

Third Lateran Council - 1179 A.D.

Summary

Pope Alexander III called the third Council at the Lateran Basilica because once again a General Council had to be called to undo the damage done by antipopes **Victor IV** and others. The Council also set the election of the Roman Pontiff must be by two-thirds of the majority of cardinals voting, establishing the Sacred Conclave as the voting body. The Council condemned the heresies of **Albigenses** and **Waldenses**.

Introduction

By an agreement reached at Venice in 1177, the bitter conflict which had arisen about twenty years earlier between Pope Alexander III (1159-1181) and Emperor Frederick I (1152-1190) was brought to an end. For when Pope Hadrian IV had died in 1159, the cardinals elected two popes together, namely Roland of Siena, who took the name of Alexander III, and Octavian of Rome who though he was nominated by fewer cardinals, nevertheless with the support of the emperor Frederick usurped the name of Pope Victor IV. The emperor, wishing to remove everything which stood in the way of his authority in Italy, declared war upon the Italian states and especially the Roman church which after its struggle for ecclesiastical liberty for so many years, was enjoying great authority. The emperor carried on the war for a long time. A serious schism had arisen out of this conflict, and after Victor IV two antipopes were nominated in opposition to Alexander III, namely Paschal III (1164-1168) and Callistus III (1168-1178). At last, when Alexander had gained the victory, he promised the emperor at Venice that he would summon a general council.

*The particular object of this council was to put an end to the schism within the church and the quarrel between the emperor and the papacy. It was summoned by **Pope Alexander** in 1178, “so that according to the custom of the ancient fathers, the good should be sought and confirmed by many, and that with the cooperation of the grace of the holy Spirit, by the efforts*

of all, there should be carried out what was required for the correction of abuses and the establishment of what was pleasing to God". The council was held at Rome in March 1179. About three hundred fathers assembled from the provinces of Europe and some from the Latin east, and a single legate from the Greek church. It began on 5 *March*, according to Archbishop William of Tyre, our chief authority. The bishops first heard Rufinus, bishop of Assisi, who in a highly polished address praised the Roman pontiff and the Roman church, "that church to which alone belongs the decision and power to summon a general council, to lay down new canons and cancel the old; indeed, though the fathers had summoned a solemn council many times in the past, yet the obligation and reason to do this was never more expedient than at the present".

We do not have the same reasons for doubting the ecumenical nature of this council as we have for Lateran I and II. For, the way in which the council was summoned and conducted by the pope, and the number of fathers who gathered from the whole Latin world and devoted their efforts to strengthening the unity of the church and condemning heretics, resemble rather the ancient councils than Lateran I and II and exemplify the typical council of the Middle Ages presided over by the Roman pontiff. For this reason, it is not surprising that chronicles of the period frequently refer to this council as Lateran I.

Although *we do not possess the acts of the council*, we have evidence from chronicles and annals and especially from the canons which the fathers laid down in the final session on 19 March. Accordingly, to avoid future schisms it was first laid down that nobody was to be regarded as Roman pontiff unless he had been elected by two thirds of the cardinals (canon 1) ; all appointments by **antipopes** were deemed invalid (canon 2), heretics called **Cathars** were excommunicated and likewise were the bands of mercenaries, or rather criminals, which were causing utter destruction in some parts of Europe; it was declared, and this seems an innovation, that arms should be taken up against them (canon 27) ; it was also decided not

to pass judgment about the preaching of the **Waldensians**. All this seems to have been directed to strengthening the unity of the church. In addition, Alexander III and the fathers, renewing the precedent of Lateran I and II, laid down several canons for the reform of the church and some concerning morals and civil affairs.

The canons of this council played a notable part in the future government of the church. They were frequently included in the collections of decretals compiled in the late 12th and early 13th century, and afterwards all were inserted into Pope Gregory IX's Decretals. Walter Holtzmann and other scholars considered that these decretal collections in fact arose from this Lateran council and its canons. Certainly, the canons, unlike those of Lateran I and II and many preceding councils, appear to have been worked out by an excellent legal mind so that it is probable they were composed under the authority of Alexander III himself, who was an expert lawyer. The canons, except for those which refer to Lateran II or the council of Rheims in 1148 (see canons 2, 11, 20-22) or to Gratian's Decrees (see canons 1-4, 7, 11, 13-14, 17-18), are new and original.

The tradition of the canons has not yet been adequately examined and remains very uncertain. Many manuscript codices survive for this council (in contrast to Lateran I and II). However, they do not seem to give us the version of the canons which was confirmed by ecclesiastical authority and which Archbishop William of Tyre, with the authority of the fathers, had himself drawn up. Frequently the canons are to be found in chronicles and decretal collections. They are included in four contemporary English chronicles: those of Abbot Benedict of Peterborough, Gervase of Canterbury, William of Newburgh, and Roger of Hoveden. And in the following collections of decretals: the collection called the Appendix of the Lateran council, the collections of Bamberg, Berlin I, Canterbury I-II, Kassel, Cheltenham, Claudian, Cotton, Dertosa, Douai, Durham, Eberbach, Erlangen, Florian, Klosterneuberg, Leipzig, Oriel II, Paris I, Peterhouse, Rochester, Sangerman, and Tanner; and there are a

considerable number of collections still to be examined. The canons are also contained in the book called “Rommersdorfer Briefbuch”, the Cartulary of Rievaulx, and the codices Florence Ricc. 288 (Day-book), Innsbruck Univ. 90 (Gratian’s Decrees), and (which seem to have been unnoticed hitherto) Vatican Regin. lat. 596, 12th century (fos. 6V-8v), and 984, 12th century (fos. 2r-7v). We can say for certain that the canons of the council were spread abroad through the whole Latin church, and were of great weight in its concerns and transactions.

The first printed edition was made by Cr2 (2, 1551, 836-843). He edited, from a manuscript now lost or unknown, the whole collection known as the Appendix of the Lateran council, which is divided into fifty parts; all 27 canons of Lateran III are in the first part. This text was copied by Su (3, 1567, 626-633) and Bn (3, 1606, 1345-1350), though Su introduced some errors. Bn who was the first to give the name “Appendix of the Lateran council” to the collection, added some variant readings and rubrics which he had found in the chronicle of Roger of Hoveden. The Roman editors (Rm 4, 1612, 27-33), using also the manuscript codex of Antonio Augustine of Tarragona, produced a more accurate text and more variant readings. Later editions, all of which we have examined, followed the Roman text, namely: ER27 (1644) 439-463; LC10 (1671) 1507-1523; Hrd 6 (1714) 1673-1684; Cl 13 (1730) 416-432; Msi 22 (1778) 217-233. Boehmer, who published his edition in 1747, before Msi, is an exception. He took the canons from the Kassel collection of decretals, where the order and some readings are different. Finally, Herold, in his unpublished Bonn dissertation of 1952, examined thoroughly the whole tradition and established the order of the canons; using 36 sources, he concluded there were 34 different traditions!

As things now stand, it is impossible to use all the known sources for our edition. For, these sources reveal only a limited part of the whole tradition and, what is even more important, we do not yet understand the relations between the individual traditions. Even Herold has not examined these

relations sufficiently. **We have therefore preferred to publish the text of a single tradition, namely that of the Appendix of the Lateran council, using Cr2 and Rm as the best text of this tradition and including the variant readings listed in Rrn.** This “Appendix” is a good text, as even Herold’s text (= H) shows. We have given Herold’s variant readings in the critical apparatus, and we have noted in footnotes the order in which he places the 23 canons that he includes.

CANONS

1. Although clear enough decrees have been handed down by our predecessors to avoid dissension in the choice of a sovereign pontiff, nevertheless in spite of these, because through wicked and reckless ambition the church has often suffered serious division, we too, in order to avoid this evil, on the advice of our brethren and with the approval of the sacred council, have decided that some addition must be made. Therefore we decree that if by chance, through some enemy sowing tares, there cannot be full agreement among the cardinals on a successor to the papacy, and though two thirds are in agreement a third party is unwilling to agree with them or presumes to appoint someone else for itself, **that person shall be held as Roman pontiff who has been chosen and received by the two thirds.** But if anyone trusting to his nomination by the third party assumes the name of bishop, since he cannot take the reality, both he and those who receive him are to incur excommunication and be deprived of all sacred order, so that viaticum be denied them, except at the hour of death, and unless they repent, let them receive the lot of Dathan and Abiron, who were swallowed up alive by the earth. Further, if anyone is chosen to the apostolic office by less than two thirds, unless in the meantime he receives a larger support, let him in no way assume it, and let him be subject to the foresaid penalty if he is unwilling humbly to refrain. However, as a result of

this decree, let no prejudice arise to the canons and other ecclesiastical constitutions according to which the decision of the greater and senior {1} part should prevail, because any doubt that can arise in them can be settled by a higher authority; whereas in the Roman church there is a special constitution, since no recourse can be had to a superior.

2. Renewing the decision taken by our predecessor of happy memory, Innocent, we decree that the ordinances made by the heresiarchs **Octavian** {2} and **Guido** {3}, and also by **John of Struma** {4} who followed them, and by those ordained by them, are void; and furthermore that if any have received ecclesiastical dignities or benefices through the foresaid schismatics, they are to be deprived of them. Moreover alienations or seizures of ecclesiastical property, which have been made by these schismatics or by lay persons, are to lack all validity and are to return to the church without any burden to it. If anyone presumes to act against this, let him know that he is excommunicated. We decree that those who of their own accord have taken an oath to remain in schism are suspended from sacred orders and dignities.
3. Since in holy orders and ecclesiastical ministries both maturity of age, a serious character and knowledge of letters should be required, much more should these qualities be required in a bishop, who is appointed for the care of others and ought to show in himself how others should live in the house of the Lord. Therefore, lest what has been done with regard to certain persons through the needs of the time should be taken as a precedent for the future, we declare by the present decree that **no one should be chosen bishop unless he has already reached the age of thirty, been born in lawful wedlock and also is shown to be worthy by his life and learning.** When he has been elected and his election has been confirmed, and he has the administration of ecclesiastical property, after the time has passed for the consecration of bishops as laid down by the canons

let the person to whom the benefices which he held belong, have the free disposition of them. Further, *with regard to the inferior ministries*, for instance that of dean or archdeacon, and others which have the care of souls annexed, let no one at all receive them, or even the rule of parish churches, unless he has already reached his *twenty-fifth year of age, and can be approved for his learning and character*. When he has been nominated, if the archdeacon is not ordained deacon, and the deans (and the rest after due warning) are not ordained priests within the time fixed by the canons, let them be removed from that office and let it be conferred on another who is both able and willing to fulfill it properly; and let them not be allowed the evasion of recourse to an appeal, should they wish by an appeal to protect themselves against a transgression of the constitution. We order that this should be observed with regard to both past and future appointments, unless it is contrary to the canons. Certainly if clerics appoint someone contrary to this rule, let them know that they are deprived of the power of election and are suspended from ecclesiastical benefices for three years. For it is right that at least the strictness of ecclesiastical discipline should restrain those who are not recalled from evil by the fear of God. But if any bishop has acted in anyone's interest contrary to this decree, or has consented to such actions, let him lose the power of conferring the foresaid offices, and let these appointments be made by the chapter, or by the metropolitan if the chapter cannot agree.

4. Since the apostle decided that he ought to support himself and those accompanying him by his own hands, so that he might remove the opportunity of preaching from false apostles and might not be burdensome to those to whom he was preaching, it is recognized that it is a very serious matter and calls for correction that some of our brethren and fellow bishops are so burdensome to their subjects in the procurations demanded that sometimes, for this reason, subjects are forced to sell church ornaments and a short hour

consumes the food of many days. Therefore, we decree that archbishops on their visitations of their dioceses are not to bring with them more than forty or fifty horses or other mounts, according to the differences of dioceses and ecclesiastical resources; cardinals should not exceed twenty or twenty-five, bishops are never to exceed twenty or thirty, archdeacons five or seven, and deans, as their delegates, should be satisfied with two horses. Nor should they set out with hunting dogs and birds, but they should proceed in such a way that they are seen to be seeking not their own but the things of Jesus Christ. Let them not seek rich banquets but let them receive with thanksgiving what is duly and suitably provided {5}. We also forbid bishops to burden their subjects with taxes and impositions. But we allow them, for the many needs which sometimes come upon them, if the cause be clear and reasonable, to ask for assistance moderated by charity. For since the apostle says children ought not to lay up for their parents, but parents for their children, it seems to be far removed from paternal affection if superiors are burdensome to their subjects, when like a shepherd they ought to cherish them in all their needs. Archdeacons or deans should not presume to impose charges or taxes on priests or clerics. Indeed, what has been said above by way of permission about the number of horses may be observed in those places where there are greater resources or revenues, but in poorer places we wish measure so to be observed that **the visit of greater personages should not be a burden to the humbler**, lest by such a grant those who were accustomed to use fewer horses should think that the widest powers have been granted to them.

5. If a bishop ordains someone as deacon or priest without a definite title from which he may draw the necessities of life, let the bishop provide him with what he needs until he shall assign him the suitable wages of clerical service in some church, unless it happens

that the person ordained is in such a position that he can find the support of life from his own or family inheritance.

6. A most reprehensible custom has become established in certain places whereby our brethren and fellow bishops and even archdeacons have passed sentence of excommunication or suspension, without any previous admonition on those who they think will lodge an appeal. Others too, while they fear the sentence and canonical discipline of a superior, lodge an appeal without any real grounds and thus make use of a means ordained for the help of the innocent as a defence of their own wrongdoing. Therefore to prevent prelates burdening their own subjects without reason, or subjects at their will being able to escape the correction of prelates under cover of an appeal, we lay down by this present decree that **prelates should not pass sentence of suspension or excommunication without a previous canonical warning, unless the fault is such that by its nature it incurs the penalty of excommunication** {6} , and that **subjects should not recklessly have recourse to an appeal, contrary to ecclesiastical discipline, before the introduction of their case.** But if anyone believes that because of his own need he should make an appeal, let a proper limit be fixed for his making it, and if it happens that he fails to do so within this limit, let the bishop freely use his own authority. If in any business someone makes an appeal, but fails to appear when the defendant has arrived, let him make a proper repayment of the defendant's expenses, if he is in a position to do so; in this way, at least by fear, a person may be deterred from lightly making an appeal to the injury of another. But we wish that in religious houses especially this should be observed, namely that monks or other religious, when they are to be corrected for any fault, should not presume to appeal against the regular discipline of their superior or chapter, but they should humbly and devoutly submit to what is usefully enjoined them for their salvation.

7. Since in the body of the church everything should be treated with a spirit of charity, and what has been freely received should be freely given, it is utterly disgraceful that in certain churches trafficking is said to have a place, so that a charge is made for the enthroning of bishops, abbots or ecclesiastical persons, for the installation of priests in a church, for burials and funerals, for the blessing of weddings or for other sacraments, and that he who needs them cannot gain them unless he first makes an offering to the person who bestows them. Some think that this is permitted in the belief that long standing custom has given it the force of law. Such people, blinded by avarice, are not aware that the longer an unhappy soul is bound by crimes the graver they are. Therefore, so that this may not be done in the future, **we severely forbid that anything be demanded for the enthronement of ecclesiastical persons or the institution of priests, for burying the dead as well as for blessing marriages or for any other sacrament.** But if anyone presumes to act against this, let him know that he will have his lot with Giezi {7}, whose action he imitates by his demand of a disgraceful present. Moreover, we forbid bishops, abbots or other prelates to impose upon churches new dues, increase the old or presume to appropriate to their own use part of the revenues, but let them readily preserve for their subjects those liberties which superiors wish to be preserved for themselves. If anyone acts otherwise, his action is to be held invalid.
8. **Let no ecclesiastical ministries or even benefices or churches be assigned or promised to anyone before they are vacant,** so that nobody may seem to wish for the death of his neighbour to whose position or benefice he believes himself to be the successor. For since we find this forbidden even in the laws of the pagans themselves, it is utterly disgraceful and calls for the punishment of God's judgment if the hope of future succession should have any place in God's church when even pagans have taken care to

condemn it. But whenever ecclesiastical prebends or any offices happen to become vacant in a church, or are even now vacant, let them no longer remain unassigned and let them be conferred within six months on persons who are able to administer them worthily. If the bishop, when it concerns him, delays to make the appointment, let it be done by the chapter; but if the election belongs to the chapter and it does not make the appointment within the prescribed time, let the bishop proceed according to God's will, with the advice of religious men; or if by chance all fail to do so, let the metropolitan dispose of these matters without opposition from them and in accordance with God's will.

9. Since we ought both to plant holy religion and in every way to cherish it when planted, we shall never fulfil this better than if we take care to nourish what is right and to correct what stands in the way of the progress of truth by means of the authority entrusted to us {8}. Now we have learnt from the strongly worded complaints of our brethren and fellow bishops that the **Templars and Hospitallers**, and other professed religious, exceeding the privileges granted them by the apostolic see have often disregarded episcopal authority, causing scandal to the people of God and grave danger to souls. We are told that they receive churches from the hands of lay persons; that they admit those under excommunication and interdict to the sacraments of the church and to burial; that in their churches they appoint and remove priests without the knowledge of the bishop; that when the brothers go to seek alms, and it is granted that the churches should be open on their arrival once a year and the divine services should be celebrated in them, several of them from one or more houses often go to a place under interdict and abuse the privileges granted {9 } to them by holding divine service, and then presume to bury the dead in the said churches. On the occasion also of the brotherhoods which they establish in many places, they weaken the bishops' authority, for

contrary to their decision and under cover of some privileges they seek to defend all who wish to approach and join their brotherhood. In these matters, because the faults arise not so much with the knowledge or advice of the superiors as from the indiscretion of some of the subjects, we have decreed that abuses should be removed and doubtful points settled. We absolutely forbid that these orders and all other religious should receive churches and tithes from the hands of lay persons, and we even order them to put away what they have recently received contrary to this decree. We declare that those who are excommunicated, or interdicted by name, must be avoided by them and all others according to the sentence of the bishop. In churches which do not belong to them by full right, let them present to the bishops the priests to be instituted, so that while they are answerable to the bishops for the care of the people, they may give to their own members a proper account of temporal matters. Let them not presume to remove those priests who have been appointed without first consulting the bishops. If the Templars or Hospitallers come to a church which is under an interdict, let them be allowed to hold the services of the church only once a year and let them not bury there the bodies of the dead. With regard to **the brotherhoods** we declare as follows: if any do not give themselves entirely to the said brothers but decide to keep their possessions, they are in no way on this account exempt from the sentence of the bishops, but the bishops may exercise their power over them as over other parishioners whenever they are to be corrected for their faults. What has been said about the said brothers, we declare shall be observed with regard to other religious who presume to claim for themselves the rights of bishops and dare to violate their canonical decisions and the tenor of our privileges. If they do not observe this decree, let the churches in which they dare so to act be placed under an interdict, and let what they do be considered void.

10. Monks are not to be received in a monastery for money nor are they allowed money of their own. They are not to be stationed individually in towns or cities or parish churches, but they are to remain in larger communities or with some of their brethren, nor are they to await alone among people of the world the attack of their spiritual foes, since Solomon says, Woe to him who is alone when he falls and has not another to lift him up. If anyone when demanded gives something for his reception, let him not proceed to sacred orders and let the one who has received him be punished by loss of his office. If he has money in his possession, unless it has been granted him by the abbot for a specific purpose, let him be removed from the communion of the altar, and any one who is found at his death with money in his possession {10} is not to receive burial among his brethren and mass is not to be offered for him. We order that this is also to be observed with regard to other religious. Let the abbot who does not exercise care in such matters know that he will incur the loss of his office. Neither priories nor obediences are to be handed over to anyone for a sum of money; otherwise both giver and receiver are to be deprived of ministry in the church. Priors, when they have been appointed to conventual churches, are not to be changed except for a clear and reasonable cause, for instance if they are wastrels or live immoral lives or have committed an offence for which they clearly should be removed, or if on account of the demands of higher office they should be transferred on the advice of their brethren.

11. Clerics in holy orders, who in open concubinage keep their mistresses in their houses, should either cast them out and live continently or be deprived of ecclesiastical office and benefice. Let all who are found guilty of that **unnatural vice** for which the wrath of God came down upon the sons of disobedience and destroyed the five cities with fire, if they are clerics be expelled from the clergy or confined in monasteries to do penance; if they are laymen they

are to incur excommunication and be completely separated from the society of the faithful. If any cleric without clear and necessary cause presumes to frequent convents of nuns, let the bishop keep him away; and if he does not stop, let him be ineligible for an ecclesiastical benefice.

- 12. Clerics in the subdiaconate and above and also those in minor orders**, if they are supported by ecclesiastical revenues, should not presume to become advocates in legal matters before a secular judge, unless they happen to be defending their own case or that of their church, or acting on behalf of the helpless who cannot conduct their own cases. Let clerics not presume to take upon themselves the management of towns or even secular jurisdiction under princes or seculars so as to become their ministers of justice. If anyone dares to act contrary to this decree, and so contrary to the teaching of the Apostle who says, No soldier of God gets **entangled in secular affairs**, and acts as a man of this world, let him be deprived of ecclesiastical ministry, on the grounds that neglecting his duty as a cleric he plunges into the waves of this world to please its princes. We decree in the strictest terms that any religious who presumes to attempt any of the above-mentioned things should be punished.
- 13.** Because some, setting no limit to their avarice, strive to obtain several ecclesiastical dignities and several parish churches contrary to the decrees of the holy canons, so that though they are scarcely able to fulfil one office sufficiently they claim the revenues of very many, we strictly forbid this for the future. Therefore when it is necessary to entrust a church or ecclesiastical ministry to anyone, the person sought for this office should be of such a kind that he is able to **reside in the place** and exercise his care for it himself. If the contrary is done both he who receives it is to be deprived of it, because he has received it contrary to the sacred canons, and he who gave it is to lose his power of bestowing it.

14. Because the ambition of some has now gone to such lengths that they are said to hold not two or three but six or more churches, and since they cannot devote the proper care to two, we order, through our brethren and most dear fellow bishops, that this be corrected, and with regard to this pluralism, so contrary to the canons, and which gives rise to loose conduct and instability, and causes definite danger to the souls of those who are able to serve the churches worthily, it is our wish to relieve their want by ecclesiastical benefices. Further, since some of the laity have become so bold that disregarding the authority of bishops they appoint clerics to churches and even remove them when they wish, and distribute the property and other goods of the church for the most part according to their own wishes, and even dare to burden the churches themselves and their people with taxes and impositions, we decree that those who from now on are guilty of such conduct are to be punished by anathema. Priests or clerics who receive the charge of a church from the hands of lay persons {11}, without the authority of their own bishop, are to be deprived of communion, and if they persist, they are to be deposed from the ecclesiastical ministry and order. We firmly decree that because some of the laity force ecclesiastics and even bishops to come before their courts, those who presume to do so in the future are to be separated from the communion of the faithful. Further we forbid lay persons, who hold tithes to the danger of their souls, to transfer them in any way {12} to other lay persons. If anyone receives them and does not hand them over to the church, let him be deprived of christian burial.
15. Although in duties of charity we are especially under obligation to those from whom we know we have received a gift, on the contrary certain **clerics**, after **receiving** many **goods from their churches**, have presumed to transfer these goods to other uses. We forbid this, knowing that it is also forbidden by ancient canons. Therefore, as we wish to prevent damage to the churches, we order that such

goods should remain under the control of the churches, whether the clerics die intestate or wish to bestow them upon others. Besides, since in certain places certain persons called deans are appointed for a fee and exercise episcopal jurisdiction for a sum of money, by the present decree we declare that those who in future presume to do this should be deprived of their office and the bishop shall lose the power of conferring this office.

16. Since in every church what is approved by the greater and senior {13} part of the brethren should unhesitatingly be observed, it is a very serious and blameworthy matter that in certain churches a few persons, sometimes not so much for a good reason as for their own will, frequently prevent an election and do not allow the ecclesiastical appointment to go forward. Therefore we declare by the present decree that **unless some reasonable objection is shown by the smaller and junior party, apart from an appeal, whatever is determined by the greater and senior {14} part of the chapter should always prevail** and should be put into effect. Nor let it stand in the way of our decree if someone perchance says that he is under oath to preserve the custom of his church. For this is not to be called an oath but rather perjury, which is opposed to the advantage of the church and the decrees of the holy fathers. If anyone presumes to maintain under oath such customs, which are neither supported by reason nor in accord with the sacred decrees, let him be denied the reception of the body of the Lord until he performs fit penance.
17. Since in certain places the founders of churches or their heirs abuse the power in which the church has supported them until now, and though **there ought to be one superior in the church** of God they nevertheless contrive to choose several without regard to subordination, and though there ought to be one rector in each church they nevertheless put forward several in order to protect their own interests; for these reasons we declare by the present

decree that if the founders support several candidates, that one should be in charge of the church who is supported by greater merits and is chosen and approved by the consent of the greater number. If this cannot be done without scandal, let the bishop arrange in the manner that he sees best according to the will of God. He should also do this if the question of the right of patronage arises among several persons, and it has not been settled to whom it belongs within three {15} months.

- 18.** Since the church of God is bound to provide like a mother for those in want, with regard to both the things which concern the support of the body and those which lead to the progress of the soul, therefore, in order that the opportunity of learning to read and progress in study is not withdrawn from poor children who cannot be helped by the support of their parents, **in every cathedral church a master is to be assigned some proper benefice so that he may teach the clerics of that church and the poor scholars.** Thus the needs of the teacher are to be supplied and the way to knowledge opened for learners. In other churches and monasteries too, if anything in times past has been assigned in them for this purpose, it should be restored. Let no one demand any money for a licence to teach, or under cover of some custom seek anything from teachers, or forbid anyone to teach who is suitable and has sought a licence. Whoever presumes to act against this decree is to be deprived of ecclesiastical benefice. Indeed, it seems only right that in the church of God a person should not have the fruit of his labour if through self-seeking he strives to prevent the progress of the churches by selling the licence to teach.
- 19.** It is recognized as a very serious matter, as regards the sin of those who do it no less than the loss of those who suffer it, that in several parts of the world the governors and officials of cities, and others too who are seen to have power, often impose on churches so many burdens and oppress them with such heavy and frequent

impositions, that under them the priesthood seems to be in a worse condition than it was under Pharaoh, who had no knowledge of the divine law. He indeed, though he reduced all others to slavery, left his priests and their possessions in their ancient freedom, and provided them with support from public funds. But these others impose burdens of nearly every kind upon the churches and afflict them with so many exactions that the lamentation of Jeremiah seems to apply to them, The prince of provinces has become a tributary. For whenever they think that entrenchments or expeditions or anything else should be made, they wish that almost everything should be seized from the **goods assigned to the use of churches, clerics and Christ's poor**. They even so reduce the jurisdiction and **authority of bishops and other prelates** that these seem to retain no power over their own subjects. But though we must in this matter grieve for the churches, we must grieve none the less for those who seem to have utterly cast aside the fear of God and respect for the ecclesiastical order. Therefore we strictly forbid them under pain of anathema to attempt such acts in future, unless the bishop and clergy see the need or advantage to be so great that they believe that where the means of the laity are insufficient, aid should be given voluntarily by the churches to relieve common needs. But if in future officials or others presume to continue such practices and after warning refuse to stop, let both them and their supporters know that they are excommunicated, and let them not be restored to the communion of the faithful unless they make due satisfaction.

20. Following the footsteps of our predecessors of happy memory, popes Innocent and Eugenius, we forbid those abominable **jousts** and fairs, which are commonly called tournaments, in which knights come together by agreement and rashly engage in showing off their physical prowess and daring, and which often result in human deaths and danger to souls. If any of them dies on these

occasions, although forgiveness {16} is not to be denied him when he requests it, he is to be deprived of a church burial.

21. We decree that **truces** are to be inviolably observed by all from after sunset on Wednesday until sunrise on Monday, and from Advent until the octave of the Epiphany, and from Septuagesima until the octave of Easter. If anyone tries to break the truce, and he does not comply after the third warning, let his bishop pronounce sentence of excommunication and communicate his decision in writing to the neighbouring bishops. Moreover, let no bishop receive into communion the excommunicated person, but rather let him confirm the sentence received in writing. If anyone presumes to infringe this, he will do so at the risk of his position. Since a threefold cord is not quickly broken, we enjoin bishops, having regard only for God and the salvation of the people, and laying aside all timidity, to furnish each other with mutual counsel and help towards firmly maintaining peace, and not to omit this duty by reason of any affection or aversion. For if anyone is found to be lukewarm in the work of God, let him incur the loss of his dignity.
22. We renew our decree that priests, monks, clerics, lay brothers, merchants and peasants, in their coming and going and their work on the land, and the animals which carry seeds to the field, should enjoy proper security, and that nobody should impose on anyone new demands for **tolls**, without the approval of kings and princes, or renew those already imposed or in any way increase the old. If anyone presumes to act against this decree and does not stop after warning, let him be deprived of christian society until he makes satisfaction.
23. Although the Apostles says that we should pay greater honour to our weaker members, certain ecclesiastics, seeking what is their own and not the things of Jesus Christ, do not allow **lepers**, who cannot dwell with the healthy or come to church with others, to have their own churches and cemeteries or to be helped by the ministry

of their own priests. Since it is recognized that this is far from christian piety, we decree, in accordance with apostolic charity, that wherever so many are gathered together under a common way of life that they are able to establish a church for themselves with a cemetery and rejoice in their own priest, they should be allowed to have them without contradiction. Let them take care, however, not to harm in any way the parochial rights of established churches. For we do not wish that what is granted them on the score of piety should result in harm to others. We also declare that they should not be compelled to pay tithes for their gardens or the pasture of animals.

24. Cruel avarice has so seized the hearts of some that though they glory in the name of Christians they provide the Saracens with arms and wood for helmets, and become their equals or even their superiors in wickedness and supply them with arms and necessaries to attack Christians. There are even some who for gain act as captains or pilots in galleys or Saracen **pirate** vessels. Therefore, we declare that such persons should be cut off from the communion of the church and be excommunicated for their wickedness, that catholic princes and civil magistrates should confiscate their possessions, and that if they are captured they should become the slaves of their captors. We order that throughout the churches of maritime cities frequent and solemn excommunication should be pronounced against them. Let those also be under excommunication who dare to rob Romans or other Christians who sail for trade or other honourable purposes. Let those also who in the vilest avarice presume to rob shipwrecked Christians, whom by the rule of faith they are bound to help, know that they are excommunicated unless they return the stolen property.
25. Nearly everywhere the crime of usury has become so firmly rooted that many, omitting other business, practise usury as if it were permitted, and in no way observe how it is forbidden in both the

Old and New Testament. We therefore declare that *notorious usurers* should not be admitted to communion of the altar or receive christian burial if they die in this sin. Whoever receives them or gives them christian burial should be compelled to give back what he has received, and let him remain suspended from the performance of his office until he has made satisfaction according to the judgment of his own bishop.

26. **Jews and Saracens** are not to be allowed to have christian servants in their houses, either under pretence of nourishing their children or for service or any other reason. Let those be excommunicated who presume to live with them. We declare that the evidence of Christians is to be accepted against Jews in every case, since Jews employ their own witnesses against Christians, and that those who prefer Jews to Christians in this matter are to lie under anathema, since Jews ought to be subject to Christians and to be supported by them on grounds of humanity alone. If any by the inspiration of God are converted to the christian faith, they are in no way to be excluded from their possessions, since the condition of converts ought to be better than before their conversion. If this is not done, we enjoin on the princes and rulers of these places, under penalty of excommunication, the duty to restore fully to these converts the share of their inheritance and goods.
27. As St. Leo says, though the discipline of the church should be satisfied with the judgment of the priest and should not cause the shedding of blood, yet it is helped by the laws of catholic princes so that people often seek a salutary remedy when they fear that a corporal punishment will overtake them. For this reason, since in Gascony and the regions of Albi and Toulouse and in other places the loathsome heresy of those whom some call the **Cathars**, others the **Patarenes**, others the **Publicani**, and others by different names, has grown so strong that they no longer practise their wickedness in secret, as others do, but proclaim their error publicly and draw

the simple and weak to join them, we declare that they and their defenders and those who receive them are under anathema, and we forbid under pain of anathema that anyone should keep or support them in their houses or lands or should trade with them. If anyone dies in this sin, then neither under cover of our privileges granted to anyone, nor for any other reason, is mass to be offered for them or are they to receive burial among Christians. With regard to the **Brabanters, Aragonese, Navarrese, Basques, Coterelli and Triaverdini** {17}, who practise such cruelty upon Christians that they respect neither churches nor monasteries, and spare neither widows, orphans, old or young nor any age or sex, but like pagans destroy and lay everything waste, we likewise decree that those who hire, keep or support them, in the districts where they rage around, should be denounced publicly on Sundays and other solemn days in the churches, that they should be subject in every way to the same sentence and penalty as the above-mentioned heretics and that they should not be received into the communion of the church, unless they abjure their pernicious society and heresy. As long as such people persist in their wickedness, let all who are bound to them by any pact know that they are free from all obligations of loyalty, homage or any obedience. On these {18} and on all the faithful we enjoin, for the remission of sins, that they oppose this scourge with all their might and **by arms protect the christian people** against them. Their goods are to be confiscated and princes free to subject them to *slavery*. Those who in true sorrow for their sins die in such a conflict should not doubt that they will receive forgiveness for their sins and the fruit of an eternal reward. We too trusting in the mercy of God and the authority of the blessed apostles Peter and Paul, grant to faithful Christians who take up arms against them, and who on the advice of bishops or other prelates seek to drive them out, a remission for two years of penance imposed on them, or, if their service shall be longer, we entrust it to the discretion of

the bishops, to whom this task has been committed, to grant greater indulgence, according to their judgment, in proportion to the degree of their toil. We command that those who refuse to obey the exhortation of the bishops in this matter should not be allowed to receive the body and blood of the Lord. Meanwhile we receive under the protection of the church, as we do those who visit the Lord's sepulchre, those who fired by their faith have taken upon themselves the task of driving out these heretics, and we decree that they should remain undisturbed from all disquiet both in their property and persons. If any of you presumes to molest them, he shall incur the sentence of excommunication from the bishop of the place, and let the sentence be observed by all until what has been taken away has been restored and suitable satisfaction has been made for the loss inflicted. Bishops and priests who do not resist such wrongs are to be punished by loss of their office until they gain the pardon of the apostolic see.

FOOTNOTES

1. sounder in Cr, LC-Msi, H
2. antipope Victor IV (1159-1164)
3. antipope Paschal III (1164-1168)
4. antipope Callistus III (1168-1178)
5. Let them not... provided omitted in Cr Su.
6. suspension or excommunication variant reading in Rm, H
7. see 4 Kg, 20-27
8. by God added in H
9. by us added in H
10. and has not repented in a fitting manner added in H
11. whether under cover of patronage or in any other way added in H
12. without the consent of their bishop added in H
13. sounder in H

14. sounder variant reading in Rm
15. four variant reading in Rm, two in H
16. penance H
17. omitted in H
18. princes H

Introduction and translation taken from *Decrees of the Ecumenical Councils*, ed. Norman P. Tanner.