23. It was Boniface VIII who finally "stabilised" the Carmelites and the Austin Friars, in 1296.